

**SELECTMEN'S MEETING AGENDA\***

*Griffin Room, Town Hall  
Executive Session 5:30 P.M.  
Regular Meeting 6:30 P.M.  
Monday, March 28, 2016*

I. **CALL TO ORDER**

II. **EXECUTIVE SESSION** - Pursuant to M.G.L. c. 30A, § 21(a)(3), to discuss strategy with respect to collective bargaining if an open meeting may have a detrimental effect on the bargaining position of the Board and the Chair declares so – Union and Non-Union Strategies

III. **PLEDGE OF ALLEGIANCE**

IV. **WEEKLY BRIEFING**

V. **PUBLIC COMMENT/ANNOUNCEMENTS**

VI. **CONSENT AGENDA**

- A. Minutes – March 7, 2016 Regular Meeting
- B. Award and sign the contract for Wychmere Town Landing Precast Concrete Restroom to Shea Concrete Products in the amount of \$44,900
- C. Award and authorize Chair to sign the contract for FY 17 Gas and Diesel to Noonan Brothers
- D. Approve 2016 Seasonal Liquor License Renewals as recommended
- E. Approve 2016 Annual Liquor License Renewals as recommended
- F. Accept gift of used stereo equipment for Harwich Youth Services
- G. Sign letter supporting Nantucket's petition to extend near coastal protection zone
- H. Approve recommendation of the Interview/Nominations Subcommittee to appoint the following:
  - 1. Arthur Bodin      Housing Committee      June 30, 2018
  - 2. Sharon Plfefer      Wastewater Implementation Comm.      June 30, 2018

VII. **PUBLIC HEARINGS/PRESENTATIONS** (*Not earlier than 6:30 P.M.*)

- A. Presentation on Plastic Bag Ban – *Bob and Wendy Woods-Hartwell*

VIII. **OLD BUSINESS**

- A. Approve the Contract Agreement between the Town and the Cape Cod Chronicle for Legal Advertising – *discussion & possible vote*
- B. Revise Station Two Rehabilitation Committee membership to appoint Chief Clarke as ad hoc member and Richard Waystack as full member as recommended by Chief Clarke – *discussion & possible vote*
- C. Route 6 Exit Sign Replacement Letter to MassDOT – *discussion & possible vote*

IX. **NEW BUSINESS**

- A. Saquatucket Financing for Waterside Construction Project – *discussion & possible vote*
- B. Annual Election Ballot – *discussion & vote to approve and sign*
- C. Special Town Meeting Warrant – *discussion & vote to approve and sign*
- D. Chatham/Harwich Wastewater Inter-Municipal Agreement – *discussion & possible vote*
- E. Town Administrator Performance Review Process – *discussion & possible vote*

X. **TOWN ADMINISTRATOR'S REPORT**

- A. Update on Warrant One-Liners

XI. **SELECTMEN'S REPORT**

- A. April 7, 2016 Wastewater Summit

XII. **ADJOURNMENT**

*\*Per Atty. General's Office: The Board of Selectmen may hold an open session for topics not reasonably anticipated by the Chair 48 hours in advance of the meeting following "New Business." If you are deaf or hard of hearing or a person with a disability who requires an accommodation contact the Selectmen's Office at 508-430-7513.*

Authorized Posting Officer:

Posted by: \_\_\_\_\_

Town Clerk

Date: March 24, 2016

\_\_\_\_\_  
Ann Steidel, Admin. Secretary

**MINUTES  
SELECTMEN'S MEETING  
GRIFFIN ROOM, TOWN HALL  
MONDAY, MARCH 7, 2016  
6:30 P.M.**

**SELECTMEN PRESENT:** Cebula, Hughes, LaMantia (participated remotely), MacAskill

**OTHERS PRESENT:** Town Administrator Christopher Clark, Assistant Town Administrator Charleen Greenhalgh, Lincoln Hooper, Robbin Kelley, Carolyn Carey, Lou Urbano, Valerie Bell, Anne Stewart, Gary Carreiro, and others.

**MEETING CALLED TO ORDER** at 6:30 p.m. by Chairman Hughes.

**WEEKLY BRIEFING**

Ms. Carey reported that the weight room at the Community Center is fully operational again and Chairman Hughes thanked her for her efforts in managing the process.

**PUBLIC COMMENT/ANNOUNCEMENTS –**

A. Cape Light Compact's new pilot program – Valerie Bell, CLC Representative

Ms. Bell reported that the Cape Light Compact is starting their next three year program cycle and there will be some changes. She noted that they are piloting a program to help towns get on board with Mass Energy Insight, which is a tool the Compact is using to evaluate new projects so towns will have a much better grip on their energy usage. She invited the Board and Department Heads to their next meeting to hear from the Compact on this program.

B. All votes taken tonight will be by roll call due to remote participation

Chairman Hughes reported that Mr. LaMantia is participating in the meeting remotely and noted that all votes would be taken by roll call.

**CONSENT AGENDA**

- A. Approve Minutes – February 16, 2016 Regular Session
- B. Approve Application for Alzheimer's "Remembering Walk – Dave Birtwell Memorial" Walk to be held on Saturday, May 7, 2016

Ms. Cebula moved approval of the Consent Agenda. Mr. MacAskill seconded the motion and the motion carried unanimously on a roll call vote.

**PUBLIC HEARINGS/PRESENTATIONS** *(Not earlier than 6:30 P.M.)*

- A. Public Hearing – All Alcohol Beverages License for MT Group LLC d/b/a Mad Minnow Bar & Kitchen – repeat hearing with abutter notices

Chairman Hughes explained that this item is back again as the abutter notification was not done properly. Ms. Cebula read the hearing notice and Chairman Hughes opened the hearing. Mr. Ralph Schwartz, abutter, commented that on the last license at this location it was stipulated that outdoor service and entertainment would cease at 10:00 p.m. and he asked for the same for this license. Chairman Hughes closed the hearing. He stated that time limits are enforced on entertainment licenses and when he applies for entertainment they will deal with the time.

Mr. MacAskill moved approval of the All Alcohol Beverages License for MT Group LLC d/b/a Mad Minnow Bar & Kitchen as proposed. Ms. Cebula seconded the motion and the motion carried unanimously on a roll call vote.

#### B. Public Hearing – Proposed Sewer Regulations

1. By-Law
2. Associated Regulations

Ms. Cebula read the hearing notice and Chairman Hughes opened the hearing. Mr. MacAskill reviewed the draft proposal and noted that they were attempting to make the by-law portion of this into articles and the design specs and other minutia into appendixes. He stated that Mr. Clark has gotten an opinion from Attorney Giorgio. He explained that if we enter into an Inter-Municipal Agreement with Chatham we will have to draft sewer regulations consistent with Chatham's. Mr. Clark noted that it is also required by the DEP to have similar operating standards and most towns do this by regulation, not a by-law, because any time you want to change it you have to go back to Town Meeting which is cumbersome and doesn't allow flexibility for change. He proposed having the first 1 ½ pages (Purpose) go to Town Meeting and the rest should be referred to as Rules and Regulations as allowed under the statute. He stated that all regulations would have to be published and public hearings held. Mr. Clark and Mr. MacAskill also suggested another option of having the first 11 sections (18 pages) go to Town Meeting but not the minute detail of how the system operates. Mr. Clark said he will ask Kopelman and Paige what the standard practice is. The Board took comments from Anne Stewart and Chairman Hughes closed the hearing. It was agreed that Mr. MacAskill and Mr. Clark would come back in 1-2 weeks as to how they want to format this. Mr. MacAskill noted that they are waiting for some more input from Bob Duncanson. Mr. Clark noted that there is a placeholder in for the Annual Town Meeting.

### **OLD BUSINESS**

#### A. Route 28, West Harwich Road Improvements – *discussion*

Ms. Cebula suggested putting the stakes in the ground now for this project so people understand where the lines are and she recommended that the Board direct the Town Administrator to do so. Mr. Clark explained that right now we have only contracted for VHB to design concepts and once that is done and brought to the public, then we can do the stakes. He noted that we also have to decide about pursuing State money if we like the plans. Mr. Hooper stated that what we have done is a very conceptual plan of what the State typically accepts. He said the starting point should be a meeting with VHB and staff on how to approach the State and then come back to the Board. He cautioned that we are a long way off from doing this project.

## NEW BUSINESS

- A. Gift of land to the Town to be used for conservation purposes under the custody of the Conservation Commission – *discussion/review and possible vote to consider this gift to the Town*

Mr. Jamie Norcross, representing Mr. Peter Donovan, proposed donating Lot 8 of his subdivision on Forest Street to the Town as conservation land. It was noted that the Conservation Commission and Real Estate & Open Space Committee are in agreement. Ms. Usowski spoke in support and said they are excited about acquiring it. Mr. Hughes read the opinion from Town Council indicating that as long as the land will be acquired by gift for conservation purposes under the custody of the Conservation Commission, no Town Meeting vote is required but the Board would have to approve. Ms. Cebula moved to accept, in concept, the gift of land, Lot 8, and put under the care and custody of the Conservation Commission. Mr. MacAskill seconded the motion and the motion carried unanimously on a roll call vote.

- B. Chapter 90 Request - Queen Anne Road Drainage Replacement – *discussion and possible vote*

At Mr. Hooper's recommendation, Ms. Cebula moved to approve the Chapter 90 request for Queen Anne Road drainage replacement. Mr. MacAskill seconded the motion and the motion carried unanimously on a roll call vote.

- C. Budget Amendment #1 – *discussion and possible vote*

Mr. Clark outlined Budget Amendment #1. Mr. MacAskill moved to accept Budget Amendment #1 as presented. Ms. Cebula seconded the motion and the motion carried unanimously on a roll call vote.

- D. Review of Annual Town Meeting Warrant Articles – *discussion and possible vote*
  - 1. Article 57 – Transfer Parcel of Land to the Cemetery Department to develop as a Pet Cemetery and Crematory

Ms. Kelley outlined Article 57 and took questions from the Board. Ms. Cebula moved to include Article 57 Transfer Parcel of Land to the Cemetery Department to develop as a Pet Cemetery and Crematory. Mr. MacAskill seconded the motion and the motion carried unanimously on a roll call vote.

- E. Annual Town Meeting Warrant – *discussion and possible vote to sign*

Mr. Clark stated that Mr. Giorgio has additional changes to the Annual Town Meeting warrant and anticipates having the final version tomorrow. He asked to hold on voting the warrant tonight and the Board agreed to wait for Town Council input. Ms. Cebula moved to send the Annual Town Meeting Warrant to the Finance Committee subject to some modest revisions coming from our Town Council and “rehabilitate” changing to “replace” on the water tank (Article 22). Mr. MacAskill seconded the motion and the motion carried unanimously on a roll call vote.

F. Submission of Special Town Meeting Articles – *discussion and possible vote to open*

Ms. Cebula moved to open the Special Town Meeting warrant as of Tuesday, March 15 at 8:30 in the morning and we will close it on Friday, March 18<sup>th</sup> at noon. Mr. MacAskill seconded the motion and the motion carried unanimously on a roll call vote.

G. Wastewater Governance Model – *discussion and possible vote to approve*

Mr. MacAskill read the document and noted that it would become part of the Comprehensive Wastewater Management Plan after Town Council reviews it. Mr. Carreiro said he agrees with the proposal and the Water Commissioners are all on board. Ms. Cebula said we need an article to change the name of the Enterprise Fund to Water and Wastewater at some point in time. Mr. LaMantia discussed starting with separate funds. Mr. MacAskill moved to approve the concept of the Harwich Wastewater Governance as read. Ms. Cebula seconded the motion and the motion carried unanimously on a roll call vote.

**TOWN ADMINISTRATOR'S REPORT**

A. Plymouth County OPEB Trust (PCOT)

Mr. Clark explained that Other Post Employment Benefits (OPEB) has a significant liability and we are looking at different ways to try to fund that liability. He explained that we have a funding plan in which the past 2-3 years of budgets we have put in \$100,000 into the fund and last year created an OPEB Trust Fund which has created a discount rate of up to 5.75% earned on the money we have and by doing that our liability has been reduced down to about just under \$43 million. He said they have met with the Plymouth County Trust Fund and they are having people pool their money and invest it. He noted that they have selected a firm that specializes in OPEB to actively manage the funds and our discounted rate, or the amount of return on those dollars, would go potentially from 5.75% to 7 ½% and that would reduce the liability from \$43 million to \$34 million. He said he would get the materials and bring to the Board.

B. Free Cash Policy

Mr. Clark briefly discussed projected receipts in relation to the FY17 budget. No action was taken.

Ms. Greenhalgh gave details of the upcoming Wastewater Summit.

**ADJOURNMENT**

Respectfully submitted,

Ann Steidel  
Recording Secretary

**Bid Opening Minutes**  
**Thursday, March 17, 2016**  
**Wychmere Town Landing Precast Concrete Restroom**

At 2:00 P.M., March 17, 2016, in the presence of Elaine Banta, Bob Cafarelli received and opened sealed bids for the manufacture and delivery of a precast concrete restroom for the Wychmere Town Landing.

Two bids were submitted:

<b>Company Name</b>	<b>Bid Price</b>
Shea Concrete Products	\$44,900
United Concrete Products	\$54,674

All required paperwork appeared to be submitted with bids.

Shea Concrete has been the contractor supplying us with the last three concrete restrooms we have installed. Their product and service is very good.

John Rendon and I recommend award of the contract to the low bidder, Shea Concrete Products.

Notes by: Bob Cafarelli, Town Engineer

**CONTRACTOR AGREEMENT  
WYCHMERE LANDING PRE CAST RESTROOM**

THIS AGREEMENT made this 28th day of March, 2016 between the Town of Harwich, MA, hereinafter called the "Owner" and Shea Concrete Products, hereinafter called the "Contractor."

WITNESSETH, that the Owner and the Contractor for the consideration hereinafter named, agree as follows:

**Article 1. SCOPE OF WORK:** The Contractor shall perform all the work required by the Contract Documents for the furnishing of one modular, prefabricated concrete restroom structure at Wychmere Landing, prepared by the Town of Harwich acting as, and referred to in these Contract Documents as the "Engineer".

**Article 2. TIME OF COMPLETION:** The Contractor shall commence work under this Contract on the date specified in the written "Notice to Proceed" from the Owner and shall bring the work to Completion (including construction and delivery of unit) by May 18, 2016. Liquidated damages of \$100 per day will be assessed for every day beyond May 18.

**Article 3. THE CONTRACT SUM:** The Owner shall pay the Contractor in current funds for the performance of the work, subject to additions and deductions by Change Order the Contract Sum (\$ 44,900.00)

**Article 4. THE CONTRACT DOCUMENTS:** The following together with the Agreement Form the Contract and all are as fully a part of the Contract as if attached to this agreement or repeated herein: the Advertisement, Request for Proposals, Contract Forms, Conditions of the Contract, and all appendixes, Addenda, and Modifications issued after execution of the Contract.

Terms used in this Agreement which are defined in the Conditions of the Contract shall have the meanings designated in those Conditions.

The undersigned, Andrew Gould, in compliance with the Commonwealth of Massachusetts General Laws (Ter. Ed) Chapter 44, Section 31C, certifies that an appropriation in the amount required for this contract is available out of Account Number \_\_\_\_\_.

\_\_\_\_\_  
Andrew Gould, Finance Director/Town Accountant

**CONTRACTOR:**

**THE TOWN:**

Company Name:

Harwich Board of Selectmen

\_\_\_\_\_  
Signed By:

\_\_\_\_\_  
Title:

\_\_\_\_\_  
Date:

**ATTEST:**

Name: \_\_\_\_\_

Title: \_\_\_\_\_



# TOWN OF HARWICH

## DEPARTMENT OF PUBLIC WORKS

273 Queen Anne Road • P.O. Box 1543 • Harwich, MA 02645

Telephone (508) 430-7555

Fax (508) 430-7598

### MEMORANDUM

**TO:** Board of Selectmen  
**FROM:** Lincoln S. Hooper, Director   
**DATE:** March 17, 2016  
**RE:** Gas and Diesel Bid Award

---

Please be advised that Barnstable County Purchasing Department has bid both Ultra Low Sulphur Diesel and Unleaded Regular gasoline on behalf of the Town of Harwich and that the County Commissioners have awarded both contracts to the lowest bidders in each category. J.P. Noonan was the low bidder for Harwich in each category with a fixed price bid of \$1.415 per gallon for diesel and \$1.387 per gallon gas. This represents a \$.914 per gallon decrease in diesel and a \$.722 per gallon drop in gas compared to FY 16 rates.

The County has requested that each municipality execute a contract with the appropriate vendor indicating our acceptance of the bid. I have attached a contract for your review and signatures. Please return two originals to me. I will obtain the vendor's signature and provide the Board with an original back.

Thank you for your consideration in this matter.

Cc: Chris Clark, Town Administrator

Attachments: Contract Agreement with Noonan  
Barnstable County Purchasing Department Award Letter  
Spreadsheet with Bid Results

## AGREEMENT

This agreement made the 28<sup>th</sup> of March, 2015 by and between **Noonan Brothers, Inc.**, hereinafter called the "CONTRACTOR" and the **Town of Harwich**, hereinafter called the "Town". WITNESSETH, that the Contractor and the Town for the consideration hereinafter named agree as follows:

### ARTICLE 1. SCOPE OF WORK

The Contractor shall furnish all of the materials/services called for in the specifications for: "Invitation for Bids for the Supply and Delivery of gasoline, diesel and bio-diesel fuel to Barnstable County and other political subdivisions for the period of July 1, 2016 through June 30, 2017."

### ARTICLE 2. TIME PERIOD

- A. This contract is for the period of July 1, 2016 through June 30, 2017 .
- B. The work to be done under this contract shall be completed: see "A".

### ARTICLE 3. THE CONTRACT SUM

The Town shall pay the contractor:

- A. Diesel - \$1.415 per gallon
- B. 87 Octane Gasoline - \$1.387 per gallon

### ARTICLE 4. TIME OF PAYMENT

The Town shall pay the Contractor on original invoices only.

**ARTICLE 5. THE CONTRACT DOCUMENTS**

The Bid, together with this Agreement, form the Contract and they are as fully a part of the Contract as attached and incorporated herein by reference.

**ARTICLE 6. TERMINATION FOR CAUSE**

The Town may terminate this Agreement, for cause, at any time upon written notice to the other party designating the reason for said termination. Termination shall be effective immediately.

**IN WITNESS WHEREOF** the parties hereto have executed the Agreement, the day and year first above written.

**Noonan Brothers, Inc.**

---

---

**Town of Harwich**

---

Peter Hughes, Chairman  
Harwich Board of Selectmen

COUNTY OF BARNSTABLE  
PURCHASING  
DEPARTMENT OF FINANCE  
SUPERIOR COURT HOUSE  
P.O. BOX 427  
BARNSTABLE, MASSACHUSETTS 02630

**Elaine Davis**  
Chief Procurement Officer

Phone: (508) 375-6637  
Fax: (508) 362-4136  
Email:  
edavis@barnstablecounty.org

February 10, 2016

**MEMORANDUM**

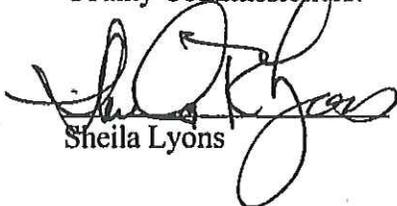
**TO:** County Commissioners  
**FROM:** Elaine Davis, Chief Procurement Officer  
**RE:** Bid Award

Please vote to award the bids for the Supply and Delivery of Gas and Diesel Fuel to the following vendors as the responsive, responsible bidders offering the lowest prices as highlighted on the attached spreadsheet:

Noonan Brothers  
Petroleum Traders Corporation  
Peterson Oil Service Inc.  
MJT Enterprises Inc. d/b/a Cape Cod Oil  
Diesel Direct

Thank you.

County Commissioners:

  
Sheila Lyons

  
Mary Pat Flynn

  
Leo Cakounes

\_\_\_\_\_  
Date

  
① Mike Peltier 2/18/16  
C. Administration  
for Board Ratification  
on 3/2/16

**BID SHEET****COUNTY OF BARNSTABLE GASOLINE and DIESEL FUEL - FY2017****Do not include any taxes or fees in your bid price.**

<b>FIXED PRICE PREMIUM ULTRA LOW SULPHUR DIESEL</b>						
	<b>Petroleum Traders</b>	<b>Noonan</b>	<b>Peterson</b>	<b>MJT</b>	<b>Diesel Direct</b>	<b>Dennis Burke</b>
Section 1: Barnstable Dept. of Public Works	No Bid	1.415	1.599	No Bid	1.561	No Bid
Section 3: Barnstable Golf Courses	No Bid	1.415	1.6290	No Bid	1.6187	No Bid
Section 4: Barnstable Municipal Airport	No Bid	1.415	1.629	No Bid	1.5328	No Bid
Section 5: Barnstable School Department	No Bid	1.415	1.569	No Bid	1.5021	No Bid
Section 7: Town of Bourne, a, b, c	No Bid	1.415	1.599	No Bid	1.5806	No Bid
Section 7: Town of Bourne, f, ISWM	No Bid	1.589	No bid	No Bid	1.9648	No Bid
Section 8: Town of Brewster	No Bid	1.415	1.569	No Bid	1.5875	No Bid
Section 10: Town of Chatham	No Bid	1.415	1.599	No Bid	1.5572	No Bid
Section 11: Town of Dennis	No Bid	1.415	1.569	No Bid	1.5543	No Bid
Section 12: Dennis Water District	No Bid	1.415	1.629	No Bid	1.5857	No Bid
Section 14: Town of Eastham	No Bid	1.415	1.629	No Bid	1.5716	No Bid
Section 15: Town of Falmouth	No Bid	1.395	1.569	No Bid	1.5328	No Bid
Section 16: <b>Town of Harwich</b>	No Bid	<b>1.415</b>	1.569	No Bid	1.5705	No Bid
Section 18: Town of Mashpee	No Bid	1.415	1.599	No Bid	1.5645	No Bid
Section 19: Town of Orleans	No Bid	1.415	1.599	No Bid	1.5716	No Bid
Section 20: Town of Sandwich	No Bid	1.415	1.599	No Bid	1.5573	No Bid
Section 22: Upper Cape Regional Technical	No Bid	1.415	1.629	No Bid	1.6337	No Bid
Section 23: Town of Wellfleet	No Bid	No bid	1.689	No Bid	1.9428	No Bid

<b>OEP ULS DIESEL</b>						
	<b>Pet Traders</b>	<b>Noonan</b>	<b>Peterson</b>	<b>MJT</b>	<b>Diesel Direct</b>	<b>Dennis K Burke</b>
Section 6: Barnstable County Dredge	No bid	.079	No bid	.24	.1544	No bid
Section 7: location e, Taylor Point Marina	0.1024	.132	.25	.19	.2144	.1190
Section 9: Centerville/Osterville/MM Fire	No bid	.08	.0975	.17	.1124	.1594
Section 13: Dennis Yarmouth Regional School District	No bid	.0688	.06	.14	.1124	.1499
Section 17: Hyannis Fire District	No bid	.07	.0975	No bid	.1124	.1992
Section 21: Town of Truro	No bid	No bid	.26	.159	.2144	.2664
Section 24: Town of Yarmouth	.0917	.065	.06	.14	.1124	.1568

<b>FIXED PRICE GASOLINE – REGULAR</b>						
<b>SECTION</b>	<b>Pet. Traders</b>	<b>Noonan</b>	<b>Peterson</b>	<b>MJT</b>	<b>Diesel Direct</b>	<b>Burke</b>
Section 1: Barnstable Dept. of Public Works	No bid	1.387	1.539	No Bid	No Bid	No bid
Section 2: Barnstable Police Department		1.387	1.539	No Bid		
Section 3: Barnstable Golf Courses		1.387	1.759	No Bid		
Section 4: Barnstable Municipal Airport		1.387	1.659	No Bid		
Section 5: Barnstable School Department		1.387	1.659	No Bid		
Section 7: Town of Bourne, locations a, b		1.387	1.539	No Bid		
Section 8: Town of Brewster		1.387	1.559	No Bid		
Section 11: Town of Dennis		1.387	1.559			
Section 14: Town of Eastham		1.387	1.659			
Section 15: Town of Falmouth		1.357	1.539			
Section 16: <b>Town of Harwich</b>		<b>1.387</b>	1.549			
Section 18: Town of Mashpee		1.357	1.549			
Section 19: Town of Orleans		1.387	1.559			
Section 20: Town of Sandwich		1.357	1.539			
Section 22: Upper Cape Regional Technical		1.387	1.659			

<b>FIXED PRICE MID GRADE/87 OCTANE GASOLINE</b>						
	<b>Pet Traders</b>	<b>Noonan</b>	<b>Peterson</b>	<b>MJT</b>	<b>Diesel Direct</b>	<b>Burke</b>
Section 10: Town of Chatham (87 octane)	No Bid	No Bid	No bid	No Bid	No Bid	No Bid

<b>OEP REGULAR GASOLINE</b>						
	<b>Pet Traders</b>	<b>Noonan</b>	<b>Peterson</b>	<b>MJT</b>	<b>Diesel Direct</b>	<b>Burke</b>
Section 21: Town of Truro	No Bid	No bid	No bid	.159	.1355	.2664
Section 24: Town of Yarmouth	.0840	.065	.07	.14	.1125	.0925

<b>OEP MID GRADE/87 OCTANE GASOLINE</b>						
	<b>Pet Traders</b>	<b>Noonan</b>	<b>Peterson</b>	<b>MJT</b>	<b>Diesel Direct</b>	<b>Burke</b>
Section 17: Hyannis Fire	No Bid	.08	.25	No Bid	.1334	.1992

## 2016 SEASONAL GENERAL LICENSE RENEWALS

AJG Corp. d/b/a Weatherdeck Restaurant  
168 Route 28, West Harwich  
**Common Victualler**

Barnaby Inn  
36 Route 28, West Harwich  
**Lodging House**

Belmont Condo Beach Club d/b/a The Beach  
One Belmont Rd., West Harwich  
**Common Victualler**  
**Weekday Entertainment** – Recorded or live music with use of amplification, dancing by patrons,  
10:00 a.m. – 11:00 p.m.

