MINUTES
SELECT BOARD
HARWICH TOWN HALL
732 MAIN STREET, HARWICH MA
MONDAY, SEPTEMBER 22, 2025
5:15 P.M.

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

ALSO PARTICIPATING: Acting Town Administrator Tony Schiavi

CALL TO ORDER

Mr. Kelleher moved that the Select Board enter into Executive Session to discuss the items as outlined below, 2nd by Mr. Piekarski. The vote was 5-0-0 with Mr. Howell, Mr. Handler, Mr. Piekarski, 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 or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares; SEIU 888 – Service Employes International Union/Harwich Management Employees Association, HEA - Harwich Employees Association, HMEA – Highways and Maintenance Employees Association, IAMAW – International Association of Machinists and Aerospace Workers, NEPBA – New England Police Benevolent Association, Harwich Permanent Fire Fighters Association, Massachusetts Coalition of Police (Patrol and Superior Officers)

Open Session Meeting resumes no earlier than 6:30 p.m.

Mr. Howell reported that no conclusions were made in executive session that can be reported in open session.

PLEDGE OF ALLEGIANCE

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

STAFF COMMENTS/ANNOUNCEMENTS

Mr. Howell recognized that this is the last weeks of Meggan Eldredge's employment with the Town of Harwich as the Assistant Town Administrator She will be honored in various ways within the town, but Mr. Howell wanted to take a minute at the top of the agenda to thank her for all that she has done for the town and to wish her well in her future endeavors. Mr. Schiavi added that there will be a gathering in the Administration Office tomorrow from 9-11 to honor Ms. Eldredge.

WEEKLY BRIEFING

Mr. Schiavi reviewed the two and three-week sewer look ahead as outlined in the packet. He commented that questions have come up regarding the Great Sand Lakes/Phase 3A project. There has been some survey work done as well as soil analysis and groundwater testing. Much of this work is a pre-cursor for when the project goes out to bid for construction. Mr. Schiavi reported that the request to include Phase 3A of the project into the Intermunicipal Agreement with Chatham has yet to make it to their agenda but will hopefully soon. Harwich will be submitted the state revolving fund application for Phase 3, with a due date of October 3. There are 2 meetings scheduled for this week with regulatory boards regarding the project, which are all part of the package that will be submitted for the 3rd.

The Brooks Academy Museum project is still moving along, and we expect to have the price proposal by this Friday and then can begin to negotiate the rest of the project.

PUBLIC COMMENTS/ANNOUNCEMENTS

Mr. Howell announced that the town has received a letter from the Massachusetts Town Clerk's Association that Town Clerk Emily Mitchell has been awarded the Certified Municipal Clerk Designation. Ms. Doucette added that this is quite an honor and gives Ms. Mitchell all of the credit in the world to be able to achieve that designation in her profession.

CONSENT AGENDA

A. Approve the Select Board Meeting Minutes from September 15, 2025

Mr. Howell asked that the minutes be held until next week pending an amendment to language relative to the noise bylaw.

PRESENTATIONS

A. Needs Assessment presentation by the University of Massachusetts for the Council on Aging

Council on Aging Director Julie Groom was present along with Caitlyn Coyle and Claire Wickersham who were present from UMASS Boston. Ms. Coyle and Ms. Wickersham thanked Ms. Groom, the Harwich Council on Aging Board members and the Friends of the Harwich Council on Aging as well as all of the stakeholders and residents who took the time to participate in the interviews, focus groups and the survey. Ms. Wickersham reviewed the data collection process and noted that there was a total of 6518 respondents to the survey. They talked about the population change in Harwich between 2010 and 2020. The survey showed what residents value and what their common concerns are including housing and transportation needs. Also discussed were community supports, health services, questions about social participation and residents who might be at risk for social isolation. Participants were asked questions specific to the Harwich Council on Aging including who attends programs and services and what programs they would like to see expanded or prioritized. Other topics surveyed were older adults needing support with digital literacy, concerns about finances, and residents who continue to work or are looking for work. The takeaways from the survey were that financial security is the top concern for older residents, housing maintenance, repair, downsizing, increased awareness of programs and services and expanded program offerings that could encourage new participation. Additional medical transportation services are needed to address the increasing demand and caregiving by family members is common.

