

# ANNUAL TOWN MEETING WARRANT



**MAY 7, 2012**



# SPECIAL TOWN MEETING WARRANT



**MAY 8, 2012**

**with  
RECOMMENDATIONS**

**TABLE OF CONTENTS**  
**ANNUAL TOWN MEETING WARRANT**

**MAY 7, 2012**

Voting Procedures.....	3
Motion Chart.....	4
Tax Rate Chart .....	5
Municipal Finance Terms .....	6
Proposition 2 ½ Terms.....	7

**ARTICLES**

1. Town Officers & Committees .....	8
2. Reports of Town Officers & Committees .....	8
3. Elected Officials Salaries .....	8
4. Town Operating Budget .....	9
5. Monomoy Regional School District Budget .....	9
6. Water Department Budget.....	9
7. Chase and Harwich Port Libraries .....	9
8. Promote the Town of Harwich .....	9
9. Capital Plan Adoption .....	10
10. Allen Harbor Float and Piling Replacement .....	18
11. Dredge Various Entrance Channels .....	18
12. Design of Muddy Creek Culvert/Bridge .....	18
13. Design and Bidding of Rehabilitation Program for the Lothrop Avenue Water Tank .....	18
14. Fund Brooks Park Baseball Field Fencing and Backstop .....	19
15. Emergency Management Replacement Generators .....	19
16. Golf Capital Improvement Receipts Reserve Fund.....	19
17. Waterways Capital Improvement Receipts Reserve Fund .....	19
18. Departmental Revolving Fund Authorization .....	20
19. Change the Purpose of Capital Replacement Stabilization Fund.....	20
20. Funding the Town Capital Stabilization Fund .....	20
21. Health Insurance for Elected Officials .....	21
22. Amend By-law – Licensing, Permitting and Fees – Violations and Penalties.....	22
23. Amend the Code of Harwich - Noise By-law .....	22
24. Amend the Code of Harwich – Part I, Chapter 304-8, Part A.....	25
25. Pleasant Bay Resource Management Amendment.....	25
26. Approve Funding for Fire Union Contract.....	27
27. Approve Funding for Water Union Contract .....	27
28. Approve Funding for DPW Union Contract .....	27
29. Approve Funding for HEA Union Contract .....	27
30. Approve Funding for Police Federation Union Contract .....	28
31. Approve Funding for Superior Officers Union Contract .....	28
32. Approve Funding for Management Employees Union Contract.....	28
33. Approve Funding for Non-Union Compensation Plan .....	28
34. Fund Compensation Schedule for Contract Employees.....	28

35.	Affordable Housing Deed Rider – 30 Cedardale Road .....	29
36.	Compensating Balance Agreement .....	29
37.	Liability Tidal/Non Tidal Rivers .....	29
38.	Herring Fisheries .....	29
39.	Reserve for Future Appropriation Amounts from FY 2012 Community Preservation Fund Estimated Annual Revenues .....	30
40.	Harwich Affordable Rental Housing Assistance Program.....	30
41.	Brooks Free Library: Phase I Restoration and Preservation Historic “Brooks Building” .....	30
42.	Digitize 1949-1958 Microfilm of Central Cape Press Newspaper .....	31
43.	Preserve and Digitize Historic Photos at the Harwich Historical Society .....	31
44.	Fund Phase III Historic South Harwich Meeting House Preservation.....	31
45.	Preservation, Restoration, Re-assembly of Historic Crowell Barn/Workshop .....	32

**TABLE OF CONTENTS  
SPECIAL TOWN MEETING WARRANT  
MAY 8, 2012**

**ARTICLES**

1.	Monomoy Regional High School Building Project .....	34
2.	Annual Allocation of Mass Cultural Council For Local Cultural Council Grants.....	34
3.	General By-Law - Parking For People with Disabilities - Chapter 208, Article 1 .....	35
4.	Council on Aging Membership Reduction.....	35
5.	Various Planning Board Zoning Amendments .....	36
6.	Authorize Intergovernmental Agreements Related To Renewable Energy Projects ...	39
7.	Solar Energy Project – Westgate Road .....	39
8.	Solar Energy Project – Orleans Road.....	40
9.	Approve Water Treatment Facility and Solar Energy System at Well Site #10 .....	40
10.	Lease/License Agreement for Little League Field .....	41

**APPENDICES**

A	Sample Ballot .....	43
B	Budget .....	46
C	Citizen’s Activity Record Form .....	55

## **VOTING PROCEDURES**

- I A quorum, 150 registered voters, must be present in order to conduct business. The only motion in order when no quorum is present is a motion to adjourn.
- II A two-thirds majority of the Town Meeting shall be required for inclusion of any Capital Outlay, unless it was included in the Capital Outlay Plan adopted at the preceding Town Meeting.
- III All motions introduced at the Town Meeting shall be in writing when required by the Moderator.
- IV Voters are limited to two times speaking on any one question; the total time speaking not to exceed 10 minutes.
- V Only registered voters shall occupy the meeting “floor”.
- VI No voter will be allowed to speak until he or she is recognized by the Moderator.
- VII Motion requiring more than a simple majority to pass:
  - A. To reconsider a vote on a motion – 3/4 majority (this motion must be made prior to the next adjournment of the meeting).
  - B. To consider articles in an order other than as appears on the warrant – 3/4 majority.
  - C. To pay unpaid bills –4/5 majority at the Annual Town Meeting, 9/10 majority at a Special Town Meeting.
  - D. To move the previous question (terminate debate) - 3/4 majority.
- VIII Quorum cannot be questioned after a motion has been made and seconded.

**MOTION CHART Section 1-211**  
(Application of Rules is Indicated by an X)

Motions	Debatable	Non Debatable	Amendable	Non Amendable	Second Required	Second Not Required	Majority Vote	2/3 Vote	¾ Vote	May Reconsider	Cannot Reconsider
Adjourn		X		X	X		X				X
Adjourn (in a time certain)	X		X		X		X			X	
Amendment	X		X		X		X			X	
Adopt a Resolution	X		X		X		X				X
Accept & Adopt	X		X		X		X <sup>1</sup>			X	
Postpone Indefinitely	X			X	X		X			X	
Previous Question Terminate Debate		X		X	X				X		X
Reconsider <sup>2</sup>	X			X	X				X		X
Consider Articles Out of Order	X		X		X				X		X
Point of Order		X				X					
1. Unless a greater than simple majority required by General Laws of Town of Harwich by-laws.											
2. See section 1.207											

THE CHART BELOW SHOWS THE AMOUNT OF MONEY REQUIRED TO CHANGE  
THE FY 2012 TAX RATE.

TAX RATE CHANGE IN \$/1000	DOLLARS REQUIRED
\$ 0.01	\$45,984
\$ 0.05	\$229,918
\$ 0.10	\$459,836
\$ 0.15	\$689,753
\$ 0.20	\$919,671
\$ 0.25	\$1,149,589
\$ 0.30	\$1,379,507
\$ 0.35	\$1,609,424
\$ 0.40	\$1,839,342
\$ 0.45	\$2,069,260
\$ 0.50	\$2,299,178
\$ 0.55	\$2,529,095
\$ 0.60	\$2,759,013
\$ 0.65	\$2,988,931
\$ 0.70	\$3,218,849
\$ 0.75	\$3,448,766
\$ 0.80	\$3,678,684
\$ 0.85	\$3,908,602
\$ 0.90	\$4,138,520
\$ 0.95	\$4,368,437
\$ 1.00	\$4,598,355

## **MUNICIPAL FINANCE TERMS**

**APPROPRIATION:** An authorization granted by the Town Meeting to make expenditures and to incur obligations for specific purposes.

**AVAILABLE FUNDS:** Available funds refer to other funds available for appropriation by the Town Meeting, such as Wetland Protection funds, Cemetery Lot sales and Perpetual Care Interest and old article balances returned to revenue.

**OVERLAY, ALSO CALLED ALLOWANCE FOR ABATEMENTS AND EXEMPTIONS:**  
The overlay is the amount raised by the Assessors in excess of appropriations and other charges for the purpose of creating a fund to cover tax abatements granted and avoiding fractions in the tax rate. It cannot exceed 5% of the levy.

**FREE CASH:** Certified each year by the Director of State Bureau of Accounts, this is the portion of the fund balance which is available for appropriation by a Vote of Town Meeting. It is not cash, but rather is the approximate total of cash and receivables less current liabilities and earmarked reserves.

**TRANSFER:** The authorization to use an appropriation for a different purpose; in most cases only the Town Meeting may authorize a transfer.

**RESERVE FUND:** This fund is established by the voters at an Annual Town Meeting only and is composed of an appropriation (not exceeding 5% of the tax levy of the preceding year). Transfers from the Reserve Fund are within the exclusive control of the Finance Committee, and are for “extraordinary or unforeseen” situations, normally emergencies.

**STABILIZATION FUND:** This is a special reserve for future expenditures. The aggregate amount in the fund shall not exceed, at any time, 10% of the valuation in the preceding year. Money may be voted into the fund by a two-thirds vote at Town Meeting. Money may be appropriated from the fund only by a two-thirds vote at Town Meeting for any municipal purpose.

**CHERRY SHEET:** An annual statement received from the State Department of Revenue detailing estimated receipts for the next fiscal year from various State Aid accounts and estimated charges payable by the assessors in setting the tax rate. Named for the cherry colored paper, which the State traditionally has printed it on.

## **PROPOSITION 2 ½ TERMS**

Chapter 59, Section 21C of the Massachusetts General Laws commonly referred to as Proposition 2 ½ (Prop. 2 ½) or the Tax Limiting Law for Cities and Towns in Massachusetts.

**LEVY**: The property tax levy is the revenue a Town can raise through real and personal property taxes. The property tax levy is the largest source of revenue for the Town.

**LEVY CEILING**: This is the maximum the levy limit can be. The ceiling equals 2.5% of the Town's full and fair cash value.

**LEVY LIMIT**: The Maximum the levy can be in a given year. The limit is based on the previous year's levy limit plus certain allowable increases.

**LEVY LIMIT INCREASE**: The levy limit automatically increases each year by 2.5% of the previous year's levy limit.

**NEW GROWTH**: New construction and new parcel subdivision may also increase the Town's levy limit.

**OVERRIDE**: A community can permanently increase its levy limit by successfully voting at a referendum to exceed the limits. A community may take this action as long as it is below the levy ceiling.

**GENERAL OVERRIDE**: A general override ballot question can be placed on a referendum if a majority of the Board of Selectmen vote to do so. If the ballot question is approved by a majority of the voters, the Town's levy limit is permanently increased by the amount voted at the referendum. The levy limit increase may not exceed the Town's levy ceiling. Override questions must be presented in dollar terms and specify the purpose.

**DEBT EXCLUSION**: This override ballot question can be placed on a referendum by a two-thirds vote of the Board of Selectmen. If a majority of the voters approve the ballot question the Town's levy limit is increased only for the amount voted at the referendum for the life of that debt only. The levy limit increase may exceed the Town's levy ceiling.

**CAPITAL OUTLAY EXPENDITURE EXCLUSION**: This override ballot question can be placed on a referendum by a two-thirds vote of the Board of Selectmen. If a majority of the voters approve the ballot question the additional amount for the payment of the capital project cost is added to the levy limit or levy ceiling only for the year in which the project is being undertaken.

**CONTINGENT VOTES**: Chapter 634 of the Acts of 1989 permits a Town Meeting to appropriate funds contingent upon passage of a referendum question (**OVERRIDE**). A contingent vote does not automatically result in an override referendum. An override referendum can only be called by the Board of Selectmen. If a referendum is called by the Selectmen it must take place within forty-five days of the Town Meeting vote.



**COMMONWEALTH OF MASSACHUSETTS  
TOWN OF HARWICH  
ANNUAL TOWN MEETING WARRANT  
MAY 7, 2012**

BARNSTABLE, ss:

To either of the Constables of the Town of Harwich in said County,

Greetings:

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of said Town qualified to vote in elections and Town affairs to meet in the Community Center Gymnasium, 100 Oak Street in said Town on Monday, May 7, 2012, at 7:00 P.M., then and there to act on the following articles:

**TOWN OFFICERS AND COMMITTEES**

**ARTICLE 1.** To choose various Town Officers and Committees. Customary Article

**FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. VOTE: YES-5, NO-0.**

**REPORTS OF TOWN OFFICERS AND COMMITTEES**

**ARTICLE 2.** To hear reports of all Town Officers and Committees for the year 2011.  
Customary Article

**FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. VOTE: YES-5, NO-0.**

**ELECTED OFFICIALS SALARIES**

**ARTICLE 3.** To see if the Town will vote to fix the salaries of the elected officials of the Town for fiscal year commencing July 1, 2012 and ending June 30, 2013 as follows and to act fully thereon. Estimated cost: \$78,955.

Selectmen (5) .....	\$1,500.00 (each)
Moderator.....	\$300.00
Town Clerk .....	\$69,655.00
Water Commissioners (3) .....	\$500.00 (each)

**FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED IN THE AMOUNT OF \$78,955. VOTE: YES-5, NO-0.**

## BUDGET

ARTICLE 4. To see if the Town will vote to raise and appropriate and/or transfer from available funds such sums of money as may be required to defray Town charges for Fiscal Year 2013, and to act fully thereon. (BUDGET – SEE APPENDIX B). Estimated cost: \$29,814,234.

**FINANCE COMMITTEE HAS NO RECOMMENDATION PENDING FURTHER INFORMATION. VOTE: YES-7, NO-0**

## MONOMOY REGIONAL SCHOOL DISTRICT BUDGET

ARTICLE 5 To see if the Town will vote to raise and appropriate and/or transfer from available funds such sums of money as may be required to pay for the Monomoy Regional School District Assessment for Fiscal Year 2013, and to act fully thereon. By request of the School Superintendent. Estimated cost: \$\_\_\_\_\_.

