MINUTES
SELECT BOARD
HARWICH TOWN HALL
732 MAIN STREET, HARWICH MA
MONDAY, JULY 28, 2025
5:00 P.M. EXECUTIVE SESSION
7:00 P.M. - REGULAR MEETING

MEMBERS PARTICIPATING: Chair Donald Howell, Vice Chair Peter Piekarski, Clerk Mark Kelleher, Member Jeffrey Handler & 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 5:00 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. Handler, Mr. Kelleher & Ms. Doucette all voting aye by roll call

EXECUTIVE SESSION

A. Pursuant to MGL c.30A, §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, §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 Town; 62 Route 28
C. Pursuant to G.L. c. 30A, §21(a)(2) to conduct strategy sessions in preparation for negotiations with non-union personnel and to conduct contract negotiations with non-union personnel: Acting Town Administrator

Mr. Howell reported that no action was taken in Executive Session that can be released for open session.

PLEDGE OF ALLEGIANCE

Mr. Howell invited everyone to join for the Pledge of Allegiance.

STAFF COMMENTS/ANNOUNCEMENTS

Ms. Eldredge stated that previous meetings regarding the Pine Oaks Village 4 project were held at 204 Sisson Road. Due to there being no air conditioning and sound quality with the fans in the room, these meetings have been relocated to the Community Center in the multipurpose room. The next meeting will be on August 6, 2025, at 6:30 p.m. Meetings will be held at this location for the foreseeable future.

Mr. Kelleher reminded the public about the non-resident taxpayer meeting that will be held on August 4, 2025, at 6:00 p.m. in the Griffin Room. Mr. Howell added that key staff will be present to answer questions. Mr. Piekarski asked if there has been any promotion of the event. Mr. Kelleher responded that information has been posted on various social media sites, fliers have been put up around town and an ad has been run in this week's edition of the Chronicle. Mr. Howell suggested possible a banner be run on The Harwich Channel. Mr. Piekarski asked about using the electronic signs around town.

Community Center Director Carolyn Carey was present and announced the community yard sale that is scheduled for Friday, August 1, 2025. The event is rain or shine and if it does rain, the event will be held indoors. It will be announced on Wednesday whether the event will be inside or outside and the location.

WEEKLY BRIEFING

Ms. Eldredge gave the and a two week look ahead, highlighting the areas of work. Information is available on the Town website.

Ms. Eldredge reported that the extension for the State Revolving funding for Great Sand Lakes has been applied for that that Harwich has been put back on the IEP list for 2026. Documents were submitted last week by GHD.

The Capital Outlay Committee is meeting next Friday morning if anyone is interested in attending. The meeting will begin at 10:00 a.m. and there will be a site visit ahead of the meeting at the Elementary School.

Ms. Eldredge said that the responses for the Brooks Academy Museum request for proposal are due on August 20, 2025.

A. Status of the legal services request for proposals

Ms. Eldredge informed the board that the draft of the request for proposals (RFP) is just about done and that information from other towns has been put in the board's Dropbox for review. There was a question about if the board wanted to have counsel offer set drop-in days during a month and Ms. Eldredge added that she has presently left that out of the proposal.

Mr. Howell said that he would like to see it separated out as different types of service; labor counsel, regulatory and general legal advice, with the board being able to award any and all separately if they choose.

There was a discussion about the possibility of a monthly retainer payment where for that amount of money on some of these contracts, counsel could be queried. Mr. Howell said that this can be discussed more deeply.

Mr. Howell commented that the board might end up where we currently are, and that will be okay as well.

Ms. Eldredge feels that an in-person interview with the firms would be warranted after receipt of their proposals. Mr. Howell agreed.

Mr. Howell asked if there would be any chance of at least getting a generic construction agreement for Brooks Academy Museum that would leave open the actual design specifications that we would be receiving from the architect. Ms. Eldredge responded that the RFP right now for the design services is to develop the construction documents off of the plan that they provide. The designer will provide the town with design plans as well as specs for construction that will go out to bid.