Mr. Handler stated that he was very happy with the number of respondents who participated and added that he cannot imagine that this is anything really specific to Harwich and that most of Cape Cod and America feel this way in communities that have demographics that are similar to Harwich. Mr. Handler asked what the next steps are. Ms. Groom responded that they will be receiving a 100 page report with high level detail, which they will review. Their goal is to talk through things with the Council on Aging Board as well as the Friends of the Council on Aging, and focus on 3-5 items that will have the biggest impact and will be the most achievable with the resources that they currently have.

Mr. Kelleher said that the Council on Aging will be very important in the years coming up based on the aging population. He asked who paid for the survey because they should get credit. Ms. Groom responded that the vast majority of the study was funded by the Friends of the Council on Aging. The final price tag for the study was about $35,000. $9,000 of that was funded by the Council on Aging's state formula grant. Mr. Kelleher noted that several years ago, he heard old folks saying that they had no one to shovel for them or do small minor repairs and he wondered if Ms. Groom could reach out to the school for some kind of collaboration. Ms. Groom responded that she would love to do something like that, but that her understanding has been about liability. When she came to the Council on Aging 6 years ago, she was told that the departments protocol was that they should not make specific referrals to service providers in the community because all of the information might not be available as to liability. With the support of the Select Board, she would be happy to explore more creative ways to look at this kind of situation.

Mr. Piekarski said that he appreciates all the information provided. He asked how the numbers in the survey compare to other towns on the Cape. Ms. Groom responded that they are similar. She did review the Town of Brewster's needs assessment before getting Harwich's study off the ground. A lot of the findings were echoed in the survey, with some minor differences. Mr. Piekarski asked about the definition of caregiving by family members. Ms. Coyle said that they way they defined caregiver was by asking if the person currently or in the past 5 years provided care to someone that is frail or disabled, that it didn't specifically ask if that person was a family member. Family members don't always identify with the word caregiver, they just think of it as caring for a family member. Mr. Piekarski asked if the survey asked if a parent is being supported by one of their children, not financially, but rather by driving a family member to appointment or running errands. Ms. Coyle responded that they did ask about multi-generational households and transportation. Another response category was people saying that they had a friend or family member drive them to appointments. Mr. Piekarski said that he comes at this of the old-school mindset where family would step up before community, adding that he does believe in the Council on Aging, that it is a tremendous organization. Mr. Piekarski asked about the income questions in the survey. Ms. Coyle reviewed the responses, noting that in Barnstable County for a couple that is in good health and does not have a mortgage, they would need about $48,000 a year to make basic payments on life. If that couple does have a mortgage, that number would jump to $64,000 a year. Mr. Piekarski followed up by saying that the town has many projects happening and upcoming and that while the impact on tax bills might be minimal, they add up quickly and that it is real money that affects people in Harwich.

Ms. Doucette thanked everyone for bringing this forward and acknowledged that we have an aging population.

Mr. Howell thanked the Friends of the Council on Aging adding that they are hugely integral as to what is capable of happening at the Council on Aging. He noted that in the presentation they ended the analysis at 2020, which was an inflection point. As people came here to escape COVID, many have stayed, which is a hidden issue in this report. As the report is studied, the results are probably worse than they look on the surface. The services that are available out there have not gotten more robust, but the expectation has been increasing. Ms. Groom agreed with that statement and said that she started at the Council on Aging about 6 months before the pandemic began and has seen the transition of the number of people that have been coming through the door.

NEW BUSINESS

A. Discussion pertaining to Monomoy Regional School District funding and Regional Agreement

Mr. Howell noted that he had a phone conversation with Monomoy Regional School Committee member Meredith Henderson. There are 2 discussions that need to happen. The first is modifying the plan as it relates to the obligations of Chatham versus Harwich. The other discussion is that the towns have not been connecting with each other early enough to understand what the capacity of the towns are relative to the needs of the school system, which is the more near term focus.