**FINANCE COMMITTEE HAS NO RECOMMENDATION PENDING FURTHER INFORMATION. VOTE: YES-6, NO-0.**

## WATER BUDGET

ARTICLE 6 To see if the Town will vote to raise and appropriate and/or transfer from available funds such sums of money as may be required to defray Water Department Operating Budget for Fiscal Year 2013, and to act fully thereon. By request of the Water Commissioners and Superintendent. Estimated cost: \$3,495,247.

**FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED IN THE AMOUNT OF \$3,495,247. VOTE: YES-5, NO-0.**

## CHASE AND HARWICHPORT LIBRARIES

ARTICLE 7 To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$20,000 to help defray the expenses of the Chase Library and Harwich Port Library, and to act fully thereon. Said funds will be expended under the direction of the Chase Library and the Harwich Port Library Trustees. By Petition. Estimated cost: \$20,000.

**FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED IN THE AMOUNT OF \$20,000. VOTE: YES-6, NO-1.**

## PROMOTE THE TOWN OF HARWICH

ARTICLE 8 To see if the Town will vote to raise and appropriate or transfer from available funds a sufficient sum of money for the Harwich Chamber of Commerce to promote the Town and its businesses and to advance economic development initiatives for and with the Town of Harwich. Said monies to be used to manage and fulfill year-round visitor/resident/business information services, to promote and market the Town, to generate and initiate materials and activities that encourage the establishment, growth and sustainability of businesses in Harwich,

and to implement economic development objectives and activities in partnership with the Town, and to act fully thereon. By Petition. Estimated Cost: \$21,000.

**FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED IN THE AMOUNT OF \$21,000. VOTE: YES-7, NO-0.**

CAPITAL PLAN ADOPTION

ARTICLE 9 To see if the Town will vote to adopt the Capital Plan for the ensuing seven year period as adopted last year by the Town Meeting with new fiscal year 2019 as proposed by the Board of Selectmen and set forth below or as amended by vote of the Town Meeting, and to act fully thereon. By request of the Board of Selectmen.

**FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. VOTE: YES-8, NO-0.**

CAPITAL PLAN 2012-2018	Recommend						
	FY2012	FY2013	FY2014	FY 2015	FY2016	FY2017	FY2018
<b>GENERAL GOVERNMENT</b>							
Town Hall HVAC- Phase 3 (boiler)	100,000						
<b>Total General Government</b>	100,000						
<b>FIRE</b>							
Ambulance		240,000		240,000		240,000	
Fire Engine #68	475,000			500,000			
Fire Engine #64 replace with Refurbish	50,000						
Expansion of fire station #2		2,000,000					
Main Station Roof Replacement					200,000		
<b>Total Fire Department</b>	525,000	2,240,000	-	740,000	200,000	240,000	-
<b>POLICE/FIRE</b>							
Replace mobile and portable radios	118,595						
<b>Total Police/Fire Departments</b>	118,595						
<b>PUBLIC WORKS</b>							
Highway Paving & Sidewalks	145,000	750,000	750,000	750,000	750,000	750,000	750,000
(FY13-FY18 includes \$50,000 Sidewalks)							
Route #124 upgrade/paving to Brewster	-	350,000					
Vehicle Maintenance garage	-	600,000					
Vehicle replacements	210,000	172,000	280,000	250,000	302,000	242,000	242,000
Bike Trail Root Control & Paving	50,000						
<b>Total Public Works</b>	405,000	1,872,000	1,030,000	1,000,000	1,052,000	992,000	992,000
<b>RECREATION</b>							
Pleasant Road Beach Bathroom	100,000						
Long Pond Bathroom		100,000					
<b>Total Recreation</b>	100,000	100,000				-	-
<b>WATERWAYS/ HARBORS</b>							
Allan Harbor Dredging	100,000	92,000					70,000
Allen Basin 2/3 Town, 1/3 abutters	3,800,000						
Allen Harbor Bulkhead Replace/maint			242,500	44,000			
Allen Harbor Jetty Reconstruction					1,200,000		
Round Cove Dredging	75,000						
Saquatucket Dredging		120,000					150000
Saquatucket Bulkhead Replace/Maintenance			50,000		1,497,000	2,028,000	
Saquatucket Basin Dredging				1,000,000			
Saquatucket Float Maintenance				250,000			

**CAPITAL PLAN 2012-2018**
**(continued)**

	<b>Recommend</b>						
	<b>FY2012</b>	<b>FY2013</b>	<b>FY2014</b>	<b>FY 2015</b>	<b>FY2016</b>	<b>FY2017</b>	<b>FY2018</b>
Wychmere Dredging		40,000	160,000	300,000			
Herring River Dredging		50,000					
Round Cove Replace Ramp		100,000					
Downey Property	700,000						
Drainage, Saquatucket, Red River, Wychmere	120,000						
Replace Wixon Dock	45,000						
Herring River Paved Ramp			100,000				
Restroom at Wychmere Harbor	50,000						
Wychmere Harbor Bulkhead Replacement		1,333,700					
<b>Total Waterways/ Harbors</b>	<b>4,890,000</b>	<b>1,735,700</b>	<b>552,500</b>	<b>1,594,000</b>	<b>2,697,000</b>	<b>2,028,000</b>	<b>220,000</b>
<b>CRANBERRY VALLEY GOLF</b>							
Cart Path Maintenance/Repair	50,000						
Maint/cart storage demolition/replace			850,000				
HVAC/kitchen renovations				100,000			
<b>Total Cranberry Valley Golf Course</b>	<b>50,000</b>	<b>-</b>	<b>850,000</b>	<b>100,000</b>	<b>-</b>		
<b>WASTE WATER MANAGEMENT</b>							
Waste Water Management Design	200,000	1,000,000					
Waste Water Management Construction			5,000,000	5,000,000	5,000,00	5,000,000	5,000,000
<b>Total Wastewater Management</b>	<b>200,000</b>	<b>1,000,000</b>	<b>5,000,000</b>	<b>5,000,000</b>	<b>5,000,000</b>	<b>5,000,000</b>	<b>5,000,000</b>
<b>HARWICH HOUSING</b>							
Land Purchase							
<b>Total Housing</b>							
<b>SCHOOLS</b>							
Technology	104,385						
Maintenance	88,242						
<b>TOTAL SCHOOLS</b>	<b>192,627</b>						
<b>Total Plan w/o Water Department</b>	<b>6,581,222</b>	<b>6,947,700</b>	<b>7,432,500</b>	<b>8,434,000</b>	<b>8,949,000</b>	<b>8,260,000</b>	<b>6,212,000</b>

**Water Department (paid by water Fund)**

Water Main Project	300,000	300,000	300,000	300,000	300,000	300,000	300,000
Repaint Lothrop Water Tank					1,300,000		
<b>Total Water Department</b>	<b>300,000</b>	<b>300,000</b>	<b>300,000</b>	<b>300,000</b>	<b>1,600,000</b>	<b>300,000</b>	<b>300,000</b>
<b>Total Plan with Water</b>	<b>6,881,222</b>	<b>7,247,700</b>	<b>7,732,500</b>	<b>8,734,000</b>	<b>10,549,000</b>	<b>8,560,000</b>	<b>6,512,000</b>

Proposed Free Cash	1,363,595
Proposed Debt Financing	<b>5,025,000</b>
Water Enterprise	300,000
School Financing	192,627
Total Recommended Funding and Sources	<u>6,881,222</u>

## **Recommended Amendments FY 2013-2018**

### **Fire Department**

1. Fire Truck purchase in FY2015 was decreased \$500,000-\$375,000 and moved ahead to FY 2014.
2. Ambulance purchases in FY 2015 and FY 2017 are increased to \$240,000 in response to the current market.

### **Schools**

\$40,000,000 in FY2013 for new high school construction was deleted since the new Monomoy Regional School District is responsible for the financing. Harwich and Chatham will each be charged with an assessment rather than a direct debt.

### **Public Works**

1. \$ 750,000 paving and sidewalk construction were eliminated in FY2013, although maintenance of Town roads is important despite lack of funds.
2. Maintenance garage \$600,000 was moved from FY2013 to FY2014.
3. There are minor changes in vehicle replacement FY 2013-FY 2019 to conform with the department vehicle replacement plan, but most importantly, vehicle replacement has been eliminated in FY 2013, with the entire schedule moved forward one year in response to the tight economy.

### **Recreation**

1. In FY 2013, Long Pond Bathroom has been moved from FY 13 to FY 14 for \$100,000

### **Golf**

\$100,000 for VAC/kitchen renovations was moved from FY 2014 to FY 2018.

1. \$850,000 for a combined maintenance/cart storage facility was moved from FY 2014 to FY 2015

### **Waterways and Harbors.**

For comparison:

FY	Prior Plan	Recommended Plan
2013	\$1,735,700	\$ 255,000
2014	552,500	895,000
2015	1,594,000	570,000
2016	2,697,000	1,740,000
2017	2,028,000	2,278,000
2018	220,000	1,525,000
2019	-----	1,500,000

**Waste Water Management**

The “place holders” of prior plans have been replaced with more realistic projections of the long-term environmental project.

1. \$250,000 for Muddy Creek culvert improvement design, in cooperation with Chatham, replaces \$1,000,000 in FY 2013.
2. \$2,000,000 for project design is recommended for FY 2014 instead of \$1,000,000 in FY2013 which is removed, plus 1,000,400 for Muddy Creek construction.
3. \$5,000,000, “place holders” are removed in FY 2014-FY 2018.
4. \$25,000,000 construction is recommended for FY 2016.
5. \$10,000,000 is recommended in FY 2016 and FY 2018 for infrastructure.

**Water Department**

1. \$100,000 is removed from FY2015-FY2018 since no new well investigation is proposed.
2. \$1,300,000 is moved from FY 2013 to FY 2016 and increased to \$2,100,000 reflecting the bids received on Route #39 rehab and painting.



**CAPITAL PLAN  
FY 2013 – FY 2019**

	<b>FY 2013</b>	<b>FY 2014</b>	<b>FY 2015</b>	<b>FY 2016</b>	<b>FY 2017</b>	<b>FY 2018</b>	<b>FY 2019</b>
<b>FIRE DEPARTMENT</b>							
Ambulance			240,000		240,000		240,000
Fire Engine		375,000					
Main Station Roof Replacement				200,000			
<b>Total Fire Department</b>		375,000	240,000	200,000	240,000		240,000
<b>PUBLIC WORKS</b>							
Highway Paving & Sidewalks (FY 2013-FY 2018 includes \$50,000 sidewalks)		750,000	750,000	750,000	750,000	750,000	
Rt. 124 upgrade/paving to Brewster	350,000						
Vehicle Maintenance garage		600,000					
Vehicle Replacements		238,000	295,000	281,000	395,000	285,000	245,000
<b>Total Public Works</b>	350,000	1,588,000	1,045,000	1,031,000	1,145,000	1,035,000	245,000
<b>RECREATION</b>							
Long Pond Bathroom		100,000					
<b>Total Recreation</b>		100,000					
<b>WATERWAYS / HARBORS</b>							
Allen Harbor Inlet Dredging		30,000	50,000		70,000		
Allen Harbor Bulkhead Replacement/maintenance				243,000			
Allen Harbor Jetty Reconstruction						1,200,000	
Allen Harbor Float Reconstruction	65,000						
Allen Harbor Parking Lot/drainage			44,000				
Allen Harbor Bathroom		100,000					
Round Cove Inlet Dredging		30,000			40,000		
Round Cove Replace Ramp							
Saquatucket Dredging		35,000			90,000		
Saquatucket Bulkhead replacement/maintenance		50,000		1,497,000	2,028,000		
Saquatucket Inlet Dredging		50,000			50,000		1,500,000
Saquatucket Float Maintenance			346,000			325,000	
Saquatucket Bathroom			100,000				
Wychmere Town Dock Repair		500,000					
Wychmere Inlet Dredging	40,000		30,000				
Replace Wixon Dock							
Outer Herring River Dredging	50,000						
Herring River ramp replacement		100,000					
<b>Total Waterways/Harbors</b>	155,000	895,000	570,000	1,740,000	2,278,000	1,525,000	1,500,000

<b>CAPITAL PLAN FY 13-19 (continued)</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>FY 2015</b>	<b>FY 2016</b>	<b>FY 2017</b>	<b>FY 2018</b>	<b>FY 2019</b>
<b>CRANBERRY VALLEY GOLF</b>							
Maint/cart storage demolition/replace			850,000				
HVAC/kitchen renovations						100,000	
Pond Dredging							50,000
<b>Total Cranberry Valley Golf Course</b>			850,000			100,000	50,000
<b>WASTEWATER MANAGEMENT</b>							
Wastewater Management Design		2,000,000					
Wastewater Management Construction				25,000,000			
Muddy Creek Culvert Design	225,000						
Muddy Creek Culvert Construction		1,400,000					
Infrastructure				10,000,000		10,000,000	
<b>Total Wastewater Management</b>	250,000	3,400,000		35,000,000		10,000,000	
<b>HARWICH HOUSING</b>							
Multi-year land acquisitions							
Middle School rehab. Predevelopment design							
<b>Total Housing</b>							
<b>PLANNING DEPARTMENT</b>							
Bank Street pedestrian/bicycle way		600,000					
<b>Total Planning Department</b>		600,000					
<b>TOTAL PLAN w/o WATER DEPARTMENT</b>	<b>730,000</b>	<b>6,958,000</b>	<b>2,705,000</b>	<b>37,971,000</b>	<b>3,663,000</b>	<b>12,660,000</b>	<b>2,035,000</b>

	<b>FY 2013</b>	<b>FY 2014</b>	<b>FY 2015</b>	<b>FY 2016</b>	<b>FY 2017</b>	<b>FY 2018</b>	<b>FY 2019</b>
<b>WATER DEPT. (PAID BY WATER FUND)</b>							
Water Main Project	300,000	300,000	300,000	300,000	300,000	300,000	300,000
Repaint Lothrop Water Tank	100,000	2,100,000					
<b>Total Water Department</b>	400,000	2,400,000	300,000	300,000	300,000	300,000	300,000
<b>TOTAL PLAN WITH WATER DEPT.</b>	<b>1,030,000</b>	<b>9,358,000</b>	<b>3,005,000</b>	<b>38,271,000</b>	<b>3,963,000</b>	<b>12,960,000</b>	<b>2,335,000</b>

**Source of Funds**

Capital Exclusion	225,000
Water Enterprise	300,000
Harbor Receipts	155,000
Chapter 90 Funds	350,000
<b>TOTAL Recommended Expenditures &amp; Sources</b>	<b>1,030,000</b>

### ALLEN HARBOR FLOAT AND PILING REPLACEMENT

ARTICLE 10 To see if the Town will raise and appropriate, transfer from available funds or borrow a sufficient sum of money to replace the Allen Harbor floating dock marina and associated pilings, and to act fully thereon. By request of the Harbormaster. Estimated cost: \$65,000

**FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED IN THE AMOUNT OF \$65,000. VOTE: YES-7, NO-0.**

### ADD TO DREDGING RESERVE FUND TO DREDGE VARIOUS ENTRANCE CHANNELS

ARTICLE 11 To see if the Town will raise and appropriate, transfer from available funds or borrow a sufficient sum of money to dredge various harbors as outlined in the Capital Plan and to apply for and accept any State, Federal or private grant monies available for this purpose, and to act fully thereon. By request of the Harbormaster. Estimated Cost: \$150,000.

**FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED IN THE AMOUNT OF \$150,000. VOTE: YES-6, NO-1.**

### FUND DESIGN OF MUDDY CREEK CULVERT/BRIDGE

ARTICLE 12 To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sufficient sum of money to fund design and permitting costs of a Muddy Creek culvert/bridge on Route 28 to increase the flow of Muddy Creek to improve water quality and save significant sewerage costs; and further to authorize the Board of Selectmen to accept any State, Federal or private grant monies available for this purpose. The appropriation authorized by this vote shall not take effect until the Town votes to exempt from the limitation on total taxes imposed by G.L. c.59, §21C (Proposition 2 ½) the amount required to pay for the capital outlay expenditure authorized by this vote, and to act fully thereon. By request of the Board of Selectmen. Estimated Cost: \$ 250,000.

**FINANCE COMMITTEE HAS NO RECOMMENDATION PENDING FURTHER INFORMATION. VOTE: YES-7, NO-0**

### DESIGN AND BIDDING OF REHABILITATION PROGRAM FOR THE LOTHROP AVENUE WATER TANK

ARTICLE 13 To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sufficient sum of money for the design and bidding of the rehabilitation program for the Lothrop Avenue water storage tank, and to act fully thereon. By request of the Board of Water Commissioners and Superintendent. Estimated Cost: \$100,000

**THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED IN THE AMOUNT OF \$100,000. VOTE: YES-5, NO-0.**

## FUND BROOKS PARK BASEBALL FIELD FENCING AND BACKSTOP

ARTICLE 14 To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sufficient sum of money to replace the fencing and backstop at the Brooks Park baseball field for safety reasons, and to act y thereon. By request of the Recreation and Youth Commission. Estimated Cost: \$9,000.00

**FINANCE COMMITTEE RECOMMENDS THAT THIS ARTICLE BE INDEFINITELY POSTPONED. VOTE: YES-5, NO-0.**

## EMERGENCY MANAGEMENT REPLACEMENT GENERATORS

ARTICLE 15 To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sufficient sum of money to replace three 5000 watt portable generators currently owned by the Town with three (3) 5000-5400 watt portable generators, and to act fully thereon. By request of the Director of Emergency Management. Estimated Cost: \$6,322.80

Proposed to be paid from funds currently held in the FEMA reimbursement Account. Said funds to be expended by the Director of Emergency Management.

**THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED IN THE AMOUNT OF \$6,323.00. VOTE: YES-5, NO-0.**

## GOLF CAPITAL IMPROVEMENT RECEIPTS RESERVE FUND

ARTICLE 16 To see if the Town will vote to establish a new Capital Improvements Receipts Reserve fund to be known as the “Golf Capital Improvements Receipts Reserve Fund” at Cranberry Valley Golf Course pursuant to the provisions of M.G.L. Chapter 40, Section 5F to be funded by the separate fee for Cranberry Valley members for capital improvements, and to act fully thereon. Expenditures from this fund to be approved by a vote at an Annual Town Meeting. By request of the Golf Committee, Golf Director, Finance Committee and the Board of Selectmen

**FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. VOTE: YES-8, NO-0.**

## WATERWAYS CAPITAL IMPROVEMENT RECEIPTS RESERVE FUND

ARTICLE 17 To see if the Town will vote to establish a new Capital Improvements Receipts Reserve fund to be known as the “Waterways Capital Improvements Receipts Reserve Fund” pursuant to the provisions of M.G.L. Chapter 40, Section 5F to be funded by separate fees: the Waterways Users Capital Fee for boats using non-public facilities plus a fee specific to holders of town slips and moorings, and to act fully thereon. Both fees are to be used for capital improvements. Expenditures from this fund to be approved by a vote at an Annual Town Meeting. By request of the Harbors and Waterways Committee, Finance Committee and the Board of Selectmen

**FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. VOTE: YES-8, NO-0.**

DEPARTMENTAL REVOLVING FUNDS AUTHORIZATION

ARTICLE 18 To see if the Town will vote to authorize revolving funds for certain town departments under M.G.L. Chapter 44, Section 53E ½ for the fiscal year beginning July 1, 2012, and to act fully thereon. By request of the Board of Selectmen

<u>Revolving Fund</u>	<u>Authorize to Spend Fund</u>	<u>Revenue Source</u>	<u>Use of Fund</u>	<u>FY 13 Spending Limit</u>	<u>Disposition of FY12 fund balance</u>
Golf	Director & Golf Committee	Fee on members \$50 both resident and non-resident	Capital Improvements including debt service	\$50,000	Available for expenditure
Council on Aging	Director & Council on Aging	Fees from health, recreation, nutrition and education programs	health, recreation, nutrition and education programs	\$20,000	Available for expenditure
Cemetery	Administrator & Cemetery Commission	90% of revenues from services relative to radar equipment	Maintenance of town cemeteries	\$40,000	Available for expenditure
Community Center	Director & Facilities Committee	Fees from use of the weight room	Equipment of weight room	\$20,000	Available for expenditure
Recreation	Director & Rec & Youth Commission	Fees from recreation and youth programs	Recreation and youth programs	\$70,000	Available for expenditure

**FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. VOTE: YES-8, NO-0.**

CHANGE PURPOSE OF CAPITAL REPLACEMENT STABILIZATION FUND

ARTICLE 19 To see if the Town will vote to change the purpose of the Capital Replacement Stabilization Fund, established pursuant to the provisions of Chapter 40, section 5B of the Massachusetts General Laws at the May 2006 Town Meeting for the purpose of funding the replacement of vehicles and equipment, to also include the purposes of funding capital improvement and maintenance projects and rename the fund the Town Capital Stabilization Fund, and to act fully thereon. By request of Selectman McManus.

**FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. VOTE: YES-8, NO-0.**

FUNDING TOWN CAPITAL STABILIZATION FUND

ARTICLE 20 To see if the Town will vote to appropriate a sufficient sum of money for the purpose of funding the Town Capital Stabilization Fund for the fiscal year beginning July 1, 2012 provided however, that the appropriation authorized by this vote shall not take effect until

the Town votes to exempt from the limitation on total taxes imposed by M.G.L. c.59, § 21C (g) (Proposition 2 ½ ) the amount required to pay for the expenditure authorized by this vote, and to act fully thereon. By request of Selectman McManus. Estimated cost: \$100,000

**FINANCE COMMITTEE RECOMMENDS THAT THIS ARTICLE BE INDEFINITELY POSTPONED. VOTE: YES-6, NO-1.**

#### HEALTH INSURANCE FOR ELECTED OFFICIALS

ARTICLE 21 To see if the Town will vote to authorize the Board of Selectmen to file a home rule petition with the General Court as set forth below; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, and to act fully thereon: *Be it enacted by the Senate and the House of Representatives in General Court assembled, and by the authority of the same as follows:*

Section 1. Notwithstanding chapter 32B of the General Laws or any other general or special law to the contrary, an elected official of the town of Harwich who works less than 20 hours per week and receives less than \$10,000.00 annually shall not be eligible for participation in the town's contributory health and life insurance plans (the "plan"), but may nevertheless receive coverage under the plan if the elected official pays to the town 100 per cent of the cost of participation in the plan plus any administrative costs that may be assessed by the board of selectmen.

Section 2. Notwithstanding section 1 of this act, whereas the position of town clerk is a full-time elected position, the person holding said office shall remain eligible for participation in the town's plan on the same terms and at the same rate of contribution as non-union full-time employees of the town. If, in the future, the position of the town clerk is no longer a full-time position and the clerk works for less than 20 hours per week and receives less than \$10,000 annually, then the provisions of section 1 of this act would be applicable.

Section 3. Notwithstanding section 1 of this act, any official elected before May 1, 2012 who works less than 20 hours per week and receives less than \$10,000 in compensation annually, and who, as of the effective date of this act, participates in the plan shall be eligible to continue to participate in the plan until the expiration of their current term. After expiration of their current term, such an elected official may only receive coverage under the plan if the official pays 100 per cent of the cost of the participation and any applicable administrative costs.

Section 4. This act shall take effect upon passage.

By request of the Finance Committee

**THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. VOTE: YES-6, NO-1.**

AMEND BY-LAW – LICENSING, PERMITTING AND FEES – VIOLATIONS AND  
PENALTIES

ARTICLE 22. To see if the Town will vote to amend the Town By-Laws, Sections 164-6, entitled Violations and Penalties, by striking the current reference to Section 164-1, and to act fully thereon. By request of the Chief of Police

*Explanation: Section 164-1, which addresses second hand/precious metals dealers, has its own approved penalty clause that conflicts with Section 164-6 entitled Violations and Penalties. Removing the reference to Section “164-1” in Section 164-6 will correct this conflict. This is a technical correction that has no bearing on the intent or effect of either Bylaw.*

**THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. VOTE: YES-7, NO-0.**

AMEND THE CODE OF THE TOWN OF HARWICH, BY-LAWS – NOISE REGULATIONS

ARTICLE 23 To see if the Town will vote to amend the Town By-Laws, 189-1, entitled Noise, by striking this section in its entirety and inserting the following new language in **BOLD:**

189-1

**A. Definitions:**

**Plainly Audible is defined as any sound from a source regulated by this by-law that can be detected above routine or normal ambient background noise by unaided human hearing.**

**Sound Amplification System is defined as any fixed or portable system to operate or amplify sound including, but is not limited to: phonograph, radio, television, stereo, record player, tape player, cassette player, compact disk player, digital music player, “boom box”, or loud speaker.**

B. It shall be unlawful for any person or persons to cause or allow any noise which emanates from any building, boat, structure, vehicle premises, **or any sound amplification system**, which is plainly audible at a distance of one hundred-fifty (150) feet from any such building, boat, structure, vehicle premises or sound amplification system. The fact that the noise is plainly audible at a distance of one hundred-fifty (150) feet from the building, structure, vehicle, boat, premises **or sound amplification system** in which or from which it originates shall constitute prima facie evidence of a violation of this section. Each such act, which constitutes a violation of this section, which either continues or is reported more than thirty (30) minutes after the issuance of a warning or citation to cease, said activities, shall be considered a separate offense and shall be prosecuted as a separate offense in accordance with 189-1, Section E.

**C. Sounding Horns Excessively: It shall be unlawful to sound or use automobile, truck, other motor vehicle horns, or similar signaling devices upon the public streets, alleys, parking lots, or thoroughfares of the Town in excess of those signals necessary for the preservation of safety is a violation of this by-law at anytime.**

D. For the purposes of this by-law, noises which disturb the reasonable quiet, comfort, repose, or health of others shall include: loading or unloading activities, use of power tools and equipment, use of lawn or landscaping equipment, loud outcries, other loud or boisterous noises which are not specifically exempted by 189-1, Section F and which are plainly audible at a distance of 150 feet from their source between 10:00 p.m. and 7:00 a.m. except as otherwise indicated as outlined in 189-1, Section B.

E. Procedure upon violation. It shall be the duty of any police officer of this town to order any person or persons so acting as to violate the provisions of this by-law to cease any prohibited activities which are specified in this by-law, and if the person or persons so ordered does not forthwith obey, the officer may issue a non-criminal citation with a fine of one hundred and fifty dollars (\$150) for the first violation and three hundred dollars (\$300) for each subsequent violation.

