MINUTES
SELECT BOARD
HARWICH TOWN HALL
732 MAIN STREET, HARWICH MA
MONDAY, JUNE 30, 2025
5:15 P.M. EXECUTIVE SESSION
6:00 P.M. - REGULAR MEETING

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

MEMBERS ABSENT: Member Anita Doucette

ALSO PARTICIPATING: Assistant Town Administrator Meggan Eldredge & Executive Assistant Jennifer Clarke

CALL TO ORDER

Mr. Howell called the meeting to order at 5:15 p.m.

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. Howell, Mr. Piekarski, Mr. Handler & Mr. Kelleher all voting aye by roll call

EXECUTIVE SESSION

A. 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
B. Pursuant to MGL c.30A section 21 (a)(6) to consider the purchase, exchange, lease or value of real property and the Chair has determined that open session would have a detrimental effect on the negotiating position of the public body; Walden Way

Mr. Howell stated that no action was taken on item a. He did report that no action was taken on item b, but that it would be brought back in open session for a full discussion.

PLEDGE OF ALLEGIANCE

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

STAFF COMMENTS/ANNOUNCEMENTS

No staff comments were heard.

WEEKLY BRIEFING

Ms. Eldredge gave the Phase 3 sewer extension update, and a two week lookahead, highlighting the areas of work. Information is available on the Town website.

A. Project Update from Assistant Town Administrator

Ms. Eldredge reviewed the project update as outlined in the packet. 26 new projects have been added to the list as a result of the 2025 Annual Town Meeting votes. The list includes 70 projects in total. Of the projects, 33 are awaiting action from a project lead, counsel, or an outside source, 16 of which are from the 2025 Annual Town Meeting. Department Heads have been proactive in starting the FY26 procurement and 7 new projects have already obtained contracts for services or supplies. 11 projects are in the process or ongoing. These projects include appropriations to departments for purchase that may not require bid advertisements or proposals or projects that require funding as needed.

The town signed a contract for owner's project management (OPM) services in June of 2025 for Brooks Academy Museum. The OPM contract outlines a scope of work that includes the development of a project description and timeline that will be used to solicit proposals for the selection of a designer. It is anticipated that we will have this scope of work in the coming month and then release a request for proposals to secure a design engineer/architect for the work. Once we select a designer, the next step is to obtain architectural/engineered plans that will be used to solicit construction bids.

The final design plans are anticipated to be completed in July with a review period to follow for the Route 39/Chatham Road Intersection ("hope and go"). The engineer anticipates the project can go out to bid in the Fall of 2025. The final design plans will be made public as soon as they are available.

The Harbormaster has met with an engineer to review the condition of the Saquatucket bulkhead and has determined a repair to the structure rather than a full replacement is a viable option at this time. GEI Engineering has been retained to design a repair and provide a scope of work for minor dredge work. The repair and dredge work are anticipated to be done in the fall/winter of this year.

The town has engaged with EDR Engineering to provide a conceptual design plan for the sidewalks in Harwich Center, including the repair to the sidewalk area in front of the library. The conceptual design will provide options for parking space relocations along Main Street, looking at the area in front of the Mason's building.

A contract for Laserfische is active and we are scheduled to have our first round of documents transferred to a facility for conversion to electronic form. This project is multi-year in nature.

We are on track with the Great Sand Lakes Sewer Project to submit for SRF funding in October of 2025. Design plans are being developed by GHD Engineering.

Mr. Kelleher said that he is happy to hear about the Saquatucket bulkhead. He commented that when you look at old pictures of Harwich Center, that the sidewalks are all lined with trees. He noted that there are no trees now and would like trees to be considered in the project planning.

Mr. Piekarski said that what stands out to him in the project list is the article from the 2022 Town Meeting regarding the bylaw charter analysis. He wondered with the recent events if that could be eliminated. He added that maybe there are others in the plan that are no longer necessary and may be able to be identified going forward.

Mr. Howell said that the board has been working over the last month to try and establish certain goal posts for major projects and that it is anticipated that those timelines will be broken out separately. He would like to make sure that Brooks Academy is held separate so that it doesn't get buried in the list of major items.