Meredith Henderson was present with Dr. Scott Carpenter who handed out a brief section of the presentation that was given to the school committee during one of their summer workshops to help everyone understand how the regional agreement works and what it would take to make an amendment.

Ms. Henderson noted that that the biggest piece that they are looking for is a proposal from Harwich or Chatham. The proposal needs to be specific as to why Harwich needs what they need and what suggestions they have that could change in the agreement. She added that she is happy that the talks started in September and hopes that they will continue. At their upcoming committee meeting on Thursday, Michael MacMillan will share the school districts budget timeline, which will immediately be sent to the Select Board members.

Mr. Howell said that in prior years, some people felt that Harwich didn't relay their thoughts on the budget until January or February. It is important that we get it out much sooner. Part of the why are going to be the consequences if we get to a point where we cannot fund some things and it starts to affect programs, which no one wants to see. That particular program affects both Harwich and Chatham children and no one wants to mess with the quality of education while the adults are going at it. Ms. Henderson responded that that going into this budget season, they will be starting their process earlier. As far as any amendments to the agreement, those will take time. One of the towns has to come up with proposed changes and then bring them to the committee for review and then to be reviewed by the Department of Elementary and Secondary Education, as well as go before Town Meeting in both Harwich and Chatham. She added that it is not something that can happen by this town meeting season. Dr. Carpenter commented that they would be pushing it to get to town meeting this year, but that there would need to be a tangible proposal on the table. Dr. Carpenter talked about the way that the original agreement was laid out and added that there needs to be a strong understanding in both towns as to why changes are needed.

Mr. Howell said that he is far more worried in the near term about what the budget looks like. He understands about the changing of the agreement and that we have to have a tangible ask. The school committee has been very amenable to working with Harwich and he appreciates that. Harwich needs to map out how this looks and make a presentation to the Chatham Select Board and the school committee about what the budget looks like. Ms. Henderson agreed that the budget is in the forefront but that the conversation about the regional agreement should not be put on the back burner, that the conversations should have simultaneously so that there is a concrete proposal that can be agreed upon by both towns.

Mr. Kelleher said that with our Interim Finance Director's help, we can probably show Chatham where we are at with our levy and what our projections are to help explain some of the why. In his mind, we should be working towards some kind of agreement on the capital costs and then look at a combination of student enrollment and equalized valuation, noting that Chatham is a very wealthy town. Mr. Howell added that there was never any consideration given to the possibility of the student body mix. There was no floor and ceiling, which has gotten us to where we are now. Harwich is pushing 80% for enrollment.

Dr. Carpenter said that one of the things that is challenging for the regions is the Chapter 70 formula, which is something that cannot be fixed on the school or the town side, that it is laid out in state legislature. Dr. Carpenter added that the Chapter 70 formula doesn't differentiate wealth. We do see both towns losing student enrollment, but Chatham was losing it at a faster clip. The bulk of the regional agreement formula is based on student enrollment. Mr. Howell said that there hasn't been a movement to fix the formula in 25 years.

Mr. Handler said that his position has been made clear for some time and he is looking for a commitment from the Harwich Select Board to begin to act. We have not sat down as a board to discuss how to formulate what the school committee is looking for. The how's and why's cannot start without having multiple agendas that have this topic on them. Mr. Howell responded that he is not interested in having a conversation to throw things against a wall and see what sticks. A lot of the answers will come from the report of the Interim Finance Director. Harwich is trying to move forward, and we need to have something to say before we go to the Chatham Select Board. Mr. Howell added that we are going to try and work together to go through the budget and the agreement in a coherent way so we can be ready what with our asks are. Mr. Handler responded that this would require the chair to have this topic on the agenda to begin that process. Mr. Howell responded that he will be putting it on for a planned process. Mr. Handler responded that is should be a planned process and strategy.