PUBLIC COMMENTS/ANNOUNCEMENTS

Patrick Otton was present and said that our ponds are under attack with cyanobacteria blooms. He attended a Department of Conservation and Recreation lecture about the pollution and problems with our ponds regarding invasive species. Mr. Otton informed the board that there is a federal and state law that says when a boat leaves a body of water, that the person must clean, drain and dry anything that came into contact with water and remove all plants and other debris from boats, trailers, equipment, etc. Mr. Otton provided the Conservation Administrator a sign that should be posted at all boat ramps. He knows that the Harbormaster sells 200 launch ramp passes a year, and that this information should be given out at that time. Mr. Otton also spoke with the Recreation Department about handing out information to people coming in with boats. Mr. Otton is looking for the Select Board's assistance in having these signs posted and providing information to anyone that is using the boat ramps. Mr. Otton also said he is at Long Pond 4 days a week and that persistently there is remnants from fires on the beach. There is no signage saying that fires are allowed by permit only and must be in contained units. He would like to see that information noted at all of Harwich's public access beaches as well as information about no smoking on the beaches.

Lynne Zalesak was present and presented the Revolutionary War on Cape Cod and the Islands book, which she donated a copy to the board. Ms. Zalesak thanked the Town Clerks's staff for allowing her to come in and review historical records.

Bobby Parr was present and thanked the town for all of the work that they did to get the Brooks Academy Museum ready to have the 1st floor open. He reminded everyone that the museum is open on Tuesdays and Fridays from 1:00-4:00 and that more often than that, the master carver at the Elmer Crowell Barn is there. If the flag is up, they are open. Mr. Parr invited everyone to come see the cranberry exhibit, the schoolhouse exhibit, the Revolutionary War exhibit and to visit the bookstore.

CONSENT AGENDA

A. Approve the Select Board Meeting Minutes from July 21, 2025

Mr. Kelleher moved to approve the Select Board Meeting Minutes from July 21, 2025, as printed, 2nd by Mr. Handler and approved 5-0-0.

NEW BUSINESS

A. Discussion and possible vote on remote work policy

Mr. Howell said that the board needs to have a discussion on where they want to go with a potential remote work policy. Ms. Eldredge had asked our Human Resources Generalist to canvas some other towns to see what they have for a remote work policy. Provided in the packet were policies from Eastham, Nantucket and Bourne. It was noted that Nantucket's policy is a bit different because they are an island that commuting and working remotely is sometimes a necessity. Ms. Eldredge briefly walked through a few key points from each policy and suggested that the board start with Eastham and Bourne to see what they like and don't like in their policies. It would be up to the board as to what type of policy they would like to have.

Mr. Howell said that he would like something more specific on who has the right to use the remote work policy, or would management have the right to grant it. He feels that it would be worthwhile for the board to take the policies from Eastham and Bourne and make comments on those.

Mr. Handler said that there is a little from each policy that he likes. He likes that one policy said that remote working is a privilege rather than a universal right and he also pointed out that Eastham has a cap of 40% in their policy. Mr. Handler would support moving in the direction of having a policy, recognizing that there is a lot to be flushed out. As the hiring entity of the town with respect to the Finance Director position, this policy is not something that we can promise, but something that we can state that we have a policy in place.

Mr. Howell asked Ms. Eldredge if any of these policies indicated how far down they went in the workforce and whether they were bargainable or free-standing policies. Ms. Eldredge responded that she knows that they are bargainable throughout the unions. One of the policies specifically excludes public safety and public works. There are quite a few positions that would not be able to work remotely, which is one of the reasons that it is a bargainable item.

Mr. Kelleher said that he likes Eastham's policy and thinks that it is important for Harwich to have a policy in place. Ms. Doucette agreed that she liked Eastham's policy and the fact that the employees have to sign an agreement.

Mr. Piekarski noted that he likes pieces from each of the policies and that the one from Bourne is the most generic. He would be happy to submit some recommendations over the next few days or weeks to try and craft a policy that defines Harwich's stance.

B. Vote to appoint the recommendation from Recreation and Youth Commission of Phyllis Thomason to the Community Center Facilities Committee, term to expire June 30, 2028

Mr. Howell asked if this person was brought before the Interview Committee. Mr. Handler responded that the recommendation came from the Recreation and Youth Commission. Mr. Howell responded that for future, the charter conveys to the Select Board to choose a person to confirm. The commission can recommend someone, but in order for that to happen, the Select Board needs to confirm it.