1. **If the person or persons responsible for violation(s) of this by-law cannot be determined, then the person in lawful custody and/or control of the premises where the violation(s) occurred, including but not limited to the owner, lessee, manager, or occupant of the property, may be deemed responsible for the violation(s).**
2. **Any person or persons who commit, in the presence of a police officer, a violation of this article, which amounts to a breach of the peace or anticipatory breach of the peace, may be arrested without a warrant.**
3. **Whoever violates any provision of this by-law may be penalized by indictment or on complaint brought in the district court. Except as may be otherwise provided by law and as the district court may see fit to impose, the maximum penalty for each violation or offense shall be three hundred dollars.**
4. **The Town may enforce this by-law or enjoin violations thereof through any lawful process, and the election of one remedy by the Town shall not preclude enforcement through any other lawful means.**

F. Exemptions. The following uses and activities shall be exempt from the noise level regulations:

1. Any law enforcement motor vehicle equipped with any communication or signaling device necessary in the performance of law enforcement duties.
2. Any fire apparatus, ambulance, rescue, or emergency response vehicle in performance of their public safety responsibilities.
3. Any emergency vehicle equipped with any communication device necessary in the performance of any emergency procedures.
4. Any highway maintenance, water department, or public utilities vehicle utilizing an amplified communications system in the performance of their responsibilities.



5. Announcing systems at sanctioned sporting or other authorized public events.
6. Noises of safety signals, warning devices and emergency pressure relief valves during public emergencies.
7. Noises resulting from any authorized vehicle(s) responding to an emergency call or acting in time of emergency.
8. Noises resulting from activities of a temporary duration permitted by law and/or for which a license or permit has been granted by the Town.
9. Parades, music festivals, public gatherings, and events for which the Selectmen have issued a permit.
- 10. Bells, chimes, carillons, or their amplified, recorded, or other electronic substitution while being used for religious purposes, in conjunction with religious services or to denote time intervals between the hours of 7:00 A.M. and 10:00 P.M.**
- 11. Snow removal from private parking lots, drives, roadways, and other vehicle or pedestrian traveled surfaces.**
- 12. Noises for which the Board of Selectmen has granted a special permit.**
- 13. Noise resulting from activities of any agricultural operation.**

G. Application for Special Permit. Application for a permit for relief from the noise level designated in this chapter on the basis of undue hardship may be made to the Board of Selectmen. Any permit granted by the Selectmen shall set forth all conditions pertaining to the specified noise and a reasonable time limit for its abatement.

- 1. The holders of licenses to provide alcoholic beverages and/or entertainment shall comply with any noise allowances and/or restrictions imposed upon such licenses, and in the case of a conflict between individual license allowances or restrictions and this bylaw, the terms of the license shall apply, and a violation of any such allowances or restrictions shall also constitute a violation of this Bylaw.**

H. Severability Clause. If any part of this by-law is deemed to be contrary to State or Federal law by the Attorney General, that part can be severed without affecting any other part of this by-law.

and to act fully thereon. By request of the Board of Selectmen, Town Administrator, and Chief of Police

**THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. VOTE: YES-6, NO-1.**

AMEND THE CODE OF THE TOWN OF HARWICH, PART I, GENERAL BY-LAWS,  
CHAPTER 304-8, WATER-DEPENDENT STRUCTURES-STANDARDS TO BE MET

ARTICLE 24 To see if the Town will vote to amend General By-law, Part I, Ch. 304-8 relating to the mooring of vessels adjacent to deep water channels as described below:

To delete the following language, Part I, Chapter 304-8, Section A:

- A. No structure or its related appurtenances, including floats, shall extend more than 80 feet seaward of the mean high-water mark nor farther than 50 feet into the deep water channel nor be allowed to encroach upon the deep water channel so as to reduce the usable width thereof to less than 50 feet, and no vessel shall be moored thereto so as to encroach upon the fifty-foot minimum, nor shall it extend so as to interfere with any designated vessel mooring areas or established shellfish beds. In areas of Pleasant Bay where structures are allowed, all water-dependent structures shall meet the recommended fifty-foot setback from navigational channels and mooring areas.

And replace it with the following language, and to act fully thereon:

- A. No structure or its related appurtenances, including floats, shall extend more than 80 feet seaward of the mean high-water mark nor farther than 50 feet into the deep water channel nor be allowed to encroach upon the deep water channel so as to reduce the usable width thereof to less than 50 feet and that the water shall have a minimum depth of 4 feet at mean low water. No vessel shall be moored so as to encroach said fifty-foot minimum width, nor shall it extend so as to interfere with any designated vessel mooring areas or established shell fish beds. In areas of Pleasant Bay where structures are allowed, all water-dependent structures shall meet the recommended fifty-foot setback from navigational channels and mooring areas. The enforcing authority for this by-law shall be the Harwich Harbormaster. Penalties for violating this by-law shall be:

\$100 for the first day of violation, \$200 for the second day (continuous or otherwise), and for any subsequent day of violation, \$300 (continuous or otherwise), to be paid by the owner of each vessel that is encroaching the channel or designated mooring areas, impeding safe navigation, or interfering with established shellfish beds.

By Petition. Estimated Cost: \$0

**FINANCE COMMITTEE RECOMMENDS THAT THIS ARTICLE BE INDEFINITELY POSTPONED. VOTE: YES-5, NO-0, ABSTAIN-2.**

PLEASANT BAY RESOURCE MANAGEMENT PLAN AMENDMENT

ARTICLE 25 To see if the Town will vote to amend the 2008 Pleasant Bay Resource Management Plan Update developed in accordance with the Pleasant Bay Resource Management Plan adopted by the Town in 1998 and updated in 2003, by inserting after section 8.6.3 a new section, 8.6.4, and to act fully thereon. By request of the Board of Selectmen.

NOTE: The text is as printed below while the full section, with referenced tables and figures, as well as a report providing detailed background to this recommendation is on file with the Town Clerk.

#### 8.6.4 Limited Improvement Dredging to Maintain or Restore Historical Navigable Access

Under the following conditions *within the area identified in Figure 4 as the Zone of Potential Future Dredging* in the Pleasant Bay ACEC, the resource management plan indicates that a municipality may seek local, regional and state authorization to undertake improvement dredging:

1. The proposed dredging is intended to maintain or restore historical navigable access for the public and is of the minimum scale necessary to maintain that access. Historical navigable access refers to the location of navigation channels and water depth at mean low water necessary to accommodate vessel drafts characteristic of the majority of vessels traditionally moored in Pleasant Bay and its subembayments. For contextual reference, historical channel depths are provided in Table 1, and the sizes of moored vessel are provided in Table 2. Figures A, B and C show channel width at a depth of four feet or greater.
2. Shoaling and changes in tidal regime have altered traditional channels such that historical navigable access between Pleasant Bay and Chatham Harbor, between either water body and the Atlantic Ocean, or through the entrance to Bassing Harbor, is severely impeded. Severely impeded access would, for example, preclude access by the commercial fleet for safe haven of vessels, or preclude safe and reasonable access by recreational boaters.
3. Through the permitting process, the municipality has undertaken an evaluation of alternatives to improvement dredging which demonstrates that the proposed improvement dredging is the preferred feasible alternative to restore historical navigable access with regard to avoiding and minimizing impacts to natural resources.
4. A feasible plan is proposed to place the dredged material within the Pleasant Bay system in a manner that is beneficial to resources protected under local and state wetlands protection regulations.
5. Through the permitting process the municipality has undertaken an evaluation of resource impacts resulting from proposed improvement dredging and placement of dredged material, and is able to demonstrate avoidance and minimization of resource impacts and adequate mitigation for any unavoidable impacts. Resource impacts of concern include those affecting shellfish populations and habitat, finfish populations and habitat and other resources and values protected under state and local wetlands protection regulations.

The proposed project would be subject to all applicable local, regional and state regulations. During regulatory proceedings the Alliance would provide public comments based an assessment of information and materials provided with regard to items 1 through 5 above and to further describe the proposed improvement dredging project.

**FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. VOTE: YES-8, NO-0.**

**FUND NEGOTIATED CONTRACT – FIRE FIGHTERS**

**ARTICLE 26** To see if the Town will vote to raise and appropriate or transfer from available funds a sufficient sum of money to be added to the FY 2012 and/or 2013 Fire Department budgets to implement the new contractual agreement between Harwich Permanent Fire Fighters, Local 2124, International Association of Fire Fighters and the Town of Harwich, and to act fully thereon. By request of the Board of Selectmen.

**FINANCE COMMITTEE HAS NO RECOMMENDATION PENDING FURTHER INFORMATION. VOTE: YES-7, NO-0.**

**FUND NEGOTIATED CONTRACT – WATER DEPARTMENT**

**ARTICLE 27** To see if the Town will vote to raise and appropriate or transfer from available funds a sufficient sum of money to be added to the FY 2012 and/or 2013 Water Department budgets to implement the new contractual agreement between the International Association of Machinists and Aerospace Workers, Local Lodge 264 of District 38, A.F.L.-C.I.O. and the Town of Harwich, and to act fully thereon. By request of the Board of Selectmen.

**FINANCE COMMITTEE HAS NO RECOMMENDATION PENDING FURTHER INFORMATION. VOTE: YES-7, NO-0.**

**FUND NEGOTIATED CONTRACT – HIGHWAYS & MAINTENANCE**

**ARTICLE 28** To see if the Town will vote to raise and appropriate or transfer from available funds a sufficient sum of money to be added to the FY 2012 and/or 2013 Division of Highways & Maintenance budgets to implement the new contractual agreement between the Highways & Maintenance Employees Association and the Town of Harwich, and to act fully thereon. By request of the Board of Selectmen.

**FINANCE COMMITTEE HAS NO RECOMMENDATION PENDING FURTHER INFORMATION. VOTE: YES-7, NO-0.**

**FUND NEGOTIATED CONTRACT – HARWICH EMPLOYEES ASSOCIATION**

**ARTICLE 29** To see if the Town will vote to raise and appropriate or transfer from available funds a sufficient sum of money to be added to the FY 2012 and/or 2013 budgets to implement the new contractual agreement between the Harwich Employees Association and the Town of Harwich, and to act fully thereon. By request of the Board of Selectmen.

**FINANCE COMMITTEE HAS NO RECOMMENDATION PENDING FURTHER INFORMATION. VOTE: YES-7, NO-0.**

FUND NEGOTIATED CONTRACT – POLICE FEDERATION

ARTICLE 30 To see if the Town will vote to raise and appropriate or transfer from available funds a sufficient sum of money to be added to the FY 2012 and/or 2013 Police Department budgets to implement the new contractual agreement between Harwich Police Federation and the Town of Harwich, and to act fully thereon. By request of the Board of Selectmen.

**FINANCE COMMITTEE HAS NO RECOMMENDATION PENDING FURTHER INFORMATION. VOTE: YES-7, NO-0.**

FUND NEGOTIATED CONTRACT – SUPERIOR OFFICERS

ARTICLE 31 To see if the Town will vote to raise and appropriate or transfer from available funds a sufficient sum of money to be added to the FY 2012 and/or 2013 Police Department budgets to implement the new contractual agreement between Harwich Superior Officers and the Town of Harwich, and to act fully thereon. By request of the Board of Selectmen.

**FINANCE COMMITTEE HAS NO RECOMMENDATION PENDING FURTHER INFORMATION. VOTE: YES-7, NO-0.**

FUND NEGOTIATED CONTRACT – S.E.I.U. LOCAL 888

ARTICLE 32 To see if the Town will vote to raise and appropriate or transfer from available funds a sufficient sum of money to be added to the FY 2012 and/or 2013 Town budgets to implement the new contractual agreement between Harwich Manager's Union (S.E.I.U.), and to act fully thereon. By request of the Board of Selectmen.

**FINANCE COMMITTEE HAS NO RECOMMENDATION PENDING FURTHER INFORMATION. VOTE: YES-7, NO-0.**

FUND NON-UNION COMPENSATION PLAN

ARTICLE 33 To see if the Town will vote to raise and appropriate or transfer from available funds a sufficient sum of money to the FY 2012 and/or 2013 Town budget to amend the Personnel By-law Compensation Plan, and to act fully thereon. By request of the Board of Selectmen.

**FINANCE COMMITTEE HAS NO RECOMMENDATION PENDING FURTHER INFORMATION. VOTE: YES-7, NO-0.**

FUND CONTRACT EMPLOYEE'S COMPENSATION SCHEDULE

ARTICLE 34 To see if the Town will vote to raise and appropriated or transfer from available funds a sufficient sum of money to be added to the FY 2012 and/or 2013 Town budgets to amend the Contract Employee's compensation schedule, and to act fully thereon. By request of the Board of Selectmen.

**FINANCE COMMITTEE HAS NO RECOMMENDATION PENDING FURTHER INFORMATION. VOTE: YES-7, NO-0.**

## RELEASE AFFORDABLE HOUSING DEED RIDER – 30 CEDARDALE ROAD

ARTICLE 35 To see if the Town will vote to authorize the Board of Selectmen to release the Affordable Housing Deed Rider held by the Town on property owned by the Harwich Ecumenical Council for the Homeless, Inc. (HECH) on property located at 30 Cedardale Road, Harwich, MA and being attached to the deed to HECH recorded in the Barnstable Registry of Deeds in Book 11054 Page 257, with said release to be conditioned on the grant of a new affordable housing deed rider to the Town on such terms as the Board of Selectmen deem appropriate to protect the interest of the Town and to act fully thereon. By request of the Harwich Housing Committee.

**FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. VOTE: YES-6, NO-0, ABSTAIN-1**

## COMPENSATING BALANCE AGREEMENT

ARTICLE 36 To see if the Town will vote to authorize its Treasurer to enter into a compensating balance agreement or agreements with banking institutions for fiscal year 2013 pursuant to Chapter 44, Section 53F of the General Laws and to act fully thereon. Customary Article.

**FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. VOTE: YES-7, NO-0.**

## LIABILITY TIDAL/NON-TIDAL RIVERS

ARTICLE 37 To see if the Town will assume the liability in the manner provided by Section 29 of Chapter 91 of the General Laws as amended by Chapter 516 and 524, Acts of 1950, for all damages that may be incurred by work to be performed by the Department of Public Works of Massachusetts, for improvement, development, maintenance and protection of tidal and non-tidal rivers, streams, harbors, tide waters, foreshore and shores along a public beach outside of Boston Harbor, including the Merrimack and Connecticut Rivers in accordance with Section 11 of Chapter 91 of the General Laws and to authorize the Selectmen to execute and deliver a bond of indemnity to the Commonwealth and to act fully thereon. Customary Article.

**FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. VOTE: YES-8, NO-0.**

## HERRING FISHERIES

ARTICLE 38 To see what action the Town will take in regard to the Herring Fisheries and to act fully thereon. Customary Article.

**FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. VOTE: YES-8, NO-0.**

RESERVE FOR FUTURE APPROPRIATION AMOUNTS FROM FY 2012  
COMMUNITY PRESERVATION FUND ESTIMATED ANNUAL REVENUES

**ARTICLE 39** To see if the Town will vote to reserve for future appropriations amounts from the FY 2013 Community Preservation Act Fund estimated annual revenues as recommended by the Community Preservation Committee as follows:

- A sum of money for the acquisition, creation and preservation of open space excluding land for recreation;
- A sum of money for the acquisition, preservation, restoration and rehabilitation of historic resources;
- A sum of money for the acquisition, creation, preservation and support of community housing; and
- a sum of money for the Community Preservation Act Fund FY 2011 Budgeted reserve; and to act fully thereon. By request of the Community Preservation Committee.

**FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. VOTE: YES-7, NO-0.**

AFFORDABLE HARWICH RENTAL HOUSING ASSISTANCE PROGRAM

**ARTICLE 40** To see if the Town will vote to appropriate from Community Preservation Act funds, and to transfer such funds to the Harwich Housing Authority, the sum of \$300,000 for the purpose of funding a rental assistance program; and that to meet this appropriation \$300,000 be transferred from Community Preservation Act funds-Affordable Housing Reserve; and to act fully thereon. Any funds left unspent from this Article are to be returned to the Community Preservation Act funds-Affordable Housing Reserves. By request of the Community Preservation Committee, the Harwich Housing Authority, and the Harwich Housing Committee.  
Estimated Cost: \$300,000

**FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED IN THE AMOUNT OF \$300,000. VOTE: YES-7, NO-0.**

BROOKS FREE LIBRARY: PHASE I RESTORATION AND PRESERVATION  
HISTORIC "BROOKS BUILDING"

**ARTICLE 41** To see if the Town will vote to transfer from Community Preservation Act funds a sum of money to provide a grant for the restoration, preservation, and replacement as necessary, using historically appropriate materials, of the historically and architecturally significant "Brooks Building" (the middle building in the Brooks Free Library complex); and that to meet this appropriation \$39,000 be transferred from Community Preservation Act funds-Historic Reserve; and to act fully thereon. Any funds left unspent from this Article are to be returned to the Community Preservation Act funds-Historic Reserves. By request of the Community Preservation Committee and the Harwich Historical Society.  
Estimated Cost: \$39,000

**FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED IN THE AMOUNT OF \$39,000. VOTE: YES-7, NO-0.**

## DIGITIZE 1949-1958 MICROFILM OF CENTRAL CAPE PRESS NEWSPAPER

ARTICLE 42 To see if the Town will vote to transfer from Community Preservation Act funds a sum of money to digitize, onto two large capacity, portable hard drives, microfilm of the Central Cape Press Newspaper, published from 1949 to 1958, maintained by the Brooks Free Library and to locate one portable hard drive at the Brooks Free Library and the second for use at the Harwich Historical Society at the Brooks Academy; and that to meet this appropriation \$4,500 be transferred from Community Preservation Act funds-Historic Reserve; and to act fully thereon. Any funds left unspent from this Article are to be returned to the Community Preservation Act funds-Historic Reserves. By request of the Community Preservation Committee and Brooks Free Library Board of Trustees. Estimated Cost: \$ 4,500.

**FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED IN THE AMOUNT OF \$4,500. VOTE: YES-7, NO-0.**

## PRESERVE AND DIGITIZE HISTORIC PHOTOS AT THE HARWICH HISTORICAL SOCIETY

ARTICLE 43 To see if the Town will vote to transfer from Community Preservation Act funds a sum of money to preserve, digitize and provide online access to the Society's more than 4,000 historic photos; and that to meet this appropriation \$1,900 be transferred from Community Preservation Act funds-Historic Reserve; and to act fully thereon. Any funds left unspent from this Article are to be returned to the Community Preservation Act funds-Historic Reserves. By request of the Community Preservation Committee and the Harwich Historical Society. Estimated Cost: \$1,900

**FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED IN THE AMOUNT OF \$1,900. VOTE: YES-7, NO-0.**

## FUND PHASE III – HISTORIC SOUTH HARWICH MEETING HOUSE PRESERVATION, RESTORATION, BUILDING CODE AND ADA COMPLIANCE

ARTICLE 44 To see if the Town will vote to transfer from Community Preservation Act funds a sum of money to provide ADA-compliant limited use elevator (between 1<sup>st</sup> and lower level), and two ADA-compliant restroom facilities (on lower level), stairway construction (between 1<sup>st</sup> and lower level), and install up-to-current code sprinkler system at the Town-owned Historic South Harwich Meeting House; and that to meet this appropriation \$144,000 be transferred from Community Preservation Act funds-Historic Reserve; and to act fully thereon. Any funds left unspent from this Article are to be returned to the Community Preservation Act funds-Historic Reserves. By request of the Community Preservation Committee and the Friends of the South Harwich Meetinghouse, Inc. Estimated Cost: \$144,000

**FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED IN THE AMOUNT OF \$144,000. VOTE: YES-7, NO-0.**



PRESERVATION, RESTORATION, RE-ASSEMBLY OF  
HISTORIC ELMER CROWELL BARN/WORKSHOP

ARTICLE 45 To see if the Town will vote to transfer from Community Preservation Act funds, and from two prior appropriations, a sum of money to preserve, restore, replace as necessary, using historically appropriate materials, and re-assemble the historic Elmer Crowell barn/workshop on Town-owned land adjacent, on the west side, to the present Brooks Academy parking lot; and that to meet this appropriation the sum of \$45,000 be transferred from the appropriation under Article 21 (Preservation of Historic Buildings) of the May 2009 Annual Town Meeting (Community Preservation Act funds-Historic); and that the sum of \$50,000 be transferred from the appropriation under Article 33 (Preservation of Historic Buildings-Phase II) of the May 2010 Annual Town Meeting (Community Preservation Act funds-Historic); and that the balance of \$45,000 be transferred from Community Preservation Act funds-Historic Reserve; and to act fully thereon. Any funds left unspent from this Article are to be returned as follows to:

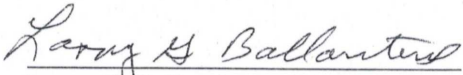
- a) 32.1% to the Community Preservation Act funds-Budgeted Reserve, and
- b) 67.9% to the Community Preservation Act funds-Historic Reserve.

By request of the Community Preservation Committee, and the Historic Commission.  
Estimated Cost: \$140,000

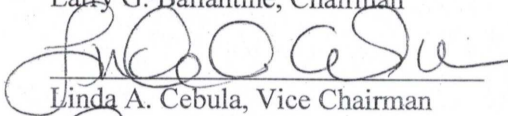
**FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND  
ADOPTED IN THE AMOUNT OF \$140,000. VOTE: YES-7, NO-0.**

Hereof fail not to make return of the Warrant with your doings thereon at the time and place of said meeting.

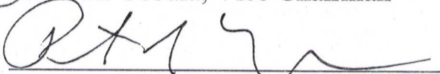
Given under our hands this 28<sup>th</sup> day of February, 2012



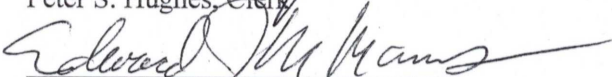
Larry G. Ballantine, Chairman



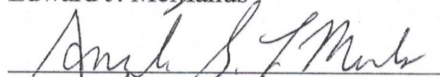
Linda A. Cebula, Vice Chairman



Peter S. Hughes, Clerk



Edward J. McManus



Angelo S. La Mantia

BOARD OF SELECTMEN

A true copy Attest:

\_\_\_\_\_  
Constable

**COMMONWEALTH OF MASSACHUSETTS  
TOWN OF HARWICH  
SPECIAL TOWN MEETING  
MAY 8, 2012**

BARNSTABLE, ss:

To either of the Constables of the Town of Harwich in said county,

Greetings:

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of said Town qualified to vote in elections and Town affairs to meet in the Community Center Gymnasium, 100 Oak Street in said Town on Tuesday, May 8, 2012 at 8:00 P.M., then and there to act on the following articles:

**SCHOOL BUILDING PROJECT**

**ARTICLE 1** To see if the Town will approve the \$68,000,000 borrowing authorized by the Monomoy Regional School District for the purpose of paying costs of the construction of a new school, including the payment of all costs incidental or related thereto, which will be named The Monomoy Regional High School, to be located on a parcel of land which is currently owned by the Town of Harwich and on which the current Harwich High School now exists. The address of the current Harwich High school is 75 Oak Street, Harwich, MA. The new school facility shall have an anticipated useful life as an educational facility for the instruction of school children of at least 50 years, and for which the District may be eligible for a school construction grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended at the direction of the School Building Committee. The MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any Project costs the District incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the District and its member municipalities. Any grant that the District may receive from the MSBA for the Project shall not exceed the lesser of fifty-one and thirty-three one-hundredths percent (51.33%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA, and to act fully thereon. By request of the Monomoy Regional School Committee.

**FINANCE COMMITTEE HAS NO RECOMMENDATION PENDING FURTHER INFORMATION. VOTE: YES-6, NO-0**

**SUPPLEMENT ANNUAL ALLOCATION OF MASS CULTURAL COUNCIL FOR LOCAL  
CULTURAL COUNCIL GRANTS**

**ARTICLE 2** To see if the Town will vote to raise and appropriate and/or transfer from available funds a sufficient sum of money to supplement the Massachusetts Cultural Council annual allocation for grant awards to artists, performers and interpretive scientists who bring events to local venues which enhance the cultural experience of Harwich citizens of all ages, and to act fully thereon. By request of the Harwich Cultural Council. Estimated Cost: \$2,500.

**FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED IN THE AMOUNT OF \$2,500. VOTE: YES-6, NO-1.**

GENERAL BY-LAW - PARKING FOR PEOPLE WITH DISABILITIES  
CHAPTER 208, ARTICLE 1

ARTICLE 3 To see if the Town will vote to incorporate Article 26 of the May 2, 2005 Annual Town Meeting entitled "Amend General By-laws Parking for People with Disabilities" into the Code of the Town of Harwich Chapter 208 Parking, Article 1 Parking for People with Disabilities, and to act fully thereon. By request of the Disability Rights Committee.

**FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. VOTE: YES-6, NO-1.**

COUNCIL ON AGING MEMBERSHIP REDUCTION

ARTICLE 4 To see if the Town will vote to amend the Code of the Town of Harwich, General Bylaws by deleting the existing section Chapter 7, § 7-10 Planning Board and replacing it with a new § 7-10 titled "Change in the Composition of Appointed Town Agencies" as follows, and to act fully thereon:

**§ 7-10 Change in the Composition of Appointed Town Agencies**

A. Planning Board (existing language – no change)

In accordance with Section 7-3-1 of the Town Charter, the Planning Board membership is hereby reduced from nine to seven members. The first two vacancies that exist on or occur after the effective date of this bylaw shall not be filled.

**Additional proposed language:**

B. Council on Aging

In accordance with Section 7-3-1 of the Town Charter, the Council on Aging membership is hereby reduced from nine to seven members. The first two vacancies that exist on or occur after the effective date of this bylaw shall not be filled.

*Explanation: Massachusetts General Law states that a voting quorum must be established consistent with a majority of the full board, regardless of vacancies. There are several vacancies on the Council on Aging which make it difficult to establish a voting quorum and further jeopardize the Town's ability to regulate development inconsistent with the Town's by-laws. Therefore, the Council on Aging is requesting an amendment to the Town's General Bylaws to decrease the Council on Aging membership from nine to seven members. This change can be accomplished by bylaw without the need to amend the Town Charter in accordance with Section 7-3-1 of the Charter which reads:*

"7-3-1 The town meeting may, by by-law, enlarge or decrease the number of persons to serve as members of appointed town agencies established or continued under this charter but all town agencies shall consist of an odd number of voting members."

By request of the Council on Aging.

**FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. VOTE: YES-7, NO-0.**

**VARIOUS ZONING BY-LAW AMENDMENTS**

**ARTICLE 5** To see if the Town will vote to amend the Code of the Town of Harwich, Chapter 325 Zoning as set forth below and to act fully thereon.

*Explanation: Proposed amendments include (A) sign regulations, (B) site plan authority, and (C) miscellaneous housekeeping items.*

*(a) For temporary, non-commercial, non-municipal signs, the Harwich Port (Doane Park) location is removed due to a concern that the only visible location is within the Route 28 right-of-way. The Route 39 water tank location also is removed. The amendment further requires the Planning Board to designate a specific site at each of the two remaining locations.*

*Municipal cluster signs are limited to one per property or premises unless additional signs are approved by the Planning board.*

*(b) The amendment to site plan review authorizes the Planning Board to waive any loading or parking design requirements without requiring an application to the Board of Appeals.*

*(c) Housekeeping amendments include a section reference in the Drinking Water Overlay District, timing for submission of an open space permanent restriction, and removal of an outdated form number for flexible cluster development.*

**(A) SIGN REGULATIONS**

**Amend Chapter 325 Zoning by amending Article VII. Sign Regulations, §325.29.B.(4) and (7) and §325-30.C by striking out and substituting language and renumbering subsections as set forth below:**

**§325.29. Additional requirements for specific signage.**

**B. Temporary signs on municipal property.**

- (4) Temporary signs may be posted in the designated municipal areas after notice has been filed with the Building Official. ~~Approved locations for siting a temporary, noncommercial, nonmunicipal sign on municipal property shall include only those specifically and physically designated five foot by 20 areas at the following locations:~~ Temporary, non-commercial, non-municipal signs on municipal property shall be permitted only at the following locations:

- ~~(a) Harwich Center. The water tank on Route 39, on the west side of the driveway entrance (closest to Thompson's Field).~~
- (a) East Harwich. The intersection of Routes 39/137, at the Fire Station 2, on the corner at the so-called "flagpole parcel".