Mr. Piekarski commented that he does not agree with much of the narrative that has been going on tonight regarding the agreement and that he does not believe that the school committee doesn't have a say, if anything, they have the greatest say. His argument would be that if any entity truly owns the agreement that it is the school committee. Mr. Piekarski said that he does not have a problem articulating the why and that we have already seen the why starting to develop. Last year, we asked the school to trim their budget a bit because it was too rich for what Harwich could afford, and he foresees that continuing. We want to avoid an impact on the students. Mr. Piekarski said that he had put forward the motion to send the letter to the school committee to see if they were willing to open the agreement, adding that he wants this to be a collaborative effort. The effort isn't only for the Harwich Select Board, but the professionals that work for the town and the school and would need to be engaged. He suggested to put on paper they whys and then work collaboratively with those experts.

Ms. Doucette noted that she is learning a different side of government being new to the board that she is taking that this dialogue tonight is in response to the letter that Harwich sent the committee. Ms. Henderson responded yes and in response to the Select Board's meeting last week. Ms. Doucette asked if Chatham is aware that Harwich has concerns. Dr. Carpenter responded yes. Ms. Henderson added that this conversation didn't just start last spring and that all parties have been aware of what we are looking forward to. All the stakeholders have to be at the table to have the conversation. By Harwich sending the letter, the school committee created a goal about opening the agreement and making sure that there is full transparency going forward. Ms. Doucette asked if it would be helpful if the committee answered the Town of Harwich in response to their letter, and copied the Chatham Select Board so that we can all be on the same page on paper and hopefully move forward to come to some kind of agreement. Ms. Henderson said that they could do that once their vote their goals. Dr. Carpenter said that at his previous school system, they had a joint meeting with the school committee, and both select boards, adding that it would benefit everyone to have a joint conversation. Ms. Doucette feels that it would be great to have everyone in the room but would still like a written response to the letter that Harwich send. Mr. Howell added that the response letter could be viewed as something is starting to happen. He would love to be able to have a more granular discussion about the why, noting that we need tangible progress.

Mr. Schiavi reported that he will be getting together in a couple of weeks with representatives from the school system as well as the Town of Chatham. They know that they have to put a budget together and are communicating closely on that.

Mr. Piekarski said that the board would be talking about their budget statement later in the agenda and that a copy would be sent to the school committee.

B. Acting Town Administrator and Interim Finance Director to present current financial assessment in accordance with the Harwich Charter §9-2-1

Interim Finance Director Eric Kinsherf was present. Mr. Schiavi said that the way that the charter is written, this is the current year financial assessment. He has been working very closely with Mr. Kinsherf on where we see ourselves in the fiscal year (FY) 2026 process, noting that is very early in the fiscal year. There will be more presentations in the next couple of months about different aspects of our financial performance, past, current and future.

Mr. Kinsherf wanted to give a sense of the current financial assessment and noted that the new Assistant Town Accountant started today. The revenues being presented only include July and

August. The expenses are through September 15th. We are on track to close the books on September 30th, and it was said that we are going to probably end up in the same spot that we were last year with respect to free cash. Mr. Kinsherf provided a general fund overview with a revised budget of $93.14 million. Spending is conservative with significant funds remaining for the fiscal year. He reviewed the FY26 budgeted expenses which covers education, public works, public safety, general government, debt, employee benefits, unclassified and health, culture and recreation. Mr. Kinsherf briefly talked about departmental expense utilization and the FY26 revenue expectations. The highest actual revenues collected to date are real estate taxes, disposal area stickers, disposal regular and disposal commercial, with real estate tax being the largest revenue source. Visitor dockage has achieved nearly 50% of its budget, indicating strong performance in this category. Unsettled collective bargaining agreements do put a degree of uncertainty into the FY26 budget and will create a similar trickle-down effect into our FY27 budget planning and preparation. The FY26 general fund is performing conservatively, however continued monitoring of lagging revenue sources and higher utilization of some accounts is necessary to ensure we achieve out fiscal targets while maintaining budget stability. The other things on the horizon are the health insurance premiums. It would not surprise Mr. Kinsherf if there was a 10% increase which could be a budgetary challenge for FY27.

Mr. Piekarski said that this is great information, but that it is a snapshot in time. He would need historical perspective to see how we are trending.