Mr. Piekarski asked if Ms. Thomason's terms run concurrent between the commission and the committee. Mr. Howell responded that the motion could reflect that her term would expire when her term on the Recreation and Youth Committee expires, or 2028, whichever is sooner.

Mr. Howell asked if the Community Center Facilities Committee appointments have ever had staggered terms. Community Center Director Carolyn Carey was present and responded that the person serves on the committee as long as they are on their respective commission and have never had staggered terms for the representative committees from either side of the building. She did note that there are staggered terms for 3 other positions on the Community Center Facilities Committee.

Mr. Handler said that if something like this comes to agenda prep in the future, instead of this reaching the agenda, maybe the person could be referred to the Interview Committee first.

Mr. Kelleher moved to appoint the recommendation from Recreation and Youth Commission of Phyllis Thomason to the Community Center Facilities Committee, term to expire June 30, 2028, 2nd by Mr. Handler and approved 5-0-0.

OLD BUSINESS

A. Discussion and possible vote on Town Administrator Screening Committee

Mr. Howell said that the Select Board would be populating the committee, but that the contractor would have suggestions about how it would be populated. The membership could be made up of one choice from each board member to give a 5-member committee. Another option would be to boost the membership to 7 members and have the board each select a member and then have 2 general members. The Select Board would then choose the chair of the committee.

Mr. Piekarski said that his preference would be to have 5 members but would be willing to discuss increasing that to 7. He asked how the extra 2 members would be nominated or voted. Mr. Howell responded that it would have to be a majority vote of the board for a general appointment.

Mr. Handler assumed that if each member of the board chooses a member, that they would be 5 members of the general public. There was also discussion about having 2 Town of Harwich staff members be part of the committee as well. Mr. Howell responded that it could be some combination and that an employee or citizen could represent some unique viewpoint.

Richard Waystack was present and noted that there is a process in place already with a citizen activity form and an interview committee. He suggested using that same process for this committee.

Ms. Eldredge said that if the board decides to award the contract tonight to Groux White, she suggested that the board meet with him and find out what their process is and how they have worked this out in other communities. Mr. White responded to a request made by Ms. Eldredge where he said that he would be able to start as soon as the contract has been awarded.

Mr. Howell noted that the board is looking for the best candidate for the position, not the fastest to fill it.

Mr. White had informed Ms. Eldredge that he had received an application for the open position and asking if he should keep it or send it to Human Resources. Ms. Eldredge asked Mr. White to keep the application, pending the decision that the board makes tonight.

Mr. Kelleher agreed with Ms. Eldredge and would like to utilize our consultant to organize the Select Board. He would be agreeable to either 5 or 7 members and thinks that one town employee would be good on the committee.

Mr. Handler said that he doesn't see a significant difference between 5 or 7 members but would be supportive of 7.

Ms. Doucette had no comment.

Mr. Piekarski said that his preference is for 5 members.

Mr. Howell would like to invite Mr. White in as a future agenda item.

Mr. Howell asked Ms. Eldredge if she approached Groux White along with the other firms regarding the Finance Director search. Ms. Eldredge responded that she sent the RFP for the Finance Director search to Groux White as well as the 3 other firms that she sent the Town Administrator information to. She has also contacted other firms for private sector recruiters. A couple of phone calls have come into the office, but nothing concrete as far as a price proposal.

Mr. Howell said that discussions regarding the Finance Director position would be on next weeks agenda.

CONTRACTS

A. Approve the 2025 Community Preservation Act Agreement with Lower Cape Housing Institute Project d/b/a Community Development Partnership in the amount of $10,000.00

Mr. Kelleher moved to approve the 2025 Community Preservation Act Agreement with Lower Cape Housing Institute Project d/b/a Community Development Partnership in the amount of $10,000.00, 2nd by Mr. Handler and approved 5-0-0.

B. Discussion and possible vote to award contract to Groux White for Executive Recruitment Services in the amount of $12,450.00

Mr. Kelleher moved to discuss the contract as outlined in the packet, 2nd by Ms. Doucette.