(b) North Harwich. ~~The transfer station at the right side of the entrance on the grass strip.~~  
Facing Queen Anne Road in the grass area east of the entrance to the transfer station.

~~(c) Harwichport Center.~~

~~(d) Doane Park on Route 28 on the north side of the park on Route 28.~~

(7) No temporary, noncommercial, nonmunicipal sign shall be allowed at the above-specified locations unless it satisfies the following requirements:

(a) It shall not exceed ~~three feet by three feet~~ nine square feet in size and not exceed ~~six feet~~ four feet in height.

### **§325-30. Additional requirements for municipal signs.**

C. Permanent municipal signs shall not exceed 60 square feet for ground signs or cluster signs or 48 square feet for wall signs. Only one cluster sign shall be permitted per property or premises, unless more than one cluster sign is expressly allowed by the Planning Board.

## **(B) SITE PLAN AUTHORITY**

**Amend Chapter 325 Zoning by amending Article IX. Off-Street Parking and Loading Requirements. §325-40 and §325-42 by striking out and substituting language as set forth below:**

## **ARTICLE IX. Off-street Parking and Loading Requirements**

### **§ 325-40. Loading requirements**

Unless otherwise expressly authorized by the Planning Board through site plan review approval, loading and unloading areas shall be provided according to this section.

Every building herein after erected, altered, enlarged, or occupied for business, industrial or institutional purposes which has over five-thousand (5,000) square feet of gross building area shall provide a minimum of one (1) area for the loading and unloading of service vehicles. Loading and unloading areas shall be provided in addition to off-street parking spaces and shall not be considered as supplying required parking spaces. One additional area shall be provided for every additional twenty thousand (20,000) square feet of gross floor area in the building. ~~Unless otherwise authorized by the Planning Board under Site Plan Review,~~ Loading and unloading areas shall be located in the rear of the building.

### **§325-42. Design requirements**

Unless otherwise expressly authorized by the Planning Board through site plan review approval, all parking and loading areas shall be subject to the design requirements of this section.

## **(C) MISCELLANEOUS HOUSEKEEPING**

**Amend Chapter 325 Zoning by amending Article II. Definitions, §325.2 Word usage and definitions. Overlay District, by striking out and substituting language as set forth below:**

**ARTICLE II. Definitions**

**§325-2. Word usage and definitions.**

**Overlay District**

A. Drinking Water Resource Protection District. See § ~~325-41C~~ 325-51C.

**Amend Chapter 325 Zoning by amending Article X Administration and Enforcement, §325-51.E(6)(b) as set forth below:**

**ARTICLE X. Administration and Enforcement**

**§325-51. Special Permits**

**E. Special permits for open space residential development.**

**(6) Ownership of open space.**

(b) Permanent restriction. In any case where open space is not conveyed to the Town, a permanent conservation or agricultural preservation restriction approved by the Board of Selectmen and enforceable by the Town, conforming to the standards of the Massachusetts Executive Office of Environmental Affairs, Division of Conservation Services, shall be recorded to ensure that such land shall be kept in an open or natural state and not be built for residential use or developed for accessory uses such as parking or roadways except as permitted by this bylaw and approved by the Planning Board. Restrictions shall provide for periodic inspection of the open space by the Town. Such restriction shall be submitted to the Planning Board prior to endorsement of the definitive subdivision plan and covenant for the project and recorded at the Registry of Deeds/Land Court prior to ~~endorsement of the definitive subdivision plan~~ release of the covenant or performance guarantee for any lot.

**Amend Chapter 325 Zoning by amending Article XVI Six Ponds Special District §325-101.I(1)(a)[2] and (b) by deleting and substituting the language as set forth below:**

**ARTICLE XVI. Six Ponds Special District**

**§325-101. Flexible cluster development and grid subdivision**

**I. Review Procedure.**

**(1) Submission Requirements.**

(a) [2] A properly executed ~~Form 11~~ application form.

(b) The applicant shall file by delivery or registered mail a notice with the Town Clerk stating the date of submission of the flexible cluster or grid plan and accompanied by a copy of the completed application form (~~Form 11~~).

By request of the Planning Board and the Planning Department

**FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. VOTE: YES-7, NO-0**

AUTHORIZE INTERGOVERNMENTAL AGREEMENTS RELATED TO RENEWABLE  
ENERGY PROJECTS

**ARTICLE 6** To see if the Town will authorize its Board of Selectmen to enter into intergovernmental agreements not to exceed a term of twenty-five years on behalf of the Town with the Cape & Vineyard Electric Cooperative, Inc. and its other governmental members related to renewable energy projects developed, sponsored or administered by the Cape & Vineyard Electric Cooperative, Inc., which agreements may include, but not be limited to: power purchase agreements, renewable energy certificate contracts, renewable energy project development agreements, and leases of land or buildings related to the development of renewable energy; and to act fully thereon. By request of Water Commissioners.

**FINANCE COMMITTEE HAS NO RECOMMENDATION PENDING FURTHER INFORMATION. VOTE: YES-7, NO-0.**

SOLAR ENERGY PROJECT – WESTGATE ROAD

**ARTICLE 7** To see if the Town will vote to authorize the Board of Water Commissioners to enter into all necessary contracts and leases on behalf of the Town with private parties or other governmental organizations related to the construction and operation of a solar energy project to be located on a portion of a parcel of Town owned land described below( the “Solar Energy Field”); any such lease to be awarded pursuant to the provisions of G.L. c. 30B; and further to authorize the Board of Water Commissioners to grant any necessary easements including temporary constructions easements and access easements for the implementation of the project and to take all actions necessary to carry out the project; provided, however, that any contracts or leases shall not have a term of more than 25 years; the Solar Energy Field being described as follows: A portion of a certain parcel of land shown on Assessor’s Map 89, Parcel A5-E located off Westgate Road, acquired by the Town for water supply purposes pursuant to an Order of Taking dated March 31, 1989, and recorded in Barnstable County Registry of Deeds at Book 6681, Page 099, said portion being shown as Proposed Solar Area containing approximately 12 acres on a plan entitled “Well Site #10 Potential Solar Area” on file with the Office of the Town Clerk; and further to transfer the care, custody, management and control of said portion of this parcel from the Board of Water Commissioners held for water supply purposes to the Board of Water Commissioners for water supply purposes and for the purpose of a solar energy field and for the purpose of granting leases and/or easements necessary for such solar energy field, and further to authorize the Board of Selectmen to petition the General Court for approval of such change in use, transfer and leasing of this portion of the parcel as may be required pursuant to Article 97 of the Amendments of the Constitution of the Commonwealth of Massachusetts, and to act fully thereon. By the Board of Water Commissioners By request of the Board of Water Commissioners. Estimated cost: \$0

*Explanation: The purpose of the article is to change land use to allow for installation of a solar energy system which would allow for storage and distribution of solar energy for space heating or cooling and electricity generating at the Map 89 property parcel, A5-E located off Westgate Rd. Receipts received in excess of the annual Water Department electricity expenses would be applied directly to the Harwich Water Department Enterprise Fund and shall be used to cover associated Department costs and any future issues related to the solar energy system.*



**FINANCE COMMITTEE HAS NO RECOMMENDATION PENDING FURTHER INFORMATION. VOTE: YES-7, NO-0.**

**SOLAR ENERGY PROJECT – ORLEANS ROAD**

**ARTICLE 8** To see if the Town will vote to authorize the Board of Water Commissioners to enter into all necessary contracts including but not limited to a Net-Metered Power Sales Agreement on behalf of the Town with private parties or other governmental organizations related to the construction and operation of a net-metered solar photovoltaic facility (the “Project”) located on a portion of parcel of Town owned land described below (the “Solar Energy Field”); and further to authorize the Board of Water Commissioners to grant any necessary easements including temporary construction easements and access easements for the implementation of this Project and to take all actions necessary to carry out the Project; provided, however, that any contracts shall not have a term of more than 25 years; the Solar Energy Field being described as follows: Solar Energy Field A: A portion of a certain parcel of land shown on Assessor’s Map 52, Parcel D1 , located off Orleans Road acquired by the Town for water supply purposes pursuant to an Order of Taking dated January 21, 1955, and recorded in Barnstable County Registry of Deeds at Book 120, Page 3, said portion being shown as Proposed Solar Area containing approximately 6.4 acres on a plan entitled “Wellfield #1 Potential Solar Area” on file with the Office of the Town Clerk; and further to transfer the care, custody, management and control of said portion of this parcel from the Board of Water Commissioners held for water supply purposes to the Board of Water Commissioners for water supply purposes and for the purpose of a solar energy field; and further to authorize the Board of Selectmen to petition the General Court for approval of such change in use and transfer of this portion of the parcel as may be required pursuant to the provisions of Article 97 of the Amendments of the Constitution of the Commonwealth of Massachusetts, and to act fully thereon. By request of the Board of Water Commissioners and the Superintendent. Estimated cost: \$0

**Explanation:**

*The purpose of the article is to change land use to allow for installation of a solar energy system which would allow for storage and distribution of solar energy for space heating or cooling and electricity generating at the Map 52 property parcel, D1 located off Orleans Rd. Receipts received in excess of the annual Water Department electricity expenses would be applied directly to the Harwich Water Department Enterprise Fund and shall be used to cover associated Department costs and any future issues related to the solar energy system.*

**FINANCE COMMITTEE HAS NO RECOMMENDATION PENDING FURTHER INFORMATION. VOTE: YES-7, NO-0.**

**WATER TREATMENT FACILITY AND SOLAR ENERGY SYSTEM AT WELL SITE #10**

**ARTICLE 9** To see if the Town will vote to raise and appropriate, transfer from available funds or borrow sums of money for:

- (1) The design and/or construction of a water treatment facility at Well Site #10
- (2) The design and/or construction to install solar energy system at Well Site #10, and to act fully thereon.

By request of the Board of Water Commissioners and Superintendent.

*Explanation: This project was submitted as part of the application process to be considered for SRF funding. These projects have met State and Federal eligibility requirements under environmental justice communities and the potential renewable energy projects categories and the Water Department has been placed on the DRAFT project priority list. Recipients must be ready to proceed during the funding period and have appropriated local funds necessary to finance the project. Requested by the Board of the Water Commissioners and The Superintendent.*

**FINANCE COMMITTEE HAS NO RECOMMENDATION PENDING FURTHER INFORMATION. VOTE: YES-7, NO-0.**

**LITTLE LEAGUE LEASE OR LICENSE FOR USE OF CENTEIO/BALDWIN FIELD**

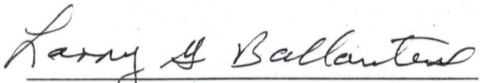
**ARTICLE 10** To see if the Town will vote to transfer the care, custody, management and control of the following described real property, owned by the Town, from the Harwich School Committee to the Board of Selectmen, and to authorize and instruct the Selectmen to lease or license said real property to Harwich Baseball, Inc. d/b/a Harwich Little League, and to enter into any agreement in connection with the above-stated purposes, upon such terms as the Selectmen deem to be in the best interests of the Town, said lease or license to be executed and made effective prior to the lease of the Harwich High School property to the Monomoy Regional School District currently proposed to be executed by July 1, 2012, and to act fully thereon. Existing site of Centeio/Baldwin Field used by Harwich Little League, further described on the attached plan. The Field is a portion of the Harwich High School property located on Oak Street, said property shown as Parcel E4 on Assessors' Map 50. By Petition.

*Explanation: The field was constructed 55 years ago for youth baseball, prior to construction of the current high school. Throughout this time, it has always been used and maintained exclusively by Harwich Little League. This is Harwich little League's only true playing field, and Harwich Little League cannot exist without such a playing field. Harwich Little League seeks to secure the future of this field, and its use of it, in light of the proposed site changes associated with the construction of the new Monomoy Regional High School. Harwich Little League provides a public service and benefit at no cost to and without any responsibility by the Town, open to all boys and girls in Harwich and Chatham between ages 7-12. Harwich Little League is the largest youth program in the Town with over 200 families participating.*

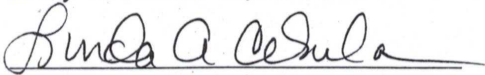
**FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. VOTE: YES-6, NO-0, ABSTAIN-1.**

Hereof fail not to make return of the Warrant with your doings thereon at the time and place of said meeting.

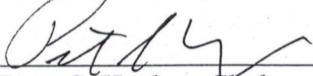
Given under our hands this 26th day of March, 2012



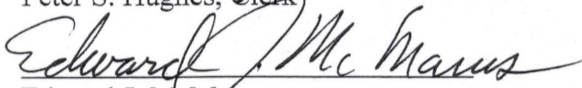
Larry G. Ballantine, Chairman



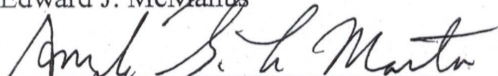
Linda A. Cebula, Vice Chairman



Peter S. Hughes, Clerk



Edward J. McManus



Angelo S. La Mantia

BOARD OF SELECTMEN

A true copy Attest:

\_\_\_\_\_  
Constable

## APPENDIX A

### SAMPLE BALLOT

**COMMONWEALTH OF MASSACHUSETTS  
TOWN OF HARWICH  
ANNUAL ELECTION BALLOT  
MAY 15, 2012**

BARNSTABLE , ss:

To either of the Constables of the Town of Harwich in said County,

Greetings:

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of said Town qualified to vote in elections and Town affairs to meet in the Community Center Gymnasium, 100 Oak Street, in said Town on Tuesday, May 15, 2012, then and there to act on the following ballot:

POLLS WILL BE OPEN AT 7:00 A.M. and CLOSE AT 8:00 P.M.