Blue Stripe, LLC d/b/a Cape Sea Grille  
31 Sea St., Harwich Port  
**Common Victualler**  
**Weekday Entertainment** – Recorded or live music, 5:00 p.m. – 12:00 a.m.

Commodore Inn, Ltd. d/b/a Raspberries Restaurant  
30 Earle Rd., West Harwich  
**Common Victualler**

Edward L. Kenney d/b/a Captain's Quarters B&B  
85 Bank Street, Harwich Port  
**Lodging House**

Stacia M. Kostecki d/b/a Gingerbread House  
141 Route 28, West Harwich  
**Lodging House**

Go Industries Inc. d/b/a Perks  
545 Route 28, Harwich Port  
**Common Victualler**  
**Weekday Entertainment** – Recorded or live music with use of amplification, guitar player, 6:00  
p.m. – 11:00 p.m.  
**Sunday Entertainment** – Recorded or live music with use of amplification, 6:00 p.m. – 10:00  
p.m.

Grand Slam Entertainment, Inc.  
322 Route 28, Harwich Port  
**Automatic Amusement** – 6 video games  
**Batters Box**  
**Sunday Entertainment** – Batters Box, 9:00 a.m. to 11:00 p.m.

Noise level not to exceed licensed premises.

Phoenix Park, Inc. d/b/a Cape Cod Irish Pub  
126 Route 28, West Harwich

**Common Victualler**

**Lodging House**

**Sunday Entertainment** – Recorded or live entertainment, dancing by patrons, 1:00 p.m. – 12:00 a.m. on Sundays seasonally

**Weekday Entertainment** – Recorded or live music with use of amplification, dancing by patrons, 7:00 p.m. – 1:00 a.m.

Port Restaurant & Bar, Inc. d/b/a The Port Restaurant  
541 Route 28, Harwich Port

**Common Victualler**

Schoolhouse Ice Cream & Yogurt LLC  
749 Route 28, Harwich Port

**Common Victualler**

Sundae School, Inc. d/b/a Sundae School  
606 Route 28, Harwich Port

**Common Victualler**

**Sunday Entertainment** – Nickelodeon, 1:00 p.m. – 10:30 p.m., Sundays seasonally

**Weekday Entertainment** – Nickelodeon, 11:00 a.m. – 10:30 p.m.

Wequassett Inn LLP d/b/a Wequassett Inn Resort & Golf Club  
2173 Route 28, East Harwich

**Innholder**

**Sunday Entertainment** – Mechanical and/or live music, 1:00 p.m. – 12:00 a.m. on Sundays seasonally

**Weekday Entertainment** – Recorded or live music with use of amplification, dancing by patrons, 7:00 a.m. – 12:00 a.m.

West Harwich Enterprises d/b/a A & W Family Restaurant  
297 Route 28, Harwich Port

**Common Victualler**

Wychmere Harbor Functions Limited Partnership d/b/a Wychmere Harbor Beach & Tennis Club  
23 Snow Inn Rd., Harwich Port

**Common Victualler**

**Sunday Entertainment** – Recorded or live music, April – December, 11:00 a.m. – 1:00 a.m.

**Weekday Entertainment** – Recorded or live music, dancing by patrons, 11:30 a.m. – 1:00 a.m.

AJG Corp. d/b/a Harbor Glen Miniature Golf  
168 Route 28, West Harwich

**Miniature Golf**

March 28, 2016

***Sunday Entertainment*** – *Miniature Golf, 12:00 p.m. – 9:00 p.m., Sundays seasonally*

PRM Foods, Inc. d/b/a Harwich Port Dairy Queen  
441 Main St., Harwich Port  
***Common Victualler***

Trampoline Center, Inc. d/b/a Trampoline Center  
296 Route 28, West Harwich  
***Sunday Entertainment*** – *9:00 a.m. – 12:00 a.m.*  
***Trampolines***

Grey Gull  
547 Route 28, Harwich Port  
***Lodging House***

Scribano's Inc.  
d/b/a Scribano's Italian Market & Deli  
302 Route 28, Harwich Port  
***Common Victualler***

Sea Street Productions  
d/b/a Salt Block Food Truck  
31 Sea St., Harwich Port  
***Weekday Entertainment***  
Recorded or live music  
10:30 a.m. – 12:00 a.m.  
***Hawkers & Peddlers***

NOTE: ALL ENTERTAINMENT LICENSES CONTAIN THE FOLLOWING LANGUAGE:  
“NOISE LEVEL NOT TO EXCEED LICENSED PREMISES.”

## 2016 SEASONAL LIQUOR LICENSE RENEWALS

The Belmont Condominium Beach Club Corp.  
d/b/a The Beach  
One Belmont Rd. West Harwich, MA 02671  
Erica Goldberg, Manager  
Club - All Alcohol

Blue Stripe LLC d/b/a The Cape Sea Grille  
31 Sea St., Harwich Port, MA 02646  
Jennifer Ramler, Manager  
Common Victualler - All Alcohol

Port Restaurant and Bar, Inc.  
541 Route 28, Harwich Port, MA 02646  
Justin R. Brackett, Manager  
Common Victualler - All Alcohol

The Commodore Inn, Ltd.  
d/b/a Raspberries Restaurant  
30 Earle Rd., West Harwich, MA 02671  
Richard Jones, Manager  
Common Victualler - All Alcohol

Wychmere Harbor Functions Limited Partnership  
d/b/a Wychmere Harbor Beach & Tennis Club  
23 Snow Inn Rd., Harwich Port, MA 02646  
Bruce A. Pelczarski, Manager  
Common Victualler - All Alcohol

AJG Corporation  
d/b/a The Weatherdeck Restaurant  
168 Route 28, West Harwich, MA 02671  
George Argyriadis, Manager  
Common Victualler - Wine & Malt

Phoenix Park, Inc. d/b/a The Irish Pub  
126 Route 28, West Harwich, MA 02671  
Brendan O'Reilly, Manager  
Innholder - All Alcohol

Pleasant Bay Group Inc.  
d/b/a Wequassett Inn  
2173 Route 28, East Harwich, MA 02645  
Mark J. Novota, Manager  
Innholder - All Alcohol

March 28, 2016

Charles J. Weiss d/b/a 7-Eleven 34434A  
5 Route 28, West Harwich, MA 02671  
Charles J. Weiss, Manager  
Package Goods Store - All Alcohol

Go Industries Inc. d/b/a Perks  
545 Route 28, Harwich Port, MA 02646  
Taylor Powell, Manager  
General On Premise - Wine & Malt

Viera LLC d/b/a Viera Restaurant  
11 Route 28, West Harwich, MA 02671  
Benjamin Porter, Manager  
Common Victualler – All Alcohol



Town of Harwich  
Office of the Youth Counselor  
728 Main Street  
Harwich, MA 02645

March 21, 2016

TO: Board of Selectmen  
FROM: Sheila House  
RE: Donation of stereo equipment for youth program purposes

Dear Board of Selectmen;

I am writing to request that you accept a donation of previously used stereo equipment from Brian Paradee of Harwich. The value of the equipment is approximately \$275.

The equipment will be used in activities related to Harwich Youth.

Approximate Value of Components:

- AM/FM Stero Receiver STR-471 \$50
  - CD Player CDP-CX571 \$50
  - Cassette Player TC-WF471 \$40
  - Audio Cabinet SU-S4710 \$50
  - Three Surround Sound Speakers SS-SR107(2) SS-CN107(1) \$35
  - Two 200 Watt Speakers SS-U471AV \$50
- Total Value = \$275

Thank you for your consideration to this donation.

Sheila House  
Harwich Youth & Family Counselor



March 28, 2016

The Honorable Governor Baker  
Massachusetts State House  
Room 280  
Boston, MA 02133

Dear Governor Baker:

The County of Nantucket is petitioning NOAA and Massachusetts Division of Marine Fisheries (DMF) to extend the existing near coastal protection zone. The Town of Harwich supports this petition. The zone currently begins at Boston, extending north to the Hague Line (Herring management Area 1A). The petition proposes the inclusion of the 12-mile territorial waters along the coast south of Boston, along the outside of the Cape, around Nantucket, and south of Martha's Vineyard to the western Massachusetts line. The proposal is not novel, but reflects the original plans for the coastal protection zone as drafted in 1999.

This closure would be a gear-based restriction of no less than 6.5" mesh in any mobile gear, bay scallop dredges and the historic state waters squid fishery, which are open from April 23 to June 9 would be exempt. This zone is historically known as the main migratory route of whales, predator fish, birds and forage fish such as squid and herring. Forage fish are perhaps most important, as they critically support the rich marine ecosystem and fish habitat that exists along this route.

The intent of creating the 12-mile territorial boundary along the coast, and the intention of the 1977 Magnuson Stevens Act, was to protect our marine ecosystems, habitat, and fisheries from foreign fishing fleets indiscriminately harvesting with destructive gear types. Yet, today, the state allows near-shore trawlers to use small mesh gear close to shore. Small mesh gear, used by mid-water trawlers and otter trawlers, often engages and disrupts the sea floor, causing indiscriminate killing, significant bycatch and destruction of our natural resources at a massive scale. Industrial-size fishing boats and small mesh gear have the potential to enact irreversible damage and wreak havoc on our near coastal natural resources.

Due to the steady decline and, in some cases, collapse of New England ground fisheries, many fishermen have changed occupations, recognizing that if policies don't change immediately, if ecosystems and forage fish are not protected, fisheries will collapse. At this point in time, the biomass of local fish stocks can no longer handle the shifting pressures and indiscriminate harvesting that at one point in time seemed acceptable and sustainable. In our quest to become responsible stewards of the oceans and natural resources, stakeholders and regulators should no longer turn a blind eye. We recognize the shift of fisheries management policies from a single species management approach to an Eco-Based Fisheries Management (EBFM) approach. We believe the EBFM method will help improve our present course, and that this change will

The Honorable Governor Baker  
March 28, 2016  
Page 2

ultimately contribute to a sustainable near-coastal marine ecosystem and fishery for current and future generations.

Thank you for your time and consideration.

Sincerely,

---

Peter S. Hughes, Chair

---

Linda A. Cebula, Vice-Chair

---

Jannell M. Brown, Clerk

---

Angelo S. LaMantia

---

Michael D. MacAskill

**Harwich Board of Selectmen**

cc: Lt. Governor Karyn Polito  
Senator Daniel A. Wolf  
Representative Sarah Peake  
Representative Timothy R. Madden  
David Pierce, Division of Marine Fisheries  
Tobias Glidden, Nantucket Board of Selectmen  
Ed McManus, Cape Cod Selectmen & Councillors Assn.

## Ann Steidel

---

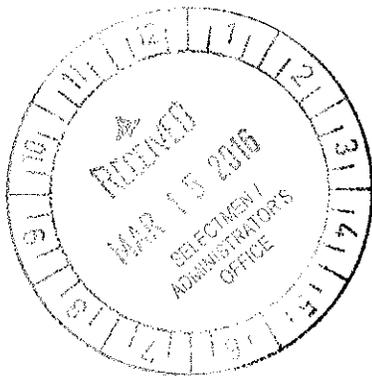
**From:** ed McManus <mcmanused@msn.com>  
**Sent:** Wednesday, March 09, 2016 8:07 AM  
**Subject:** CCSCA Action Item For Friday  
**Attachments:** Ltr\_to\_GovBaker\_Coastal-zone-letter\_081115.pdf

Members,

Tobias Gliden, chairman of the Nantucket Board of Selectmen, has asked that the Association vote to send a letter similar to the attached letter that they have sent to Gov. Baker. Nantucket is petitioning NOAA and the Massachusetts Division of Marine Fisheries(DMF) to extend the near coastal protection zone out to include the 12-mile territorial waters line in the area south of Boston as is the case of waters north of Boston and west of the cape. This will reflect the plans of the original coastal protection zone as drafted in 1999. The zone would restrict the use of nets with smaller than 6.5" mesh, protecting the sea bed from damage, indiscriminately killing forage fish species and significant levels of bycatch.

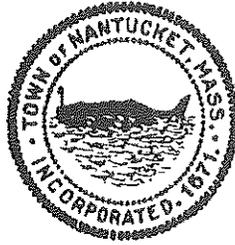
The Nantucket Board of Selectman have asked, that in addition to the association endorsing this petition, that each town on Cape Cod and Martha's Vineyard also endorse the petition and send similar letters of support to the Governor, State and Federal legislators and the Division of Marine Fisheries. This matter will be voted on at this Friday's meeting.

Ed McManus  
Clerk, CCSCA



Town and County of Nantucket  
Board of Selectmen • County Commissioners

Robert R. DeCosta, Chairman  
Rick Atherton  
Matt Fee  
Tobias Glidden  
Dawn E. Hill Holdgate



16 Broad Street  
Nantucket, Massachusetts 02554

Telephone (508) 228-7255  
Facsimile (508) 228-7272  
[www.nantucket-ma.gov](http://www.nantucket-ma.gov)

C. Elizabeth Gibson  
Town & County Manager

August 11, 2015

The Honorable Governor Baker  
Massachusetts State House  
Room 280  
Boston, MA 02133

Dear Governor Baker:

The County of Nantucket is petitioning NOAA and Massachusetts Division of Marine Fisheries (DMF) to extend the existing near coastal protection zone. The zone currently begins at Boston, extending north to the Hague Line (Herring Management Area 1A). We propose the inclusion of the 12-mile territorial waters along the coast south of Boston, along the outside of the Cape, around Nantucket, and south of Martha Vineyard to the western Massachusetts line. Our proposal is not novel, but reflects the original plans for the coastal protection zone as drafted in 1999.

This closure would be a gear-based restriction of no less than 6.5" mesh in any mobile gear, bay scallop dredges and the historic state waters squid fishery, which is open from April 23 to June 9 would be exempt. This zone is historically known as the main migratory route of whales, predator fish, birds, and forage fish such as squid and herring. Forage fish are perhaps most important, as they critically support the rich marine ecosystem and fish habitat that exists along this route.

The intent of creating the 12-mile territorial boundary along the coast, and the intention of the 1977 Magnuson Stevens Act, was to protect our marine ecosystems, habitat, and fisheries from foreign fishing fleets indiscriminately harvesting with destructive gear types. Yet, today, the state allows near-shore trawlers to use small mesh gear close to shore. Small mesh gear, used by mid-water pair trawlers and otter trawlers, often engages and disrupts the sea floor, causing indiscriminate killing, significant bycatch, and destruction of our natural resources at a massive scale. Industrial-size fishing boats and small mesh gear have the potential to enact irreversible damage and wreak havoc on our near coastal natural resources.

Due to the steady decline and, in some cases, collapse of New England ground fisheries, many fishermen have changed occupations, recognizing that if policies don't

change immediately, if ecosystems and forage fish are not protected, fisheries will collapse. At this point in time the biomass of local fish stocks can no longer handle the shifting pressures and indiscriminate harvesting that at one point in time seemed acceptable and sustainable. In our quest to become responsible stewards of the oceans and natural resources, stakeholders and regulators should no longer turn a blind eye. We recognize the shift of fisheries management policies from a single species management approach to an Eco-Based Fisheries Management (EBFM) approach. We believe the EBFM method will help improve our present course, and that this change will ultimately contribute to a sustainable near-coastal marine ecosystem and fishery for current and future generations.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in cursive script that reads "Tobias Glidden".

Tobias Glidden  
Chairman  
Nantucket County Commission

Cc: Lt. Governor Karyn Polito  
Senator Daniel A. Wolf  
Representative Sarah Peake  
Representative Timothy R. Madden  
David Pierce, Division of Marine Fisheries  
George Peterson  
John Bullard  
Terry Stockwell  
Rick Robins



# MEMO

**TO:** Board of Selectmen

**FROM:** Michael MacAskill   
Linda Cebula 

**RE:** Recommendation for Appointment

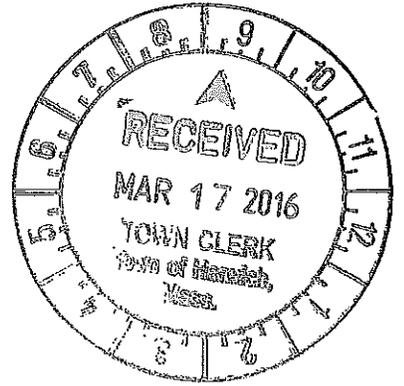
**DATE:** March 28, 2016

---

Following posted interviews held on Tuesday, March 22, 2016, the Selectmen's Interview and Nominations Sub-committee requests that the Board make the following appointments:

Housing Committee	Arthur Bodin	June 2018 expiration
Wastewater Implementation Committee	Sharon Plfeger	June 2018 expiration

Selectmen's Interview/Nominations Subcommittee  
Selectmen's Office, Town Hall  
Tuesday, March 22, 2016  
10:45 am



I. CALL TO ORDER

II. NEW BUSINESS

- A. Interview applicant(s) for various committee vacancies – *discussion and possible vote*
1. Wastewater Implementation Committee
  2. Housing Committee

III. ADJOURNMENT

*\*Per the Attorney General's Office: The Board of Selectmen may hold an open session for topics not reasonably anticipated by the Chair 48 hours in advance of the meeting following "New Business."*

*If you are deaf or hard of hearing or are a person with a disability who requires an accommodation, contact the Selectmen's Office at (508) 430-7512 ext. 2*

Authorized Posting Officer:

Posted by: *Arleta Dineen*  
Town Clerk

*Sandra Robinson*  
Sandra Robinson, Admin. Secretary

Date: March 17, 2016

## **DRAFT**

### **HARWICH SINGLE-USE PLASTIC BAG PROHIBITION SUMMARY**

#### **PURPOSE AND INTENT**

- The production and use of single purpose plastic bags has significant impacts on the marine and land environment of communities including coastal communities, including but not limited to deaths of marine and terrestrial animals through ingestion, entanglement, the pollution of land resources through litter requiring significant expense to remove, the clogging of storm drainage systems, interference with single stream resource recovery systems which are generally not equipped to handle plastic bags and using millions of gallons of fossil fuels in the U.S. in connection with their manufacture.

#### **DEFINITIONS**

- “Establishment” means any business selling goods, articles, food or personal services to the public, including take out restaurants.
- “Single use plastic bags” means bags made of plastic with integral handles, and of a thickness less than 2.5 mils, that are intended to be used for the transport of products purchased at an establishment as defined herein. See samples.
- “Reusable bag” means a bag that is specifically designed for multiple use and is made of cloth, fabric or other durable materials.

#### **USE REGULATIONS**

- Single-use plastic bags shall not be distributed or sold at any Establishment within the Town of Harwich. Existing stock of single-use bags shall be phased out by **June 15, 2016**; any remaining stock shall be disposed of properly by the Establishment. If Establishment is part of a franchise or chain it is suggested that such excess inventory be redistributed to other Establishments within the company where they are not yet affected by a single-use plastic bag ban.
- Customers are encouraged to bring their own reusable shopping bags to stores. Establishments may provide reusable bags at no charge or charge a fee for paper or other reusable bag, as they choose. Establishments are strongly encouraged to make reusable bags available to customers at a reasonable price.
- Thin-film plastic bags used by Establishments to contain dry cleaning, newspapers, produce, meat, bulk foods, wet items and other similar merchandise, typically without handles, are exempt from the provisions of this By-Law.

#### **ADMINISTRATION AND ENFORCEMENT**

- This By-Law may be enforced by any Town police officer, enforcement officers or agents of the Board of Health.
- This By-law may be enforced through any lawful means in law or in equity, including but not limited to, non criminal disposition pursuant to G.L. c. 40 sec. 21D and appropriate chapter of the General By-Laws of the Town of Harwich. If non criminal disposition is elected, then any Establishment which violates any provision this By-Law shall be subject to the following penalties:

**First Offense:** \$50 fine    **Second Offense:** \$100 fine    **Third & Subsequent Offense:** \$200 fine

- Subsequent offenses shall be determined as offenses occurring within two years of the date of the first noticed offense. Each day or portion thereof shall constitute a separate offense.

#### **WHAT THE BAG BAN DOES NOT DO**

- Does not authorize that law enforcement in any way to enforce this by-law amendment in any manner except at retail establishment check out; no individual can be cited for possession of a plastic bag even though banned at check out.

## **HARWICH IS A LEADER!**

### **WHAT OTHER MASSACHUSETTS TOWNS HAVE PLASTIC BAG BANS?**

Barnstable  
Brookline  
Cambridge  
Chatham  
Concord  
Falmouth  
Great Barrington  
Harwich  
Manchester  
Marblehead  
Nantucket  
Newburyport  
Newton  
Northampton  
Provincetown  
Truro  
Wellfleet  
Williamstown

### **OTHER TOWNS IN THE DEVELOPMENT PHASE OF PETITIONING AND ADOPTING PLASTIC BAG BANS**

Boston  
Dartmouth  
Duxbury  
Greenfield  
Hanover  
Lee  
Lenox  
Natick  
Pittsfield  
Plymouth  
Somerville  
Springfield

### **EXISTING POLYSTYRENE BANS**

Amherst  
Brookline  
Great Barrington  
Marblehead  
Somerville  
Nantucket  
Pittsfield  
South Hadley  
Williamstown

**DRAFT/INTERNAL**  
**Timeline and Opportunities**

**January 2016**

Meet with Town Manager, Chris Clark & Charleen; Jeremy at HCC

**February 2016**

Develop Presentation & Training Workshop for Volunteers:

Write Presentation & Supporting Documents – 02/04 (Wendy & Bob)  
Create list of nonprofits, service clubs, churches, schools for presentations  
(Goal: Hold first volunteer workshop training early April)

**March 2016**

Meet with Key Officials & Leaders:

Police Dept., Board of Health, Chamber of Commerce, Town - 03/23  
Review Bag Ban Bylaw  
Develop Public Timeline  
Develop strategy for contacting stores (see list)  
Identify key store(s) in support of ban and early ban transition – think big

Implement Presentations:

Schedule Store Visits – week of 3/28  
Meeting with Selectboard – 3/28

Schedule and Start PR:

Local Access TV  
Newspaper Article(s)  
Determine date(s) for volunteer workshop training/Harwich Community Ctr  
Enlist volunteers to write letters to the editor

**April 2016**

Schedule Public Presentations Dates – Various dates Mid- and Late-April  
Hold Volunteer Workshop Training  
Schedule Public School Presentation  
Introduce Art Contest Idea Opportunity for Bag Design; HCC Partnership/embracing the  
“Warm Side of the Cape” theme? Store Sponsorships (use budget for bags as example)  
Research Locally Sourced Reusable Bags  
Tour de Trash – trash pickup day – 4/30

**May 2016 & June 2016**

Continue with Public Presentations; store presentations, service clubs & PR  
June 15<sup>th</sup> – Ban begins

Town of Harwich, MA  
Wednesday, March 23, 2016

## Chapter 122. Hazardous Materials

### Article II. Single-Use Plastic Bags

#### § 122-5. Purpose and intent.

- A. The production and use of single-purpose plastic bags has significant impacts on the marine and land environment of communities, including coastal communities, including but not limited to deaths of marine and terrestrial animals through ingestion, entanglement, the pollution of land resources through litter requiring significant expense to remove, the clogging of storm drainage systems, interference with single-stream resource recovery systems, which are generally not equipped to handle plastic bags, and using millions of gallons of fossil fuels in the U.S. in connection with their manufacture.
- B. Therefore, the Town of Harwich seeks to phase out the single-use plastic bags by all retail establishments over the period of 12 months from the effective date of this bylaw. The purpose of this legislation is to phase out the usage of single-use checkout bags by retail establishments and restaurants in the Town of Harwich.

#### § 122-6. Definitions.

As used in this article, the following terms shall have the meanings indicated:

**ESTABLISHMENT**

Any business selling goods, articles, food or personal services to the public, including takeout restaurants.

**REUSABLE BAG**

A bag that is specifically designed for multiple use and is made of cloth, fabric or other durable materials.

**SINGLE-USE PLASTIC BAGS**

Bags made of plastic with integral handles, and of a thickness less than 2.5 mils, that are intended to be used for the transport of products purchased at an establishment as defined herein.

#### § 122-7. Use regulations.

- A. Single-use plastic bags shall not be distributed or sold at any establishment within the Town of Harwich. Existing stock of single-use bags shall be phased out within 12 months of adoption of this bylaw; any remaining stock shall be disposed of properly by the establishment.
- B. Customers are encouraged, in the meantime, to bring their own reusable shopping bags to stores. Establishments may provide reusable bags at no charge or charge a fee for paper or other reusable

bag, as they choose. Establishments are strongly encouraged to make reusable bags available to customers at a reasonable price.

- C. Thin-film plastic bags used by establishments to contain dry-cleaning, newspapers, produce, meat, bulk foods, wet items and other similar merchandise, typically without handles, are exempt from the provisions of this bylaw.

## § 122-8. Administration and enforcement.

- A. This bylaw may be enforced by any Town police officer, enforcement officers or agents of the Board of Health.
- B. This bylaw may be enforced through any lawful means in law or in equity, including, but not limited to, noncriminal disposition pursuant to MGL c. 40, § 21D, and the appropriate chapter of the General Bylaws of the Town of Harwich. If noncriminal disposition is elected, then any establishment which violates any provision this bylaw shall be subject to the following penalties:
  - (1) First offense: \$50 fine.
  - (2) Second offense: \$100 fine.
  - (3) Third and subsequent offense: \$200 fine.
- C. Subsequent offenses shall be determined as offenses occurring within two years of the date of the first noticed offense. Each day or portion thereof shall constitute a separate offense.

**OFFICE OF THE TOWN ADMINISTRATOR**

Phone (508) 430-7513

Fax (508) 432-5039



**Christopher Clark**, *Town Administrator*

**Charleen Greenhalgh**, *Assistant Town Administrator*

732 MAIN STREET, HARWICH, MA

# MEMO

TO: Board of Selectmen

FROM: Sandra Robinson, Administrative Secretary

RE: Legal Advertising Contract FY 17 – FY 19

DATE: March 22, 2016

---

At the Selectmen's meeting held on Monday, March 21, 2016, the matter of the Contract for Legal Advertising for a new 3-year contract with the Cape Cod Chronicle was discussed. At that time, the Board voted to hold the item until additional information could be reviewed.

