

RELEASED

APPROVED

**MINUTES
SELECT BOARD
HARWICH TOWN HALL
732 MAIN STREET, HARWICH MA
MONDAY, OCTOBER 6, 2025
5:15 P.M.**

RECEIVED
TOWN CLERK
HARWICH, MA

2025 OCT 15 A 10:06

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 & Executive Assistant Jennifer Clarke

CALL TO ORDER IN OPEN SESSION

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 Employees International Union/Harwich Management Employees Association, HEA - Harwich Employees Association, HMEA – Highways and Maintenance Employees Association, Harwich Permanent Fire Fighters Association, Massachusetts Coalition of Police (Patrol and Superior Officers)
- B. 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 September 8, 2025, September 15, 2025 & September 22, 2025

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

Mr. Howell reported that the board approved 3 sets of minutes in executive session but only a portion of the September 8, 2025 executive session minutes will be released.

Mr. Handler announced the passing of Harwich resident Izzy Thompson. Ms. Thompson, through her Pilgrim Congregational Church led Izzy's Team that collected items for the homeless on Cape Cod. Ms. Thompson also organized her churches overnight hospitality program where those without a bed could sleep at church hall. For those who knew Izzy, you were blessed and for those who did not get the opportunity to know her, truly missed out. Ms. Thompson was a resident who deeply cared about her community and was a perfect example of what we need more of right now. A moment of silence was taken to remember Izzy Thompson.

Mr. Howell called Chief of Police Kevin Considine to the podium. Chief Considine is before the Select Board tonight asking for the board's appointment of 2 new student officers, Sean Driscoll and Jacob Rosado. Chief Considine recognized Sergeant Tyler Vermette who oversees the interview process before the candidates are put forward for the command staff interviews. Chief Considine reported that his department has an authorized strength of 39 staff and that after these 2 positions are filled, there will be one remaining. He is hopeful that he will be coming before the board in December with an additional candidate.

Chief Considine introduced Sean Driscoll who grew up on Cape Cod and attended Cape Cod Community College in the Criminal Justice program, then enlisted in the United States Coast Guard. Chief Considine said that he met Mr. Driscoll at a Habitat for Humanity event a couple of years ago and has had his application on his desk until a position was available and when Mr. Driscoll was ready to move forward. He thanked Mr. Driscoll for being here and for his patience.

Chief Considine introduced Jacob Rosado. Mr. Rosado grew up in Falmouth and received his bachelor's degree in Policial Science. He went on to work for the Suffolk County District Attorney's Office where he was a legal assistant in the Major Felony Bureau. When asked by the interview team why he wanted to work in Harwich, Mr. Rosado had said that he wishes to provide service to a community like the one he grew up in and wished to work for a department with a commitment to community policing.

Mr. Howell said that both men are joining a terrific police force with wonderful leadership, and he asked that both candidates to uphold the highest ideals of the town in return.

Mr. Piekarski moved to approve the appointment of Sean Driscoll and Jacob Rosado as student police officers as recommended by Chief of Police Kevin Considine effective October 19, 2025, 2nd by Mr. Handler and approved 5-0-0.

Mr. Howell noted that there are technical difficulties with Go to Meeting for tonight's meeting.

PLEDGE OF ALLEGIANCE

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

STAFF COMMENTS/ANNOUNCEMENTS

A. Harwich Hall of Fame

Mr. Howell reminded everyone that the applications for the Harwich Hall of Fame are due by November 1st. Forms can be picked up at the Administration Office.

Mr. Howell said that at the end of last week, the town received 2 separate disbursements totaling nearly one million dollars of sewer money from the state as buy downs for the capital borrowing.

WEEKLY BRIEFING

Mr. Schiavi briefly reviewed the two- and three-week sewer look aheads for Phase 3 and announced that no sewer work will be conducted on Monday, October 13th.

The State Revolving Fund application for Phase 3A of the sewer project was successfully submitted on October 3rd. Mr. Schiavi and staff along with GHD are currently working on a milestone chart for this portion of the sewer project.

Mr. Schiavi reported that the town had their call with Standard & Poor related to borrowing and that we are waiting to hear back from them after their portion of the work is completed.