To choose on one (1) ballot the following Town Officers and Committees: one (1) Selectman for three (3) years; one (1) Monomoy Regional School Committee Member for three (3) years; one (1) Moderator for three (3) years; one (1) Water Commissioner for three (3) years; three (3) Library Trustees for three (3) years; one (1) Housing Authority Member for five (5) years.

### BALLOT QUESTIONS

1. “Shall the Town of Harwich be allowed to assess an additional \$990,183 in real and personal property taxes for the purpose of funding the Town’s share of the Monomoy Regional School District assessment for which the monies from this assessment will be used for the fiscal year beginning July 1, 2012?”

YES \_\_\_\_\_ NO \_\_\_\_\_

2. “Shall the Town of Harwich be allowed to assess an additional \$150,000 in real estate and personal property taxes for the purpose of dredging harbor entrance channels and placing sand on public beaches in the town?”

YES \_\_\_\_\_ NO \_\_\_\_\_

## APPENDIX A

3. “Shall the Town, in addition to the payment of fifty percent of premium costs payable by the surviving spouse of an employee or retired employee for group general or blanket hospital, surgical, medical and other health insurance, pay an additional or subsidiary rate?”

YES\_\_\_\_\_ NO\_\_\_\_\_

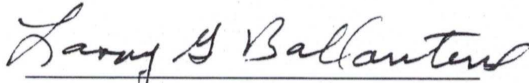
4. “Shall the Town of Harwich instruct the Board of Selectmen to write letters requesting the Nuclear Regulatory Commission and the Governor of Massachusetts to extend the emergency zone and radiological response plan around the Pilgrim Nuclear Power Station in Plymouth from a radius of 10 miles to include all of Cape Cod?”

YES\_\_\_\_\_ NO\_\_\_\_\_

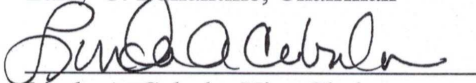
## APPENDIX A

Hereof fail not to make return of the Warrant with your doings thereon at the time and place of said meeting.

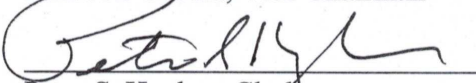
Given under our hands this 12<sup>th</sup> day of April, 2012



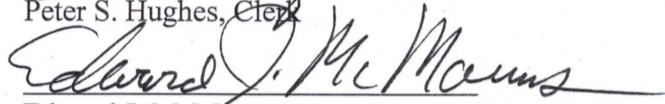
Larry G. Ballantine, Chairman



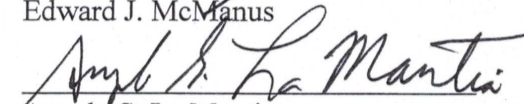
Linda A. Cebula, Vice Chairman



Peter S. Hughes, Clerk



Edward J. McManus



Angelo S. La Mantia

BOARD OF SELECTMEN

A true copy Attest:

\_\_\_\_\_  
Constable

## APPENDIX B

<b><u>FY 2013 OPERATING BUDGET</u></b>					
<b><u>Includes amendment #1</u></b>		<b>6/30/2010</b>	<b>6/30/2011</b>	<b>Approved</b>	<b>BOS</b>
		<b>Actual</b>	<b>Actual</b>	<b>Budget</b>	<b>Budget</b>
<b><u>Line</u></b>	<b><u>DESCRIPTION</u></b>	<b><u>FY 2010</u></b>	<b><u>FY 2011</u></b>	<b><u>FY 2012</u></b>	<b><u>FY 2013</u></b>
1	Moderator S&W . . . . .	<u>\$ 300</u>	<u>\$ 300</u>	<u>\$ 300</u>	<u>\$ 300</u>
2	Selectmen's S&W . . . . .	7,448	7,500	7,500	7,500
3	Selectmen's Expense . . . . .	<u>5,785</u>	<u>5,900</u>	<u>6,500</u>	<u>6,700</u>
	<b>Sub-Total</b>	<b>13,233</b>	<b>13,400</b>	<b>14,000</b>	<b>14,200</b>
4	Finance Committee S&W . . . . .	3,396	2,500	3,300	3,300
5	Finance Committee Expense . . . .	<u>363</u>	<u>420</u>	<u>450</u>	<u>450</u>
	<b>Sub-Total</b>	<b>3,759</b>	<b>2,920</b>	<b>3,750</b>	<b>3,750</b>
6	Finance Committee Reserve Fund. .	<u>150,000</u>	<u>150,000</u>	<u>150,000</u>	<u>150,000</u>
	<b>Sub-Total</b>	<b>150,000</b>	<b>150,000</b>	<b>150,000</b>	<b>150,000</b>
7	Accountant's S&W . . . . .	209,747	211,586	214,702	217,571
8	Accountant's Expense . . . . .	1,619	1,000	850	2,765
9	Audit . . . . .	<u>36,000</u>	<u>36,000</u>	<u>36,000</u>	<u>36,000</u>
	<b>Sub-Total</b>	<b>247,366</b>	<b>248,586</b>	<b>251,552</b>	<b>256,336</b>
10	Assessors' S&W . . . . .	218,666	228,769	233,473	236,597
11	Assessors' Expense . . . . .	<u>18,389</u>	<u>19,150</u>	<u>19,151</u>	<u>61,251</u>
	<b>Sub-Total</b>	<b>237,055</b>	<b>247,919</b>	<b>252,624</b>	<b>297,848</b>
12	Postage . . . . .	<u>54,691</u>	<u>46,000</u>	<u>55,000</u>	<u>45,000</u>
	<b>Sub-Total</b>	<b>54,691</b>	<b>46,000</b>	<b>55,000</b>	<b>45,000</b>

## APPENDIX B

<u>FY 2013 OPERATING BUDGET</u>					
	<u>Includes amendment #1</u>	<u>6/30/2010</u>	<u>6/30/2011</u>	<u>Approved</u>	<u>BOS</u>
		<u>Actual</u>	<u>Actual</u>	<u>Budget</u>	<u>Budget</u>
<u>Line</u>	<u>DESCRIPTION</u>	<u>FY 2010</u>	<u>FY 2011</u>	<u>FY 2012</u>	<u>FY 2013</u>
13	Treasurer/Tax Collector S&W . . .	235,737	235,737	231,231	226,730
14	Treasurer/Tax Collector Expense .	79,381	96,388	111,405	85,688
15	Treasurer Bonding/Tax Title . . . .	-	20,000	-	-
	<b>Sub-Total</b>	<b>315,118</b>	<b>352,125</b>	<b>342,636</b>	<b>312,418</b>
16	<b>Medicare Town Share</b>	<b>310,202</b>	<b>329,588</b>	<b>332,335</b>	<b>146,529</b>
17	Town Hall S&W . . . . .	309,966	311,994	312,668	315,346
18	Town Hall Expense . . . . .	83,877	102,932	71,044	68,832
19	Town Hall Capital Outlay	51,374	5,000	5,000	5,000
	<b>Sub-Total</b>	<b>445,216</b>	<b>419,926</b>	<b>388,712</b>	<b>389,178</b>
20	Legal Services . . . . .	139,257	140,000	180,000	164,500
21	Claims & Suits . . . . .	-	400	400	400
22	Land Transactions . . . . .	-	-	-	-
	<b>Sub-Total</b>	<b>139,257</b>	<b>140,400</b>	<b>180,400</b>	<b>164,500</b>
23-a	Information Tech& CH 18 S & W	157,621	171,264	191,557	194,672
23-b	Info Tech& CH 18 Expenses	103,173	137,659	143,709	155,836
23-c	<b>Sub-Total</b>	<b>260,793</b>	<b>308,923</b>	<b>335,266</b>	<b>350,508</b>
24	Constable Salaries . . . . .	625	375	680	680



## APPENDIX B

<b><u>FY 2013 OPERATING BUDGET</u></b>					
<b>Includes amendment #1</b>					
<b><u>Line</u></b>	<b><u>DESCRIPTION</u></b>	<b><u>6/30/2010 Actual FY 2010</u></b>	<b><u>6/30/2011 Actual FY 2011</u></b>	<b><u>Approved Budget FY 2012</u></b>	<b><u>BOS Budget FY 2013</u></b>
25	Clerk's S&W . . . . .	170,172	177,389	172,739	179,607
26	Clerk's Expense . . . . .	<u>19,460</u>	<u>32,028</u>	<u>25,598</u>	<u>29,448</u>
	<b>Sub-Total</b>	<b>189,632</b>	<b>209,417</b>	<b>198,337</b>	<b>209,055</b>
27	Conservation Commission S&W . . .	50,636	50,797	52,266	49,712
28	Conservation Commission Expense .	<u>5,192</u>	<u>4,663</u>	<u>4,663</u>	<u>5,896</u>
	<b>Sub-Total</b>	<b>55,828</b>	<b>55,460</b>	<b>56,929</b>	<b>55,608</b>
29	Town Planner S&W . . . . .	104,152	113,319	117,914	123,839
30	Town Planner Expense . . . . .	<u>1,748</u>	<u>2,187</u>	<u>2,227</u>	<u>2,650</u>
	<b>Sub-Total</b>	<b>105,900</b>	<b>115,506</b>	<b>120,141</b>	<b>126,489</b>
31	Planning Board S&W . . . . .	1,285	2,000	2,000	-
32	Planning Board Expense . . . . .	<u>500</u>	<u>460</u>	<u>510</u>	<u>-</u>
	<b>Sub-Total</b>	<b>1,784</b>	<b>2,460</b>	<b>2,510</b>	<b>-</b>
33	Board of Appeals S&W . . . . .	4,517	5,100	5,100	7,000
34a	Board of Appeals Expense. . . . .	<u>215</u>	<u>360</u>	<u>360</u>	<u>360</u>
	<b>Sub-Total</b>	<b>4,732</b>	<b>5,460</b>	<b>5,460</b>	<b>7,360</b>
34b	Agricultural Committee	<u>-</u>	<u>-</u>	<u>1,000</u>	<u>1,000</u>
	<b>Sub-Total</b>			<b>1,000</b>	<b>1,000</b>

## APPENDIX B

<b><u>FY 2013 OPERATING BUDGET</u></b>					
<b>Includes amendment #1</b>		<b>6/30/2010</b>	<b>6/30/2011</b>	<b>Approved</b>	<b>BOS</b>
<b><u>Line</u></b>	<b><u>DESCRIPTION</u></b>	<b><u>Actual</u></b>	<b><u>Actual</u></b>	<b><u>Budget</u></b>	<b><u>Budget</u></b>
		<b><u>FY 2010</u></b>	<b><u>FY 2011</u></b>	<b><u>FY 2012</u></b>	<b><u>FY 2013</u></b>
35	Repairs to Public Buildings . . .	-	13,867	6,073	13,868
36	Town & Finance Committee Reports	13,000	13,000	9,920	13,000
37	Miscellaneous Printing. . . . .	-	-	-	-
38	Advertising . . . . .	3,500	3,500	3,500	3,500
39	Telephone . . . . .	47,439	48,900	41,000	41,000
	<b>Sub-Total</b>	<b>63,939</b>	<b>79,267</b>	<b>60,493</b>	<b>71,368</b>
40	Police Dept S&W . . . . .	2,633,510	2,674,408	2,712,082	2,712,016
41	Police Dept Expense . . . . .	271,206	270,000	288,208	345,395
42	Police Dept Capital Outlay . . .	-	88,500	-	84,900
	<b>Sub-Total</b>	<b>2,904,716</b>	<b>3,032,908</b>	<b>3,000,290</b>	<b>3,142,311</b>
43	Fire Dept S&W . . . . .	2,689,922	2,701,618	2,757,339	2,855,213
44	Fire Dept Expense . . . . .	217,693	186,237	190,180	206,923
45	Fire Capital Outlay	-	-	31,245	-
46	Emergency Medical Services O/T	100,677	100,000	100,000	109,744
47	Emergency Medical Services Expenses. . .	74,334	70,000	80,827	82,383
	<b>Sub-Total</b>	<b>3,082,626</b>	<b>3,057,855</b>	<b>3,159,591</b>	<b>3,254,263</b>
48a	Emer. Telecom. S&W	550,136	566,075	574,308	575,821
48b	Emer. Telecom.Expenses	10,153	105,028	119,534	121,016
	<b>Sub-Total</b>	<b>560,289</b>	<b>671,103</b>	<b>693,842</b>	<b>696,837</b>