I have attached the following information as requested:

- The Chronicle's prior proposal for FY 14 – FY 16
- Budget reports for Legal Advertising for FY 13 through FY 16
- Cape Cod Chronicle Rate Information
- Examples of pricing for Cape Cod Times Legal Ads

In addition to the Cape Cod Chronicle, we solicited responses from the Cape Cod Times and the Cape Codder, both of which offer local circulation. We received no response from either newspaper for this bid.

**TOWN OF HARWICH  
INVITATION FOR BIDS  
LEGAL ADVERTISING  
FY 2017 – FY 2019**

Sealed bids for a three-year contract for **Legal Advertising** will be accepted from all newspapers having general distribution in the Town of Harwich, at the Office of the Town Administrator, 732 Main Street, Harwich, MA 02645, until 2:00 P.M., Thursday, March 3, 2016 at which time they will be publicly opened and read aloud. Said bids shall be for the period beginning **July 1, 2016 through June 30, 2019**.

Delivery of the bids will be at the bidder's expense. Any and all damages that may occur due to packaging, shipping or timely arrival will be the sole responsibility of the bidder.

All bids must be submitted **in duplicate** on a bid form provided by the Town and placed in one (1) sealed envelope clearly marked, "BID FOR LEGAL ADVERTISING."

Specifications are available at the Town Administrator's Office at the above address from 8:30 A.M. until 4:00 P.M. on Tuesday through Thursday; 8:30 A.M. until 8:00 P.M. on Monday; and 8:30 A.M. until Noon on Friday, or may be obtained by calling (508) 430-7513. All questions and inquiries should be directed to Christopher Clark, Town Administrator, at the number listed above.

The Town of Harwich reserves the right to reject any and all bids if it determines that such bid does not represent person(s) competent to perform the work specified, or that only one bid was received and the price is not reasonable for acceptance without competition, and further, to accept or reject any bid if deemed to be in the best interest of the Town.

Award of a contract by the Board of Selectmen will be made within 30 days after the date of the bid opening. One contract will be awarded to the responsive and responsible bidder with the lowest total bid for all three years of the contract.

Christopher Clark  
Town Administrator

Cape Cod Chronicle: February 4, 2016  
Goods and Services: February 1, 2016  
Posted: February 4, 2016

**TOWN OF HARWICH  
INFORMATION AND SPECIFICATIONS  
FOR LEGAL ADVERTISING  
FOR FISCAL YEARS 2017 THROUGH 2019**

**SECTION A – GENERAL INFORMATION**

**1.0 Intent, Receipt and Opening of Bids**

- 1.1 The Town of Harwich, acting under the authority of its Board of Selectmen, hereinafter referred to as the Awarding Authority, will receive sealed bids from newspapers having general distribution in the Town of Harwich for **Legal Advertising for Fiscal Years 2017 through 2019**. Said bids shall be for the period beginning July 1, 2016 through June 30, 2019.
- 1.2 Such bids, addressed to the Office of the Town Administrator, must be submitted **in duplicate** in one sealed envelope clearly marked on the outside of the envelope: “**BID FOR LEGAL ADVERTISING.**” All bids must be received in the Town Administrator’s Office, Town Hall, 732 Main Street, Harwich, MA 02645 no later than **2:00 P.M., Thursday, March 3, 2016**, at which time they will be publicly opened and read aloud.
- 1.3 Bids received after the time and date established herein for the bid opening will not be accepted or considered regardless of the cause for delay in the receipt of such bids.
- 1.4 If, at the time of the scheduled bid opening, Town Hall is closed due to uncontrolled events, the bid opening will be postponed until 11:00 A.M. on the next normal business day. Bids will be accepted until that date and time.
- 1.5 All expenses for the preparation and delivery of bids to the Town will be borne by the bidder. The Town of Harwich is not liable for any costs associated with any bid and/or any resulting agreement.

**2.0 Bid Form**

- 2.1 Each bidder must submit the following forms, which are included in this bid package: Form A – Bid Pricing Sheet; Form B – Certificate of Non-Collusion and Statement of Tax Compliance. In cases where the bidder is a corporation, the bidder shall also submit Form C – Corporate Resolution, with the corporate seal stamped in the appropriate space provided on said form.
- 2.2 Bid forms must be completed in ink or by typewriter. The bid price shall be stated in figures. All bid forms shall be signed by a person(s) authorized to enter into contracts on behalf of the company.

2.3 A sample legal advertisement must be included with the bid form.

### **3.0 Addenda and Interpretation**

3.1 If any changes are made to this Invitation for Bids an addendum will be issued. Addendums will be mailed or faxed to all bidders on record as having received the Invitation for Bids.

3.2 Questions by prospective bidders concerning any information contained within this bid package should be directed to Christopher Clark, Town Administrator, at (508) 430-7513 ext. 2, between the hours of 8:30 A.M. and 8:00 P.M. on Monday; Tuesday through Thursday 8:30 A.M. until 4:00 P.M.; Friday 8:30 A.M. until Noon.

3.3 By submitting a bid, the bidder warrants that he/she has thoroughly examined the specifications and is fully acquainted with all requirements contained therein.

### **4.0 Withdrawal or Modification of Bids**

4.1 A bidder may correct, modify, or withdraw a bid by written notice received at the Town Administrator's Office prior to the time and date set for the bid opening. Bid modifications must be submitted in a sealed envelope clearly labeled "Modification No. \_\_\_." Each modification must be numbered in sequence, and must reference the original bid.

After the bid opening, the bidder may not change any provision of the bid in a manner prejudicial to the interests of the Town or fair competition. Minor informalities will be waived or the bidder will be allowed to correct them. If a mistake and the intended bid are clearly evident on the face of the bid document, the mistake will be corrected to reflect the intended correct bid, and the bidder will be notified in writing; the bidder may not withdraw the bid. A bidder may withdraw a bid if a mistake is clearly evident on the face of the bid document, but the intended correct bid is not similarly evident.

### **5.0 Rule for Award**

5.1 One contract will be awarded to the responsive and responsible bidder with the lowest total bid for all three years of the contract.

## **SECTION B – SPECIFICATIONS**

1. All billing is to be addressed to the Town Accountant and not to individual departments. Invoices must include proof of publication for each advertisement billed and the name of the department that placed the advertisement shall be indicated on the invoice.

2. The Town shall provide a copy of all Annual and/or Special Town Meeting Warrants to the newspaper by mail, email, or fax 10 to 14 days prior to the specified publication date. A hard copy of the newspaper ad for all Annual and/or Special Town Meeting Warrants shall be delivered to the Office of the Town Administrator by mail or courier during normal business hours for the purpose of proof-reading. Faxed copies and/or emails will not be accepted. A minimum of five (5) days must be allowed the Town for proof-reading, editing and re-submittal of corrected copy to the newspaper before its deadline.
3. Point size shall be a minimum of 7 for all legal advertisements.

FORM A

BID PRICING SHEET  
LEGAL ADVERTISING FOR FISCAL YEARS 2017 THROUGH 2019

Please submit bids in duplicate

The undersigned proposes to furnish Legal Advertising for the period beginning July 1, 2016 through June 30, 2019 to the Town of Harwich in accordance with the Invitation for Bids, Specifications and any other related documents, for the contract price stated below:

	Year 1	Year 2	Year 3	Total
1. Legal rate per column inch	\$	\$	\$	\$

3. Cash discount percentage allowed for payments made by the 10<sup>th</sup> of the month following publication.

\_\_\_\_\_

3. Publication deadline and method of delivery

\_\_\_\_\_

4. Circulation figures for the Town of Harwich

\_\_\_\_\_

\*\*\*\*\*

\_\_\_\_\_  
Authorized signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed name of person signing above

\_\_\_\_\_  
Acknowledgement of addendums (if any)

\_\_\_\_\_  
Business name

\_\_\_\_\_  
Business address

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
Telephone number

**FORM B**

**CERTIFICATE OF NON-COLLUSION**

The undersigned certifies under penalties of perjury that this bid or proposal has been made and submitted in good faith and without collusion or fraud with any other person. As used in this certification, the work "person" shall mean any natural person, business, partnership, corporation, union, committee, club or other organization, entity or group of individuals.

\_\_\_\_\_  
Authorized signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed name of person signing above

\_\_\_\_\_  
Business name

\_\_\_\_\_  
Business address

\_\_\_\_\_  
City, State, Zip Code

\*\*\*\*\*

**TAX COMPLIANCE CERTIFICATION**

Pursuant to M.G.L. Ch. 62C§49A, I certify under the penalties of perjury that, to the best of my knowledge and belief, I am in compliance with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting of child support.

\_\_\_\_\_  
Authorized signature

\_\_\_\_\_  
Date

**FORM C**  
**CORPORATE RESOLUTION**

I, \_\_\_\_\_, hereby certify that I am the duly acting  
(Secretary of Corporation)  
Secretary of \_\_\_\_\_ and I further certify  
that a meeting of the Directors of said Company, duly called and held on \_\_\_\_\_,  
at which all Directors were present and voting, the following individual(s):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

were duly authorized and empowered to execute Forms of General Bid, Contracts, Agreements  
or Bonds on behalf of the Corporation. I further certify that the above authority is still in  
effect and has not changed or modified in any respect.

By \_\_\_\_\_  
(Secretary of Corporation)

A True Copy:

Attest \_\_\_\_\_  
(Notary Public)

My Commission Expires \_\_\_\_\_  
(Date)

**SAMPLE**

**TOWN OF HARWICH  
CONTRACT AGREEMENT FOR  
LEGAL ADVERTISING FOR FISCAL YEARS 2017 THROUGH 2019**

This Contract Agreement is made this \_\_\_\_\_ day of March, 2016 between the Town of Harwich (hereinafter referred to as "OWNER") and \_\_\_\_\_ (hereinafter referred to as "CONTRACTOR").

The Contractor is to supply the Owner with all materials, equipment, service and/or labor as required in the Specifications and Plans provided by the Town of Harwich in its Invitation to Bid, and in accordance with the Bid Proposal submitted by the Contractor dated \_\_\_\_\_ for the amount of \$ \_\_\_\_\_ per column inch in fiscal year 2017; \$ \_\_\_\_\_ per column inch in fiscal year 2018; and \$ \_\_\_\_\_ per column inch in fiscal year 2019.

The undersigned certifies under penalties of perjury that the bid is in all respects bona fide, fair and made without collusion or fraud with any other person. As used in this paragraph, the word "person" shall mean any natural person, joint venture, partnership, corporation or other business or legal entity.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed.

FOR: \_\_\_\_\_  
(CONTRACTOR)

FOR: The Town of Harwich  
(OWNER)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_

\_\_\_\_\_  
(Date)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Board of Selectmen

FORM A

BID PRICING SHEET  
LEGAL ADVERTISING FOR FISCAL YEARS 2017 THROUGH 2019

Please submit bids in duplicate

The undersigned proposes to furnish Legal Advertising for the period beginning July 1, 2016 through June 30, 2019 to the Town of Harwich in accordance with the Invitation for Bids, Specifications and any other related documents, for the contract price stated below:

	Year 1	Year 2	Year 3	Total
1. Legal rate per column inch	\$5.00	\$5.50	\$6.00	\$

3. Cash discount percentage allowed for payments made by the 10<sup>th</sup> of the month following publication.

N/A

3. Publication deadline and method of delivery *Monday at noon unless there is a Monday holiday in which case the deadline is Friday at noon for the following Thursday.*

4. Circulation figures for the Town of Harwich *2,800*

\*\*\*\*\*



Authorized signature

February 26, 2016

Date

Henry C. Hyora

Printed name of person signing above

Acknowledgement of addendums (if any)

Hyora Publications, Inc.

Business name

60-C Munson Meeting Way

Business address

Chatham, MA 02633

City, State, Zip Code

508-945-2220

Telephone number

FORM A

BID PRICING SHEET  
LEGAL ADVERTISING FOR FISCAL YEARS 2014 THROUGH 2016

Please submit bids in duplicate

The undersigned proposes to furnish Legal Advertising for the period beginning July 1, 2013 through June 30, 2016 to the Town of Harwich in accordance with the Invitation for Bids, Specifications and any other related documents, for the contract price stated below:

	Year 1	Year 2	Year 3	Total
1. Legal rate per column inch	\$ 2.50	\$ 3.00	\$ 3.50	\$

3. Cash discount percentage allowed for payments made by the 10<sup>th</sup> of the month following publication.

10% / via email

3. Publication deadline and method of delivery

Monday noon - except for Monday holidays

4. Circulation figures for the Town of Harwich

3250

\*\*\*\*\*

H.A.  
Authorized signature

6-17-13  
Date

H.C. AYORA  
Printed name of person signing above

Acknowledgement of addendums (if any)

The Cape Cod Chronicle  
Business name

60 C. Manson Meeting Way  
Business address

Chatham, Ma 02633  
City, State, Zip Code

508-945-2220  
Telephone number

03/22/2016 08:46  
srobinson

|TOWN OF HARWICH - LIVE DATA  
|LEGAL ADS

FY16

|P 1  
|glytdbud

FOR 2016 12

JOURNAL DETAIL 2016 1 TO 2016 12

ACCOUNTS FOR: 0100	GENERAL FUND	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD EXPENDED	ENC/REQ	AVAILABLE BUDGET	PCT USED
011942 ADVERTISING								
534100 ADVERTISING								
0100-1-194-0000-000-000-0-2-534100-		3,500	ADVERTISING 0	3,500	2,274.10	.00	1,225.90	65.0%
2016/01/000254 07/01/2015 BUC		3,500.00	REF				ORIGINAL BUDGET 2016	
2016/02/000122 08/20/2015 API		577.60	VND 004116 VCH	CAPE COD CHRONICLE	H001			184911
2016/03/000049 09/10/2015 API		885.60	VND 004116 VCH	CAPE COD CHRONICLE	H001			
2016/03/000158 09/16/2015 APM		-885.60	VND 004116 VCH	CAPE COD CHRONICLE	H001			
2016/03/000247 09/24/2015 API		308.00	VND 004116 VCH	CAPE COD CHRONICLE	H001			185576
2016/04/000028 10/08/2015 API		360.50	VND 004116 VCH	CAPE COD CHRONICLE	H001			185802
2016/05/000061 11/12/2015 API		399.00	VND 004116 VCH	CAPE COD CHRONICLE	H001			186406
2016/06/000122 12/10/2015 API		511.00	VND 004116 VCH	CAPE COD CHRONICLE	H001			186920
2016/07/000087 01/14/2016 API		336.00	VND 004116 VCH	CAPE COD CHRONICLE	H001			187540
2016/08/000089 02/11/2016 API		373.50	VND 004116 VCH	CAPE COD CHRONICLE	H001			188100
2016/08/000248 02/18/2016 GEN		-1,000.00	REF				Indirects	
2016/09/000074 03/10/2016 API		408.50	VND 004116 VCH	CAPE COD CHRONICLE	H001			188583
TOTAL ADVERTISING		3,500	0	3,500	2,274.10	.00	1,225.90	65.0%
TOTAL ADVERTISING		3,500	0	3,500	2,274.10	.00	1,225.90	65.0%
TOTAL GENERAL FUND		3,500	0	3,500	2,274.10	.00	1,225.90	65.0%
TOTAL EXPENSES		3,500	0	3,500	2,274.10	.00	1,225.90	



03/22/2016 08:46  
srobinson

TOWN OF HARWICH - LIVE DATA  
LEGAL ADS

FY16

P 2  
glytdbud

FOR 2016 12

JOURNAL DETAIL 2016 1 TO 2016 12

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD EXPENDED	ENC/REQ	AVAILABLE BUDGET	PCT USED
--	--------------------	----------------------	-------------------	--------------	---------	---------------------	-------------

GRAND TOTAL	3,500	0	3,500	2,274.10	.00	1,225.90	65.0%
-------------	-------	---	-------	----------	-----	----------	-------

\*\* END OF REPORT - Generated by Sandy Robinson \*\*

03/22/2016 08:48  
srobinson

TOWN OF HARWICH - LIVE DATA  
LEGAL ADS

FY16

P 1  
glytdbud

FOR 2015 12

JOURNAL DETAIL 2015 1 TO 2015 12

ACCOUNTS FOR: 0100 GENERAL FUND	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD EXPENDED	ENC/REQ	AVAILABLE BUDGET	PCT USED
011942 ADVERTISING							
534100 ADVERTISING							
0100-1-194-0000-000-000-0-2-534100-	3,500	ADVERTISING 938	4,438	4,438.00	.00	.00	100.0%
2015/01/000185 07/01/2014 BUC	3,500.00	REF					
2015/02/000113 08/28/2014 API	239.00	VND 004116 VCH	CAPE COD CHRONICLE	H001	ORIGINAL BUDGET 2015		178037
2015/03/000041 09/10/2014 API	258.00	VND 004116 VCH	CAPE COD CHRONICLE	H001			178261
2015/04/000048 10/16/2014 API	162.00	VND 004116 VCH	CAPE COD CHRONICLE	H001			178972
2015/05/000068 11/20/2014 API	705.00	VND 004116 VCH	CAPE COD CHRONICLE	H001			179516
2015/11/000012 05/05/2015 GEN	-1,000.00	REF			Record 2015 Indirects		
2015/11/000058 05/14/2015 API	3,777.00	VND 004116 VCH	CAPE COD CHRONICLE	H001			182477
2015/12/000029 06/11/2015 API	297.00	VND 004116 VCH	CAPE COD CHRONICLE	H001			183119
2015/12/000477 06/30/2015 BUA	938.00	REF					
TOTAL ADVERTISING	3,500	938	4,438	4,438.00	.00	.00	100.0%
TOTAL ADVERTISING	3,500	938	4,438	4,438.00	.00	.00	100.0%
TOTAL GENERAL FUND	3,500	938	4,438	4,438.00	.00	.00	100.0%
TOTAL EXPENSES	3,500	938	4,438	4,438.00	.00	.00	

03/22/2016 08:48  
 srobinson

TOWN OF HARWICH - LIVE DATA  
 LEGAL ADS

FY16

IP 2  
 glytdbud

FOR 2015 12

JOURNAL DETAIL 2015 1 TO 2015 12

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD EXPENDED	ENC/REQ	AVAILABLE BUDGET	PCT USED
GRAND TOTAL	3,500	938	4,438	4,438.00	.00	.00	100.0%

\*\* END OF REPORT - Generated by Sandy Robinson \*\*

03/22/2016 08:52  
srobinson

TOWN OF HARWICH - LIVE DATA  
LEGAL ADS

FY16

P 1  
glytdbud

FOR 2014 12

JOURNAL DETAIL 2014 1 TO 2014 12

ACCOUNTS FOR: 0100	GENERAL FUND	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD EXPENDED	ENC/REQ	AVAILABLE BUDGET	PCT USED
011942 ADVERTISING								
534100 ADVERTISING								
0100-1-194-0000-000-000-0-2-534100-		3,500	ADVERTISING 3,641	7,141	7,140.50	.00	.00	100.0%*
2014/01/000247	07/31/2013 BUC	3,500.00	REF				ORIGINAL BUDGET 2014	
2014/02/000003	07/31/2013 API	215.00	VND 004116 VCH	CAPE COD CHRONICLE	H001			170719
2014/04/000062	10/11/2013 API	175.00	VND 004116 VCH	CAPE COD CHRONICLE	H001			171971
2014/05/000108	11/18/2013 API	607.50	VND 004116 VCH	CAPE COD CHRONICLE	H001			172624
2014/06/000018	12/05/2013 API	282.00	VND 004116 VCH	CAPE COD CHRONICLE	H001			172965
2014/07/000004	01/02/2014 API	130.00	VND 004116 VCH	CAPE COD CHRONICLE	H001			173363
2014/09/000024	03/06/2014 API	160.00	VND 004116 VCH	CAPE COD CHRONICLE	H001			174595
2014/09/000056	03/13/2014 API	335.00	VND 004116 VCH	CAPE COD CHRONICLE	H001			174791
2014/10/000105	04/25/2014 API	215.00	VND 004116 VCH	CAPE COD CHRONICLE	H001			175520
2014/11/000081	05/15/2014 API	5,102.50	VND 004116 VCH	CAPE COD CHRONICLE	H001			175909
2014/12/000023	06/05/2014 API	287.50	VND 004116 VCH	CAPE COD CHRONICLE	H001			176428
2014/12/000179	06/30/2014 API	210.00	VND 004116 VCH	CAPE COD CHRONICLE	ACCT	#H001 - JUNE 2014		177155
2014/12/000255	06/30/2014 BUA	4,219.50	REF BUDADJ			MGL CH 44/53-BUD TRSF		
2014/12/000271	06/30/2014 GEN	-579.00	REF FY2014			YEC ADJ-WATER INDIRECT CHRGS		
2014/12/000272	06/30/2014 BUA	-579.00	REF BUDADJ			YEC ADJ-WATER INDIRECT CHRGS		
TOTAL ADVERTISING		3,500	3,641	7,141	7,140.50	.00	.00	100.0%
TOTAL ADVERTISING		3,500	3,641	7,141	7,140.50	.00	.00	100.0%
TOTAL GENERAL FUND		3,500	3,641	7,141	7,140.50	.00	.00	100.0%
TOTAL EXPENSES		3,500	3,641	7,141	7,140.50	.00	.00	

03/22/2016 08:52  
srobinson

| TOWN OF HARWICH - LIVE DATA  
| LEGAL ADS

| P 2  
| glytdbud

FY16

FOR 2014 12

JOURNAL DETAIL 2014 1 TO 2014 12

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD EXPENDED	ENC/REQ	AVAILABLE BUDGET	PCT USED
--	--------------------	----------------------	-------------------	--------------	---------	---------------------	-------------

GRAND TOTAL	3,500	3,641	7,141	7,140.50	.00	.00	100.0%
-------------	-------	-------	-------	----------	-----	-----	--------

\*\* END OF REPORT - Generated by Sandy Robinson \*\*

03/22/2016 08:55  
srobinson

|TOWN OF HARWICH - LIVE DATA  
|LEGAL ADS

FY16

|P 1  
|glytdbud

FOR 2013 12

JOURNAL DETAIL 2013 1 TO 2013 12

ACCOUNTS FOR: 0100	GENERAL FUND	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD EXPENDED	ENC/REQ	AVAILABLE BUDGET	PCT USED
011942 ADVERTISING								
534100 ADVERTISING								
0100-1-194-0000-000-000-0-2-534100-								
		3,500	ADVERTISING 2,168	5,668	5,668.00	.00	.00	100.0%*
2013/01/000158	10/20/2012 BUC	3,500.00	REF				ORIGINAL BUDGET 2013	
2013/02/000034	08/09/2012 API	540.00	VND 004116 VCH	CAPE COD CHRONICLE	H001			164238
2013/03/000065	09/13/2012 API	826.00	VND 004116 VCH	CAPE COD CHRONICLE	H001			164877
2013/04/000066	10/18/2012 API	124.00	VND 004116 VCH	CAPE COD CHRONICLE	H001			165594
2013/05/000069	11/20/2012 API	194.00	VND 004116 VCH	CAPE COD CHRONICLE	H001			166098
2013/06/000084	12/13/2012 API	242.00	VND 004116 VCH	CAPE COD CHRONICLE	H001			166556
2013/07/000092	01/18/2013 API	114.00	VND 004116 VCH	CAPE COD CHRONICLE	H001			167163
2013/08/000081	02/14/2013 API	250.00	VND 004116 VCH	CAPE COD CHRONICLE	H001			167722
2013/09/000140	03/28/2013 API	230.00	VND 004116 VCH	CAPE COD CHRONICLE	H001			168379
2013/10/000035	04/11/2013 API	255.00	VND 004116 VCH	CAPE COD CHRONICLE	H001			168618
2013/11/000008	05/02/2013 API	148.00	VND 004116 VCH	CAPE COD CHRONICLE	H001			169136
2013/11/000126	05/23/2013 API	2,305.00	VND 004116 VCH	CAPE COD CHRONICLE	H001		TOWN WARRANT FOR HARWICH	169444
2013/12/000038	06/13/2013 API	262.00	VND 004116 VCH	CAPE COD CHRONICLE	H001			169840
2013/12/000236	06/30/2013 BUA	1,990.00	REF BUDADJ				YR END RES FD TRSF	
2013/12/000248	06/30/2013 API	178.00	VND 004116 VCH	CAPE COD CHRONICLE	H001		- JUNE 2013 CHARGES	170324
2013/12/000290	06/30/2013 BUA	178.00	REF TRS					
TOTAL ADVERTISING		3,500	2,168	5,668	5,668.00	.00	.00	100.0%
TOTAL ADVERTISING		3,500	2,168	5,668	5,668.00	.00	.00	100.0%
TOTAL GENERAL FUND		3,500	2,168	5,668	5,668.00	.00	.00	100.0%
TOTAL EXPENSES		3,500	2,168	5,668	5,668.00	.00	.00	



03/22/2016 08:55  
srobinson

TOWN OF HARWICH - LIVE DATA  
LEGAL ADS

FY16

P 2  
glytdbud

FOR 2013 12

JOURNAL DETAIL 2013 1 TO 2013 12

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD EXPENDED	ENC/REQ	AVAILABLE BUDGET	PCT USED
GRAND TOTAL	3,500	2,168	5,668	5,668.00	.00	.00	100.0%

\*\* END OF REPORT - Generated by Sandy Robinson \*\*

**Cape Cod Chronicle**  
**Rate Comparison for Town of Harwich**  
**3/23/16**

**Legal Rates:**

The Town of Harwich has a reduced rate. The bid for 2016 is for \$5.00  
Attorneys or others who call for legal ads are charged our Open Rate which is \$17.10 per  
Column inch.  
April 1, 2016 that rate will increase to \$17.35.

**Classified Rates:**

First 15 words: \$12, \$.25 per word thereafter – this rate is the same for all.