The Brooks Academy Museum team is working to review the price proposals that were received. Mr. Schiavi announced that there will be some comments that will be going back to the firm and that there are fine details that will need to be worked out.

PUBLIC COMMENTS/ANNOUNCEMENTS

Jon Chorey from Gorham Road was present and said that in the past, there were hard copies of the audit report available for the public. Mr. Howell responded that the public would be made aware when hard copies are available.

Ann Frechette was present on behalf of the Great Sand Lakes Association and thanked the Select Board and Mr. Schiavi for submitting the State Revolving Fund paperwork from Phase 3A on time. She asked that if any future documents are made public, that they be posted on the wastewater section of the town website. Ms. Frechette also said that if the town needs anything from them, to please reach out.

CONSENT AGENDA

- A. Approve the Select Board Meeting Minutes from September 15, 2025, September 22, 2025 & September 29, 2025

Mr. Kelleher moved to approve the Select Board Meeting Minutes from September 15, 2025 and September 22, 2025 as printed, 2nd by Mr. Handler and approved 5-0-0.

The Select Board minutes from the September 29, 2025 meeting will be brought back next week, pending one amendment.

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

Mr. Kelleher moved to appoint Stephanie Ridenour as alternate to the Barnstable County Dredge Sub-committee with a three-year term June 1, 2025, to December 31, 2027, 2nd by Mr. Handler and approved 5-0-0.

- C. Approve the appointment of Sean Driscoll and Jacob Rosado to Student Officers, as recommended by the Police Chief, effective October 19, 2025

This item was heard and approved earlier in the agenda.

PRESENTATIONS

A. Presentation by CBIZ on the Town of Harwich 2024 Audit Report

Renee Davis, Managing Director and Romina Mamelia, Director from CBIZ were present discuss the Town of Harwich Fiscal Year 2024 audit. Last year, the audit was issued under their previous name of Powers and Sullivan. They then merged to a larger firm in February 2024, called Marcum, LLP. In November 2024, Markum merged with CBIZ. Ms. Davis reviewed how CBIZ operates stated that they are a top national accounting firm that serves growth-oriented companies across the industry spectrum and not-for-profit organizations.

The principal objective of their work during fiscal 2024 was the expression of their opinions on the Town's basic financial statements and on the Town's compliance with provisions of OMB Uniform Guidance with respect to federal grants. CBIZ performed their audit in accordance with auditing standards generally accepted in the United States and the standards for financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States.

CBIZ has issued an unmodified audit opinion, which says that Harwich's financial statements present a financial position in accordance with Generally Accepted Accounting Principles. There were no instances of noncompliance or other matters that would need to be reported under Government Auditing Standards. CBIZ did help to prepare the financial statements and Ms. Davis said that Harwich did not need to have a single audit because we did not have any federal grant expenditures that exceeded \$750,000 in the fiscal year.

Ms. Davis briefly reviewed all the financial information as provided in the packet as well as what the management responsibilities are, what the auditors responsibilities are and the areas of audit emphasis.

Ms. Davis noted that this audit is a team effort and thanked everyone for the assistance and commitment to the process.

Mr. Howell said that people come, and people go, but that it is the processes and the internal controls that are maintained that are important, and Harwich is proud of that maintenance.

Mr. Schiavi asked Ms. Davis when we will start our engagement for 2025. Ms. Davis responded that they would need to know when the town is ready and that this should be done on a quicker schedule. Mr. Schiavi responded that in talking with the town's financial advisors, it was said that it is getting harder to borrow money if we don't have a completed audit. Ms. Davis responded that the auditors would need to know if the town is going in front of rating agencies.

Mr. Piekarski said that it is great to hear that there was a lack of findings in the audit. He asked how many municipalities in Massachusetts does CBIZ do business with. Ms. Davis responded about 90. Ms. Mameli added that they also work with school districts, counties and retirement systems.

Mr. Piekarski asked how many auditors were part of this process. Ms. Mameli responded that 4 or 5 auditors worked on the audit. Their team is usually on site for a day or two and there is a portal that they request information be uploaded to prior to their start.