Mr. Kelleher asked if there is anything that Mr. Kinsherf can do to help the Town Administrator graphically show where we are at when we deal with the school committee and the Select Board. Mr. Kinsherf said that you would need a concrete proposal to adjust the formula.

Mr. Handler asked that any information that Mr. Kinsherf sends out, be sent to all board members. Mr. Howell confirmed that would happen.

C. Approve the following new license applications for B & N Co., LLC, d/b/a Dive, Dine & Drink, located at 986 Route 28

Nicole Cossette was present. Mr. Howell asked if she is promising acoustic entertainment or saying that they would try. Ms. Cossette responded that she was under the impression that to continue with the liquor license for outdoors, that she would have to apply for live entertainment. She is not planning to do any live entertainment. Mr. Howell responded that this must be done within the guardrails on what is allowed by the Select Board. Ms. Cossette responded that if they decide to have entertainment in the future, that it would be a one-person acoustic situation.

Mr. Piekarski asked if this is an update to the existing license. Mr. Schiavi responded that the board has 3 applications before them tonight: one for common victualler, one for entertainment and one for the outdoor alteration of premise for them to be able to use the deck on the outside. These are new applications. Mr. Piekarski asked why these applications are coming before the board now and were not issued before the establishment opened. Ms. Cossette responded that they opened on June 30th and that it was explained to her that it was an oversite by the town. There was staff changeover in the Administration Office. Mr. Schiavi responded that there was significant communication from staff to try and get this cleaned up.

Mr. Howell said that the biggest answer is that they need a common victualler license to be able to serve anything. If you don't see the license application coming, the applicant should ask why. This also applies to anyone with an annual license that wants to close, they need permission from the Select Board. Mr. Howell said that you can't just operate and say that no one asked them. Going forward, the applicant needs to know that the applications are their obligation. Mr. Schiavi added that there was a lot of communication from staff, who keep a tight reign on the process.

Mr. Piekarski suggested that a simple date stamp on the application be done and that be the copy that is presented in the Select Board's application.

Mr. Kelleher asked if they added the additional 20 seats with the porch. Ms. Cossette responded yes. Mr. Kelleher asked if they have had any problems with the neighbors. Ms. Cossette responded that they have not.

Mr. Howell asked if the Board of Health is okay with the additional seats. Ms. Cossette responded that they are.

1. Annual Common Victuallers
2. Annual Weekday Entertainment – 4:00 p.m. to 9:00 p.m. inside & outside
   Jukebox, Radio, Television, Live/Recorded Music (Acoustic)
3. Annual Sunday Entertainment – 4:00 p.m. to 9:00 p.m. inside & outside
   Radio, Television, Live/Recorded Music (Acoustic)

Mr. Handler moved to approve Annual Common Victuallers, Annual Weekday Entertainment – 4:00 p.m. to 9:00 p.m. inside & outside- Jukebox, Radio, Television, Live/Recorded Music (Acoustic) & Annual Sunday Entertainment – 4:00 p.m. to 9:00 p.m. inside & outsider-Radio, Television, Live/Recorded Music (Acoustic) for B & N Co., LLC, d/b/a Dive, Dine & Drink, located at 986 Route 28, 2nd by Mr. Kelleher and approved 5-0-0.

D. Approve an Alteration of Premises Application (outdoor only) for B & N Co., LLC, d/b/a Dive, Dine & Drink, located at 986 Route 28

Mr. Handler moved to approve an Alteration of Premises Application (outdoor only) for B & N Co., LLC, d/b/a Dive, Dine & Drink, located at 986 Route 28, 2nd by Mr. Kelleher.

Mr. Piekarski said that he sees the application in the packet but does not see that this went before any town entity that needed to sign off on it. Mr. Schiavi responded that it did go before all regulatory departments.

Mr. Handler moved to approve an Alteration of Premises Application (outdoor only) for B & N Co., LLC, d/b/a Dive, Dine & Drink, located at 986 Route 28, noting that various regulatory departments have signed off on the application, 2nd by Mr. Kelleher and approved 5-0-0.