PUBLIC COMMENTS/ANNOUNCEMENTS

No public comments/announcements were heard.

CONSENT AGENDA

A. Approve the Select Board Meeting Minutes from June 23, 2025

Mr. Kelleher moved to approve the Select Board Meeting Minutes from June 23, 2025 as printed, 2nd by Mr. Piekarski and approved 3-0-1 (Handler abstained).

NEW BUSINESS

A. Vote to approve a Special Permit application for a walk/run/ride event for Child & Family Services, event to be held on September 6, 2025, from 8:00 a.m. – 12:00 p.m. at 1 Oak Street

Mr. Kelleher moved to approve a Special Permit application for a walk/run/ride event for Child & Family Services, event to be held on September 6, 2025, from 8:00 a.m. – 12:00 p.m. at 1 Oak Street, 2nd by Mr. Handler and approved 4-0-0.

B. Vote to approve a Special Permit application for a one-day entertainment and one-day liquor license (wines & malt) for Reciprocity, event to be held on September 6, 2025, from 3:00 p.m. – 8:00 p.m. at 4 Cross Street

Mr. Kelleher moved to approve a Special Permit application for a one-day entertainment and one-day liquor license (wines & malt) for Reciprocity, event to be held on September 6, 2025, from 3:00 p.m. – 8:00 p.m. at 4 Cross Street, 2nd by Mr. Handler and approved 4-0-0.

C. Discussion and possible vote to authorize the Chair to sign the application for Local Action Units for 203 Bank Street

Ms. Eldredge said that any project that receives Community Preservation Act funding can apply for a local initiative program application for local action units. This process will allow us to put these housing units on our Subsidized Housing Inventory list.

Mr. Howell confirmed that this is not a Local Initiative Program application.

Mr. Kelleher moved to approve and authorize the Chair to sign the application for Local Action Units for 203 Bank Street, 2nd by Mr. Handler and approved 4-0-0.

D. Discussion on Affordable Housing Trust

Mr. Howell said that the trust documents that are filed at the Barnstable County Registry of Deeds are clear in the way that they were written with respect to the Town Administrator and the Town Administrator's appointment to the trust. The appointment is currently held by Larry Ballantine. Mr. Howell has been saying for several years that the trust needs to revise their agreement. Brendan Lowney, Vice Chair of the trust has been made aware that he may be called on to act as Chair of the trust. This change will also need the approval of the majority of the Select Board as well as the trust, before filing with the Barnstable Registry of Deeds. The Select Board should be pursing the trust to engage in this process. Mr. Howell added that there is language in the trust document that needs to be cleaned up as well.

Mr. Handler asked to confirm that the Select Board as well as the trust has to agree. Mr. Howell responded that both parties would need to vote, and the Select Board would countersign the agreement, confirming that it is a living document.

Mr. Howell said that no action is needed tonight and that he would work with Mr. Lowney on next steps.

E. Vote to approve the appointment of Eric A. Kinsherf as the Interim Finance Director/Town Accountant effective immediately

Mr. Howell asked if there is anything that would prevent the Select Board from terminating this agreement in the future if needed. Ms. Eldredge responded no and that there are contracts to be approved by the board later in the packet. The firm sends bills on a month to month and Mr. Kinsherf understands the agreement and is willing to serve Harwich as we need.

Mr. Kelleher moved to approve appointment of Eric A. Kinsherf as the Interim Finance Director/Town Accountant effective immediately, 2nd by Mr. Handler and approved 4-0-0.

F. Discussion and possible vote to approve the year end budget transfers as authorized per MGL Chapter 44 Section 33b

Mr. Howell said that he is still planning for the Capital Outlay Committee to meet with the Select Board in a few weeks. We are in the position now to make these possible transfers. Mr. Howell thinks that the board needs to take action and then come back with the Finance Committee when they can meet.

Ms. Eldredge reported that was is provided in the packet are the transfer requests for FY25. The Finance Committee does have this list as well and they will be meeting on July 10th and voting. Once both the Select Board and Finance Committee have voted, the document will be signed by the Finance Director/Town Accountant and Town Administrator. These transfers must be made by July 15th.