Mr. Piekarski asked how much of the focus is on the internal control review. Ms. Davis responded that the whole first part of the audit is documenting controls. It is key to make sure that as staff changes, they know who is reviewing and approving transactions.

Mr. Kelleher asked how Information Technology protections are. Ms. Davis responded that nothing came to their attention that indicated a problem and added that IT is something that they continue to look at.

Mr. Handler said that he is satisfied with the outcome of the audit. He asked the auditors that if they were to find inconsistencies with our internal control procedures, would they expand and dig deeper into other areas. Ms. Davis responded that they do.

NEW BUSINESS

- A. Approve and authorize the Select Board to sign a taking of easements within Hummingbird Lane for the Phase 3A sewer extension project

Mr. Kelleher moved that pursuant to the provisions of GL c.83, Section 1, and any other power and authority hereunto enabling, to adopt the Order of Taking, by which the Town will acquire a sewer easement within Hummingbird Lane for the Phase 3A sewer extension project, all as is set forth therein. No damages are awarded for said taking, 2nd by Mr. Handler and approved 5-0-0.

- B. Acknowledgement and next steps regarding Open Meeting Law Complaint from Michael MacAskill, dated September 29, 2025

Mr. Howell acknowledged that the Select Board has received an open meeting law complaint from former Select Board member Michael MacAskill, dated September 29, 2025. The documentation has been referred to Town Counsel and they will be advising the board on next steps. This will be coming back on a future agenda.

- C. Approve request from South Harwich Meetinghouse for building repairs

Mr. Schiavi confirmed that the town has received the insurance documentation as required.

Mr. Handler moved to approve the request from South Harwich Meetinghouse for building repairs as outlined in the packet, 2nd by Mr. Piekarski and approved 5-0-0.

Judith Ford from the South Harwich Meetinghouse was present.

Mr. Howell commented that Ms. Ford does great work and that it was amazing that the building was saved.

Ms. Ford told the board that if they ever outgrow their meeting space, that the meetinghouse would be a wonderful place for them to meet.

D. Vote to send the Select Board Budget Message to the Monomoy Regional School Committee

Mr. Handler said that he heard from the Chair of the Monomoy Regional School Committee that they will be voting on their “why” on Thursday and that Harwich should have that on Friday.

Mr. Handler moved to send the Select Board Budget Message to the Monomoy Regional School Committee as well as the Monomoy Regional School District Administration Office, 2nd by Mr. Piekarski and approved 5-0-0.

OLD BUSINESS

A. Second Reading on Board and Committee Email Policy

Town Clerk Emily Mitchell was present and gave a brief overview of what was discussed last week during the first reading of the policy.

Mr. Piekarski asked that when this policy comes back for a final reading, that he would want to see it on Select Board or Administration letterhead.

Mr. Howell commented that these email addresses are not being done to allow board and committee members to serial deliberate. It is being done for information purposes.

Ms. Mitchell met with the IT Director last week, and they have developed a plan for rollout and training.

Mr. Piekarski moved to approve the second reading of the Board and Committee Email Policy as presented in the packet, 2nd by Mr. Handler and approved 5-0-0.

B. Review of draft 30-day review letter for Pennrose Project at 456 Queen Anne Road

Mr. Schiavi stated that we are in the 30-day comment period and that a letter of support would need to be sent by October 17th.

Mr. Howell clarified the location of the property, not wanting anyone to be confused by the address and thinking that would be the only access/egress. Mr. Schiavi added that the property does have frontage on both streets.

Scott Norum was present and said that he was surprised after reading last week's packet that there was no mention of hydrological studies or potential use of Innovative/Alternative technology for wastewater treatment. He sees this as a great opportunity to remove nitrogen and phosphorus from wastewater. He is not sure if this can be included in the letter but knows that there will be additional opportunities for the public to make comments as this application moves forward. Mr. Norum said that he is supportive of the project but is worried about the proximity of the Herring River Watershed and other close ponds. Mr. Howell responded that this topic would be a point of discussion with other regulatory boards.

Mr. Kelleher moved to send the 30-day review letter for Pennrose Project at 456 Queen Anne Road as provided in the packet, 2nd by Mr. Handler and approved 5-0-0.