E. Vote to approve the proclamation for the Muddy Creek Bridge dedication to Private Joseph Conrad Blute; dedication ceremony to be held on October 4, 2025 at 10:00 a.m.

Mr. Handler moved to approve the proclamation for the Muddy Creek Bridge dedication to Private Joseph Conrad Blute; dedication ceremony to be held on October 4, 2025 at 10:00 a.m., 2nd by Mr. Piekarski and approved 5-0-0.

F. Harwich Affordable Housing Trust Appointment Process

Mr. Schiavi said that what as provided in the packet was backup documentation to previous conversations and that he worked with Town Counsel to help understand the information. If the Town Administrator is going to assign this responsibility to a designee, then the Select Board is also the appointing authority of the designee. If you take this one step further from a legality standpoint, the Town Administrator assigns a designee, but it is still the Town Administrator's name that is on the declaration of the trust, and Mr. Schiavi is not sure that he is comfortable with having his name on legal documents but having someone else in the room. The designee's name should be on all of the valid legal documents.

Mr. Howell said that the Town Administrator also has the right to refuse the appointment, and that Mr. Schiavi cannot be mandated to serve. The Select Board would be making the confirming vote, not the designation. Mr. Schiavi responded that at this point the reality for him is that if he is going to appoint someone to carry this forward, that it will be someone that he interviews so that when he makes the recommendation to the Select Board, that this person is someone that has been fully vetted. He would expect whoever the person is would stay in communication with him. Mr. Schiavi suggested to solicit an advertisement and see who would be interested in the seat.

Mr. Howell briefly reviewed the difference of opinions received from KP Law.

Mr. Schiavi said that he did meet with trust members Brendan Lowney and Bob Spencer about this approach. He added that we are in an unusual situation having an Acting Town Administrator.

Mr. Piekarski does not think that Mr. Schiavi should be investing any time with the trust or seeking an interim replacement for his seat. He does understand that the trust is down to 4 people and noted his concern when he heard that the chair has spent an extra 12-15 hours a week over the other board members. If a chair is spending that much extra time, there is a problem with the construct of the trust, not the members. In his opinion, the Town Administrator should not be on the trust, and he would love to see this topic come before Town Meeting. At a minimum there should be no chair assigned by the documents. Mr. Piekarski would like to see us move forward in the direction of changing the way that the trust is constructed.

Ms. Doucette said that she would like to see this fixed to be more cohesive and have 5 members and get the Town Administrator out of being the chair.

Mr. Handler said that we have a person who was the chair and was doing the work of the chair. The reason that the current chair is doing the extra hours is because they are doing the work of what the previous chair walked away from. Mr. Handler feels that the easy fix would be having the Town Administrator appoint Larry Ballantine and then the trust can operate as it has been. He does think that the agreement can go before Town Meeting to have the language cleaned up. Mr. Handler said that he is not sure who gave Mr. Howell the impression that the trust doesn't feel like they can get enough runway. Mr. Howell responded that it was Mr. Lowney.

Brendan Lowney was present remotely. He said that he was just suggesting that if it was possible to have the agreement amended at Town Meeting with Mr. Schiavi being temporary and a new person taking over. If the trust documents need to be changed, there is a pathway. Mr. Lowney thanked Mr. Schiavi for his due diligence and said that it would be great to have a 5^{th} member, given everything that has been going on with Pennrose and other projects. He hopes to get someone as soon as possible.

Mr. Howell said that for the prior chair putting the current chair in the position of a lot of catch up has him concerned in an open meeting law scenario. The chair should not have deep knowledge that all the other members do not have. This is Mr. Schiavi's designation, no one else. We have managed for 11 months with a trust of 4 members and managed to purchase the Marceline property.

Michael MacAskill was present remotely and commented that he was serving on the Select Board and was part of the trust documents that were approved. He said that we are paying Mr. Schiavi $240,000 a year to make decisions and those decisions should be outside of the world of Mr. Howell and his votes of the board. He does not understand how Mr. Schiavi doesn't have the ability to at the very least to appoint the person who has served as chair for the past few years and move the needle forward with no issues. He urged Mr. Schiavi to look at the optics of this along side of what else has transpired. There was no controversy with Mr. Ballantine, and it would give the trust the tools they need to operate efficiently, until which time Mr. Schiavi can go through his vetting process. A brief discussion of the previous membership of the trust took place. Mr. MacAskill asked the Select Board to stop their political games and allow Mr. Schiavi the direction to decide. Mr. Ballantine has served on the trust with dignity and has done a great job and should be allowed to continue.