Mr. Piekarski said that these transfers were what he was hoping to have knowledge of for the past several months. In the future, he would prefer that the Finance Committee have a chance to review these transfers prior to the Select Board. Mr. Piekarski said that he assumes that these numbers are just rounded estimates. Ms. Eldredge confirmed.

Mr. Howell said that we are anticipating correcting this process going forward. We need to know when someone's budget is falling short of projection for revenues and expenses.

Mr. Handler moved approve the year end budget transfers as authorized per MGL Chapter 44 Section 33b as presented, 2nd by Mr. Kelleher and approved 4-0-0.

OLD BUSINESS

A. Discussion on Acting Town Administrator; votes may be taken

Mr. Howell said that he has had a discussion with 2 outside individuals which was him telling them that Harwich has an opening. Tony Schiavi is the name that Mr. Howell provided to the board, saying that he worked in both Ashland and Bourne and has a background being a fulltime Town Administrator and would be willing to make a 40-hour commitment to the position.

Mr. Piekarski said that he would be happy for the board to have a conversation with him to see what he can being to Harwich.

Mr. Kelleher noted that Mr. Schiavi was a general in the Airforce and was given accolades when he left Ashland.

Mr. Handler read into the record an email from Mary Anderson and said that it would be included in next weeks packet under correspondence.

Mr. Handler asked if Mr. Schiavi is a certified procurement officer. Mr. Howell said that he assumes that he is but is not sure. This is one of the questions that the board can ask if Mr. Schiavi comes before them. Mr. Handler followed up by saying that procurement in Harwich is a big deal and he would like to know his procurement credentials and also asked when he would be coming before the board. Mr. Howell responded that he would come in when the full board is present.

Mr. Handler found himself in an interesting predicament. He stands by what he said at the last meeting where this was discussed and will not be changing his opinion. Mr. Handler feels that we have the right person in place and has trust in that person. He added that he would not be against bringing in Mr. Schiavi if that is what the other 4 board members would like.

Mr. Howell said that he would get back to Mr. Schiavi and set up a date for him to come before the board.

B. Discussion on obligations for adoption of Climate Leader Community Certification for Harwich

Valerie Bell from the Harwich Energy and Climate Action Committee was present. Also present remotely was Lisa Sullivan from the Massachusetts Department of Energy Resources.

Ms. Bell said that their intention is to recommend that the Town of Harwich proceed in its application to become a climate leader community, which will take many steps. The committee is looking to get information to try and apply to the Commonwealth of Massachusetts for help in developing a road map so that Harwich would know the steps needed into order to become a climate leader community.

Mr. Howell commented that Ms. Sullivan was not part of the initial presentation that was made to the board. When Ms. Bell presented the first time, the specific request was to find out what the financial burden is and what Harwich can expect in return from the State. He added that there was no discussion about coastal resilience money or the new upgraded stormwater runoff regulations, which are consequences of global warming.

Ms. Bell said that this is mainly a decarbonization program. Mr. Howell responded that also comes with a cost and that he has been asking for this for a while. The board would have wanted to cost this out with the appropriate department heads, especially the DPW. Ms. Eldredge added that she spoke with Building and Facilities Manager Sean Libby today and that there are some concerns about converting buildings to non-fossil fuels and building codes that would need to be enacted and enforced. Mr. Howell said that he wants to know what our obligations are which would translate into the money that the Town of Harwich would need to spend.

Ms. Sullivan said that this is a green communities 2.0 program and not something that the board needs to make a decision on tonight. She is present to educate and answer any questions.

Ms. Bell commented that what she is trying to say is that there is no real up front cost to be part of this program. She added that the Harwich community feels strongly about climate change and the citizens of Harwich support moving towards a more climate friendly environment. Yes, if electric vehicles were bought, Harwich would have to purchase them, but then we could use the grant program to apply and get the money from the state. Ms. Bell said that this does not mean that we cant have any fossil fuels, it just means that we are looking to reduce them. As she has mentioned before, the state is moving ahead with legislation passed in 2021 to be net zero by 2050.