A. Discussion on Assistant Town Administrator Recruitment Process

Mr. Schiavi said that this is for a continued discussion, knowing that the Select Board wants to have this packaged up and ready to go at some point, whether the appointment be made under the new Town Administrator or not.

Mr. Howell said that he understands the merits of holding off, but then it puts the town in a position of having 2 people that don't know their positions well. It might be advantageous to having a person come in now and have mentoring available. Mr. Howell doesn't see that it would benefit the town that much to hold off on the hire and that it is important for the recruitment to go forward now.

Mr. Handler agreed with Mr. Howell. From what he has seen so far, Mr. Handler feels that it would be smart of the Select Board to allow Mr. Schiavi to bring someone in, so that when the new Town Administrator is hired and starts, that person has had time under the Acting Town Administrator to learn. Mr. Handler also thinks there needs to be a discussion on modifications to the Assistant Town Administrator job description.

Mr. Handler moved to authorize the Acting Town Administrator to begin the recruitment process for the Assistant Town Administrator, 2nd by Ms. Doucette and approved 5-0-0.

Mr. Piekarski said that he would like to ask Mr. Schiavi for his recommendation on the job description, the reflected salary of the position and if the position should stay in the Personnel Bylaw or not.

Mr. Handler said that what he likes about the draft job description is that it screams delegation and responsibility, and that the person is trusted in their role and that they would be utilized to the best extent possible.

Mr. Schiavi agreed that the job description, salary and whether it would be in Personnel Bylaw or not all need to be finalized.

CONTRACTS

- A. Review and approve contract with Allen Harbor Marine Service in the amount of \$43,367.50 for winter boat storage

Mr. Handler moved to approve a contract with Allen Harbor Marine Service in the amount of \$43,367.50 for winter boat storage, to be signed by the Select Board, 2nd by Ms. Doucette and approved 5-0-0.

- B. Review and approve contract with Harwich Port Boat Yard in the amount of \$46,687.50 for winter boat storage

Mr. Handler moved to approve a contract with Harwich Port Boat Yard in the amount of \$46,687.50 for winter boat storage, to be signed by the Select Board, 2nd by Mr. Piekarski and approved 5-0-0.

TOWN ADMINISTRATOR'S REPORT

Mr. Schiavi announced the appointment of Becky Wilkening as the part time program aide at Cultural Affairs.

Mr. Schiavi reminded everyone that the Finance Director search will close on October 14th. To date, we have received 5 applications. The applications are in the process of being reviewed and no interviews have been scheduled yet. Mr. Schiavi did note that there are no applicants with municipal experience. Mr. Piekarski asked where the advertisement is posted. Mr. Schiavi responded that it is posted in 5 different locations. If the ad must go back out, it will refresh at last on the Massachusetts Municipal Association website.

Mr. Schiavi reported that he meets with the finance team on a weekly basis and that they are working on collecting data for upcoming school budge discussions.

The Annual Town Meeting and Budget Timeline has been uploaded onto the website for people to follow along and track the milestones.

SELECT BOARD MEMBER REPORT

Mr. Handler said that he received a call from the Harwich Garden Club asking about a timeline for the Brooks Academy Museum project. Mr. Schiavi said that a contract has not been finalized and that once that is done, we can create a milestone chart of laying out the process.

Mr. Kelleher reported at a meeting with County Commissioner Mark Forest and that it was said that there is no money in the state budget for dredging. Mr. Kelleher wanted us to keep this in mind as we get into budget season.

Ms. Doucette said that she attended the funeral service today for Izzy Thomspson and paid her condolences to her husband Allin as well as their entire family.

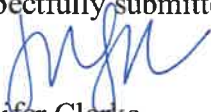
Mr. Howell said that he was present on Saturday for the Muddy Creek bridge proclamation to Private Blute. Mr. Howell thanked Rob Mador from Bridges for the Fallen as well as DPW staff who cleaned up the bridge before the ceremony. He commented that public safety had a strong presence as well.

CORRESPONDENCE

ADJOURNMENT

Mr. Piekarski moved to adjourn the regular meeting of the Select Board at 8:01 p.m., 2nd by Mr. Kelleher and approved 5-0-0.

Respectfully submitted,



Jennifer Clarke
Executive Assistant