Mr. Lowney asked if the Select Board could deny the candidate that Mr. Schiavi puts forward. Mr. Howell responded that the board would reserve the right to reject a particular candidate, referencing the most recent opinion given by Town Counsel.

Mr. Schiavi commented that no one has hold him who to appoint or not. He is not going to appoint someone until he has had a chance to interview them.

Mr. Howell said that the board would wait for Mr. Schiavi's recommendation.

Mr. Lowney agreed with Mr. Schiavi going through his process. As far as the trust documents being changed in the future, he doesn't see a need to do that but said that it could be a future discussion. He suggested a future joint meeting with the trust and the Select Board. Mr. Howell agreed.

Mr. Handler said that at a previous meeting there was talk about the interview committee being part of the process. Mr. Howell said that he had thought of that as a matter or process but is not married to the idea. Generally, there is an interview committee recommendation relative to any appointment, but this one is somewhat different. Mr. Handler agreed that it could go from Mr. Schiavi to the Select Board.

G. Discussion on Assistant Town Administrator Recruitment Process

Mr. Schiavi said that the charter gives him the authority to hire an assistant, adding that we are in a different environment where we are still looking for a permanent Town Administrator and that with change comes opportunity. The Select Board might want to look at the job description and consider if the current set up is the right one for the 2nd chair in the executive office. He would be willing to get the recruitment process started if the Select Board does not want to delay.

Mr. Howell asked if staff could locate the position description. Mr. Schiavi responded that he spoke with Human Resources today and asked her to start gathering more information.

Mr. Howell said that it has always been his concern that if there is a vacancy in the Administration Office and there is no plan for the vacancy, that it is a big ask left for the person who now has to do both jobs.

Mr. Piekarski said that he would be open to tweaking the job description as needed.

H. Vote to authorize the Chair to sign the Authority to File regarding the Harwich Stormwater Asset Management Plan – CWSRF-12515 Closeout

Mr. Handler moved to authorize the Chair to sign the Authority to File regarding the Harwich Stormwater Asset Management Plan – CWSRF-12515 Closeout, 2nd by Mr. Piekarski and approved 5-0-0.

OLD BUSINESS

A. Appointment of Town Administrator Screening Committee Members
   1. Jack Mawn
   2. J. Duncan Berry
   3. Norm Clarke
   4. Karen Doucette
   5. Sandra Hall

Mr. Piekarski moved to appoint the Town Administrator Screening Committee members as referenced on the agenda, 2nd by Mr. Handler and approved 5-0-0.

B. Discussion related to Town Administrator Screening Committee Charge & Designation of Committee Chair

Mr. Piekarski moved to appoint Jack Mawn as Chair of the Town Administrator Screening Committee, 2nd by Mr. Handler and approved 5-0-0.

C. Second Review of Draft FY27 Budget Guidance

Mr. Howell said that he believes that except for one sentence, that the capital plan that Mr. Piekarski submitted for edits capture what Mr. Handler was saying in his edits. Mr. Handler agreed. Mr. Howell said that regarding the capital item, to the extent that someone extends a request to the Capital Outlay Committee, that it would not be normal for department heads to designate where the funding comes from. Mr. Handler clarified that his edit was to step back to allow the departments to just provide a recommendation of the funding sources. Mr. Howell recommended using the word "suggested" before funding sources.

Mr. Schiavi said that the capital plan for the upcoming FY27-FY31 will have recommended funding sources. He does not think that department heads should be making that decision unless they have a special revenue fund where they would want their project from, whether partially or fully.

Mr. Piekarski said that this statement should be going from Mr. Schiavi to the department heads. If Mr. Schiavi wants the department heads to come up with a funding source, that would be up to him, not the Select Board.

