

APPROVED

RELEASED

**MINUTES
SELECT BOARD MEETING
DONN B. GRIFFIN ROOM, TOWN HALL
732 MAIN STREET, HARWICH, MA 02645
EXECUTIVE SESSION - 5:00 PM
REGULAR MEETING - 6:00 PM
MONDAY, APRIL 8, 2024**

RECEIVED
TOWN CLERK
HARWICH, MA

2024 APR 23 A 10:45

MEMBERS PARTICIPATING: Julie Kavanagh, Chair and Jeff Handler, Clerk both in person
Michael MacAskill, Vice Chair participated remotely.

ALSO PARTICIPATING: Joseph F. Powers, Town Administrator

- I. CALL TO ORDER:** Ms. Kavanagh called the meeting of the Harwich Select Board to order at 5:00PM noting that they were entering into Executive Session and will return no sooner than 6:00PM.

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

Vote: 3:0 in favor by roll call vote. Motion carried.

II. EXECUTIVE SESSION

- A. To discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or discuss the discipline or dismissal of, or complaints or charges against, a public officer, employee, staff member or individual.
- B. Pursuant to G.L. c. 30A, sec. 21(a)(2) to conduct strategy sessions in preparation for negotiations with non-union personnel and to conduct contract negotiations with non-union personnel: Police Chief

Ms. Kavanagh called the Select Board Meeting back to order at 6:00 PM, reporting that while in Executive Session no action was taken on Items A or B. She then read the open meeting Law Notice. Ms. Kavanagh noted that Select Board Member Michael MacAskill is participating remotely.

III. PLEDGE OF ALLEGIANCE

Ms. Kavanagh invited all attendees to join in the Pledge of Allegiance.

IV. PUBLIC COMMENTS/ANNOUNCEMENTS

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Emily Mitchell, Town Clerk was present and offered a reminder that the Special Election to fill the Select Board vacancy is scheduled for April 9th, she gave all voting details. Information is on the town's website.

A. The Select Board Public Forum on Annual Town Meeting Warrant Articles will be held on April 24, 2024, at 6:00 pm in the Griffin Room at Town Hall.

Ms. Kavanagh noted the Select Board Public Forum details. She also noted that the Select Board will not be meeting on Tuesday, April 16th

B. Office Hours with Michael MacAskill and Jeffrey Handler will be held on April 23, 2024, at 5:30-7:00 pm at the Community Center in Room 3

Mr. Handler announced the next Office Hours with details as presented.

Carrie Schoener, Health Director was present. She offered updates and noted the Department's programs. She also noted other events offered by the Health Department. Details on events and programs are on the Town's website.

Amy Usowki, Conservation Agent was present and spoke about the annual Tour de Trash. Event details and sign-up details are on the Town's website.

Cindy Williams, Executive Director of the Harwich Chamber of Commerce was present and announced that the Toast of Harwich will be held at Wequassett next Saturday, April 20th. Select Board Member Jeff Handler will be the auctioneer for the Live Auction. Ticket information is on the Town's website.

Ashley Symington, Director of Youth and Family Services was present and gave details on this month's parent workshop. No registration required.

Terry Canavan of Harwich was present and gave a brief overview of her experience advocating for disabled elderly and vulnerable people. She offered her thanks Mr. Handler for attending the pizza party and to Eric Beebe, Rec and Youth Director for his continued involvement in a program that she had started. She noted that she has been requesting an ADA (Americans with Disabilities Act) accommodation (chair) for quite some time and she described her needs. She commented that the chair that had been ordered is a "community chair" which does not meet her standard for accommodation, which she explained. She noted the new chair at the Community Center, which is designated for a specific individual. She also stated that if this (her request for a chair) is not done now, it will go to the Attorney General.

V. NEW BUSINESS

A. Approve a M.G.L Chapter 138, section 12 seasonal liquor license renewal for Ashwood Food Service, Inc. d/b/a Jake's at Cranberry Valley, 183 Oak Street

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Mr. Handler moved to approve a M.G.L Chapter 138, section 12 seasonal liquor license renewal for Ashwood Food Service, Inc. d/b/a Jake's at Cranberry Valley, 183 Oak Street, consistent with the license from the previous years. Seconded by Mr. MacAskill.

Vote 3:0 in favor by roll call vote. Motion carried.

B. Approve the following 2024 Seasonal Common Victualler license renewals:

1. Ashwood Food Service Inc. d/b/a Jake's at Cranberry Valley, 183 Oak Street
2. Schoolhouse Ice Cream & Yogurt, 749 Route 28

Mr. Handler moved to approve the following 2024 Seasonal Common Victualler license renewals:

1. Ashwood Food Service Inc. d/b/a Jake's at Cranberry Valley, 183 Oak Street
2. Schoolhouse Ice Cream & Yogurt, 749 Route 28

Seconded by Mr. MacAskill.

Vote 3:0 in favor by roll call vote. Motion carried.

C. Approve a One day Wines and Malt Special Permit for Georgene Riedl, event to be held on May 3, 2024, 5:30 p.m. to 7:30 p.m. at 204 Sisson Road

Mr. Handler moved to approve a One day Wines and Malt Special Permit for Georgene Riedl, event to be held on May 3, 2024, 5:30 p.m. to 7:30 p.m. at 204 Sisson Road. Seconded by Mr. MacAskill.

Vote 3:0 in favor by roll call vote. Motion carried.