**Display Rates:**

The Town of Harwich receives our best rate of \$11.55 per inch for display ads.  
The open rate for others is \$17.10 per column inch.  
Those on contracts can get a reduction when committing to 8, 13, 26 or 52 time  
insertions.  
Again April 1 this rate will increase to \$11.80 per column inch as will the open rate to  
\$17.35.

# The Cape Cod Chronicle April 1, 2016 - March 31, 2017 Advertising Rates

#	Open	8x	13x	26x	52x
1	17.35	13.35	12.70	12.20	11.80
2	34.70	26.70	25.40	24.40	23.60
3	52.05	40.05	38.10	36.60	35.40
4	69.40	53.40	50.80	48.80	47.20
5	86.75	66.75	63.50	61.00	59.00
6	104.10	80.10	76.20	73.20	70.80
7	121.45	93.45	88.90	85.40	82.60
8	138.80	106.80	101.60	97.60	94.40
9	156.15	120.15	114.30	109.80	106.20
	Price Break 17.25	Price Break 13.25	Price Break 12.60	Price Break 12.10	Price Break 11.70
10	172.50	132.50	126.00	121.00	117.00
11	189.75	145.75	138.60	133.10	128.70
12	207.00	159.00	151.20	145.20	140.40
13	224.25	172.25	163.80	157.30	152.10
14	241.50	185.50	176.40	169.40	163.80
15	258.75	198.75	189.00	181.50	175.50
16	276.00	212.00	201.60	193.60	187.20
17	293.25	225.25	214.20	205.70	198.90
18	310.50	238.50	226.80	217.80	210.60
19	327.75	251.75	239.40	229.90	222.30
20	345.00	265.00	252.00	242.00	234.00
21	362.25	278.25	264.60	254.10	245.70
22	379.50	291.50	277.20	266.20	257.40
23	396.75	304.75	289.80	278.30	269.10
	Price Break 17.15	Price Break 13.15	Price Break 12.50	Price Break 12.00	Price Break 11.60
24	411.60	315.60	300.00	288.00	278.40
25	428.75	328.75	312.50	300.00	290.00
26	445.90	341.90	325.00	312.00	301.60
27	463.05	355.05	337.50	324.00	313.20
28	480.20	368.20	350.00	336.00	324.80
29	497.35	381.35	362.50	348.00	336.40
30	514.50	394.50	375.00	360.00	348.00
31	531.65	407.65	387.50	372.00	359.60
32	548.80	420.80	400.00	384.00	371.20
33	565.95	433.95	412.50	396.00	382.80
34	583.10	447.10	425.00	408.00	394.40
35	600.25	460.25	437.50	420.00	406.00
36	617.40	473.40	450.00	432.00	417.60
37	634.55	486.55	462.50	444.00	429.20
38	651.70	499.70	475.00	456.00	440.80
39	668.85	512.85	487.50	468.00	452.40
40	686.00	526.00	500.00	480.00	464.00
41	703.15	539.15	512.50	492.00	475.60
42	720.30	552.30	525.00	504.00	487.20
43	737.45	565.45	537.50	516.00	498.80
44	754.60	578.60	550.00	528.00	510.40
45	771.75	591.75	562.50	540.00	522.00
46	788.90	604.90	575.00	552.00	533.60
47	806.05	618.05	587.50	564.00	545.20
	Price Break 17.05	Price Break 13.05	Price Break 12.40	Price Break 11.90	Price Break 11.50
48	818.40	626.40	595.20	571.20	552.00

## The Cape Cod Chronicle April 1, 2015 - March 30, 2017 Advertising Rates

49	835.45	639.45	607.60	583.10	563.50
50	852.50	652.50	620.00	595.00	575.00
51	869.55	665.55	632.40	606.90	586.50
52	886.60	678.60	644.80	618.80	598.00
53	903.65	691.65	657.20	630.70	609.50
54	920.70	704.70	669.60	642.60	621.00
55	937.75	717.75	682.00	654.50	632.50
56	954.80	730.80	694.40	666.40	644.00
57	971.85	743.85	706.80	678.30	655.50
58	988.90	756.90	719.20	690.20	667.00
59	1005.95	769.95	731.60	702.10	678.50
60	1023.00	783.00	744.00	714.00	690.00
61	1040.05	796.05	756.40	725.90	701.50
62	1057.10	809.10	768.80	737.80	713.00
63	1074.15	822.15	781.20	749.70	724.50
64	1091.20	835.20	793.60	761.60	736.00
65	1108.25	848.25	806.00	773.50	747.50
66	1125.30	861.30	818.40	785.40	759.00
67	1142.35	874.35	830.80	797.30	770.50
68	1159.40	887.40	843.20	809.20	782.00
69	1176.45	900.45	855.60	821.10	793.50
70	1193.50	913.50	868.00	833.00	805.00
71	1210.55	926.55	880.40	844.90	816.50
72	1227.60	939.60	892.80	856.80	828.00
73	1244.65	952.65	905.20	868.70	839.50
74	1261.70	965.70	917.60	880.60	851.00
75	1278.75	978.75	930.00	892.50	862.50
76	1295.80	991.80	942.40	904.40	874.00
77	1312.85	1004.85	954.80	916.30	885.50
78	1329.90	1017.90	967.20	928.20	897.00
79	1346.95	1030.95	979.60	940.10	908.50
80	1364.00	1044.00	992.00	952.00	920.00
81	1381.05	1057.05	1004.40	963.90	931.50
82	1398.10	1070.10	1016.80	975.80	943.00
83	1415.15	1083.15	1029.20	987.70	954.50
84	1432.20	1096.20	1041.60	999.60	966.00
85	1449.25	1109.25	1054.00	1011.50	977.50
86	1466.30	1122.30	1066.40	1023.40	989.00
87	1483.35	1135.35	1078.80	1035.30	1000.50
88	1500.40	1148.40	1091.20	1047.20	1012.00
89	1517.45	1161.45	1103.60	1059.10	1023.50
90	1534.50	1174.50	1116.00	1071.00	1035.00
91	1551.55	1187.55	1128.40	1082.90	1046.50
92	1568.60	1200.60	1140.80	1094.80	1058.00
93	1585.65	1213.65	1153.20	1106.70	1069.50
94	1602.70	1226.70	1165.60	1118.60	1081.00
95	1619.75	1239.75	1178.00	1130.50	1092.50
	Price Break 16.95	Price Break 12.95	Price Break 12.30	Price Break 11.80	Price Break 11.40
96	1627.20	1243.20	1180.80	1132.80	1094.40



# Order Confirmation

<b>Ad Order Number</b> 0000339218	<b>Customer</b> HARWICH, TOWN OF	<b>Customer Fax</b>	<b>PO Number</b>
<b>Sales Rep.</b> leavitta	<b>Customer Account</b> 500045379	<b>Customer EMAIL</b>	
	<b>Customer Address</b> 732 MAIN STREET HARWICH MA 02645 USA	<b>Payor Customer</b> HARWICH, TOWN OF	<b>Ordered By</b> email - Elaine Banta
	<b>Customer Phone</b> 508-430-7513	<b>Payor Address</b> 732 MAIN STREET HARWICH MA 02645 USA	

<b>Tear Sheets</b> 0	<b>Affidavits</b> 0	<b>Blind Box</b>	<b>Invoice Text</b> Planning Board: Public Hearing
-------------------------	------------------------	------------------	---

<b>Total Amount</b> <b>\$220.80</b>	<b>Payment Method</b>	<b>Payment Amount</b> \$0.00	<b>Amount Due</b> <b>\$220.80</b>
--	-----------------------	---------------------------------	--------------------------------------

<b>Ad Number</b> 0000339218-01	<b>Pick Up</b>	<b>Placement</b> Legals CC - CLS	<b>Position</b> Legal Ads C-Legal
<b>Run Dates</b> 1/25/2016, 2/1/2016		<b>Classification:</b> Municipalities Cls	

### HARWICH PLANNING BOARD PUBLIC HEARING NOTICE

The Harwich Planning Board will hold a public hearing on Tuesday, February 9, 2016 in the Griffin Room, 732 Main St., Harwich, MA to consider the following applications. The public hearing will begin at 6:30 PM followed by the public meeting. Any member of the public having an interest in these applications is invited to attend and provide information and comment relevant to this matter or may submit the same in writing.

PB2016-04 Cumberland Farms, Inc., applicant and lessee, c/o E. James Veara, Esq., B & J Realty Associates, LLC, owner of 574 Route 28 and Cumberland Farms Inc., owner of 576 Route 28, seeks approval for the redevelopment of the Cumberland Farms retail convenience and fuel store in the Commercial Village (C-V) and Village Commercial Overlay (VCO) Districts. Via demolition of the existing structures located at 574 and 576 Route 28, a.k.a. Map 14, Parcels 512 & W11-1, and expunging the interior property line, the proposal seeks to maintain and operate a retail business (convenience store with retail fueling service) by replacing the existing retail structures with a single 3,685 SF structure with outdoor convenience seating and a new fuel dispensing island with canopy. Certain landscape features, associated services and outdoor retail displays / sales are also indicated on the redevelopment plans. As set forth in MGL c. 40A §§ 26B-51 and -55 for Site Plan Review Special Permit and Use Special Permits. By Barnstable Superior Court Order of Remand relative to the Planning Board's decision in the matter of case #PB2014-01 for reconsideration of the application for a Site Plan Special Permit based on a modified plan.

All documents related to the above cases are on file with the Planning Department and the Town Clerk, located at 732 Main Street and may be viewed during regular department business hours.

James P. Atkinson, Chairman  
1/25, 2/1/16

OK.  
Looks Good.  
*Elaine Banta*  
Harwich Planning

03/24/2016 09:30  
ebanta

TOWN OF HARWICH - LIVE DATA  
TOWN OF HARWICH

P 1  
glytdbud

FOR 2016 99

JOURNAL DETAIL 2014 1 TO 2016 12

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
0100 GENERAL FUND							
011762 BOARD OF APPEALS EXPENSE							
534100 ADVERTISING							
011762 534100 ADVERTISING	100	0	100	174.40	.00	-74.40	174.4%
2014/01/000247 07/31/2013 BUC	100.00	REF					
2015/01/000185 07/01/2014 BUC	100.00	REF					
2015/12/000457 06/30/2015 BUA	-2.00	REF					
2016/01/000254 07/01/2015 BUC	100.00	REF					
2016/03/000247 09/24/2015 API	174.40	VND 000916 PO					
				CAPE COD TIMES	#500045379	LEGAL FOR 08/26/201	185582
TOTAL ADVERTISING	100	0	100	174.40	.00	-74.40	174.4%
573000 DUES/SUBSCRIPTIONS/TRAVEL							
011762 573000 DUES/SUBSCRIPTIONS/T	460	0	460	123.50	.00	336.50	26.8%
2014/01/000247 07/31/2013 BUC	210.00	REF					
2014/02/000165 08/22/2013 API	117.00	VND 002898 PO					
2015/01/000185 07/01/2014 BUC	460.00	REF					
2016/01/000254 07/01/2015 BUC	460.00	REF					
2016/03/000247 09/24/2015 API	123.50	VND 002898 PO					
				MCLE INC	231093		171195
				MCLE INC	C# 231093	MA ZONING MANUAL SUP	185615
TOTAL DUES/SUBSCRIPTIONS/TRAVEL	460	0	460	123.50	.00	336.50	26.8%
TOTAL BOARD OF APPEALS EXPENSE	560	0	560	297.90	.00	262.10	53.2%
TOTAL GENERAL FUND	560	0	560	297.90	.00	262.10	53.2%
TOTAL EXPENSES	560	0	560	297.90	.00	262.10	
GRAND TOTAL	560	0	560	297.90	.00	262.10	53.2%

\*\* END OF REPORT - Generated by Elaine Banta \*\*

**OFFICE OF THE TOWN ADMINISTRATOR**

Phone (508) 430-7513

Fax (508) 432-5039

Christopher Clark, *Town Administrator*

Charleen Greenhalgh, *Assistant Town Administrator*

732 MAIN STREET, HARWICH, MA



# Memo

To: Board of Selectmen   
From: Christopher Clark, Town Administrator  
Date: March 21, 2016  
Re: Legal Advertising for Fiscal Year 2017 through 2019

---

On March 3, 2016 at 2:00 PM, our office received and opened only one bid for Legal Advertising for Fiscal Years 2017 through 2019.

The Cape Cod Chronicle bid \$5.00 per column inch for year 1, \$5.50 per column inch for year 2 and \$6.00 per column inch for year 3.

Since this bid is in line with advertising costs paid over the past three years, and having had prior favorable experience with the Chronicle, I recommend that the three-year contract for Legal Advertising for Fiscal Years 2017 through 2019 be awarded to the Cape Cod Chronicle.

T O W N O F



H A R W I C H

*Harwich, Massachusetts  
02645*

TOWN OF HARWICH  
CONTRACT AGREEMENT FOR LEGAL ADVERTISING  
FOR FISCAL YEARS 2017 THROUGH 2019

This Contract Agreement is made this 14<sup>th</sup> day of March, 2016 between the Town of Harwich (hereinafter referred to as "OWNER") and The Cape Cod Chronicle (hereinafter referred to as "CONTRACTOR").

The Contractor is to supply the Owner will all materials, equipment, service and/or labor as required in the Specifications and Plans provided by the Town of Harwich in its Invitation to Bid, and in accordance with the Bid Proposal submitted by the Contractor for the price of \$5.00 per column inch for year 1, \$5.50 per column inch for year 2 and \$6.00 per column inch for year 3.

The undersigned certifies under penalties of perjury that the bid is in all respects bona fide, fair and made without collusion or fraud with any other person. As used in this paragraph, the word "person" shall mean any natural person, joint venture, partnership, corporation or other business or legal entity.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed.

FOR \_\_\_\_\_  
(CONTRACTOR)

FOR the Town of Harwich (OWNER)

\_\_\_\_\_  
(Authorized Signature)

\_\_\_\_\_

\_\_\_\_\_  
(Date)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Board of Selectmen

**FORM A**  
**BID PRICING SHEET**  
**LEGAL ADVERTISING FOR FISCAL YEARS 2017 THROUGH 2019**

**Please submit bids in duplicate**

The undersigned proposes to furnish Legal Advertising for the period beginning July 1, 2016 through June 30, 2019 to the Town of Harwich in accordance with the Invitation for Bids, Specifications and any other related documents, for the contract price stated below:

	<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>	<b>Total</b>
1. Legal rate per column inch	\$5.00	\$5.50	\$6.00	\$

3. Cash discount percentage allowed for payments made by the 10<sup>th</sup> of the month following publication. N/A

3. Publication deadline and method of delivery *Monday at noon unless there is a Monday holiday in which case the deadline is Friday at noon for the following Thursday.*

4. Circulation figures for the Town of Harwich 2,800

\*\*\*\*\*

  
 \_\_\_\_\_  
 Authorized signature

February 26, 2016  
 Date

Henry C. Hyora  
 Printed name of person signing above

Acknowledgement of  
 addendums (if any)

Hyora Publications, Inc.  
 Business name

60-C Munson Meeting Way  
 Business address

Chatham, MA 02633  
 City, State, Zip Code

508-945-2220  
 Telephone number

**FORM B**

**CERTIFICATE OF NON-COLLUSION**

The undersigned certifies under penalties of perjury that this bid or proposal has been made and submitted in good faith and without collusion or fraud with any other person. As used in this certification, the work "person" shall mean any natural person, business, partnership, corporation, union, committee, club or other organization, entity or group of individuals.



\_\_\_\_\_  
Authorized signature

February 26, 2016  
Date

Henry C. Hyora

Printed name of person signing above

Hyora Publications, Inc.

Business name

60-C Munson Meeting Way

Business address

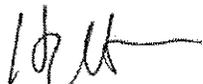
Chatham, MA 02633

City, State, Zip Code

\*\*\*\*\*

**TAX COMPLIANCE CERTIFICATION**

Pursuant to M.G.L. Ch. 62C§49A, I certify under the penalties of perjury that, to the best of my knowledge and belief, I am in compliance with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting of child support.



\_\_\_\_\_  
Authorized signature Henry C. Hyora

February 26, 2016  
Date

**FORM C**

**CORPORATE RESOLUTION**

I, Karyn A. Hyora, hereby certify that I am the duly acting  
(Secretary of Corporation)  
Secretary of Hyora Publications, Inc. and I further certify

that a meeting of the Directors of said Company, duly called and held on February 25, 2016,  
at which all Directors were present and voting, the following individual(s):

Henry C. Hyora  
Karyn A. Hyora

were duly authorized and empowered to execute Forms of General Bid, Contracts, Agreements  
or Bonds on behalf of the Corporation. I further certify that the above authority is still in  
effect and has not changed or modified in any respect.

By Karyn A. Hyora  
(Secretary of Corporation) Karyn A. Hyora

A True Copy:

Attest Marianne Dufor  
Marianne Dufor (Notary Public)

My Commission Expires January 15, 2024/1 MD  
(Date)





# Harwich Fire Department



*Fire Suppression*

*Prevention*

*Emergency Services*

Norman M. Clarke Jr., **Chief of Department**

David J. LeBlanc, Deputy **Fire Chief**

Chris Clark, Administrator  
Town of Harwich  
732 Main Street  
Harwich, Ma. 02645



Chris;

It has come to my attention that a citizen (Mr. Gunderson from Harwichport) has raised a concern on the structure of the newly appointed Station Two Rehabilitation Committee. His concern apparently is directed at a potential violation of the "Open Meeting Law". I believe the premise of this potential problem is that currently there are four members of the seven person committee that are Harwich Fire Department personnel. One could imply that the Fire Department will have a majority vote on decisions with the project and could talk when they are on duty.

I spoke to the Town Clerk on the matter and she referred me to the State Ethics Commission. On Friday afternoon, March 18<sup>th</sup> I spoke to the "Attorney of the Day" and I didn't get a clear answer on the makeup of the committee. From the conversation I was referred to the Attorney General's Office. I have stopped short of making that call and I am looking for some direction from the administration.

I don't believe there is a problem with the members on the committee. Specifically, the members of committee from the department, volunteered to serve and in fact bring applicable skill sets to the process. The other three civilian members also approached me to volunteer on this community project. Having said that, I offer an option to the Selectmen to make me as the Chief of the Department an ad hoc member to oversee the progress of the committee and present finding to the board as necessary. I also suggest appointing a civilian to replace the Chief on the committee. Mr. Richard Waystack has indicated his willingness to fill that spot if the board would like. We are early on in this process so alterations to the makeup of the committee will not impact any work done to date.

Sincerely;

Chief Norman M. Clarke Jr.

cc: Charlene Greenhalgh



March 28, 2016

James Kersten  
Office of Legislative and Community Affairs  
10 Park Plaza, Rm 3170  
Boston, MA 02116

Re: MassDOT Route 6 Replacement Project (Sandwich to Eastham)

Dear Mr. Kersten:

The Harwich Board of Selectmen has reviewed the proposed sign changes for Route 6 and at this we would like to voice our discontent and objections to this project. The overhead signage, whether cantilever or full span, is not in keeping with the esthetics and character of Cape Cod. Such types of signs are intrusive and provide no more notice or information than the existing shoulder signage, which are preferred.

The exit numbering system proposed is also not in keeping with the character of Cape Cod. Route 6 is the main highway on the Cape; however it is a short segment of roadway. We can only imagine that beginning the exit sign numbering on Cape at "58" will only cause confusion. Residents and visitors alike are used to and comfortable with the existing numbering system.

The Harwich Board of Selectmen strongly request that MassDOT not move forward with this project as proposed.

Respectfully,

---

Peter S. Hughes, Chairman

---

Linda A. Cebula, Vice-Chair

---

Jannell M. Brown, Clerk

---

Angelo S. LaMantia, Member

---

Michael D. MacAskill, Member

cc: Bourne Board of Selectmen  
Sandwich Board of Selectmen  
Mashpee Board of Selectmen  
Falmouth Board of Selectmen  
Barnstable Board of Selectmen  
Yarmouth Board of Selectmen  
Dennis Board of Selectmen  
Brewster Board of Selectmen  
Chatham Board of Selectmen  
Orleans Board of Selectmen  
Eastham Board of Selectmen  
Wellfleet Board of Selectmen  
Truro Board of Selectmen  
Provincetown Board of Selectmen  
Cape Cod Commission  
Honorable Representative Sarah Peake  
Honorable Senator Daniel Wolf

## Christopher Clark

---

**From:** Christopher Clark  
**Sent:** Monday, March 14, 2016 8:56 AM  
**To:** 'peter hughes'; Angelo LaMantia; 'Linda Cebula'; Michael MacAskill; 'Jannell Brown'  
**Cc:** Charleen Greenhalgh; 'pdaley@capecodcommission.org'; 'james.a.kersten@state.ma.us'; Link Hooper  
**Subject:** FW: Route 6 Exits  
**Attachments:** 160204\_MassDOT Route 6 Sign Replacement Project CCC Notes (003).docx; 160204\_mutcd\_09r1r2edition\_selectpages.pdf; 160204\_ROUTE 6 GUIDE SIGN REPLACEMENT\_25PCT.pdf

To all,

I wanted to provide you with a heads up regarding changes that MassDOT is contemplating route six. I don't believe the renumbering necessarily is going to be offensive as a change from the numerical to a mileage marker. I do however think the board may have some concerns in regards to the more commercial or urban looking overhead signs. Do believe something of this nature appears to be overkill for the route six corridor.

I will include this in my town administrator notes for this evening.

Chris

**From:** Patty Daley [mailto:pdaley@capecodcommission.org]  
**Sent:** Friday, February 19, 2016 2:19 PM  
**To:** Christopher Clark <cclark@town.harwich.ma.us>; csumner@town.brewster.ma.us; David Gardner <dgardner@provincetown-ma.gov>; gdunham@townofsandwich.net; jkelly@town.orleans.ma.us; jmason@ci.mashpee.ma.us; jmerriam@town.harwich.ma.us; Julian Suso <jsuso@falmouthmass.us>; lsmulligan@chatham-ma.gov; Peter Johnson-Staub <PStaub@yarmouth.ma.us>; rwhite@town.dennis.ma.us; svanderhoef@eastham-ma.gov; TGuerino@townofbourne.com; Tom Lynch <tom.lynch@town.barnstable.ma.us>; Town Administrator <townadm@truro-ma.gov>; Wellfleet-Timothy King <Timothy.King@Wellfleet-ma.gov>; William Hinchey <whinchey@yarmouth.ma.us>  
**Cc:** wendy@capecodchamber.org; Lauren McKean (Lauren\_McKean@nps.gov) <Lauren\_McKean@nps.gov>; Glenn Cannon <gcannon@capecodcommission.org>; Steven Tupper <Stupper@capecodcommission.org>; David Still <dstill@capecodcommission.org>; Paul Niedzwiecki <pniedzwiecki@capecodcommission.org>; Kristy Senatori <ksenatori@capecodcommission.org>; Gail Coyne <gcoyne@capecodcommission.org>; Sarah Korjeff <skorjeff@capecodcommission.org>; Martha Hevenor <mhevenor@capecodcommission.org>; Sharon Rooney <srooney@capecodcommission.org>; Haznar, Pamela (DOT) <Pamela.Haznar@dot.state.ma.us>; Kersten, James A. (DOT) <james.a.kersten@state.ma.us>  
**Subject:** Route 6 Exits

Hello Town Managers and Administrators,

I am writing to inform you of some changes proposed for Route 6.

First, exits 2 through 12 will be renumbered. This is part of a larger, national renumbering initiative for state highways that is directed by the Federal Highway Administration. Exit renumbering could take place this coming Fall or later. New exit numbers will correspond with mile markers, so that exit 2 will become exit 58, exit 3 will be exit 60, exit 12 will be exit 88, etc.

Second, it is still in the early stages of discussion, but MassDOT will be proposing to replace exit signs from exit 2 through exit 12 with larger overhead, cantilever and overhead, full-span signs (similar to the westbound approach to the Sagamore Bridge). See the MassDOT Route 6 Sign Replacement Project CCC Notes document above for a summary, with some example pictures, of this proposal.

MassDOT has completed the 25% design plans for proposed replacement signs, which are attached for your information. I have also included excerpts of the Manual on Uniform Traffic Control Devices for Streets and Highways by USDOT, Federal Highway Administration.

**MassDOT will hold at least one public hearing on the proposed sign changes. We will contact you when MassDOT provides specifics about public hearing opportunities.**

Please feel free to contact MassDOT's Jim Kersten, Office of Legislative and Community Affairs, at 617-874-7390 (cell) or 857-368-9041 (office) or at [james.a.kersten@state.ma.us](mailto:james.a.kersten@state.ma.us). Please also feel free to contact me or Commission Technical Services Director, Glenn Cannon, at 508-744-1226 if you would like more information about these proposed MassDOT changes.

Best Regards,

Patty

Patty Daley  
**Deputy Director, Cape Cod Commission**  
Direct Line: 508-744-1212  
Office: 508-362-3828

**OFFICE OF THE TOWN ADMINISTRATOR**

**Christopher Clark**, *Town Administrator*

Phone (508) 430-7513

Fax (508) 432-5039

732 MAIN STREET, HARWICH, MA 02645



# MEMO

To: Board of Selectmen  
Waterways Committee

From: Christopher Clark, Town Administrator

cc: John Rendon, Harbormaster  
Andrew Gould, Finance Director/Town Accountant

Re: SAQ Waterside Capital Project Funding

Date: March 24, 2016

The 2016 Annual Town Meeting will be requested to fund the waterside improvements to Saquatucket Harbor (SAQ). The original estimated amount is still \$7 million with now a \$1 million Seaport grant offsetting some of the costs. I do continue to recommend that the \$6 million be included as a debt exclusion with the understanding that approximately 75% (achieved by Year 8 of debt schedule) of said repayment debt will be included within harbor receipts and the general obligation cover the remaining balances. I have attached a spreadsheet that indicates the commitment levels and resources to cover those commitments from harbor receipts. Per the request of the Board member, I have also included two options on the borrowing, the first being a traditional declining debt and the second being a level debt service. My recommendation for the Board is to approve the traditional declining debt because overall the total financing costs is \$300,000 more for a level debt service over a 20 year borrowing cycle.