## APPENDIX B

<u>FY 2013 OPERATING BUDGET</u>					
Includes amendment #1		6/30/2010	6/30/2011	Approved	BOS
		Actual	Actual	Budget	Budget
<u>Line</u>	<u>DESCRIPTION</u>	<u>FY 2010</u>	<u>FY 2011</u>	<u>FY 2012</u>	<u>FY 2013</u>
49	Building Inspection S&W . . . .	211,110	222,605	231,930	236,426
50	Building Inspection Expense . . .	8,045	8,341	8,341	9,742
51	Building Capital Outlay	-	-	-	-
	Sub-Total	219,156	230,946	240,271	246,168
52	Emerg. Mgt S&W . . . . .	7,696	5,000	5,000	4,500
	Emerg Mgt. Expense . . . . .	5,220	9,365	9,365	7,800
53	Emergency Management Expense . . . . .	12,916	14,365	14,365	12,300
54	Animal Control S&W . . . . .	49,783	52,174	52,342	54,576
55	Animal Control Expense . . . . .	7,494	13,602	13,734	14,500
		-	-	-	-
	Sub-Total	57,277	65,776	66,076	69,076
56a	Natural Resources S&W .	79,351	81,274	81,274	81,274
56b	Natural Resources Expense . . . .	24,147	27,650	27,650	27,650
	Sub-Total	103,498	108,924	108,924	108,924
57	Pleasant Bay Alliance Expense	17,040	16,855	16,855	16,855
	<u>Schools</u>				
58	Cape Cod Reg Tech High School . . . . .	789,972	926,016	1,020,684	1,160,735
59	Harwich Public Schools	14,187,521	14,808,786	14,934,096	-
	Sub-Total	14,977,493	15,734,802	15,954,780	1,160,735

## APPENDIX B

<b><u>FY 2013 OPERATING BUDGET</u></b>					
<b>Includes amendment #1</b>		<b>6/30/2010</b>	<b>6/30/2011</b>	<b>Approved</b>	<b>BOS</b>
<b><u>Line</u></b>	<b><u>DESCRIPTION</u></b>	<b><u>Actual</u></b>	<b><u>Actual</u></b>	<b><u>Budget</u></b>	<b><u>Budget</u></b>
		<b><u>FY 2010</u></b>	<b><u>FY 2011</u></b>	<b><u>FY 2012</u></b>	<b><u>FY 2013</u></b>
<b>60</b>	Town Engineer's Dept S&W . . . .	154,633	150,000	152,107	156,159
<b>61</b>	Town Engineer's Dept Expense . .	<u>3,113</u>	<u>4,500</u>	<u>4,058</u>	<u>4,800</u>
	<b>Sub-Total</b>	<b>3,113</b>	<b>154,500</b>	<b>156,165</b>	<b>160,959</b>
<b>62</b>	Highways and Maintenance S&W	1,895,918	1,956,801	2,015,420	2,018,212
<b>63</b>	Highways and Maintenance Expense	1,466,190	1,428,102	1,495,500	1,506,980
<b>64</b>	Hot Mix,Oil,& Improve Town Rds. .	-	-	-	-
<b>65</b>	Hwy Snow Removal Wages . . . . .	25,000	65,072	40,000	40,000
<b>66</b>	Hwy Snow Removal Materials . . .	30,000	92,560	50,000	50,000
<b>67</b>	Hwy Snow Removal Equipment . . .	<u>45,000</u>	<u>45,440</u>	<u>45,000</u>	<u>45,000</u>
	<b>Sub-Total</b>	<b>3,462,108</b>	<b>3,587,975</b>	<b>3,645,920</b>	<b>3,660,192</b>
<b>68</b>	Street Lights . . . . .	84,352	82,400	74,230	82,400
<b>69</b>	Cemetery S&W . . . . .	41,596	42,558	43,615	44,520
<b>70</b>	Cemetery Expense . . . . .	<u>1,641</u>	<u>2,130</u>	<u>2,425</u>	<u>2,976</u>
	<b>Sub-Total</b>	<b>43,237</b>	<b>44,688</b>	<b>46,040</b>	<b>47,496</b>
<b>71</b>	Board of Health S&W . . . . .	243,504	248,515	250,253	257,559
<b>72</b>	Board of Health Expense . . . . .	14,344	16,320	15,915	14,949
<b>73</b>	Flax Pond Monitoring . . . . .	-	-	-	-
	<b>Sub-Total</b>	<b>257,847</b>	<b>264,835</b>	<b>266,168</b>	<b>272,508</b>

## APPENDIX B

<b><u>FY 2013 OPERATING BUDGET</u></b>					
<b>Includes amendment #1</b>		<b>6/30/2010</b>	<b>6/30/2011</b>	<b>Approved</b>	<b>BOS</b>
		<b>Actual</b>	<b>Actual</b>	<b>Budget</b>	<b>Budget</b>
<b><u>Line</u></b>	<b><u>DESCRIPTION</u></b>	<b><u>FY 2010</u></b>	<b><u>FY 2011</u></b>	<b><u>FY 2012</u></b>	<b><u>FY 2013</u></b>
<b>74</b>	Community Center Comm S&W	113,973	110,500	116,966	127,324
<b>75</b>	Community Center Comm Exp.	<u>132,148</u>	<u>133,196</u>	<u>126,264</u>	<u>145,495</u>
	<b>Sub-Total</b>	<b>246,121</b>	<b>243,696</b>	<b>243,230</b>	<b>272,819</b>
<b>76</b>	Council on Aging S&W . . . . .	224,020	227,153	228,913	245,552
<b>77</b>	Council on Aging Expense . . . .	<u>47,220</u>	<u>49,309</u>	<u>51,527</u>	<u>53,471</u>
	<b>Sub-Total</b>	<b>271,240</b>	<b>276,462</b>	<b>280,440</b>	<b>299,023</b>
<b>78</b>	Youth Counselor S&W . . . . .	65,003	65,653	66,604	67,254
<b>79</b>	Youth Counselor Expense . . .	<u>3,740</u>	<u>3,700</u>	<u>3,800</u>	<u>3,800</u>
	<b>Sub-Total</b>	<b>68,743</b>	<b>69,353</b>	<b>70,404</b>	<b>71,054</b>
<b>80</b>	Veterans' Services Expense . . .	47,873	45,479	30,100	31,217
<b>81</b>	Veterans' Benefits . . . . .	<u>32,873</u>	<u>15,000</u>	<u>15,000</u>	<u>25,000</u>
	<b>Sub-Total</b>	<b>80,745</b>	<b>60,479</b>	<b>45,100</b>	<b>56,217</b>
<b>82</b>	Disability Rights Committee Expense	<u>330</u>	<u>300</u>	<u>300</u>	<u>300</u>
	<b>Sub-Total</b>	<b>330</b>	<b>300</b>	<b>300</b>	<b>300</b>
<b>83</b>	Jim Noonan Human Services	<u>76,500</u>	<u>76,500</u>	<u>76,500</u>	<u>76,500</u>
<b>84</b>	Brooks Library S&W . . . . .	417,396	431,627	411,656	429,265
<b>85</b>	Brooks Library Expense . . . . .	<u>212,968</u>	<u>232,161</u>	<u>232,969</u>	<u>238,965</u>
	<b>Sub-Total</b>	<b>630,363</b>	<b>663,788</b>	<b>644,625</b>	<b>668,230</b>

## APPENDIX B

<u>FY 2013 OPERATING BUDGET</u>					
<u>Includes amendment #1</u>		<u>6/30/2010</u>	<u>6/30/2011</u>	<u>Approved</u>	<u>BOS</u>
		<u>Actual</u>	<u>Actual</u>	<u>Budget</u>	<u>Budget</u>
<u>Line</u>	<u>DESCRIPTION</u>	<u>FY 2010</u>	<u>FY 2011</u>	<u>FY 2012</u>	<u>FY 2013</u>
86	Recreation & Youth Seasonal Help	176,704	162,646	155,000	155,008
87	Recreation and Youth S&W. . . . .	166,240	167,064	172,750	177,318
88	Recreation and Youth Expense. . .	57,066	49,412	50,530	50,530
89	Aid to Various Programs . . . . .	-	-	-	-
	<b>Sub-Total</b>	<b>400,010</b>	<b>379,122</b>	<b>378,280</b>	<b>382,856</b>
91	Harbormaster/Natural Resources S&W	190,579	185,634	198,899	198,196
92	Harbormaster Expense . . . . .	89,963	87,550	88,810	86,950
93	Harbormaster Capital Outlay . . .	8,000	1,196	4,500	3,000
	<b>Sub-Total</b>	<b>288,542</b>	<b>274,380</b>	<b>292,209</b>	<b>288,146</b>
94	Brooks Museum Commission Expense	11,508	12,960	12,064	13,164
	<b>Sub-Total</b>	<b>11,508</b>	<b>12,960</b>	<b>12,064</b>	<b>13,164</b>
95	Historical Commission S&W . . . .	-	1,500	1,000	1,000
96	Historical Commission Expense . .	474	1,000	1,000	500
	<b>Sub-Total</b>	<b>474</b>	<b>2,500</b>	<b>2,000</b>	<b>1,500</b>
97	Memorial & Veterans' Day . . . .	1,379	2,900	2,900	1,600
98	Golf Operations & Maintenance S&W . . . . .	693,579	672,092	702,199	703,653
99	Golf Operations & Maintenance/Expense . . . . .	533,602	577,299	556,219	581,801
100	Golf Capital . .	24,000	24,000	24,000	24,000
	<b>Sub-Total</b>	<b>1,251,181</b>	<b>1,273,391</b>	<b>1,282,418</b>	<b>1,309,454</b>

## APPENDIX B

<b><u>FY 2013 OPERATING BUDGET</u></b>					
<b>Includes amendment #1</b>		<b>6/30/2010</b>	<b>6/30/2011</b>	<b>Approved</b>	<b>BOS</b>
		<b>Actual</b>	<b>Actual</b>	<b>Budget</b>	<b>Budget</b>
<b><u>Line</u></b>	<b><u>DESCRIPTION</u></b>	<b><u>FY 2010</u></b>	<b><u>FY 2011</u></b>	<b><u>FY 2012</u></b>	<b><u>FY 2013</u></b>
<b>101</b>	<b>Total Departmental Budgets</b>	<b><u>17,646,474</u></b>	<b><u>18,114,674</u></b>	<b><u>17,238,997</u></b>	<b><u>17,667,149</u></b>
<b>102</b>	<b>Total Debt SERVICE (PRIN &amp; INT)</b>	<b><u>5,008,142</u></b>	<b><u>4,735,823</u></b>	<b><u>4,580,240</u></b>	<b><u>4,076,198</u></b>
<b>103</b>	Barnstable County Retirement	2,134,021	2,339,267	2,495,764	2,178,021
<b>104</b>	Special Retirement Pension	3,551	3,551	3,552	3,552
<b>105</b>	Unemployment Compensation	145,059	50,000	50,000	35,000
<b>106</b>	Group Health Insurance/ Life	5,273,711	5,839,110	6,710,638	4,019,156
<b>107</b>	Insurance, General . . . . .	414,863	424,456	483,077	491,783
<b>108</b>	Insurance Deductibles/Exclusions.	15,225	6,913	15,000	15,000
<b>108(a)</b>		<b><u>-</u></b>	<b><u>-</u></b>	<b><u>-</u></b>	<b><u>21,111</u></b>
	<b>Sub-Total</b>	<b><u>7,986,429</u></b>	<b><u>8,663,297</u></b>	<b><u>9,758,031</u></b>	<b><u>6,763,623</u></b>
<b>109</b>	<b><u>Total Town Budget w/o CCRTHS</u></b>	<b><u>30,641,045</u></b>	<b><u>30,825,854</u></b>	<b><u>31,632,268</u></b>	<b><u>28,653,499</u></b>
<b>110</b>	<b>Grand Total</b>	<b><u>\$ 46,678,891</u></b>	<b><u>\$ 48,376,180</u></b>	<b><u>\$ 47,532,048</u></b>	<b><u>\$ 29,814,234</u></b>

## APPENDIX C



### CITIZENS ACTIVITY RECORD FORM

Town government needs citizens who are willing to give time in the service of their community. The Citizens Activity Record program was adopted by the Selectmen as a means of compiling names of interested citizens to serve, on a voluntary basis, on Boards and Committees.

Activity records are being updated to include categories consistent with the changing needs of the Town. Indicate your order of preference and return this form to:

Name \_\_\_\_\_ Street/P.O. \_\_\_\_\_ Town \_\_\_\_\_

Occupation \_\_\_\_\_ Email \_\_\_\_\_ Telephone \_\_\_\_\_

#### **PLANNING AND PRESERVATION**

- ☐ Agricultural Commission
- ☐ Architectural Advisory Committee
- ☐ \*Board of Appeals
- ☐ Brooks Academy Museum Commission
- ☐ Building Code Board of Appeals
- ☐ Bylaw/Charter Review Committee
- ☐ Community Preservation Committee
- ☐ \*Conservation Commission
- ☐ Cultural Council
- ☐ Citizen's Advisory for CWMP
- ☐ Historical/Historic District Commission
- ☐ Middle School Repurpose Committee
- ☐ \*Planning Board
- ☐ Real Estate, Open Space Committee
- ☐ Town Forest Committee
- ☐ Traffic Safety Committee
- ☐ Trail Committee
- ☐ Utility & Energy Conservation
- ☐ Wastewater Implementation Advisory
- ☐ OTHER \_\_\_\_\_

#### **RECREATION**

- ☐ Bikeways Committee
- ☐ Golf Committee
- ☐ Recreation & Youth Commission
- ☐ Waterways Committee

#### **OTHER**

- ☐ \*Board of Assessors
- ☐ \*Board of Health
- ☐ Capital Outlay Committee
- ☐ Cemetery Commission
- ☐ Community Center Facilities Committee
- ☐ Constable
- ☐ Council on Aging
- ☐ Disability Rights Committee
- ☐ Finance Committee
- ☐ Harwich Housing Committee
- ☐ Herring Supervisor (Voluntary)
- ☐ Human Services Advisory Committee
- ☐ Shellfish Constable (Voluntary)
- ☐ Technology Committee
- ☐ Treasure Chest Volunteers
- ☐ Water Quality Task Force
- ☐ Youth Services Committee
- ☐ Voter Information Committee

**\* Please include a resume with form**