Present: D. Sampson, M. Miller, B. George, S. Hoctor, C. Holden  
G. Dunham, Town Manager  
Others Present: Jacquelyn Groeber

Mr. Miller opened the meeting at 7:05 PM by reading the March 12, 2020 Executive Order from Governor Baker suspending certain portions of the Open Meeting Law. There will be no in-person attendance for Selectmen’s meetings, however the meeting will be live-streamed and comments from the public will be taken through technologic means.

PLEDGE OF ALLEGIANCE

REVIEW AND APPROVAL OF MINUTES
Mr. George moved to approve the minutes of August 6, 2020. Seconded by Mr. Hoctor. Approved unanimously.

PUBLIC FORUM
None

TOWN MANAGER REPORT
1. The COVID team has been meeting twice a week on Monday and Friday. There have never been more than five cases at any one time, and mostly one or two for a while. Mr. Dunham thanked the public for following the protocols, as well as the staff. Sandwich is the only town on the Cape thus far that has reopened. PSAs continue to be shown and are on the Town website. The one just taped is on testing options, one being the gold standard with the nasal swab and the other an antigen test, and also the rapid response test that the Town has used for quite a while. Next week Dr. Gould will be talking about school reopening, and Dr. Bemis who has been our medical advisor will be doing one as well.
2. There are several vacancies for Town committees – there is a new page on the Town website with a list of vacancies and an application. There is one vacancy on Cape and Vineyard Collaborative Board that should be filled quickly.
3. Received notification from Housing and Community Development that Habitat for Humanity has received their LIP, local initiative program approval, which is a big accomplishment. The Town also offered some open space so they could meet nitrogen loading so they could put in a septic system.
4. Solar Voltaic – Police are moving forward and the application went in last week. The project at Sandwich Hollows has a second developer and is moving forward. There are some private projects that need Eversource approval and this is holding some of the Town projects up.
5. There have been some questions about insurance and liability for the disc golf project. Once these are answered the project will move forward.
6. 100 Rte 6A – the general contractor will be onsite on August 17. Safety fencing will be going up next week. Project signs will be going up on Tupper Rd. Brian Schleagel, the Town facilities director, is also the owner’s project manager.
7. Center for Active Living – the architect is preparing the design development. Evaluation of comments has led to some modifications. Approved plans will be presented to the Council on Aging on August 25th. There are multiple trades associated with this project (125 applications). The invitation for bids will be on schedule to go out in late fall.

8. Library – this is at a critical stage. The bids and cost estimates were received last week. Pomeroy is working with the architect and Joanne LaMothe. There should be enough funding available with some cushion. Everything is on schedule with bids in September. An RFP will go out for moving the library. Construction will take 6 to 8 months. They are currently looking at colors and furnishings. Thank you to the Board and public for support.

Questions/Comments: Mr. Miller asked about the status of the solar project at the high school. Mr. Dunham stated that the final design is ready, but waiting for Eversource approval for interconnection permit, and permission to move forward.

CORRESPONDENCE/STATEMENTS/ANNOUNCEMENT

Mr. Miller asked who deals with correspondence from the public. Mr. Dunham says it goes through Ms. Harper then to Kathy Coggeshall for answering and contacting the people with the answer. Mr. Sampson thinks that responding to emails from the public needs to be tracked. He would like to see this as a future agenda item to talk about some solutions.

Mr. Miller also asked who owns the railroad tracks. The State owns the tracks, but leases them to companies for use. The question is whom to contact if the whistle is bothering people. Mr. Dunham will check with Tom Cahir for the answer.

Mr. Miller summarized the joint meeting with the School Committee to replace a committee member. There were four interviews – all good candidates. Mr. Kevin Sereault was appointed and will be sworn in today. Mr. Miller also asked about when live meetings can be held. Mr. Dunham said committee members would need to be COVID tested before meeting live. Board members can be socially distanced, but no public would be permitted to attend. There is a tentative date for testing the Board members (9/2) with a rapid response test, and follow up nasal swab for any positives.

Mr. Dunham said he has followed up with the group interested in reconstructing the Boardwalk. He has explained to them that Town Counsel and the consultant say there is not a lot of leeway in altering reconstruction plans, but will be following up with the consultant. The only alternative would be not to reconstruct, but just keep repairing until the money runs out. The consultant will be back to the Board at a future meeting.