I do wish to provide a short summary of previously financed projects and their impact on SAQ financing. At the May 2014 Annual Town Meeting, there was an appropriation for the replacement of the Wychmere Harbor Town Pier for \$1,704,000. \$1,225,600 came to the Town in the form of a grant. The remaining balance of \$478,400 was to come from general obligations of the Town whose principal and interest were to be paid in the first instance from harbor receipts. We have identified the funding source as the Harbor Improvement and Maintenance Fund Account #1626 appropriated through Town Meeting to cover the five years of temporary financing. \$65,000 was appropriated at the 2015 Annual Town Meeting and for the next four years approximately \$104,000 per year will be used to close out this financing. Short-term borrowing rates are very favorable to the Town.

Last year at the May 2015 Annual Town Meeting, there was a requested appropriation for \$500,000 to cover the engineering related costs of the waterside improvements to SAQ Harbor. The Board of Selectmen voted unanimously in April 2015 to approve a financing plan presented in correspondence dated April 16, 2015 on harbor projects funding mechanisms that called for one third of the costs of said financing to come from harbor receipts with the balance to come from an approved debt exclusion question. Due to the one third requirement and with sufficient funds that exist in the

Waterways Management Account #1621, this one third obligation is covered. The account currently has just shy of \$200,000 in it and the one third obligation is \$165,000. The motion at Town Meeting did not include, because it was deemed unnecessary, the Selectmen's vote of April 21, 2015.

I do believe that based upon the analysis completed that it is very safe to report to Town Meeting at the vast majority of the financing on the harbor project will be covered by harbor receipts and having a backstop of the debt exclusion provide certainty in the event of any potential revenue shortfalls. I do recommend that the motion for this article at Town Meeting include the primary commitment of harbor receipts to funding this obligation so as to fully inform the Town of this commitment.

---

**Town of Harwich, Massachusetts**  
*\$6,000,000 General Obligation Bonds Dated April 1, 2017*  
*Assumes 20 Years*  
*\*\*\*Interest Estimated & Subject to Change\*\*\**

**Table of Contents**

---

**Report**

**EQUAL PRINCIPAL**

Debt Service Schedule..... 1

**LEVEL DEBT**

Debt Service Schedule..... 2

**Town of Harwich, Massachusetts**  
**\$6,000,000 General Obligation Bonds Dated April 1, 2017**  
*Assumes 20 Years - Level Debt*  
*\*\*\*Interest Estimated & Subject to Change\*\*\**

**Proposed Debt Service Schedule**

Date	Principal	Coupon	Interest	Total P+I	Fiscal Total
04/01/2017	-	-	-	-	-
10/01/2017	-	-	120,000.00	120,000.00	-
04/01/2018	200,000.00	4.000%	120,000.00	320,000.00	-
06/30/2018	-	-	-	-	440,000.00
10/01/2018	-	-	116,000.00	116,000.00	-
04/01/2019	210,000.00	4.000%	116,000.00	326,000.00	-
06/30/2019	-	-	-	-	442,000.00
10/01/2019	-	-	111,800.00	111,800.00	-
04/01/2020	220,000.00	4.000%	111,800.00	331,800.00	-
06/30/2020	-	-	-	-	443,600.00
10/01/2020	-	-	107,400.00	107,400.00	-
04/01/2021	225,000.00	4.000%	107,400.00	332,400.00	-
06/30/2021	-	-	-	-	439,800.00
10/01/2021	-	-	102,900.00	102,900.00	-
04/01/2022	235,000.00	4.000%	102,900.00	337,900.00	-
06/30/2022	-	-	-	-	440,800.00
10/01/2022	-	-	98,200.00	98,200.00	-
04/01/2023	245,000.00	4.000%	98,200.00	343,200.00	-
06/30/2023	-	-	-	-	441,400.00
10/01/2023	-	-	93,300.00	93,300.00	-
04/01/2024	255,000.00	4.000%	93,300.00	348,300.00	-
06/30/2024	-	-	-	-	441,600.00
10/01/2024	-	-	88,200.00	88,200.00	-
04/01/2025	265,000.00	4.000%	88,200.00	353,200.00	-
06/30/2025	-	-	-	-	441,400.00
10/01/2025	-	-	82,900.00	82,900.00	-
04/01/2026	275,000.00	4.000%	82,900.00	357,900.00	-
06/30/2026	-	-	-	-	440,800.00
10/01/2026	-	-	77,400.00	77,400.00	-
04/01/2027	285,000.00	4.000%	77,400.00	362,400.00	-
06/30/2027	-	-	-	-	439,800.00
10/01/2027	-	-	71,700.00	71,700.00	-
04/01/2028	300,000.00	4.000%	71,700.00	371,700.00	-
06/30/2028	-	-	-	-	443,400.00
10/01/2028	-	-	65,700.00	65,700.00	-
04/01/2029	310,000.00	4.000%	65,700.00	375,700.00	-
06/30/2029	-	-	-	-	441,400.00
10/01/2029	-	-	59,500.00	59,500.00	-
04/01/2030	325,000.00	4.000%	59,500.00	384,500.00	-
06/30/2030	-	-	-	-	444,000.00
10/01/2030	-	-	53,000.00	53,000.00	-
04/01/2031	335,000.00	4.000%	53,000.00	388,000.00	-
06/30/2031	-	-	-	-	441,000.00
10/01/2031	-	-	46,300.00	46,300.00	-
04/01/2032	350,000.00	4.000%	46,300.00	396,300.00	-
06/30/2032	-	-	-	-	442,600.00
10/01/2032	-	-	39,300.00	39,300.00	-
04/01/2033	365,000.00	4.000%	39,300.00	404,300.00	-
06/30/2033	-	-	-	-	443,600.00
10/01/2033	-	-	32,000.00	32,000.00	-
04/01/2034	375,000.00	4.000%	32,000.00	407,000.00	-
06/30/2034	-	-	-	-	439,000.00
10/01/2034	-	-	24,500.00	24,500.00	-
04/01/2035	390,000.00	4.000%	24,500.00	414,500.00	-
06/30/2035	-	-	-	-	439,000.00
10/01/2035	-	-	16,700.00	16,700.00	-
04/01/2036	410,000.00	4.000%	16,700.00	426,700.00	-
06/30/2036	-	-	-	-	443,400.00
10/01/2036	-	-	8,500.00	8,500.00	-
04/01/2037	425,000.00	4.000%	8,500.00	433,500.00	-
06/30/2037	-	-	-	-	442,000.00
<b>Total</b>	<b>\$6,000,000.00</b>	<b>-</b>	<b>\$2,830,600.00</b>	<b>\$8,830,600.00</b>	<b>-</b>

**Yield Statistics**

Bond Year Dollars.....	\$70,765.00
Average Life.....	11.794 Years
Average Coupon.....	4.000000%
Net Interest Cost (NIC).....	4.000000%
True Interest Cost (TIC).....	4.000000%
Bond Yield for Arbitrage Purposes.....	4.000000%
All Inclusive Cost (AIC).....	4.000000%

**IRS Form 8038**

Net Interest Cost.....	4.000000%
Weighted Average Maturity.....	11.794 Years

3/10/2016 1:19 PM

**Town of Harwich, Massachusetts**  
**\$6,000,000 General Obligation Bonds Dated April 1, 2017**  
*Assumes 20 Years - Equal Principal*  
**\*\*\*Interest Estimated & Subject to Change\*\*\***

**Proposed Debt Service Schedule**

Date	Principal	Coupon	Interest	Total P+I	Fiscal Total
04/01/2017	-	-	-	-	-
10/01/2017	-	-	120,000.00	120,000.00	-
04/01/2018	300,000.00	4.000%	120,000.00	420,000.00	-
06/30/2018	-	-	-	-	540,000.00
10/01/2018	-	-	114,000.00	114,000.00	-
04/01/2019	300,000.00	4.000%	114,000.00	414,000.00	-
06/30/2019	-	-	-	-	528,000.00
10/01/2019	-	-	108,000.00	108,000.00	-
04/01/2020	300,000.00	4.000%	108,000.00	408,000.00	-
06/30/2020	-	-	-	-	516,000.00
10/01/2020	-	-	102,000.00	102,000.00	-
04/01/2021	300,000.00	4.000%	102,000.00	402,000.00	-
06/30/2021	-	-	-	-	504,000.00
10/01/2021	-	-	96,000.00	96,000.00	-
04/01/2022	300,000.00	4.000%	96,000.00	396,000.00	-
06/30/2022	-	-	-	-	492,000.00
10/01/2022	-	-	90,000.00	90,000.00	-
04/01/2023	300,000.00	4.000%	90,000.00	390,000.00	-
06/30/2023	-	-	-	-	480,000.00
10/01/2023	-	-	84,000.00	84,000.00	-
04/01/2024	300,000.00	4.000%	84,000.00	384,000.00	-
06/30/2024	-	-	-	-	468,000.00
10/01/2024	-	-	78,000.00	78,000.00	-
04/01/2025	300,000.00	4.000%	78,000.00	378,000.00	-
06/30/2025	-	-	-	-	456,000.00
10/01/2025	-	-	72,000.00	72,000.00	-
04/01/2026	300,000.00	4.000%	72,000.00	372,000.00	-
06/30/2026	-	-	-	-	444,000.00
10/01/2026	-	-	66,000.00	66,000.00	-
04/01/2027	300,000.00	4.000%	66,000.00	366,000.00	-
06/30/2027	-	-	-	-	432,000.00
10/01/2027	-	-	60,000.00	60,000.00	-
04/01/2028	300,000.00	4.000%	60,000.00	360,000.00	-
06/30/2028	-	-	-	-	420,000.00
10/01/2028	-	-	54,000.00	54,000.00	-
04/01/2029	300,000.00	4.000%	54,000.00	354,000.00	-
06/30/2029	-	-	-	-	408,000.00
10/01/2029	-	-	48,000.00	48,000.00	-
04/01/2030	300,000.00	4.000%	48,000.00	348,000.00	-
06/30/2030	-	-	-	-	396,000.00
10/01/2030	-	-	42,000.00	42,000.00	-
04/01/2031	300,000.00	4.000%	42,000.00	342,000.00	-
06/30/2031	-	-	-	-	384,000.00
10/01/2031	-	-	36,000.00	36,000.00	-
04/01/2032	300,000.00	4.000%	36,000.00	336,000.00	-
06/30/2032	-	-	-	-	372,000.00
10/01/2032	-	-	30,000.00	30,000.00	-
04/01/2033	300,000.00	4.000%	30,000.00	330,000.00	-
06/30/2033	-	-	-	-	360,000.00
10/01/2033	-	-	24,000.00	24,000.00	-
04/01/2034	300,000.00	4.000%	24,000.00	324,000.00	-
06/30/2034	-	-	-	-	348,000.00
10/01/2034	-	-	18,000.00	18,000.00	-
04/01/2035	300,000.00	4.000%	18,000.00	318,000.00	-
06/30/2035	-	-	-	-	336,000.00
10/01/2035	-	-	12,000.00	12,000.00	-
04/01/2036	300,000.00	4.000%	12,000.00	312,000.00	-
06/30/2036	-	-	-	-	324,000.00
10/01/2036	-	-	6,000.00	6,000.00	-
04/01/2037	300,000.00	4.000%	6,000.00	306,000.00	-
06/30/2037	-	-	-	-	312,000.00
<b>Total</b>	<b>\$6,000,000.00</b>	<b>-</b>	<b>\$2,520,000.00</b>	<b>\$8,520,000.00</b>	<b>-</b>

**Yield Statistics**

Bond Year Dollars.....	\$63,000.00
Average Life.....	10.500 Years
Average Coupon.....	4.0000000%
Net Interest Cost (NIC).....	4.0000000%
True Interest Cost (TIC).....	4.0000000%
Bond Yield for Arbitrage Purposes.....	4.0000000%
All Inclusive Cost (AIC).....	4.0000000%

**IRS Form 8038**

Net Interest Cost.....	4.0000000%
Weighted Average Maturity.....	10.500 Years

*5/10/2016 1:19 PM*

# Memorandum

To: Board of Selectmen  
Waterways Committee

From: Christopher Clark  
Town Administrator

Cc: John Rendon, Harbormaster  
Andrew Gould, Finance Director/Town Accountant

Re: Harbor Projects Funding Mechanisms

Date: April 16, 2015

Town Meeting is going to be requested to begin the funding process of improvements to Saquatucket Harbor in terms of the water side design and construction of the new dock system, and then secondarily, the landside improvements including the soon to be finalized purchase of the Downey property. I have put together the attached plan that lays out a funding mechanism for the project and the ramifications of adopting such a plan.

The Town has two primary fee structures for the harbors, the first being the Waterways Improvement and Maintenance Fund that raise revenue from moorings and half of the boat excise fees. This funding source can be expended after revenues are received by Administration. The second funding source is the Waterways Capital Improvement Receipts Reserve Fund which is funded by the Waterways User Capital Fee. This fee is subject to Town Meeting appropriation on an annual basis. The concept is to fund entirely the Wychmere grant match that was approved at last year's Town Meeting in the amount of \$478,400 of matching funds from the Waterways Improvement and Maintenance Fund.

This year, Town Meeting will be asked to fund the Saquatucket Dock replacement design totaling \$500,000 to be funded over five years. The recommendation in this regards is to fund one third of the total by the Waterways Improvement and Maintenance Fund Fees. The remaining two thirds of the borrowing would be funded by debt exclusion which is currently on the ballot. This process of one thirds being funded by fees and two thirds being funded by a debt exclusion would then carryover into the construction portion of the project, which is estimated at this time to be \$7 million, and to be borrowed over a 20 year period of time. The scenario shown attached is a worst-case scenario and does not take into account any grants or savings that could be realized by a competitive bid environment.

The landside renovations for the Saquatucket Harbor projects slated to begin in FY 18 would be funded in total by debt exclusion.

The attached funding plan does have a few caveats. First the total of the fee amounts from the Waterways Improvement and Maintenance Fund moorings portion would have to increase from current levels of \$80,000 per year up to \$100,000 during FY 17. Currently, the Waterways Improvement and Maintenance Fund fees include one half of the boat excise fees collected of approximately \$25,000 per year. This revenue would be retained in the fund separately to be used for small capital and maintenance projects related to the harbors and not be dedicated as a funding source for the debt service. The Waterways Capital Improvement receipts reserved funds that generate approximately \$75,000 per year would also have to be increased up to \$100,000 per year during FY 17. These funds would be dedicated for the debt service on harbor improvements as outlined above. The plan does also show that by FY 2020, in order to offset the design and construction costs, both funds would have to be utilized towards debt service.

The concept would be that if the Board is in agreement with this plan, then the motions for Town Meeting will be adjusted accordingly.

**Harbormaster**

<u>USES</u>	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2020	FY 2020
Salaries & Wages (GF)	\$236,688	\$246,068	\$250,989	\$256,009	\$261,129	\$266,352	\$271,679	\$277,113
Expenses (GF)	\$107,355	\$111,685	\$116,152	\$120,798	\$125,630	\$130,656	\$135,882	\$141,317
<i>Dredging by Taxation</i>	\$175,000	\$175,000	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000
<i>Capital Funded by Taxation</i>	\$96,715							
<i>Wychmere Dock by Dedicated Harbor Receipts Waterways Capital</i>		\$114,816	\$110,989	\$107,162	\$103,335	\$99,508		
<i>Downey Property Acquisition by Debt Exclusion</i>			\$74,700	\$73,040	\$71,380	\$69,720	\$68,060	\$66,400
Saquatucket Dock Replacement Design (5 yrs)	\$ -	\$ -	\$ 120,000	\$ 116,000	\$ 112,000	\$ 108,000	\$ 104,000	\$ -
Saquatucket Dock Replacement Construction (20 yrs)	\$ -	\$ -	\$ -	\$ 630,000	\$ 616,000	\$ 602,000	\$ 588,000	\$ 574,000
Saquatucket Landside Renovation (20 yrs)	\$ -	\$ -	\$ -	\$ -	\$ 225,000	\$ 225,000	\$ 220,000	\$ 215,000
<u>Allen Harbor Jetty Reconstruction</u>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 180,000
Indirect Costs	\$230,000	\$233,099	\$240,092	\$247,295	\$254,714	\$262,355	\$270,226	\$278,332
<b>Total</b>	<b>\$845,758</b>	<b>\$880,668</b>	<b>\$1,062,923</b>	<b>\$1,700,304</b>	<b>\$1,919,188</b>	<b>\$1,913,591</b>	<b>\$1,807,846</b>	<b>\$1,882,162</b>

**SOURCES**

Municipal Waterways Improvement and Main. Fund*								
<i>(Balance \$121,685 + \$80,00 pr yr) Mooring Fees</i>	\$80,000	\$80,000	\$ 120,000	\$ 116,000	\$ 112,000	\$ 108,000	\$ 104,000	\$80,000
<i>1/2 Boat Excise Fees</i>	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000
Waterways Capital Improvement Receipts Reserved Fund **								
<i>(Balance \$201,138 + \$75,000 per yr) Waterways User Capital Fee</i>	\$0	\$114,816	\$110,989	\$107,162	\$103,335	\$99,508	\$75,000	\$75,000
Other 1/2 Boating Excise Fees to General Fund	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Other Estimated Revenues	\$880,000	\$805,184	\$774,011	\$786,838	\$799,665	\$812,492	\$846,000	\$875,000
<b>TOTAL</b>	<b>\$985,000</b>	<b>\$1,025,000</b>	<b>\$1,030,000</b>	<b>\$1,035,000</b>	<b>\$1,040,000</b>	<b>\$1,045,000</b>	<b>\$1,050,000</b>	<b>\$1,055,000</b>
<b>Adjusted Revenues Per BOS Policy 10%</b>	<b>\$886,500</b>	<b>\$922,500</b>	<b>\$927,000</b>	<b>\$931,500</b>	<b>\$936,000</b>	<b>\$940,500</b>	<b>\$945,000</b>	<b>\$949,500</b>
<b>Difference</b>	<b>\$40,742</b>	<b>\$41,832</b>	<b>-\$135,923</b>	<b>-\$768,804</b>	<b>-\$983,188</b>	<b>-\$973,091</b>	<b>-\$862,846</b>	<b>-\$932,662</b>

						Balance
FY 15 Debt Service Added \$478,400 for Wychmere Harbor Project Paid toward Town's match of a Seaport Grant \$478,4 Rev for 5Yrs	\$576,138	Expense 5 Yrs	\$535,810			\$40,328
SAQ Dock Replacement Design funded from Municipal Waterways Improvement and Maintenance Fund		Rev for 5Yrs	\$521,685	Expense 5 Yrs	\$535,810	-\$14,125

Harbormaster

Project Amount	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022
Downey Property Acquisition (20 yrs)	\$830,000	\$ 74,700	\$ 73,040	\$ 71,380	\$ 69,720	\$ 68,060	\$ 66,400
Wychmere Pier Replacement Grant Match (5 yrs) **	\$478,400	\$114,816.00	\$ 110,989	\$ 107,162	\$ 103,335	\$ 99,508	
Saquatucket Dock Replacement Design (5 yrs)	\$500,000	\$ -	\$ 120,000	\$ 116,000	\$ 112,000	\$ 108,000	\$ -
Saquatucket Dock Replacement Construction (20 yrs)	\$7,000,000	\$ -	\$ 630,000	\$ 616,000	\$ 602,000	\$ 588,000	\$ 574,000
Saquatucket Landside Renovation (20 yrs)	\$2,500,000	\$ -	\$ -	\$ 225,000	\$ 225,000	\$ 220,000	\$ 215,000
<u>Allen Harbor Jetty Reconstruction</u>	\$2,000,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 180,000
Annual Debt Payments	\$ -	\$ 305,689	\$ 926,202	\$ 1,127,715	\$ 1,104,228	\$ 980,060	\$ 1,035,400

SOURCES

Harbormaster

Project Amount	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022
Downey Property Acquisition (20 yrs) By Debt Exclusion	\$830,000	\$ 74,700	\$ 73,040	\$ 71,380	\$ 69,720	\$ 68,060	\$ 66,400
<i>Wychmere Pier Replacement Grant Match (5 yrs) 100% Waterway User Fees</i>	<i>\$478,400</i>	<i>\$114,816</i>	<i>\$ 110,989</i>	<i>\$ 107,162</i>	<i>\$ 103,335</i>	<i>\$ 99,508</i>	
Saquatucket Dock Replacement Design (5 yrs) TOTAL	\$500,000	\$ -	\$ 120,000	\$ 116,000	\$ 112,000	\$ 108,000	\$ 104,000
<i>Saquatucket Dock Replacement Design (5 yrs) 1/3 by Mooring Fee</i>			<i>\$ 39,960</i>	<i>\$ 38,628</i>	<i>\$ 37,296</i>	<i>\$ 35,964</i>	<i>\$ 34,632</i>
Saquatucket Dock Replacement Design (5 yrs) 2/3 by Debt Exclusion		\$ 80,040	\$ 77,372	\$ 74,704	\$ 72,036	\$ 69,368	
Saquatucket Dock Replacement Construction (20 yrs)	\$7,000,000	\$ -	\$ 630,000	\$ 616,000	\$ 602,000	\$ 588,000	\$ 574,000
<i>Saquatucket Dock Replacement Construction (20 yrs) 1/3 by Mooring and Waterways</i>			<i>\$ 209,790</i>	<i>\$ 205,128</i>	<i>\$ 200,466</i>	<i>\$ 195,804</i>	<i>\$ 191,142</i>
Saquatucket Dock Replacement Construction (20 yrs) 2/3 by Debt Exclusion			\$ 420,210	\$ 410,872	\$ 401,534	\$ 392,196	\$ 382,858
Saquatucket Landside Renovation (20 yrs) 100% by Debt Exclusion	\$2,500,000	\$ -		\$ 225,000	\$ 225,000	\$ 220,000	\$ 215,000
<u>Allen Harbor Jetty Reconstruction (TBD)</u>	<u>\$2,000,000</u>	<u>\$ -</u>	<u>\$ 180,000</u>				
Annual Debt Payments	\$ -	\$ 305,689	\$ 926,202	\$ 1,127,715	\$ 1,104,228	\$ 980,060	\$ 1,035,400
<i>Total by Fee</i>	<i>\$114,816</i>	<i>\$ 150,949</i>	<i>\$ 355,580</i>	<i>\$ 345,759</i>	<i>\$ 335,938</i>	<i>\$ 230,436</i>	<i>\$ 191,142</i>
Total by Debt Exclusion		\$ 154,740	\$ 570,622	\$ 781,956	\$ 768,290	\$ 749,624	\$ 664,258

Beginning Balance	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022
Waterways User Fee (Waterways Improvement and Maintenance Fund) Moorings Portion	\$201,685	\$166,869	\$115,920	\$70,130	\$29,499	\$12,009	\$77,377
1/2 Boat Excise Fees currently contained in Municipal Waterways Improvement and Maintenance Fund of \$25,000 per year to be dedicated to Small Capital and Maintenance Projects							\$81,806
Waterways Capital Improvement Receipts Reserved (Waterways Users Capital Fee) ATM	\$276,138	\$351,138	\$451,138	\$341,348	\$236,220	\$117,772	\$4,652
							\$9,081

FY 2017 both Receipts would need to be increased or new fee added to achieve \$100K revenue per year per fund  
 FY 2020 both Receipts would need to be used to repay the debt

**Town of Harwich, Massachusetts**

**Harbormaster**

**Capital Improvement Program**

	<u>Amount</u>	<u>FY 2016</u>	<u>FY 2017</u>	<u>FY 2018</u>	<u>FY 2019</u>	<u>FY 2020</u>	<u>FY 2021</u>	<u>FY 2022</u>
<b>Capital -Non-Debt</b>								
Engineering Design -Saquatucket Dock Replacement	\$500,000	\$500,000						
Engineering Design -Saquatucket Landside Renovation	\$250,000		\$250,000					
Replace Wychmere Bathroom	\$75,000	\$75,000						
Round Cove - Ramp Replacement / Bulkhead Repair	\$187,000			\$187,000				
Allen Harbor Jetty Reconstruction - Study	\$50,000			\$50,000				
Herring River Ramp Replacement	\$65,000				\$65,000			
Maintenance Dredging	\$300,000				\$300,000			
Wychmere Outer Harbor Dredge	\$50,000					\$50,000		
Wychmere Outer Harbor Jetty - Study	\$75,000							\$75,000
<b>Total Capital Non-Debt</b>	<b>\$1,552,000</b>	<b>\$575,000</b>	<b>\$250,000</b>	<b>\$237,000</b>	<b>\$365,000</b>	<b>\$50,000</b>	<b>\$0</b>	<b>\$75,000</b>
<b>Capital - Debt</b>								
Saquatucket Dock Replacement	\$7,000,000	\$0	\$462,000	\$448,000	\$434,000	\$420,000	\$406,000	\$392,000
Saquatucket Landside Renovation	\$2,500,000	\$0	\$225,000	\$220,000	\$215,000	\$210,000	\$205,000	\$200,000
Allen Harbor Jetty Reconstruction	\$2,000,000	\$0	\$0	\$0	\$0	\$0	\$132,000	\$128,000
<b>Total Capital Debt</b>	<b>\$11,500,000</b>	<b>\$0</b>	<b>\$687,000</b>	<b>\$668,000</b>	<b>\$649,000</b>	<b>\$630,000</b>	<b>\$743,000</b>	<b>\$720,000</b>
<b>Total Capital, Debt &amp; Non-Debt</b>	<b>\$13,052,000</b>	<b>\$575,000</b>	<b>\$937,000</b>	<b>\$905,000</b>	<b>\$1,014,000</b>	<b>\$680,000</b>	<b>\$743,000</b>	<b>\$795,000</b>

Wycemere Pier  
 Bond Description: Bond #1A  
 Bond Amount: 478400  
 Less: Grant 0  
 Net Bonded Amount 478400  
 Bond Source: SRF/WPAT  
 Bond Principle: 478400  
 Interest Rate: 0.04  
 Bond Term (years): 5  
 Annual Payment: 107461.6111  
 Date of Bond:

Declining Payment Method

Year	Remaining Princ	Principle PMT	Interest	Total Payment	Fiscal	Year
1	478400	95680	19136	114816		2018
2	382720	95680	15308.8	110988.8		2019
3	287040	95680	11481.6	107161.6		2020
4	191360	95680	7654.4	103334.4		2021
5	95680	95680	3827.2	99507.2		2022
6	0	0	0	0		2023
7	0	0	0	0		2024
8	0	0	0	0		2025
9	0	0	0	0		2026
10	0	0	0	0		2027
11	0	0	0	0		2028
12	0	0	0	0		2029
13	0	0	0	0		2030
14	0	0	0	0		2031
15	0	0	0	0		2032
16	0	0	0	0		2033
17	0	0	0	0		2034
18	0	0	0	0		2035
19	0	0	0	0		2036
20	0	0	0	0		2037

**Town of Harwich, Massachusetts**  
**Harbormaster**  
**Debt Service**

<u>Project Amount</u>	<u>FY 2016</u>	<u>FY 2017</u>	<u>FY 2018</u>	<u>FY 2019</u>	
Saquatucket Dock Replacement	\$7,000,000	\$0	\$630,000	\$616,000	\$602,000
Saquatucket Laneside Renovation	\$2,500,000	\$0	\$225,000	\$220,000	\$215,000
Allen Harbor Jetty Reconstruction	\$2,000,000	\$0	\$0	\$0	\$0
Annual Debt Payments		\$0	\$855,000	\$836,000	\$817,000

<u>FY 2020</u>	<u>FY 2021</u>	<u>FY 2022</u>
\$588,000	\$574,000	\$560,000
\$210,000	\$205,000	\$200,000
\$0	\$180,000	\$176,000
<u>\$798,000</u>	<u>\$959,000</u>	<u>\$936,000</u>

**MINUTES  
SELECTMEN'S MEETING  
GRIFFIN ROOM, TOWN HALL  
TUESDAY, APRIL 21, 2015  
6:30 P.M.**

**APPROVED**

**SELECTMEN PRESENT:** Ballantine, Cebula, Hughes, LaMantia, McManus

**OTHERS PRESENT:** Town Administrator Christopher Clark, John Rendon, Dorothy Harder, Richard Gunderson, Wayne Kucha-Stone, Matt Hart and others.