D. Approve a 2024 Seasonal Weekday and Sunday Entertainment license renewal for Pelham on Earle Operating LLC d/b/a Pelham on Earle, 30 Earle Road:

- * Weekday 12:00 p.m. to 10:00 p.m. inside & outside Live/recorded music, amplification, dancing by live performers
- * Sunday 12:00 p.m. to 10:00 p.m. inside & outside Live/recorded music, amplification, dancing by live performers

Mr. Handler moved to approve a 2024 Seasonal Weekday and Sunday Entertainment license renewal for Pelham on Earle Operating LLC d/b/a Pelham on Earle, 30 Earle Road:

- * Weekday 12:00 p.m. to 10:00 p.m. inside & outside Live/recorded music, amplification, dancing by live performers
- * Sunday 12:00 p.m. to 10:00 p.m. inside & outside Live/recorded music, amplification, dancing by live performers

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Mr. Handler noted that there is representative from Pelham present to answer questions.

Seconded by Mr. MacAskill.

Mr. MacAskill asked if there are any changes from last year.

Ms. Kavanagh replied noting that on the weekday, inside 9:00 AM to 10:00PM on the Entertainment License and Sunday, inside 9:00 AM to 10:00 PM, the only change is “un-amplified”. The Petitioner is requesting “amplified”.

Ms. Kavanagh clarified that the request for amplified is for inside and outside.

Mr. Powers noted there is memo from Staff that includes the information from last year. He noted that it appears that the hours in question are reduced.

John McCarthy, Pelham Hospitality Representative was present and gave the reasons they requested different times and amplification.

Mr. MacAskill commented that in the past, people in that area of town were not interested in any amplification whatsoever, regarding other businesses. He also commented on Pelham’s great reputation and is unaware of any complaints against them. He cautioned management and ownership that there is a Noise By-law. He is one to give someone a chance but feels the 10:00 might be stretching it.

Mr. Handler agreed with Mr. MacAskill noting Pelham’s impeccable reputation. He also emphasized using caution.

Ms. Kavanagh noted past complaints in that area but also agreed that Pelham deserves this opportunity, she also emphasized using caution.

Mr. Handler noted that it’s beneficial to reach out to the neighbors.

Mr. McCarthy expressed his intention to reach out to everyone in the area.

Vote: 3:0 in favor by roll call vote. Motion carried.

E. Approve the following 2024 Seasonal Weekday and Sunday Amusement license renewals:

1. The Trampoline Center, 296 Route 28 – Weekday & Sunday 9:00 a.m. to 9:00 p.m. Amusement Type: Trampolines
2. S&S Amusement, LLC d/b/a Bud’s Mini Golf, 9 Sisson Road – Weekday & Sunday 10:00 a.m. to 10:00 p.m. Amusement Type: Miniature Golf

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Mr. Handler moved to approve the two 2024 Seasonal Weekday and Sunday Amusement license renewals:

1. The Trampoline Center, 296 Route 28 – Weekday & Sunday 9:00 a.m. to 9:00 p.m. Amusement Type: Trampolines
2. S&S Amusement, LLC d/b/a Bud's Mini Golf, 9 Sisson Road – Weekday & Sunday 10:00 a.m. to 10:00 p.m. Amusement Type: Miniature Golf

Seconded by Mr. MacAskill.

Vote: 3:0 in favor by roll call vote. Motion carried.

VI. OLD BUSINESS

A. Discussion on Annual Town Meeting Warrant and all articles therein

Ms. Kavanagh noted that the Board has this item on the Agenda for any questions the public might have on the Annual Town Meeting Articles. Also as announced earlier, there will be a session on April 24th to discuss the Annual Town Meeting.

Mr. Handler noted that the Office Hours on April 23rd are also an opportunity for the public to ask questions about the Warrant.

No questions were asked.

VII. CONTRACTS

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

Mr. Handler moved to vote to approve a Memorandum of Understanding with Meals on Wheels. Seconded by Mr. MacAskill.

Mr. Powers noted that this is a standard arrangement that the Town has had for several years. The purpose is to support the Nutrition Program for the Meals on Wheels Program. It is tied to Elder Services of Cape Cod and the Islands and he recommended that the Board approve this Contract

Vote: 3:0 in favor by roll call vote. Motion carried.

VIII. TOWN ADMINISTRATOR'S REPORT

Mr. Powers noted a memorandum of Agreement with the Cape Cod Commission. He explained that the Town is partnering with the Cape Cod Commission, for them to serve as the Town's consultant as they progress through the Hazard Mitigation Plan. He has signed the Memorandum of Agreement but will hold off if the Board considers it something that they do. If the Board is in favor of it, the Town is relying on an \$18,000 Grant that it received through the Federal Government.

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Board members agreed to go forward with the Agreement as noted. Mr. MacAskill requested that the information be forwarded to him.

IX. SELECT BOARD'S MEMBER REPORT

Mr. MacAskill - No report.

Mr. Handler mentioned the Harwich Accessibility Rights Committee (HARC) , noting that Select Board Howell is the Liaison. He was hoping to get closure on where they are going with HARC. He would like to move that forward.

Ms. Kavanagh will add that to the April 22nd Agenda as there is no meeting on Tuesday, April 16th.

X. CORRESPONDENCE

XI. ADJOURNMENT

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

Vote: 3:0 in favor. Motion carried.

Meeting adjourned.

Respectfully submitted,

Judi Moldstad
Board Secretary

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