Mr. George asked about a letter from the Police Chief and the MMA. Rutland selectmen have written about legislation addressing public safety reform; there are 40 amendments, but no formal action yet. Parts of the proposed law represent things town managers have been asking for for years. Civil Service is arcane and passes responsibility to towns. The letter doesn’t make sense for Sandwich but could show some support. Mr. Miller will work with Chief Wack, who has mentioned the possibility of licensing police officers like it is done in Connecticut; this is very involved. The proposed legislation is in conference committee now and maybe the Board should wait until there is something more definite on which to comment. Chief Wack did a PSA; Sandwich police go out of their way to do community policing, so there are very few problems here. Mr. Sampson said policing is a challenge and things are fine at the local level, but there are problems nationally.
Any change needs the right level of input from the public and components need to be thought through. Mr. Holden suggested that the Citizens’ Police Academy is very oriented to policing and maybe this program should be publicized.

Mr. Hoctor wondered about talking with Dr. Gould about the reopening and the financial impacts. He is concerned that there might be some long term financial implications. Mr. Miller agrees that Dr. Gould should come and explain what is going on and the financial impacts. The number of students returning to school might be hard to determine; there are possibly 400 children wanting to do remote learning and this could have a ripple effect. Mr. Dunham says the accounting office is trying to track it all. They have been meeting internally and with the schools. The CARES Act money is separate and there are other funds from the State as well. FY’22 might be more problematic. Mr. Hoctor wanted to know what the school are hearing about responses for head counts. Mr. Holden agrees the Board needs to be ahead of the curve and supports inviting Dr. Gould and Michelle Austin to a Board meeting. Mr. Hoctor says he is not being critical of the schools, he just wants to be proactive. Safety for the students comes first.

Request for Special Farmer Winery License to Sell: Ms. Jacquelyn Groeper, Artis Winery, Pembroke, MA is requesting a license to sell wine at the 2020 Sandwich Farmers’ Market. This needs Board of Selectmen approval as well as State approval. Kathy Coggleshall said the background checks went well. The winery is in Pembroke. Ms. Groeper would like to sell white, rose, and red wines; no sampling will be included. Covid precautions will be taken. The 2020 season ends on October 13. **Mr. George moved that the Board approve a special farm winery license for the 2020 farmers’ market season. Seconded by Mr. Holden. Approved unanimously by roll call vote.**

**OLD BUSINESS**

**COVID-19 Updates:** Last March, the Board granted authority for Mr. Dunham to address time-sensitive tasks. One month ago, some abutters has some problems and complaints about no public hearings about proposed projects. One hundred five projects moved forward that would ordinarily need public hearings. These were small projects mainly and mainly concerned the Historic District Committee. The plan is to hold one large public hearing and hear 100 projects in one night. The lack of public hearings was well-intentioned given the pandemic. Mr. Dunham consulted with Counsel; any projects that could not be decided in one meeting because of concerns could be moved to the next meeting night.

The Forestdale auction has been postponed. The auctioneer was selected by public process and the auctioneer has noted significant interest in the auction. However a question was raised by several potential bidders as to possible groundwater contamination in the nearby area, for example the Braden Rd. and Crocker properties. These were checked in the past and there was no impact on groundwater. Underground storage tanks were removed years ago as well. Mr. Dunham said that hiring a 21E consultant to look into this might help people get better financing. He is also working with Town Counsel about easements to the Greenville School property. The proposed auction date is October 21; tours of the building are ongoing.

COVID testing plans involve large efforts to test school employees with the rapid response test. This test has been approved by the FDA with greater than 98% accuracy. The Town has contracted with a testing company to do the tests, with the schools being first, then committee members. The Town staff will be retested; there have been no positive cases in Town staff related to work. Mr. Miller would like to have the Board meet in person for the next meeting. Mr. Dunham will post the meeting in the same way, but face-to-face; there cannot be any public at the meeting. The members must be socially distant and everyone would need to agree
to be there – no remote participation. Mr. Dunham will talk with Chief Burke about appointments for testing Board members before the meeting. There was consensus to go live as soon as possible.

**Legislative Efforts on Special Acts:** Representative Hunt has updated the Town about legislative efforts. Town Meeting change to the Sandwich Promotions Fund was engrossed in the House and has been sent to the Senate, then will be voted. Representative Hunt is working with the Senators to facilitate a vote before his retirement. There is a bridge in East Sandwich, which is going to be named; the Senate had one question that is being answered by town Counsel. The room tax is paid to the Town quarterly, so has not yet been received for this year. Last year there was $150,000 more than the year before. The average amount to the VSB has been $25,000, and $220,000 to $225,000 to the Town. The estimated amount to the VSB for next year is $100,000.