**MEETING CALLED TO ORDER** at 6:30 p.m. by Chairman Ballantine.

Chairman Ballantine reported that the Board had just come out of Executive Session where they received updates on the Hall, Downey and Sutphin properties.

**PUBLIC COMMENT/ANNOUNCEMENTS**

Chairman Ballantine reported that we have received a resignation letter from Assistant Town Administrator Julie Quintero-Schulz effective July 31, 2015.

Chairman Ballantine noted that he was asked to read a statement from Paula Myles objecting to getting the initial design on the Route 28 project but he would not be reading it as it would set a precedent but asked that the letter be added to the minutes (attached).

A. Update on closing of Disposal Area project

Mr. Clark noted that the old components of the push pit at the Transfer Station have been removed and they are in the process of installing the new ones.

**CONSENT AGENDA**

A. Approve Minutes

1. February 9, 2015 Executive Session
2. February 23, 2015 Executive Session
3. March 23, 2015 Regular Session
4. March 30, 2015 Regular Session
5. March 30, 2015 Executive Session

B. Approve the application for the Alzheimer's Walk Permit to be held on May 9, 2015

C. Approve application for renewal of Common Victualler License for Philbrick's

D. Approve the 2015 Summer Concert Series held during July at Brooks Park

E. Approve Caleb Chase request in the amount of \$700.00

F. Approve re-appointment of Larry Cole as Harwich's representative to the Cape & Vineyard Electric Cooperative

Mr. McManus moved approval of the Consent Agenda and the recommended actions thereon. Mr. Hughes seconded the motion and the motion carried by a unanimous vote.

## OLD BUSINESS

- A. Update on Petition Article to “Eliminate Hunting in Bells Neck Conservation Area - *discussion and possible vote*

Ms. Usowski stated that at the Conservation Commission meeting last week, the Commission agreed with Town Counsel that the land is under the care and custody of the Conservation Commission. She said there was a sportsman group present at their meeting who offered to do some clean up and better signage. She reported that the Commission decided that we really need to do some research as some of the parcels may have been given to the Town with the provision that hunting is to be allowed on those parcels. She noted that she and a member of the Commission will be reviewing the deeds. She stated that they are interested in the opinion of the public at Town Meeting and make take this up at a later date at an advertised public meeting. Mr. Kucha-Stone, petitioner, was confused why Thompsons Field could pass by Town vote but this could not but he agreed that research needs to be done. He asked the Board to pass an opinion as to whether they are in favor of the measure or not. Ms. Usowski responded that she didn't know why Thompsons Field was different but it was purchased with self-help funding which has very strict rules and regulations for no hunting. Mr. McManus moved to support the passage of Article 5 (Eliminate Hunting in Bells Neck Conservation Area). Mr. LaMantia seconded the motion and the motion carried by a 4-0-1 vote with Ms. Cebula abstaining from the vote. Ms. Cebula indicated that she did not have enough information.

- B. Letter to MassDOT regarding the Route 28 Pedestrian Improvement Project – *discussion and possible vote*

Mr. Hughes submitted some grammatical changes and noted that “No road layout alterations are expected” should be added to the last paragraph. The Board took questions and comments from Ms. Harder. The Board agreed to bring this item back.

## NEW BUSINESS

- A. Zoning Articles for the Special Town Meeting – *discussion and possible vote*
1. STM Article 3 - Mixed Use Development
  2. STM Article 4 - Overlay Districts

Mr. Spitz noted that the Planning Board held the public hearing on these articles and there were no negative comments. He reported that the Planning Board approved the articles. Mr. McManus moved to accept and adopt Article 3 (Zoning Amendment – Mixed Use Development) of Special Town Meeting. Mr. Hughes seconded the motion and the motion carried by a unanimous vote.

Mr. McManus moved to accept and adopt Article 4 of the Special Town Meeting – Zoning Amendment Overlay Districts. Mr. Hughes seconded the motion and the motion carried by a unanimous vote.

- B. Town Administrator's Goals and Objectives/Evaluation Form – discussion

Chairman Ballantine asked the Board to submit their evaluations and said he would compile the comments. Mr. Hughes asked for another update on the goals. The Board discussed whether they would evaluate based on the goals or use the evaluation form. Mr. LaMantia stated that Mr. Clark's

evaluation should be based on only the goals. Ms. Cebula disagreed and stressed that there is much more that goes into management and they should also be measuring the success factors listed on the form. The consensus of the Board was to combine the evaluation based on both the form and the goals. Mr. Clark said he would submit a self-evaluation.

C. Budget Amendment #2 - *discussion and possible vote*

Mr. Clark outlined Budget Amendment #2. Mr. McManus moved to approve Budget Amendment #2. Mr. Hughes seconded the motion and the motion carried by a unanimous vote.

D. Harbor funding plan for Saquatucket Dock project - *discussion and possible vote*

Mr. Clark outlined his memo to the Board dated April 16, 2015 (see below) regarding the funding process to address the necessary improvements that need to be made at Saquatucket Harbor.

Town Meeting is going to be requested to begin the funding process of improvements to Saquatucket Harbor in terms of the water side design and construction of the new dock system, and then secondarily, the landside improvements including the soon to be finalized purchase of the Downey property. I have put together the attached plan that lays out a funding mechanism for the project and the ramifications of adopting such a plan.

The Town has two primary fee structures for the harbors, the first being the Waterways Improvement and Maintenance Fund that raise revenue from moorings and half of the boat excise fees. This funding source can be expended after revenues are received by Administration. The second funding source is the Waterways Capital Improvement Receipts Reserve Fund which is funded by the Waterways User Capital Fee. This fee is subject to Town Meeting appropriation on an annual basis. The concept is to fund entirely the Wychmere grant match that was approved at last year's Town Meeting in the amount of \$478,400 of matching funds from the Waterways Improvement and Maintenance Fund.

This year, Town Meeting will be asked to fund the Saquatucket Dock replacement design totaling \$500,000 to be funded over five years. The recommendation in this regards is to fund one third of the total by the Waterways Improvement and Maintenance Fund Fees. The remaining two thirds of the borrowing would be funded by debt exclusion which is currently on the ballot. This process of one thirds being funded by fees and two thirds being funded by a debt exclusion would then carryover into the construction portion of the project, which is estimated at this time to be \$7 million, and to be borrowed over a 20 year period of time. The scenario shown attached is a worst-case scenario and does not take into account any grants or savings that could be realized by a competitive bid environment.

The landside renovations for the Saquatucket Harbor projects slated to begin in FY 18 would be funded in total by debt exclusion.

The attached funding plan does have a few caveats. First the total of the fee amounts from the Waterways Improvement and Maintenance Fund moorings portion would have to increase from current levels of \$80,000 per year up to \$100,000 during FY 17. Currently, the Waterways Improvement and Maintenance Fund fees include one half of the boat excise fees collected of approximately \$25,000 per year. This revenue would be retained in the fund

separately to be used for small capital and maintenance projects related to the harbors and not be dedicated as a funding source for the debt service. The Waterways Capital Improvement receipts reserved funds that generate approximately \$75,000 per year would also have to be increased up to \$100,000 per year during FY 17. These funds would be dedicated for the debt service on harbor improvements as outlined above. The plan does also show that by FY 2020, in order to offset the design and construction costs, both funds would have to be utilized towards debt service.

He noted that if the Board is in agreement with this plan, then the motions for Town Meeting will be adjusted accordingly. The Board took comments from Mr. Rendon and Mr. Hart. Mr. Clark restated his recommendation that one third of the \$500,000 be funded from the 2 fees (being paid by the boat owners) and then the two thirds would be funded from the debt exclusion. Mr. Hughes moved to approve the one third / two thirds funding as suggested for the article for Town Meeting for \$500,000 for the design. Ms. Cebula seconded the motion and the motion carried by a unanimous vote.

E. Wastewater report /recommendation for funding - *discussion and possible vote*

The Board briefly discussed the report and agreed to bring back for broad discussion. No action was taken. Chairman Ballantine said we should go ahead and schedule a meeting for Mr. Hughes and Mr. LaMantia to meet with Chatham.

#### **TOWN ADMINISTRATOR'S REPORT**

Mr. Clark reported that the deadline for applications for Water Superintendent is Thursday and the deadline for applications for Police Chief is Friday. He further noted that the Water Department won a water quality award.

#### **SELECTMEN'S REPORT**

A. Town Meeting preparation

Chairman Ballantine said he would be assigning articles for Town Meeting. Mr. Hughes noted that he is still interested in using the display software that Arlington uses and he would like to share the information with the Finance Director and get his opinion.

#### **ADJOURNMENT**

The meeting adjourned at 8:35 p.m.

Respectfully submitted,

Ann Steidel  
Recording Secretary



ATM May 5, 2014

**Article 28: Complete the CWMP Regulatory Review**

I move that this article be accepted and adopted to complete the CWMP Regulatory Review and that \$150,000 be raised and appropriated for this purpose.

**Article 29: Conduct Cold Brook Nitrogen Attenuation Study**

I move that this article be accepted and adopted to begin funding the Cold Brook Nitrogen Attenuation Study and that \$50,000 be raised and appropriated for this purpose.

*incl May 5<sup>th</sup>*  
**Article 30: Wastewater Project Costs**

*incl May 6<sup>th</sup>*  
✓ I move that this article be indefinitely postponed.

*Voted*  
**Article 31: Allen Harbor Bulkhead/Parking Lot Repair**

✓ I move that this article be accepted and adopted to supplement funding for the Allen Harbor Bulkhead/Parking Lot Repair project funded under Article 19 of the May 2013 ATM and the sum of \$172,000 be transferred from the Allen Harbor basin dredging project remaining funds for this purpose.

*Voted*  
**Article 32: Replace Wychmere Harbor Town Pier and Bulkheads (Two-Thirds Vote)**

✓ I move that this article be accepted and adopted and that \$1,704,000 be appropriated to pay costs of replacing the Wychmere Harbor Town Pier and Bulkheads, including the payment of all costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow such amount under and pursuant to Chapter 44, Section 7(17) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor. The amount authorized to be borrowed pursuant to this vote shall be reduced to the extent of all Seaport Grant revenues received up to \$1,225,600 by the Town on account of this project the net borrowed amount of \$478,400. While any bonds or notes issued in accordance with this vote shall be general obligations of the Town, it is the intent of the Town that the payment of principal and interest on the any bonds or notes issued pursuant to this vote shall be repaid in the first instance from harbor receipts. The Board of Selectmen is further authorized to take any and all actions necessary to carry out the purposes of this vote.

ATM May 4, 2015 & STM May 5, 2015

**Article 19: Replacement of Saquatucket Harbor Dock- Design Engineering (two-thirds vote)**

I move that the Town appropriate the sum of \$500,000 to fund the engineering design and associated permitting to replace the Saquatucket Municipal Marina docks, piles and services to include a handicap accessible ramp system, dredge required areas, including the payment of all costs incidental or related thereto; that to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$500,000 and to issue bonds and notes therefore pursuant to General Laws chapter 44, sections 7 or 8, or any other enabling authority; and that the Board of Selectmen is authorized to expend all funds available for the project and to take any other action necessary or convenient to carry out the project; provided, however, that the appropriation and borrowing 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 ) amounts required to pay the principal of and interest on the borrowing authorized by this vote.

Petitioner: \_\_\_\_\_  
Chairman, Finance Committee

# Town of

Anita N. Doucette, MMC/CMMC  
Town Clerk



# Harwich

732 Main Street  
Harwich, Massachusetts 02645  
Tel. 508-430-7516  
Fax 508-430-7517

## TOWN OF HARWICH ANNUAL TOWN MEETING MAY 4, 2015

### REPLACEMENT OF SAQUATUCKET HARBOR DOCK – ENGINEERING DESIGN

**ARTICLE 19** To see if the Town will vote to raise and appropriate, transfer from available funds transferred from a dedicated fee account, or borrow a sufficient sum of money to fund the engineering design and associated permitting to replace the Saquatucket Municipal Marina docks, piles and services to include a handicap accessible ramp system that brings the marina in compliance with the Americans with Disabilities Act (ADA), dredge required areas. 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 (Proposition 2 ½) the amounts required to pay the principal of and the interest on any borrowing authorized under this article, and to act fully thereon. By request of the Harbormaster, Estimated cost: \$500,000.

***Explanation:** Engineering design and permitting is the first step required towards the much needed replacement of the docks at Saquatucket Municipal Marina. The docks are unstable and present a safety concern for the public; wood decking and framing is worn and splintered, much of the connecting hardware is bent and the flotation is deteriorated. The fire standpipe and bubbler systems are antiquated and ineffective. With three passenger vessels over 40 feet in length operation out of the harbor, there is a real need (and requirement once renovations are made) to provide handicap accessibility. Saquatucket Harbor is a major attraction within the coastal Town of Harwich and as such generates a significant amount of revenue for the Town.*

**FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED WITH AN AMOUNT OF \$500,000 FROM CAPITAL EXCLUSION. THIS EXPENDITURE WILL ALLOW ENGINEERING AND DESIGN TO PROCEED WITH THE POSSIBLE BUILDING OF THE REPLACEMENT DOCKS TO BE FUNDED NEXT YEAR. 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. C59, S21C PROPOSITION 2 ½).  
VOTE: YES-6, NO-0.**

**DEBIT EXCLUSION: QUESTION #8 ON BALLOT**

**MOTION:** (Albert (Skip) Patterson, Chairman-Finance Committee) I move that the Town appropriate the sum of \$500,000 to fund the engineering design and associated permitting to replace the Saquatucket Municipal Marina docks, piles and services to include a handicap accessible ramp system, dredge required areas, including the payment of all costs incidental or related thereto; that to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$500,000 and to issue bonds and notes therefore pursuant to General Laws chapter 44, sections 7 or 8, or any other enabling authority; and that the Board of Selectmen is authorized to expend all funds available for the project and to take any other action necessary or convenient to carry out the project; provided, however, that the appropriation and borrowing 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) amounts required to pay the principal of and interest on the borrowing authorized by this vote.

Duly seconded

**ACTION:** The article required a 2/3 majority vote to pass, it was ruled to have received the necessary 2/3 to pass.

A true copy:

Attest:



Anita N. Doucette, MMC/CMMC  
Town Clerk

	24-Mar-16		10% Fee Incr.		3% Fee Incr.			3% Fee Incr.		
<u>Revenues</u>	FY 16	FY 17	FY 18	FY 19	FY 20	FY 21	FY 22	FY 23	FY 24	FY 25
SAQ New Wharfage/Dackage Rate Increase			\$ 65,000	\$ 65,000	\$ 65,000	\$ 85,000	\$ 85,000	\$ 85,000	\$ 105,000	\$ 105,000
SAQ/WYCH New Slips			\$ 80,000	\$ 80,000	\$ 80,000	\$ 80,000	\$ 80,000	\$ 80,000	\$ 80,000	\$ 80,000
SAQ Mooring Fee Increase from 10% Only(Acct 1621)			\$ 7,500	\$ 7,500	\$ 7,500	\$ 7,500	\$ 7,500	\$ 7,500	\$ 7,500	\$ 7,500
SAQ Mooring Fee (Acct 1621)										
Avail Bal: \$199,527 TA - NET of 1/3 SAQ Design \$507,500	\$ 80,000	\$ 80,000	\$ 80,000	\$ 80,000	\$ 80,000	\$ 80,000	\$ 80,000	\$ 80,000	\$ 80,000	\$ 80,000
Waterways Improvement and Maintenance Fund (Acct 1626)										
Avail Bal: \$199,373 TM - Net of WYCH (\$420,000)	\$ -	\$ -	\$ -	\$ 53,356	\$ 75,000	\$ 75,000	\$ 75,000	\$ 75,000	\$ 75,000	\$ 75,000
<b>TOTAL</b>	<b>\$ 80,000</b>	<b>\$ 80,000</b>	<b>\$ 232,500</b>	<b>\$285,856</b>	<b>\$307,500</b>	<b>\$ 327,500</b>	<b>\$327,500</b>	<b>\$ 327,500</b>	<b>\$ 347,500</b>	<b>\$ 347,500</b>

Expenses

*Option 1*

SAQ Traditional Declining Debt	\$ 540,000	\$528,000	\$516,000	\$ 504,000	\$492,000	480000	\$ 468,000	\$ 456,000
(\$6.0 Million 20 Years 4% Int \$2,520,000)	43%	54%	60%	65%	67%	68%	74%	76%

*Option 2*

SAQ Level Debt Service	\$ 440,000	\$442,000	\$443,600	\$ 439,800	\$440,800	\$ 441,400	\$ 441,600	\$ 441,400
(\$6.0 Million 20 Years 4% Int \$2,830,600)	53%	65%	69%	74%	74%	74%	79%	79%

COMMONWEALTH OF MASSACHUSETTS  
TOWN OF HARWICH  
ANNUAL ELECTION BALLOT  
MAY 17, 2016

with  
IMA

**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 17, 2016, 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: two (2) Selectman for three (3) years; one (1) Housing Authority Member for five (5) years; one (1) Housing Authority Member to fill a four (4) year unexpired term; one (1) Town Clerk for three (3) years; one (1) Monomoy Regional School Committee Member for three (3) years; two (2) Library Trustees for three (3) years; one (1) Water Commissioner for three (3) years.

**BALLOT QUESTIONS**

1. Shall the Town of Harwich be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bonds issued to fund the reconstruction of the Saquatucket Municipal Marina docks, piles and services, to include a handicap accessible ramp system that brings the marina in compliance with the American with Disability Act (ADA) and dredging of approximately 12,500 cubic yards of material to bring marina within permitted depth?

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

2. Shall the Town of Harwich be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bonds issued to fund the Road Maintenance Program as requested in the Capital Plan for Fiscal Year 17?

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

3. Shall the Town of Harwich be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bonds issued in order to pay the entrance fee costs for the connection of the Town's wastewater collection system to the Town of Chatham's wastewater treatment plant, including all costs incidental and related thereto, pursuant to an inter-municipal agreement between the Towns of Harwich and Chatham?

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

NON-BINDING ADVISORY BALLOT QUESTION REGARDING THE HARWICH MIDDLE SCHOOL

The Board of Selectmen is evaluating options for the re-use or sale of the Harwich Middle School Building, which currently costs the town \$125,000 annually for maintenance, and is seeking voter input on four options, any of which will require a future action of town meeting. **Please vote for only one option:**

- 1. Do you favor retention of the Harwich Middle School Building changing the use to a mixed municipal-private use such as a relocated town hall and private organization leased area for community activities, which has an estimated cost of \$11,476,000 for a full upgrade of the available 79,700 square feet of space and an estimated annual operation and maintenance cost of \$250,000? No additional town employees are included in these cost estimates and this option includes the sale of the existing town hall.
- 2. Do you favor demolition of the Harwich Middle School Building and retention of the land for a future general municipal use which has a current estimated cost to the Town of \$800,000 for demolition and site restoration?
- 3. Do you favor the sale of the Harwich Middle School Building and the land for affordable or senior housing purposes to an outside developer, for which the Town previously received an offer for \$672,000, with real estate taxes estimated at \$20,000 to 30,000 per year?
- 4. Do you favor the retention of the Harwich Middle School Building, to be leased or sold as is for the purpose of a self-sustaining private organization cultural and/or community center, or educational use?

COMMONWEALTH OF MASSACHUSETTS  
TOWN OF HARWICH  
ANNUAL ELECTION BALLOT  
MAY 17, 2016

*without  
IMA*

**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 17, 2016, 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: two (2) Selectman for three (3) years; one (1) Housing Authority Member for five (5) years; one (1) Housing Authority Member to fill a four (4) year unexpired term; one (1) Town Clerk for three (3) years; one (1) Monomoy Regional School Committee Member for three (3) years; two (2) Library Trustees for three (3) years; one (1) Water Commissioner for three (3) years.

**BALLOT QUESTIONS**

1. Shall the Town of Harwich be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bonds issued to fund the reconstruction of the Saquatucket Municipal Marina docks, piles and services, to include a handicap accessible ramp system that brings the marina in compliance with the American with Disability Act (ADA) and dredging of approximately 12,500 cubic yards of material to bring marina within permitted depth?

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

2. Shall the Town of Harwich be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bonds issued to fund the Road Maintenance Program as requested in the Capital Plan for Fiscal Year 17?

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

NON-BINDING ADVISORY BALLOT QUESTION REGARDING THE HARWICH  
MIDDLE SCHOOL

The Board of Selectmen is evaluating options for the re-use or sale of the Harwich Middle School Building, which currently costs the town \$125,000 annually for maintenance, and is seeking voter input on four options, any of which will require a future action of town meeting. **Please vote for only one option:**

- 1. Do you favor retention of the Harwich Middle School Building changing the use to a mixed municipal-private use such as a relocated town hall and private organization leased area for community activities, which has an estimated cost of \$11,476,000 for a full upgrade of the available 79,700 square feet of space and an estimated annual operation and maintenance cost of \$250,000? No additional town employees are included in these cost estimates and this option includes the sale of the existing town hall.
- 2. Do you favor demolition of the Harwich Middle School Building and retention of the land for a future general municipal use which has a current estimated cost to the Town of \$800,000 for demolition and site restoration?
- 3. Do you favor the sale of the Harwich Middle School Building and the land for affordable or senior housing purposes to an outside developer, for which the Town previously received an offer for \$672,000, with real estate taxes estimated at \$20,000 to 30,000 per year?
- 4. Do you favor the retention of the Harwich Middle School Building, to be leased or sold as is for the purpose of a self-sustaining private organization cultural and/or community center, or educational use?

**COMMONWEALTH OF MASSACHUSETTS  
TOWN OF HARWICH  
SPECIAL TOWN MEETING  
MAY 3, 2016**

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 3, 2016 at 8:00 P.M., then and there to act on the following articles:

**ARTICLES**

FUND THE SNOW AND ICE DEFICIT

ARTICLE 1: To see if the Town will vote to transfer from available funds a sufficient sum of money to fund the Fiscal Year 2016 Snow and Ice Deficit Account, and to act fully thereon. By request of the Board of Selectmen. Estimated cost \$ 250,000.

REPEAL OF ARTICLE 9 OF MAY, 2011 SPECIAL TOWN MEETING: ACQUISITION  
OF TAX TITLE PROPERTIES

ARTICLE 2: To see if the Town will vote to rescind actions taken under Article 9 of the May 2011 Special Town Meeting in the amount of \$50,000, and return such sum of funds appropriated in said Article to the Harwich Community Preservation Act Fund – Undesignated Fund Balance, and to act fully thereon. These funds were intended, to be used for professional/legal services related to the potential acquisition of specific properties that are in tax title or owners unknown, which would qualify for CPA funding, and that the Community Preservation Committee has made a finding that the specific properties qualify for a CPA purpose. This objective will now be funded from the funds appropriated by Article YY of the May 2016 Special Town Meeting. By request of the Community Preservation Committee. Estimated amount returned: \$50,000

FUND ADMINISTRATIVE COSTS OF THE COMMUNITY PRESERVATION  
COMMITTEE FOR THE ACQUISITION OF PROPERTIES IN TAX TITLE, OWNERS  
UNKNOWN OR OTHER DISPUTE

ARTICLE 3: To see if the Town will vote to appropriate from Community Preservation Fund-Undesignated Reserve, \$50,000 for administrative costs of the Community Preservation Committee, to be used for professional/legal services related to the potential acquisition of specific properties that are in tax title or owners unknown and/or other

related disputes, which would qualify for CPA funding, and that the Community Preservation Committee has made a finding that the specific properties qualify for a CPA purpose, and to act fully thereon. By request of the Community Preservation Committee.  
Estimated Cost: \$50,000

#### FUND BUDGET SHORTFALLS

ARTICLE 4: To see if the Town will vote to raise and appropriate or transfer from available funds a sufficient sum of money to fund shortfalls in various budget transfers; and to act fully thereon. By request of the Town Administrator and Town Accountant.  
Estimated Cost:

## INTERMUNICIPAL AGREEMENT

For

**Sewerage Collection, and Treatment by and between**

**(CHATHAM/HARWICH)**

This Intermunicipal Agreement ("Agreement") is entered into as of \_\_\_\_\_ (the "Effective Date") by and between the Town of CHATHAM, Massachusetts ("Chatham"), a municipal corporation, and the Town of HARWICH, Massachusetts ("Harwich"), a municipal corporation (collectively, with their successors and assigns, the "Parties").