Ms. Doucette moved to adopt the draft FY27 budget guidance as edited by Mr. Piekarski, 2nd by Mr. Piekarski and approved 5-0-0.

TOWN ADMINISTRATOR'S REPORT

Mr. Schiavi said that he is in the process of creating a detailed milestone timeline chart that is essentially from August through Town Meeting. He will be looking for an opportunity to present that timeline to the Select Board.

Mr. Schiavi reported that the Finance Director position has been posted. For the Town Administrator search, according to the consultant's timeline, preliminary interviews are hopeful for mid-October. He hopes that shortly after that, the screening committee will be pulled into the process. He also reported that the legal request for proposals has been released.

Last week, we had received 2 respondents for the engineering of the construction of the Walther Roda stairs. There were 2 proposals received, one from BSC Group and one from Strong Tree Engineering. The town received a $10,000 donation of funds for the purpose of installing the stairs to access the beach from this piece of public property. Mr. Howell said that anything further would require a warrant article. Mr. Schiavi noted that it would be involved in the capital plan as well. Currently, we do not have construction costs. Mr. Howell assumed all in about $50,000.

Mr. Kelleher commented that for that location, for the few people that use it, and the financial situation that we are in as a town, to spend $50,000-$60,000 for stairs is not feasible. Mr. Howell responded that there is no money in the budget right now and for us to do this project we would have to find money outside of the budget or have a warrant article. Mr. Piekarski responded that a warrant article might be the best option.

Richard Waystack was present remotely. He said that other stairs in this town that have access to public beaches have been replaced over the years and that we can look for areas to pay for it. The town did receive a $10,000 gift and Mr. Waystack said that he would be happy to work with others to see if there are other funds out there. If we have to, this could be brought to Town Meeting.

Matt Sutphin was present and said that had the Select Board not changed the mind of the Conservation Commission, this would not be being talked about. If the town is going to have a warrant article, Mr. Sutphin feels that the board should in good conscience allow the beach to be accessible to the entire town, not just 2 or 3 neighbors. Mr. Howell responded that this is a good decision to have at town meeting.

Mr. Piekarski said that there is no funding source and that this can be revisited later and if we want to put it on a town meeting warrant, we can. Mr. Howell added hopefully the capital plan too.

Mr. Kelleher feels that to spend the money on engineering and construction, the cost benefit is not there. While we might be able to bring this before town meeting, Mr. Kelleher thinks that with all the other issues that we have, this article would not pass.

Mr. Howell suggested that it might be worthwhile to get a firm estimate of what the all in cost would be. He added that this should be on another agenda where people are given notice that the Select Board would be deciding on whether they want to move forward.

Mr. Sutphin said that this beach is not on the list of public beaches and that if you are going to spend the publics money, that everyone should be able to use the beach.

It was agreed that this topic would be brought back on a future agenda.

SELECT BOARD MEMBER REPORT

Mr. Piekarski thinks that it would be incumbent upon the Select Board to explore the 29 +/- acres of Marceline property that is for sale. He suggested asking the Town Administrator to reach out and determine if the property is still for sale and for how much. He would also want to explore what happened to the other acres that are until the cap and what is under the soil. Mr. Howell asked Mr. Waystack if he is representing the property. Mr. Waystack said that the property is being represented by Premier Commercial and that his understanding is that the price is in the general ballpark of 10-15 million dollars. Mr. Waystack said that he would forward information to the Town Administrator and Select Board.

Mr. Handler would like to see, if the Select Board feels appropriate, a discussion regarding a potential consultant agreement with Ms. Eldredge after her departure. He can only imagine the amount of institutional knowledge that she has, and it might not be a bad idea to formulate a short-term agreement. He would like to have it on tan agenda before we are in the throws of the budget cycle.

CORRESPONDENCE

ADJOURNMENT

Mr. Piekarski moved to adjourn the regular meeting of the Select Board at 9:00 p.m., 2nd by Kelleher and approved 5-0-0.

Respectfully submitted,

Jennifer Clarke
Executive Assistant