**Section 111 Update:** The slides in the packet are foreshadowing what will be discussed by the Army Corps of Engineers next month. One issue has been raised, but the final draft is estimated to be complete in early to mid-September. Mike Riccio will come to the September 17 Board meeting. Mr. Dunham has drafted a letter to be sent to the Federal Delegation regarding the need for both funding and operation/maintenance permits for placing Canal dredge on the beach. The letter has been reviewed by the Woods Hole group and he would like to send it next week. He has spoken to staff in Representative Keating’s office, as well as staff in the other offices. The project has already been permitted for 388,000 cubic yards of sand; 225,000 will come from Scusset and if more needed, the ACOE will need to obtain. There needs to be a public meeting, as well as private meetings about the easements. The $12.5 million allotted for the project should be enough for the initial sand. The Phase III work on Old Harbor is being discussed with regulatory boards. Some are being difficult, but most are all right. The Woods Hole group is going to reach out to some of these boards to see if and how long it would take to get approvals. A permit to dredge will be difficult.

**Other Old Business Not Reasonably Anticipated:** None

### NEW BUSINESS

**Quarterly Donation Acceptance:** Donations need to be approved according to the State. There have been some large and meaningful contributions. Mr. Sampson moved to accept the donations as listed. Mr. George seconded. Approved unanimously by roll call vote.

**Request for Use of Town Properties:** Over the past six months several groups have approached Mr. Dunham to see if they could use Town properties to provide services. The Veteran’s group would like to use the old police station for outreach. The police/fire chaplain needs an office as well. Mr. Dunham said there is a fine line between a lease and a license – a license can be issued for a period of time, but there are no rights to the property. There are several licenses that have been issued in Town. There is a need to think carefully about use of the police station, which might be sold later. Cape Cod BMX has asked again about a bike facility. The added security at the Base makes it difficult to access. They will need to leave by next April. Mr. Dunham wants to do what Town Counsel recommends. Mr. Miller has concerns about the occupation of the Wing School until December 31, 2021. The school department might need to move to the police building. If the move will be only for a short time, maybe there would be space in one of the other schools, but it is too soon to tell. There might be a need to remove people if a building is needed and anyone who wants to use a Town building must understand that it is Town property. Mr. George talked to John Johnson about the BMX issue. He suggested another location that was earmarked for a football field, but it would be too far away. Mr. Dunham questioned whether they would pay rent. There would not be able to be any vending service that
would conflict with the golf course. There is a question whether this would be a compatible use and maybe BMX could look at other properties like the Pop Warner field. Mr. George agreed the Pop Warner field makes more sense and makes a motion that Mr. Dunham proceed to investigate the legalities of this with Town Counsel and come back with a recommendation. Mr. Sampson seconded. Mr. Sampson said that as long as it is understood that the Town can recover the property when needed, this could be a positive, with the organization paying for maintenance, rather than the Town. Finding the right place for the BMX group is important – maybe a place in the golden triangle. The best legal path needs to be identified, along with an opportunity analysis that considers what is best for the public. Mr. Miller questioned if an organization puts funds into a building, does the Town need to pay it back if they need to leave? Public bidding law and legalities need to be addressed. Mr. George has the BMX liability information. Mr. Holden says a license is better than leasing. Motion approved unanimously by roll call vote.

Payroll and Vendor Warrants: Mr. Miller signed them and they look in order.

Other New Business Not Reasonably Anticipated: None.

PUBLIC FORUM

No public comment.

CLOSING REMARKS

Mr. Miller thanks Mr. Dunham for assisting with the School Committee joint meeting; there were good questions for the candidates. Mr. Holden congratulate Mr. Sereault on his appointment. Mr. Miller reminded the public about the list of committee vacancies.

ADJOURNMENT

Mr. George moved to adjourn the meeting. Mr. Holden seconded. Approved unanimously by roll call vote.
The meeting adjourned at 8:32 PM.

Respectfully submitted,

Susan James

Supporting Documents:
Farmer Winery license (5 pages)
2019 Warrant article language (4 pages)
Section 111 slides (4 pages)
Letter to Federal delegation (3 pages)
Phase III Old Harbor Dredging correspondence (5 pages)
Donation list (1 page)
BOS Meeting schedule (1 page)