### RECITALS

WHEREAS, Chatham owns and operates a sewage collection, treatment and disposal system, including customer service operations for which the Commonwealth of Massachusetts Department of Environmental Protection ("DEP") has issued a Ground Water Discharge Permit (Permit No.: 44-1), located within the municipal corporate boundaries of Chatham, (collectively, the "System"), and

WHEREAS, Harwich plans to construct and operate a sanitary sewerage system within the boundaries of Harwich to service the East Harwich area but desires to deliver its sewerage from the East Harwich area to the Chatham System for treatment and recharge; and

WHEREAS, in order to accommodate the additional flow of sewerage from East Harwich as set forth on Figure 13-1 attached hereto as Exhibit A, Chatham must design, fund and construct a connection with Harwich (the "Connection Point"). The Chatham System can accommodate the flow from East Harwich as set forth in Exhibit A while it continues to expand the Chatham System to other parts of Chatham not currently connected to the Chatham System. Chatham will continue to evaluate the need to design and build upgrades to the treatment facility taking into account Chatham's needs, the Harwich flow, and water conservation efforts in both communities; and

f. "Project Cost" means the total cost to be incurred in the execution of the Project, including, but not limited to, assessment/feasibility, architectural, permitting, and engineering services, and construction work and construction phase services, interest or other costs of borrowing.

g. "System" has the meaning ascribed to it in the Recitals hereto.

h. "Harwich Flow" means the sum of metered flow which is metered at the Connection Point and Unmetered Flow.

i. "East Harwich Flow" means the amount of sewerage flowing into Chatham from East Harwich via the Connection Point.

j. "O&M Share" means that portion of Harwich's Fixed and Flow Variable O&M Expenses determined quarterly by multiplying the O&M Expenses incurred by a fraction, the numerator of which shall be the quarterly Harwich Flow and the denominator of which shall be the quarterly Total Flow into the Plant, measured at the Plant. Exhibit D depicts the average daily Total Flow into the Plant for the period July, 2014 through June, 2015.

k. "Harwich Project Share" means Harwich's share (23.08%) of future capital replacements or improvements.

l. "Unmetered Flow" means flow from Harwich which is not measured by Harwich metering devices at the Connection Point as a result of Harwich residential sewer users being connected directly to the Chatham collection system and billed directly by Harwich. Unmetered flow shall be calculated based upon water usage of those users as set forth in the regulations and shall be paid by Harwich directly to Chatham on a quarterly basis.

2. EAST HARWICH SERVICE AREA.

The East Harwich Service Area (Figure 13-1) shall be limited to wastewater flows generated from the East Harwich area, specifically sub-watersheds to Upper Muddy Creek, Lower Muddy Creek, Pleasant Bay, and Round Cove as described in relevant reports of the Massachusetts Estuaries Project (MEP).

3. PURCHASE CAPACITY

a. Cost incurred by Chatham for design, permitting, engineering, construction, and construction phase services for the WPCF, exclusive of grants received and inclusive of interest, is \$40,924,000 (rounded). Recognizing the significant resources devoted by Chatham not included in the above costs for managing the WPCF Project and in obtaining and administering grants received, a premium of \$1,000,000 is added to the costs above for a total cost of \$41,924,000.

b. Harwich will purchase 300,000 gpd (0.3 MGD) average annual flow of the Chatham WPCF, which represents 23.08% of current total capacity (1.3

capacity. Upon reaching 80% capacity Chatham shall determine whether Harwich can continue recharging at the Chatham facility, and at what cost, or if Harwich needs to construct infrastructure required to redirect treated effluent back to Harwich for recharge. Harwich shall be solely responsible for any costs related to treated effluent being redirected back to Harwich. Chatham shall provide any easements necessary at the Chatham WPCF to locate a treated effluent pumping station and appurtenances, including forcemain easements necessary on town-owned properties or within existing rights-of-way from the Chatham WPCF to Harwich. Chatham shall not unreasonably deny, delay or condition the granting of such easements.

6. SEPTAGE

Chatham shall accept septage pumped from properties located in the East Harwich Service Area upon appropriate documentation and at the prevailing rate of the Chatham WPCF.

7. FLOW BUY BACK PROVISION

In the event Harwich does not use the entirety of the 0.3 MGD allocated to it Chatham shall have the right to buy back any unused flow. Harwich shall not transfer any portion of the 0.3 MGD allocation to any other entity. Harwich shall not divert any portion of the 0.3 MGD allocation to any area outside the East Harwich Service Area.

8. TERM.

This Agreement shall commence on Execution of the Agreement and shall continue, unless sooner terminated, for a Term of twenty five (25) years. This Agreement shall continue in full force and effect on the Expiration Date unless notice is provided by one of the Parties to the other Party of the intention to terminate this Agreement, in which event this Agreement shall terminate on the date that is thirty six (36) months from the date of such notice. In the event of any termination of this Agreement prior to the Expiration Date, Harwich shall pay to Chatham the amount described in Section 3 hereof, in addition to any other amounts owing hereunder.

9. CONNECTION POINT.

a. Harwich may construct and connect the East Harwich portion of its sewerage system as set forth on Exhibit A in coordination with Chatham's infrastructure implementation schedule. Chatham will furnish to Harwich sewerage collection and treatment. The connection of Harwich with the System shall take place by means of the Connection Point at or near the Chatham town line. Harwich will be invoiced for ordinary repairs and maintenance of the Connection Point in a manner consistent with the regular practices of Chatham for maintenance of the System.

- d. Review. The Parties shall periodically review their respective sewer use Bylaw(s) and Regulations and jointly draft and adopt amendments (which are equivalent in scope and stringency) when deemed necessary for the effective administration and operation of Chatham's or Harwich's pretreatment program or may be responsive to requirements of DEP or address other matters which Chatham or Harwich deem appropriate to maintain the System. This review shall be conducted not less than once every five (5) years. However, either Party may request a joint review whenever such party believes that a review is necessary. A request for such joint review must be forwarded by the requesting party in writing to the other party, stating the reason for the request and the date on which the review is requested to take place. Within ten (10) business days of receipt of the request, the receiving Party must respond to the request, stating that the proposed date is satisfactory or proposing an alternate date(s) for review. In any case, the joint review shall take place within thirty (30) business days of the request.
- e. Compliance with Law. Each of the Parties shall use reasonable efforts to comply with all applicable current and subsequent regulations of the U.S. E.P.A. and DEP relating to the administration, operation and control of the System during the term of this Agreement, and no party shall be liable for the act or neglect of the other.

11. IMPLEMENTATION; ENFORCEMENT.

- a. Agency. Harwich designates Chatham as an agent of Harwich for the purposes of implementation and enforcement of Harwich's sewer use Bylaw against all users located in Harwich. Chatham may take any action under Harwich's sewer use Bylaw that could have been taken by Harwich, including the enforcement of the Bylaw in courts of law. Chatham shall have concurrent authority with Harwich to enforce its sewer use Bylaw in Harwich. The foregoing authorization is not an abdication of Harwich's obligations to in good faith enforce this Agreement but in addition thereto. Harwich's bylaw shall indicate said designation of Chatham as a supplemental implementation/ enforcement authority. Notwithstanding the foregoing, Harwich shall have the responsibility of all collections related to users of Unmetered Flow. Harwich shall be required, regardless of the users' collection status, to pay Chatham on a quarterly basis for all Unmetered Flow.
- b. Duties. Chatham, on behalf of and as agent for Harwich, may, at its sole option, perform any and all technical and administrative duties necessary to implement and enforce Harwich's sewer use Bylaw or its own sewer use Bylaw. Chatham may, at its sole option: (1) update the industrial waste survey; (2) issue permits to all industrial users required to obtain a permit; (3) conduct inspections, sampling, and analysis; (4) take all appropriate enforcement action; and (5) perform any other technical and administrative duties the Parties mutually deem appropriate.

- h. Costs. All costs and expenses (including labor, equipment, attorneys' fees, etc.) incurred by Chatham in implementing and enforcing Harwich's sewer use Bylaw against users of the System located in East Harwich shall be paid by Harwich upon issuance of a quarterly invoice by Chatham itemizing the same.
- i. Secondary Authority. If the authority of Chatham to act as agent for Harwich under this Agreement is questioned by an industrial or any other user, court of law, or otherwise, Harwich will take whatever action is necessary to ensure the implementation and enforcement of its sewer use Bylaw against any of its users, including, but not limited to, implementing and enforcing its sewer use Bylaw on its own behalf and/or amending this Agreement to clarify Chatham's authority.
- j. Natural Disasters. In the event of floods or other natural disasters that cause water flows in the System to exceed capacity limits and/or that result in an unsafe condition, and/or that cause, or threaten to cause, harm to the public health, the Parties shall cooperate fully and reasonably to resolve such capacity, safety and public health concerns in accordance with the broad objectives of this Agreement and applicable laws and regulations.

12. ALLOCATIONS OF MAXIMUM FLOWS, FLOW CHARACTERISTICS.

- a. Maximum Flows. The annual average flow from Harwich shall be 300,000 gpd or less. This represents 23.08% of the design average annual flow of the Chatham WPCF. Because the flow from Harwich will be pumped directly to the Chatham WPCF, Harwich is allowed 23.08% of other measured or calculated flows including, but not limited to: max 30 day average, peak day and peak hour.
- b. Flow Characteristics. Harwich will not authorize, and Chatham shall exclude, sewerage flows into the System in excess of the rates of flow specified above for East Harwich; provided, however, that before excluding flow from East Harwich hereunder, a determination based on actual data over a period of at least twelve (12) months shall have been made that the average flow from East Harwich shall have exceeded the limitation applicable thereto and Harwich shall have been given at least ninety (90) days prior written notice thereof. Chatham and Harwich shall take all reasonable steps to preclude the introduction into the System of sewerage having characteristics, including, but not limited to, BOD, TSS, Total Nitrogen, Nitrate Nitrogen, Turbidity, TOC, Oil & Grease, Sodium, not in accordance with the local limits in place from time to time as established by Chatham.

Local Limits shall be defined as follows:

- 1. BOD, TSS, Total Nitrogen – Harwich shall be allowed a share of the influent load planned for the Chatham WPCF that is commensurate with

require connection to the System. Harwich, therefore, shall be entitled to no more than 0.3 MGD of permitted Flow into the System.

14. COLLECTION OF AMOUNTS PAYABLE.

- a. O&M Share. Within thirty (30) days after the end of each calendar quarter, Chatham will send a statement to Harwich showing, for the period since the beginning of the Fiscal Year to the end of such quarter, (a) East Harwich Flow, (b) the Total Flow, (c) O&M Expense incurred, (d) Harwich's O&M Share thereof and (e) the amount, if any, previously paid by Harwich on account thereof. Harwich shall remit payment of the balance due to Chatham within thirty (30) days of receipt of such statement.
- b. Construction Costs. Harwich shall pay the Harwich Project Share of the Project Costs. Such payments shall be based upon the payments actually made by Chatham pursuant to all financings and/or borrowings, including, without limitation, interest costs, in connection with the Project. Chatham will send a monthly statement to Harwich showing the amount actually paid to Chatham's lender. Harwich shall remit payment to Chatham within thirty (30) days of receipt of such statement.
- c. Construction Costs Following Early Termination. In the event of any termination of this Agreement prior to the Expiration Date, Harwich shall pay to Chatham the full amount of (i) Harwich's Project Share of the Project Costs for work actually performed and invoiced to Chatham and which remains unpaid as of the date of termination, (ii) Harwich's Project Share of the Project Costs for all then-remaining work to be performed in connection with the Upgrades and (iii) any other amounts owing hereunder. Such payment shall be made to Chatham within thirty (30) days of the date of notice of termination or, for work not yet performed at the time of the notice of termination, within thirty (30) days of the date of invoicing for work when it is actually performed. In the event that any payment due under this Section 14 is not received by Chatham within forty-five (45) days of Harwich's receipt of Chatham's statement, interest on the amount overdue shall accrue at the rates and in the manner as is charged to Chatham ratepayers who have amounts owed and past due. The provisions of this Section 14 shall survive any termination of this Agreement.
- d. Fees. Harwich shall be responsible for collecting, and Chatham shall be entitled to receive the proceeds from, the issuance and collection of sewer use and pretreatment fees and assessments, if any, as set forth in the controlling sewer use Bylaw or Regulations, as amended, from any and all contributing users located within Harwich. Harwich hereby covenants and agrees that East Harwich-based users of the System shall be subject to and responsible for the payment of such fees, including without limitation any special assessment or similar charge to the extent such fees, assessments or charges are also payable by Chatham-based users of the

threatened breach, and that neither Party shall oppose the granting of any such relief to Chatham. Such remedy shall not be deemed to be the exclusive remedy for a breach of this Agreement but shall be in addition to all other remedies available to either Party for all damages, costs and expenses, including reasonable attorneys' fees, incurred by it in this regard.

- b. Waiver. No delay or failure to exercise a right resulting from breach of this Agreement shall impair such right or be construed as a waiver thereof, so that such right may be exercised from time to time and as may be deemed expedient. Any waiver shall be in writing and signed by the party granting such waiver. If any provision contained in this Agreement is breached by either Party and thereafter waived by the other Party, such waiver shall be limited to the particular breach so waived and shall not be deemed to waive any other breach under this Agreement.

18. TERMINATION OR BREACH.

18.1 Either party may terminate this Agreement by providing at least three (3) years advance written notice to the other party. All benefits and obligations under this Agreement will cease upon the termination date set forth in such written notice. Upon the effective date of such termination, Chatham shall discontinue the services of its System, including collection and pretreatment of sewerage discharge, for any and all residential, industrial and other users located in Harwich. All users located in Harwich shall cease and desist discharging into Chatham's System upon Chatham's election to discontinue services. In the event of any termination of this Agreement prior to the Expiration Date, Harwich shall pay to Chatham the amount described in Section 14 hereof, in addition to any other amounts owing hereunder.

18.2 For any material breach of this Agreement, either party may terminate this Agreement by giving the other party written notice thereof with an effective termination date twelve (12) months after receipt of the notice to terminate.

18.3 No failure or delay in any performance hereunder shall be deemed to be a breach of this Agreement when such failure or delay is occasioned by or due to an Act of God, strike, lockout, war, riot, epidemic, explosion, sabotage, breakage, or accident to machinery or line or pipes or binding order of any court or governmental authority, or any other cause whether of the kind herein enumerated or otherwise not attributable to or within the control of the Party against whom the breach is alleged.

18.4 It shall be deemed a material breach of this Agreement if thirty (30) days passes after which Chatham has sent to Harwich a written notice of overdue payment of any undisputed amount and Harwich does not pay same within ten (10) days after receipt of said overdue notice.

19. NOTICES.

- e. Relationship. This Agreement does not create a fiduciary relationship between the Parties. Nothing in this Agreement is intended to constitute either Party an agent, legal representative, subsidiary, joint venture, partner, employee, or servant of the other for any purpose.
- f. Modification. No modification, alternation, amendment or waiver of any provision of this Agreement shall be effective or binding on either party unless mutually agreed to in writing by the Parties.
- g. Captions. The captions appearing in this Agreement are inserted only as a matter of convenience and for reference, and in no way define, limit construe or describe the scope or intent of any provisions of this Agreement nor in any way affect this Agreement.
- h. Governing Law. This Agreement shall be governed by, construed and interpreted in accordance with the laws of the Commonwealth of Massachusetts, which shall also be determinative in any litigation in connection with, or enforcement of this Agreement.
- i. Severability. If any term of this Agreement is held to be invalid in any judicial action, it shall be severed from this Agreement and the remaining terms will be unaffected.
- j. Third Parties. Nothing contained in this Agreement shall create a contractual relationship with, or a cause of action in favor of, a third party against any or all of the Parties.
- k. Binding Effect. The terms, covenants, and conditions contained in this Agreement shall be binding upon and inure to the benefit of the Parties hereto and their respective legal representatives, successors and assigns and any person or persons, natural or corporate, claiming through or under them, or any of them.
- l. Assignment. No assignment of this Agreement or any Party's rights, interests or obligations hereunder may be made without the other Party's consent, which shall not be unreasonably denied, withheld, delayed or conditioned.

[Signature page follows]

Exhibit A

Area of East Harwich to be Included

DRAFT

Exhibit C

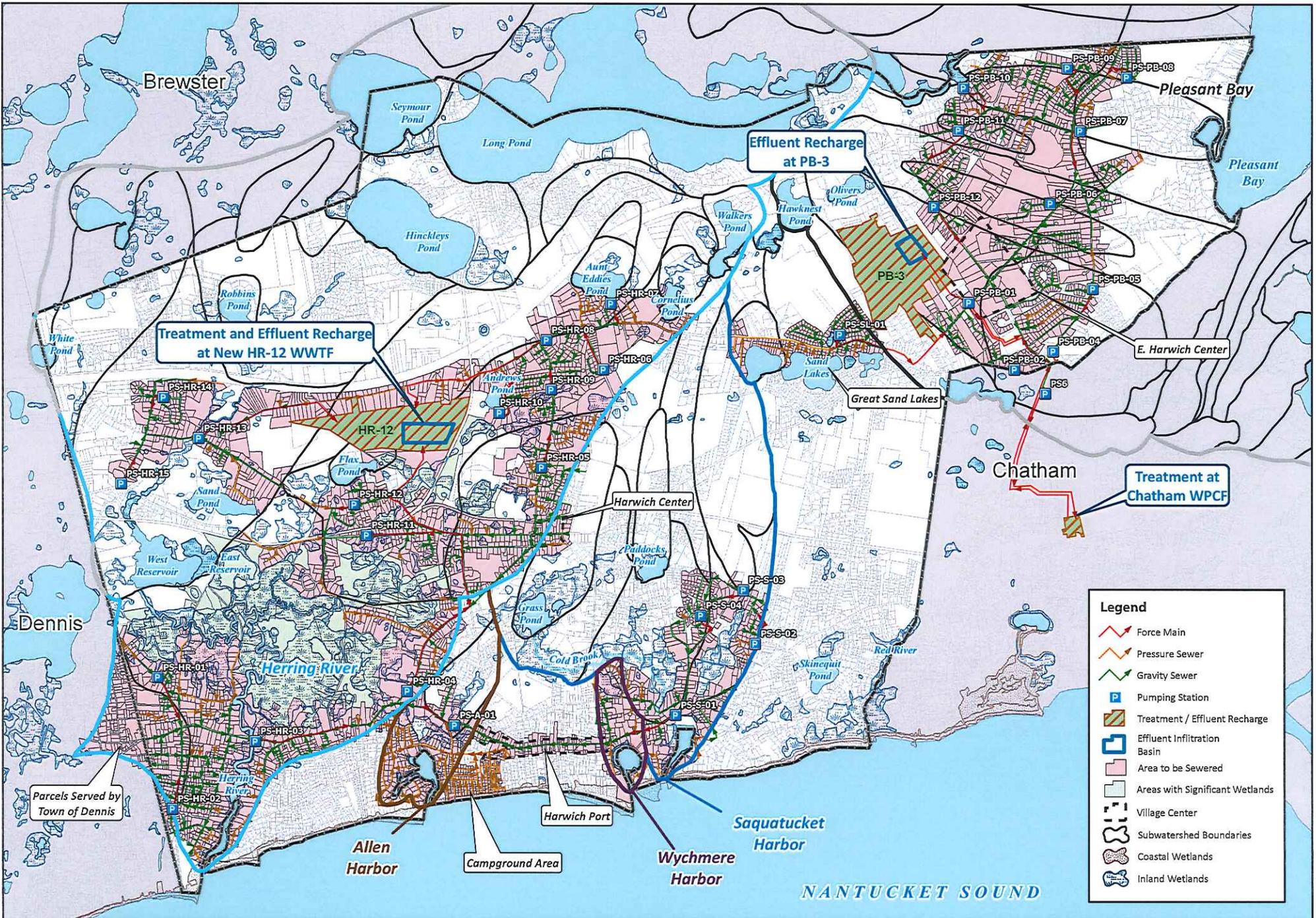
O&M Expenses

DRAFT

**Exhibit E**

**Draft Preliminary Design Memorandum M-1B**  
**Flows and Loadings**

DRAFT

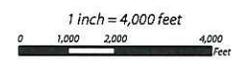


**Legend**

- Force Main
- Pressure Sewer
- Gravity Sewer
- Pumping Station
- Treatment / Effluent Recharge
- Effluent Infiltration Basin
- Area to be Sewered
- Areas with Significant Wetlands
- Village Center
- Subwatershed Boundaries
- Coastal Wetlands
- Inland Wetlands



Town of Harwich  
Comprehensive Wastewater  
Management Plan

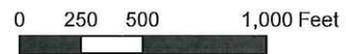


**Figure 13-1**  
Recommended Areas to be Sewered  
**CDM Smith**



**Legend**

- |            |               |                 |
|------------|---------------|-----------------|
| Force Main | Gravity Sewer | Manholes ●      |
| 10" —      | 8" —          | New Buildings □ |
|            | 12" —         |                 |



Paper Size ANSI B



CDM Smith Inc.  
 Harwich Comprehensive  
 Wastewater Management Plan  
 Site 6 Gravity  
 and Force Main Extents

Job Number | 86-14969  
 Revision | A  
 Date | 11 Jun 2012

**Figure 5**

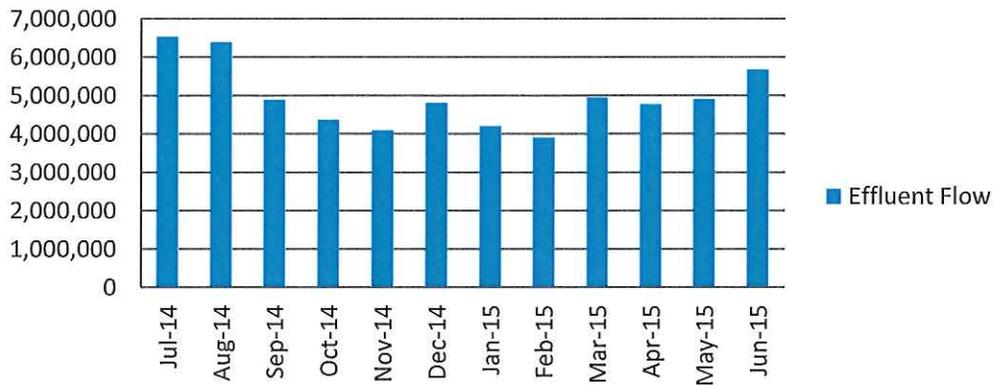
Map Projection: Lambert Conformal Conic  
 Horizontal Datum: North American 1983  
 Grid: NAD 1983 StatePlane Massachusetts Mainland FIPS 2001 Feet

G:\56114389\GIS\Fig 5 - Site 6.mxd

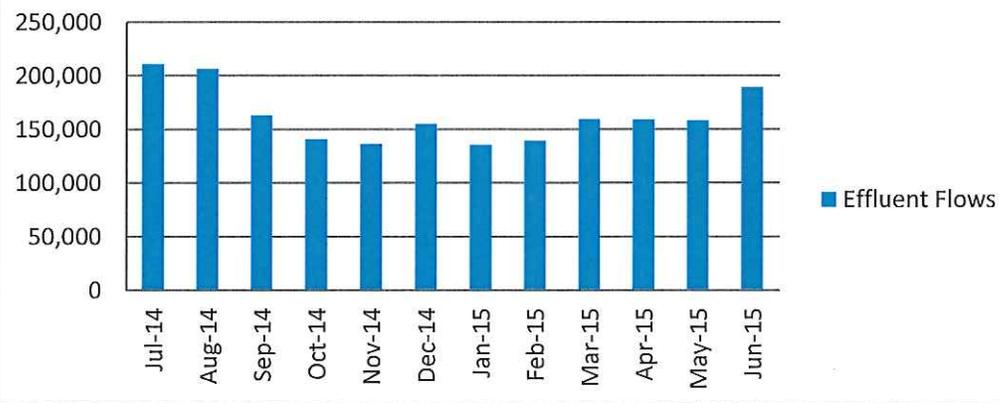
1545 Iyannough Rd Hyannis MA 02601 USA T 774-470-1630 F 774-470-1631 E hyemail@ghd.com W www.ghd.com

© 2012. Whilst every care has been taken to prepare this map, GHD (and DATA CUSTODIAN) make no representations or warranties about its accuracy, reliability, completeness or suitability for any particular purpose and cannot accept liability and responsibility of any kind (whether in contract, tort or otherwise) for any expenses, losses, damages and/or costs (including indirect or consequential damage) which are or may be incurred by any party as a result of the map being inaccurate, incomplete or unsuitable in any way and for any reason.

### Total Monthly Effluent Flows July 1, 2014 through June 30, 2015



### Average Daily Effluent Flows July 1, 2014 through June 30, 2015



**From:** J. Jefferson Gregg, P.E.  
**Date:** April 21, 2006  
**Re:** Chatham, MA Preliminary Design  
Flows and Loadings

### **Purpose of Memo**

The purpose of this memorandum is to summarize the development of wastewater flows and loadings for the Town of Chatham (Town) to be used in the preliminary design of wastewater facilities.

### **Average Wastewater Flows Development**

To remain consistent with the facilities planning process to date and the Massachusetts Estuaries Project Efforts, the Town's existing water consumption data has been used as the basis for the future Wastewater Treatment WWTF design flows and loadings.