Mr. Howell said that the board is looking for something more than what is being presented because everything that Ms. Bell has said has a dollar figure attached to it.

A brief discussion about the DPW fuel storage tanks took place. Ms. Sullivan said that certainly the fuel depots would stay in place and that we are not putting a price tag on every single item. She added that committing to a roadmap does not commit the town to spending money.

Mr. Handler feels that this is a big decision for Harwich and that Ms. Bell mentioned that the Town of Harwich is interested in this. Mr. Handler is not sure of that but is sure that there are some that are interested. He sees this as a big enough decision that it should be made on the floor of Town Meeting to decide if Harwich is a climate leader or not. Ms. Bell said that it would need to go to Town Meeting. Mr. Handler responded that it is not lost on him that there are costs associated with this. The cost of electricity in Massachusetts is among the highest and there is no guarantee for grants. He does understand that there is a process and would love for the Department Head's to be involved. Mr. Handler sees the roadmap as being the next logical step.

Mr. Kelleher said that he likes the idea of grants and that there is work the can be done in conjunction with Mr. Libby. He would like to see what the energy uses are in each building and finds this ask to be somewhat risk free at least initially, adding that he does have reservations about the stretch code. Ms. Sullivan responded that at this stage, this is an application process and that you are not guaranteed to being a climate leader. The Town Administrator would need to write a letter saying that the town would try and meet all the requirements in a year, which is a commitment to some degree. Million-dollar grant funding is not available unless you become a climate leader. In the meantime, Harwich remains a green community.

Mr. Piekarski said that he does not have a problem trying to improve the way in which we treat the earth, however he does not agree with all of the proposed elements of the climate leader criteria. He would like to see a lot more communities adopt this to have a better idea of what it truly means. Mr. Piekarski also added that he is a skeptic when it comes to state monies, which has been a consistent viewpoint from him. He said that he would not be supporting this tonight.

Mr. Howell noted that there is nothing to vote on tonight. The suggested next step would be getting Mr. Libby involved on what the obligations are, including financials, and bring a report back to the board. If we were taking a vote tonight, Mr. Howell would not agree either. He also suggesting bringing the Police and Fire Chiefs into the conversation as well. Mr. Handler would like to see the school also included.

Ms. Bell said that there are 2 steps to this. The 1st would be applying for a grant to have a state expert come in and help with the roadmap to see what the towns priorities are. With the help of the Department Head's and the state expert, we could move towards estimates for costs. The intent would be to have a document that would have information about energy usage in Harwich and suggestions on what can be done to make things more energy efficient.

Ms. Bell said that the deadline for the roadmap application is July 25th. Ms. Sullivan said that there are opportunities for application once a quarter. She agreed that the next step would be to involve Department Head's and offered to be available via zoom.

Mr. Kelleher view this program as a way to save money. He asked Ms. Sullivan if there are any other towns like Harwich that have done reports that the board can see the end product. Ms. Sullivan responded that she is sure that Truro would be happy to share their report. She added that Harwich already has a commitment to de-carbonization.

Mr. Howell feels that it is important for the board to know what they would be committing to and that the next step is a staff level review to get hard information. He agreed with Mr. Kelleher's request to see reports from other towns.

Ms. Bell stated that she is grateful that the board is willing to take the next step and get staff involved. She asked that she be kept in the loop as this moves forward.

C. Discussion and possible vote relative to Finance Director/Town Accountant Search

Mr. Piekarski said that the board has been going through the process of locating and hiring a Finance Director. The consultant had brought forward 4 solid finalists. Back in April, 4 of the 4 board members had the same top 2 candidates. Many of the board mentioned at the time how close it was and how hard a decision it was to move forward. The 1st candidate did not work out.

Mr. Handler asked if we had already gone through this process with Ms. Mince once. Mr. Howell responded that most communication with her was through email and when it was done by email it perceived as impersonal.

Mr. Piekarski moved to authorize the Chair or his designee to contact Jennifer Mince to inquire if she is interested in the Finance Director position with the possibility of moving into contract negotiations as a Select Board, 2nd by Mr. Kelleher and approved 4-0-0.