Mr. Handler asked what changed from last week to now with respect to what the board was looking for, noting that there has not been any discussion on salary range. Mr. Howell responded that there isn't any further discussion that the board can have with Groux White other than if we want to award the contract to continue discussions.

Mr. Handler said that one member last week was concerned that the clock would start as soon as the contract was signed. Mr. Piekarski responded that nothing has changed in his mind. As much as we want to rely on the consultant, the Select Board needs to make some decisions that would then be presented to the consultant. He doesn't think that the board would want to sit with the consultant and discuss salary. Mr. Piekarski added that he isn't saying that we can't enter into an agreement.

Mr. Howell said that it seems like the board needs a punch list of items for the contractor. He asked how long the bid is good for. Ms. Eldredge responded 30 days and that this is week 3.

Mr. Handler said that he does not get the feeling that Mr. White is going to start the clock right away if the contract is awarded tonight. He agreed that the board needs to get their business in order and then in a couple of weeks, begin the process of creating expectations prior to the consultant coming before them.

Ms. Eldredge confirmed that the contract is for a 12-month period. Mr. White is willing to start as early as this week, but if the board is not ready to start, then they can wait and contact Mr. White when they are.

Mr. Piekarski said that the understanding needs to be that when the Select Board is ready with the decisions that they need to make, that is when Groux White would be contacted to move forward.

Mr. Handler moved to award a contract to Groux White for Executive Recruitment Services in the amount of $12,450.00 with the understanding that activity would be commence when the Select Board invites them in for a meeting, 2nd by Mr. Piekarski and approved 5-0-0.

C. Discussion and vote to award a contract to Ballard Mack Sales & Service, Inc for a new Mack Tractor in the amount of $193,731.00
D. Discussion and vote to award a contract to Ballard Mack Sales & Service, Inc for a new Mack Six Wheeled Dump Truck in the amount of $281,654.00
E. Discussion and vote to award a contract to Colonial Municipal Group for a new Ford Super Duty F-450 Dump Truck in the amount of $130,375.23
F. Discussion and vote to award a contract to Colonial Municipal Group for a new Ford Super Duty F-350 Service Truck in the amount of $112,502.39

Mr. Handler moved to approve the contracts for agenda items C, D, E & F as outlined above, 2nd by Mr. Piekarski and approved 5-0-0.

At the request of Mr. Piekarski, Ms. Eldredge reviewed the estimated cost for each of the vehicles compared to the contract prices as outlined in the packet.

TOWN ADMINISTRATOR'S REPORT

Ms. Eldredge reported that there is a memorandum of agreement with the Cape Cod Commission that has extended the timeframe for the housing production plan.

Ms. Eldredge reported that there are 2 contracts that have been executed for work at Saquatucket Harbor Marina with GEI Consultants, Inc. The first contract is for the development of permit materials for dredging a portion of Saquatucket Marina. The second contract is for the design work for the repair of the bulkhead at the marina.

SELECT BOARD MEMBER REPORT

Mr. Piekarski asked for more detail about the memorandum of agreement with the Cape Cod Commission. Ms. Eldredge responded that it is for hazard mitigation but would report back with additional information.

Mr. Piekarski commented on the number of signs that are on the roadways, noting that he is not talking about the signs that homeowners have on Queen Anne Road or across town where the signs are appropriate or deliberate. He is pro-business but said that a lot of folks are promoting their businesses on property that they do not own. Some of the signs are from businesses in other towns that are plastered around Harwich. He would like to see enforcement to clean up these signs. Mr. Howell added that Harwich does have a sign code and that it has been a while since we have had a full time Building Commissioner. He feels that the real issue is use of town property for some of these signs. He suggested that the board may want to have a future discussion about sign enforcement in general.

Mr. Kelleher asked for an update on the wastewater recharge areas. Mr. Howell responded that Dan Pelletier would be coming before the board with an update. Ms. Eldredge added that Mr. Pelletier is scheduled to come to the August 4th non-resident taxpayer meeting and could possibly give updates then.

CORRESPONDENCE

ADJOURNMENT

Mr. Handler moved to adjourn the meeting of the Select Board at 8:07 p.m., 2nd by Mr. Piekarski and approved 5-0-0.

Respectfully submitted,

Jennifer Clarke
Executive Assistant