CONTRACTS

A. Discussion and vote to approve a contract with Specialty Vehicles, Inc., for the purchase of 2 new/unused Ford F550 Lifeline Ambulances in the amount of $1,098,502.00

Mr. Kelleher moved to approve a contract with Specialty Vehicles, Inc., for the purchase of 2 new/unused Ford F550 Lifeline Ambulances in the amount of $1,098,502.00, 2nd by Mr. Handler and approved 4-0-0.

B. Discussion and vote to approve a contract with Eric Kinsherf, CPA LLC for Finance Director/Town Accountant services in the amount not to exceed $100,000.00

Mr. Kelleher moved to approve a contract with Eric Kinsherf, CPA LLC for Finance Director/Town Accountant services in the amount not to exceed $100,000.00, 2nd by Mr. Handler and approved 4-0-0.

C. Discussion and vote to approve a contract with Eric Kinsherf, CPA LLC for Treasury Support services in the amount not to exceed $40,000.00

Mr. Kelleher moved to approve a contract with Eric Kinsherf, CPA LLC for Finance Director/Town Accountant services in the amount not to exceed $100,000.00, 2nd by Mr. handler and approved 4-0-0.

TOWN ADMINISTRATOR'S REPORT

Ms. Eldredge reported a contract with Allen Harbor Marine for the purchase of an outboard motor for the Harbormaster Marine 77A boat in the amount of $20,130.00.

Ms. Eldredge reported a contract with the Animal Rescue League of Boston to confine stray and unlicensed dogs that are delivered by an authorized agent of the Town of Harwich in the amount of $7,395.00

Ms. Eldredge said that the Town has received one response to the RFP for the Town Administrator Search Firm. The response was from Groux White Consulting. She will forward the technical proposal to the board and the price proposal will remain sealed until the technical proposal has been reviewed. Mr. Howell asked if this would get the board to the point where Ms. Eldredge feels comfortable with the board's request to have the firm come before them to ask and answer questions. Ms. Eldredge responded yes and that she would reach out to the firm and try and set something up for the boards July 14th meeting.

SELECT BOARD MEMBER REPORT

Mr. Handler requested that the discussing regarding the Monomoy Regional School agreement be put on the July 14th agenda and if not, he would like some explanation as to why it would not be. Mr. Howell responded that it would need to be a 5-member discussion.

Mr. Kelleher said that he attended the wonderful O Captain! My Captain! performance at the South Harwich Meetinghouse. He also attended a summer resident's meeting in Chatham to get an idea of how Harwich could run their meeting. At this meeting, they did mention a pending bill in the Legislature for the Maggie Hubbard Rental Safety Act. If this bill passes, it will require all short-term rentals to have a fire inspection done. Mr. Piekarski said that the fee associated with that inspection will need to be looked at.

Mr. Piekarski asked for a status update on the Veteran's Agent for the town. Mr. Howell responded that Harwich has never had their own agent but has piggybacked with other towns. Mr. Piekarski responded that he understands that information but would still like a status update.

Mr. Handler commented that the Housing Production Plan was approved by the state and complimented the Local Planning Committee (LPC). He added that he was the Select Board Liaison to the LPC and that he doesn't see that they have a liaison, He would like to continue is that role. Mr. Howell responded that their liaison position would take a discussion of the board. As it stands now, when the LPC Chair was before the board, they were talking about interactive links in their document. If it is a public document, the public needs to be able to access it and not need a fancy software. Mr. Howell added that the Chair of the Planning Board said that they have been trying to connect with the LPC to have an interactive meeting, and that he has been unsuccessful in making that happen. Mr. Handler said that he would work to facilitate that meeting.

Mr. Howell said that he hopes that everyone will join Mr. Kelleher tomorrow at Brooks Park when he presents the proclamation to the Harwich Town Band for their 50th birthday.

CORRESPONDENCE

ADJOURNMENT

Mr. Handler moved to adjourn the meeting of the Select Board at 7:19 p.m., 2nd by Mr. Kelleher and approved 4-0-0.

Respectfully submitted,

Jennifer Clarke
Executive Assistant