The following is a summary of the Town's water data analysis and how it is being applied to this project:

1. 2002-2003 Water data (provided by the Town – summer to summer, and used as part of the Massachusetts Estuaries Project (MEP)). Currently approximately 90 percent of the Town is on public water.
2. Ninety percent reduction applied to convert water use to wastewater generation (facilities plan, and MEP). This 90% reduction is based on an analysis of the wastewater flows to the existing Chatham WWTF.
3. Calculated average water use per parcel for those parcels without known irrigation systems, as identified by Town.
4. Actual water data was used where available, if no water data was available the following approach was used:
  - a. Average water use for single family home was estimated to be 120 gpd/parcel (rounded to two significant figures). Estimations based on the parcel by parcel analysis.
  - b. For non-single family homes, estimated water use assigned to these parcels was based on the average water use of parcels with the same state class code (similar property type).
  - c. Build-out parcels (future) were assigned 120 gpd/parcel.
5. Build-out projections based on the approach established as part of the facilities planning effort and accepted by the Town and Cape Cod Commission (CCC).
6. Existing developed-properties wastewater flow compared to projected build-out flow, and the higher of the two values used.



were well within the range recommended by TR-16. TR-16 does not have estimates for summer average, minimum month or maximum month flows.

**TABLE 2**

**Peaking Factors**

Condition	Existing WWTF <sup>(1)</sup>	TR-16 <sup>(5)</sup>	PROPOSED
Minimum Month	0.7		0.5
Summer Average <sup>(2)</sup>	1.3		1.6
Maximum Month <sup>(3)</sup>	1.6		1.9
Peak Day <sup>(4)</sup>	1.8	2.1	2.2
Peak Hour		3.4	3.4

- Note:
1. Based on 2002 through 2005 data
  2. Three month average (June, July, and August) divided by average annual
  3. Maximum month divided by average annual
  4. Peak day divided by average annual
  5. TR-16 estimates based on average annual flow of 1.5 mgd

Summer average flows during the years 2002 through 2005 were evaluated for June through August, June through September and July through September. The highest average summer flow occurred during the June through August period, although all three periods yielded similar results.

Table 3 presents the Townwide wastewater flow estimates. Existing average annual flow and build-out flows are based on the previously agreed upon approach. Peaking factors are then applied to calculate the remaining build-out flows. Build-out is considered the design conditions for this project.

**TABLE 3**  
**Town-wide Flow Estimates**  
**(not including I/I)**

Condition	Flow (mgd)
Existing (2003) Average Annual Flow <sup>(1)</sup>	1.0
Build-out (BO) Average Annual Flow	1.3
BO Summer Average Flow	2.1
BO Minimum Month Flow	0.86
BO Maximum Month Flow	2.5
BO Peak Day Flow	2.9
BO Peak Hourly Flow	4.5

- Note: 1. Calculated flow based on 2002-2003 water data and existing Town wide land use and units based on 2004 Town assessors data.



**TABLE 5**

**Total Proposed WWTF Design Flows <sup>(1)</sup>**

Condition	Flow (mgd)
Startup Minimum Month Flow	0.08
Average Annual Flow	1.9
Average Summer Design Flow	2.7
Minimum Month Design Flow	1.2
Maximum Month Design Flow	3.1
Peak Day Design Flow	3.5
Peak Hourly Design Flow	5.1

Notes:

1. Includes I/I

Maximum month flows and loadings will be critical for meeting any effluent nitrogen limit. Peak flows are also critical for process design and hydraulic considerations and effluent disposal. Also, with continued reconstruction of homes in Chatham, it is quite possible that a higher proportion of year-round residents may eventually reside in Town. However, such projections are not available at the time of this technical memorandum, so for planning purposes the present distribution of seasonal and year-round properties (outside of the projected growth due to Build-out) would remain the same in the future. To minimize the impact of future conversion of seasonal to year round homes, the facility will also consider a summer average flow rate and loading, which would account for the majority of the potential residential sewer users in the future. However the fact that the facility will be designed around maximum month and peak day conditions will address this increase in flow and loading.

### Development of Loadings

Table 6 presents TR-16 factors for loading variability.

**TABLE 6**

**TR-16 Loading Factors**

Condition	Maximum Month	Peak Day
BOD	1.14	1.8
TSS	1.3	2.1

Table 7 presents the existing loadings for the Chatham WWTF (2002-2005).



**TABLE 9**

**Seasonal Correlation of Flows and Loads**

Season	Design Flow	Design Load	Design Average Monthly Temperature (degrees C)
Dec-Feb	Use Min. Month	Use Min. Month	7
March-May	Use Average Design Flow	Use Average Design Flow	10
June-Aug	Use Max Month	Use Max Month	20
Sept-Nov	Use Average Design Flow	Use Average Design Flow	16

**WWTF Phasing**

Preliminary design of the WWTF is based on two phases, based on a preliminary division of the Town to address potential sewerage options. Phase I flows would cover portions of the Town located generally south of Route 28, and Phase II would encompass the remaining areas of Town.

Table 10 summarizes the approximate flow split.

**TABLE 10**

**Phased WWTF Design Flows <sup>(1)</sup>**

Condition	Phase I Flows (mgd)	Phase II Flows (mgd)
Startup Minimum Month Flow	0.08	0.8
Average Annual Flow	1.3	1.9
Average Summer Design Flow	1.8	2.7
Minimum Month Design Flow	0.8	1.2
Maximum Month Design Flow	2.1	3.1
Peak Day Design Flow	2.3	3.5
Peak Hourly Design Flow	3.5	5.1

Notes:

1. Includes I/I

Tele: 508-430-7513  
 Fax: 508-432-5039

Office of the Town Administrator  
 732 Main Street

**Town Of Harwich**  
 Harwich, MASSACHUSETTS 02645

Name:	Christopher Clark				
Job Title:	Town Administrator	Classification:	Contract		
Administrator:	Christopher Clark				
Department:	Town Administrator				
Anniversary Date:	12/27/2013	Evaluation date:	April/May 2016		

**\*\*Town Manager Evaluation\*\***

**Key for Performance evaluations:**

**EX: Exceptional**

Performance far exceeds expectations due to exceptionally high quality of work performed in all essential areas of responsibility.

**EE: Exceeds Expectations**

Performance consistently exceeded expectations in all essential areas of responsibility and the quality of work overall was excellent, resulting in an overall quality of work that was superior.

**ME: Meets Expectations**

Performance consistently met expectations in all essential areas of responsibility at times possibly exceeding expectations and the quality of work overall was very good.

**IN: Improvement Needed**

Performance did not consistently meet expectations or performance failed to meet expectations in one or more essential areas of responsibility.

**UN: Unsatisfactory**

Performance was consistently below expectations in the most essential areas of responsibility and/or reasonable progress towards critical goals was not made. Significant improvement is needed in one or more important areas.

**A. Last Evaluation's Goals: (if applicable) 45 points total**

Goal:	Rating:					Points:	Comments:
Available points per section:	1	2	3	4	5		
1. Prepare FY 16 capital and operating budgets	UN	IN	ME	EE	EX		
2. Long-term plan toward AAA bond rating	UN	IN	ME	EE	EX		
3. Overall operational reorganization TA/ATA duties	UN	IN	ME	EE	EX		
4. Revise personnel bylaws and negotiate CBAs	UN	IN	ME	EE	EX		

5. Wastewater organizational structure	UN	IN	ME	EE	EX		
6. Harbor financing from general fund to fee driven	UN	IN	ME	EE	EX		
7. Three administrator reorganizations to current structure	UN	IN	ME	EE	EX		
8. Review of town building and property assets specifically Albro house	UN	IN	ME	EE	EX		
9. Technology innovations introduce three	UN	IN	ME	EE	EX		

**B. Job Success Factors:**

**(45 points total)**

**1. Problem Solving/Decision Making: (5 points)**

Anticipates, Identifies, & prevents problems, involves others in seeking solutions. Makes clear and consistent decisions, acts with integrity in all decision making and makes timely decisions.

Rating:					Points:	Comments:
1	2	3	4	5		
UN	IN	ME	EE	EX		

**2. Strategic planning and organizing: (5 points)**

Aligns priorities with broader goals, measures outcomes, uses feedback to change as needed, evaluates alternatives, solutions oriented, develops realistic plans, meets deadlines & follows through

Rating:					Points:	Comments:
1	2	3	4	5		
UN	IN	ME	EE	EX		

**3. Communication: (5 points)**

Connects with peers, subordinates and public, actively listens, clearly and effectively shares information, demonstrates effective oral and written communication skills. Seeks to clarify and confirm the accuracy of understanding of vague terms and instructions

Rating:					Points:	Comments:
1	2	3	4	5		
UN	IN	ME	EE	EX		

**4. Leadership: (5 points)**

Accepts responsibility for own work, develops trust and credibility, demonstrates honest and ethical behavior, engages the talents, experiences, and capabilities of others. Results-oriented and desire to excel in job

Rating:					Points:	Comments:
1	2	3	4	5		
UN	IN	ME	EE	EX		

**5. Teamwork: (5 points)**

Successfully works with others to achieve desired results, contributes to team projects, exchange ideas and opinions, helps prevent, resolve conflicts, develops positive working relationships and is flexible, open-minded promoting mutual respect for all

Rating:					Points:	Comments:
1	2	3	4	5		
UN	IN	ME	EE	EX		

**6. Customer Orientation: (5 points)**

Listens, identifies, and responds quickly and effectively to internal and external customers' needs and sets work activities accordingly; goes beyond what is expected and follows up to ensure customer satisfaction

Rating:					Points:	Comments:
1	2	3	4	5		
UN	IN	ME	EE	EX		

**7. Productivity: (5 Points)**

Maintains fair workload; takes on additional responsibilities as needed; manages priorities; develops and follows work procedures; completes assignments on time and to specifications

Rating:					Points:	Comments:
1	2	3	4	5		
UN	IN	ME	EE	EX		

**8. Quality: (5 Points)**

Demonstrates accuracy, thoroughness, and reliability; manages time and priorities; develops and follows work procedures

Rating:					Points:	Comments:
1	2	3	4	5		
UN	IN	ME	EE	EX		

**9. Department specific competency: (5 Points)**

	Rating:					Points:	Comments:
	UN	IN	ME	EE	EX		
	1	2	3	4	5		

**Complaint Letters:**

0 letters: (1 point)	# of inc	Points	Dept Avg: (1 point) (0 point) (-1 point)	Points	Average	Points: <input type="text"/>
1 letter: (-1 point)	#					
2 letters: (-2 points)	#					
More than 2 letters: (-3 points)	#					

**Future Goals and Objectives: (8 points)**

Please list 9 goals and objectives for the following year. 6 attainable goals, 2 possible goal and 1 "if time permits" goal:

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9

Points:

C: Extra credit:  
(4 points total)

Has the Town Administrator come up with any cost saving ideas/solutions? (1 point)	Points:	<input type="text"/>
Has the Town Administrator obtained any grants/Gifts? (1 point)	Points:	<input type="text"/>
Has the Town Administrator been able to "turn back" any funds? (1 point)	Points:	<input type="text"/>
Has the Town Administrator obtained letters of commendation? (1 point)	Points:	<input type="text"/>

Overall rating:  
(104 total possible points)

UN	IN	ME	EE	EX
----	----	----	----	----

Total points:	0
---------------	---

Professional Development Plan/Comments:

----------------------

Signatures:

Town Administrator Name: Christopher Clark

Town Administrator Signature : \_\_\_\_\_ Date: \_\_\_\_\_

My signature also indicates that I have received a copy of this evaluation

I would like to include comments regarding my evaluation.

Select person: \_\_\_\_\_ Date: \_\_\_\_\_

Chair: \_\_\_\_\_ Date: \_\_\_\_\_

BOS VOTE	FINCOM VOTE	ART#	Oneliners ATM May 2, 2016		BOS		Capital							Local		ART#		
			Petitioner	Request	TA Recom.	Recom.	FinCom Recom	Tax levy	Free Cash	CPC	Water Ent.	Excl.	Debt Exclusion	Receipts	Other			
Incl	7-0-0	1	Town Officers & Committees	Customary														1
Incl	7-0-0	2	Reports of Town Officers & Comms.	Customary														2
Incl	7-0-0	3	Elected Officials Salaries	Customary	\$ 84,697			\$ 84,697										3
Incl	6-0-0**	4	Town Operating Budget	BOS														4
Incl	7-0-0	5	MRSD Budget	MRSC/Supt	\$24,058,302			\$ 23,833,578	\$ 224,724									5
Incl	7-0-0	6	CC Tech School Budget	Supt.	\$ 1,437,053			\$ 1,437,053										6
Incl	7-0-0	7	Water Department Budget	Water Com.	\$ 3,939,879			\$ 3,939,879										7
Incl	7-0-0	8	Adopt Capital Plan	BOS														8
Incl	6-0-0	9	Amend Personnel Bylaw	Town Adm														9
Incl	7-0-0	10	Cap Items under \$50K from Free Cash	BOS	\$ 89,900				\$ 89,900									10
Incl	6-0-0	11	Facility Maint & Repair Fund	BOS	\$ 561,000				\$ 561,000									11
Incl	6-0-0	12	Fire Dept Ambulance	Fire Chief	\$ 290,000				\$ 290,000									12
Incl	7-0-0	13	Golf - Landscape Reclamation	Golf Comm	\$ 35,000												\$ 35,000	13
Incl	7-0-0	14	Golf - Construct new Tees	Golf Comm	\$ 30,000												\$ 30,000	14
Incl	6-0-1	15	Golf - Est. New Capital Infrastructure Fund	Golf Comm														15
Incl	6-0-0	16	Reconst Saquatucket Marina	Harbor	\$ 7,000,000										\$ 6,000,000		\$ 1,000,000	16
Incl	5-1-0	17	Landside Saquatucket	Harbor	\$ 250,000				\$ 250,000									17
Incl	7-0-0	18	Road Maint. Program	DPW Dir.	\$ 700,000										\$ 700,000			18
Incl	7-0-0	19	DPW - Vehicles	DPW Dir.	\$ 316,500				\$ 316,500									19
Incl	7-0-0	20	DPW -Equipment	DPW Dir.	\$ 188,209				\$ 188,209									20
Incl	7-0-0	21	Water - Excavator	Water Com.	\$ 125,000						\$ 125,000							21
Incl	7-0-0	22	Water - Replace Lothrop Ave Tank	Water Com.	\$ 1,600,000						\$ 1,600,000							22
Incl	7-0-0	23	Water - SCADA System	Water Com.	\$ 300,000						\$ 300,000							23
Incl	6-0-0**	24	IMA with Chatham	BOS	\$ 9,000,000									\$ 9,000,000			24	
Incl	6-0-0**	25	Enact Sewer Bylaw	BOS														25
Incl	6-0-0**	26	CPC - Reserve	CPC														26
Incl	7-0-0	27	CPC - Fund Land Bank Debt Service	CPC	\$ 633,400					\$ 633,400								27
Incl	6-0-0	28	CPC - Chase Library Fireplace	CPC	\$ 3,100					\$ 3,100								28
Incl	6-0-0	29	CPC -Hist Soc. Artifacts	CPC	\$ 11,000				\$ 11,000									29
Incl	5-1-0	30	CPC - Albro House & Accessibility Mods	CPC	\$ 18,700				\$ 18,700									30
Incl	5-1-0	31	CPC - Historical Property Inventory	CPC	\$ 20,000				\$ 20,000									31
Incl	6-0-0**	32	CPC - W. Harwich School Preserv & Rehab	CPC	\$ 203,500				\$ 203,500									32
Incl	6-0-0	33	CPC - Historical Preserv Burial Crypts	CPC	\$ 25,000				\$ 25,000									33
Incl	6-0-0	34	CPC - S.Harwich Meetinghouse	CPC	\$ 100,000				\$ 100,000									34
Incl	6-0-0	35	CPC - Whitehouse Field Fencing	CPC	\$ 57,128				\$ 57,128									35
Incl	6-0-0	36	CPC - Queen Anne Rd Biketrail Crossing	CPC	\$ 29,700				\$ 29,700									36
Incl	6-0-0	37	CPC - Brooks Park exp/imp Phase #	CPC	\$ 188,000				\$ 188,000									37
Incl	6-0-0**	38	CPC - Purchase of Marini Property	CPC	\$ 800,000				\$ 800,000									38
Incl	5-0-0	39	CPC - Brooks Library Restoration	CPC	\$ 540,000				\$ 540,000									39
Incl	6-0-0	40	CPC - Rescind Art 42 May 2007 ATM	CPC	\$ 32,760												\$ 32,760	40
Incl	6-0-0	41	Accept MGL c.111, §26G BoH Member/Septic	BOS														41

BOS VOTE	FINCOM VOTE	ART#	Oneliners ATM May 2, 2016				BOS		Capital					Local		ART#	
			Petitioner	Request	TA Recom.	Recom.	FinCom Recom	Tax levy	Free Cash	CPC	Water Ent.	Excl.	Debt Exclusion	Receipts	Other		
Incl	6-0-0	42	Adopt MGL c. 59, §5, Clause 56 - Prop Tax Abate for Nat'l Guard & Reservists	BOA & Veteran's Agent													42
Incl	6-0-0	43	Amend MGL c.59, §5, Clause 41C - Senior Exempt	BOA													43
Incl	6-0-0	44	Create Supplemental Senior Exemption	BOA	\$ 40,000					\$ 40,000							44
Incl	6-0-0	45	Door-to-Door Bylaw	Police Chief													45
Incl	6-0-0	46	Zoning Amend: Bldg/Str Heigh in Flood Zone	PB & Bldg Comm													46
Incl	6-0-0	47	Zoning Amend: A. Construction Sign B. Two-Family C. Guest House	PB & Bldg Comm													47
Incl	6-0-0	48	Charter Amendments 1. Ch. 3, §6-2 appt. terms 2. Ch. 4, §3-2 TA Powers 3. Ch. 5, §3-1 - DPW and §5-1 Fire Dept. 4. Ch 10, §3-1 remove "school committee"	Charter Review Comm													48
Incl	6-0-0	49	Charter Amendment Ch 3, §6-2 Alternate Members	BOS													49
Incl	6-0-0	50	Charter Amendment Ch 7, §14-2 "Water Dependent Structure"	BOS													50
Incl	6-0-0	51	Reconst Ginger Plum Lane thru betterment	BOS	\$ 223,650											\$ 223,650	51
Incl	5-1-0	52	Chase & H.Port Libraries Defrey Expense	Petitioned	\$ 20,000					\$ 20,000							52
Incl	6-0-0	53	Promote Harwich	Petitioned	\$ 25,000					\$ 25,000							53
Incl	5-1-0	54	Annual Allocation of Mass Cultural Council	Culture Council	\$ 3,000					\$ 3,000							54
Incl	6-0-0	55	Charter Amendment Est. Charter Enf Commission	Petitioned													55
Incl	6-0-0	56	Demolition of Residential Buildings	Petitioned													56
Incl	6-0-0	57	Transfer Property to Cemetery Dept.	Cemetery Comm.													57
Incl	7-0-0	58	Dept Revolving Funds Authorization	BOS													58
Incl	5-1-0**	59	Est. Wetland Revolving Fund	Cons Comm													59
Incl	6-0-0**	60	Stabilization Fund	BOS	\$ 1,328,500					\$ 1,328,500							60
Incl	6-0-0	61	OPEB Fund	BOS	\$ 300,000					\$ 300,000							61
Incl	6-0-0	62	Fund Prior Yrs Bills	FinCom	\$ 25,000					\$ 25,000							62
Incl	7-0-0	63	Compensating Bal Agree	Customary													63
Incl	7-0-0	64	Liability Tidal/Non-Tidal Rivers	Customary													64
Incl	7-0-0	65	Herring Fisheries	Customary													65
			<b>Total ATM May 2016</b>														
			Balances		\$ 54,632,978				\$ 29,295,207	\$ 3,661,833	\$ 2,629,528	\$ 2,025,000		\$ 15,700,000		\$ 1,321,410	
NOTE:	Articles 40 - Return of CPC Funds																
NOTE:	Articles 13 and 14 - From Golf Fund																
NOTE:	Article 16 - \$1,000,000 in Grants																
NOTE:	Article 51 Betterment																
**	No Recommendation Pending Further Information ((NRPFI))																

BOS VOTE	FINCOM VOTE	ART#	Oneliners ATM May 2, 2016	Petitioner	Request	TA Recom.	BOS Recom.	FinCom Recom	Tax levy	Free Cash	CPC	Water Ent.	Capital Excl.	Debt Exclusion	Local Receipts	Other	ART#
			<u>Special Town Meeting</u>						\$ 43,756,019	\$ 4,021,000	\$ -		\$ -	\$ -	\$ 10,106,590	\$ -	
			Articles														
			5/2/2016														
	6-0-0**	1	Snow & Ice Deficit		\$250,000					\$ 250,000							1
	6-0-0	2	Rescind Article 9 of 2011 ATM		\$ (50,000)											\$ (50,000)	2
	6-0-0	3	CPC - Admin Cost - Acq of Tax Title	CPC	\$ 50,000											\$ 50,000	3
	6-0-0	4	Budget Shortfalls (DPW)		\$ 165,000												4
		5															5
		6															6
					\$ -	-	-	-	-	\$ -	\$ -	\$ -	-	\$ -	-	-	
			Sub Total		\$ 415,000	-	-	-	-	\$ 250,000	\$ -	\$ -	-	\$ -	-	-	
			2016		\$ 415,000	0	-	-	-	\$ 250,000	\$ -	\$ -	-	\$ -	-	-	
			Totals Used	Total Appropriated	250,000	-	-	-	-	\$ 250,000	\$ -	\$ -	-	\$ -	-	-	
			Tax Levy Balance & other balance								\$ -	\$ -	-	\$ -	-	-	
			Tax Rate Recap														
			Court Orders														
			Debt & Interest														
			Snow & Ice	Prior Year													
			Cherry Sheet														
			Assessments														
			OverlayFY2016														
			Cherry Sheet Offsets							\$ -	\$ -	\$ -	-	\$ -	-	-	
			Total Recap							\$ -	\$ -	\$ -	-	\$ -	-	-	
								Balance	\$ 43,756,019	\$ 109,167	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	



March 14, 2016

Dear Committee Member:

You are cordially invited to the Joint Wastewater Summit at the Harwich Community Center, Multi-purpose Room, on Thursday, April 7, 2016 from 6:00 pm to 8:00 pm. The summit will provide members of the Board of Selectmen, Wastewater Implementation Committee, Finance Committee, Capital Outlay Committee, Board of Health, Planning Board, Conservation Commission, Water Commissioners, Chamber of Commerce and Monomoy School Committee with information on wastewater, regulatory requirements, and options for the Town of Harwich. The speakers will be Brian Dudley, from the Department of Environmental Protection, Patty Daley, from the Cape Cod Commission, David Young, of CDM Smith, the Town's Wastewater Consultant, and Christopher Clark, Town Administrator. There will be time for questions and answers and follow-up discussion in break out groups. Please come and be part of the solution!

Please RSVP to Ann Steidel at [asteidel@town.harwich.ma.us](mailto:asteidel@town.harwich.ma.us) or Sandy Robinson at [srobinson@town.harwich.ma.us](mailto:srobinson@town.harwich.ma.us) by Friday, April 1<sup>st</sup> at noon. If you have any questions, please do not hesitate to contact Charleen Greenhalgh, Assistant Town Administrator at [cgreenhalgh@town.harwich.ma.us](mailto:cgreenhalgh@town.harwich.ma.us).

Best,

Peter de Bakker  
Chair, Wastewater Implementation Committee

Peter Hughes,  
Chair, Board of Selectmen

From the Wastewater Implementation Committee

# BECOME INVOLVED

Harwich has a water quality problem and we need YOU to be part of the solution!

Water Quality Harwich

Above: Allen Harbor Algae Bloom

## WHAT IS THE PROBLEM?

Excessive nitrogen is polluting our coastal waters and can impact our drinking water supplies. Your septic system is the main source of nitrogen.

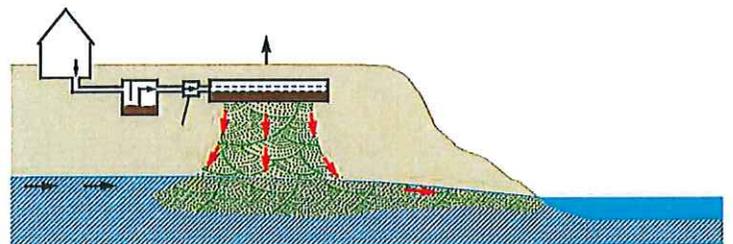
### Nitrogen from septic systems is our biggest issue.

Septic systems are not designed to remove nitrogen. Properly working septic systems allow nitrogen to pollute our water resources and travel with groundwater to the beaches, rivers, estuaries and harbors, destroying water quality and marine life.

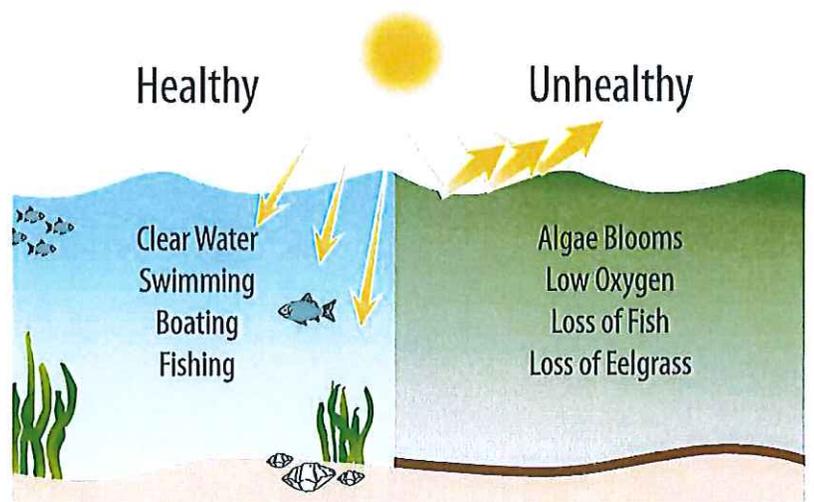
*This impacts all Harwich homeowners.*

### Beaches, rivers and harbors are severely impacted by nitrogen pollution.

Nitrogen from septic systems allows algae to flourish. The algae clouds the water and blocks sunlight, causing aquatic grasses and other plant life to die. As the algae uses all available nutrients and dies, decomposing algae (and dead grasses) depletes dissolved oxygen in the water which results in further loss of fish and bay organisms and an unhealthy environment.



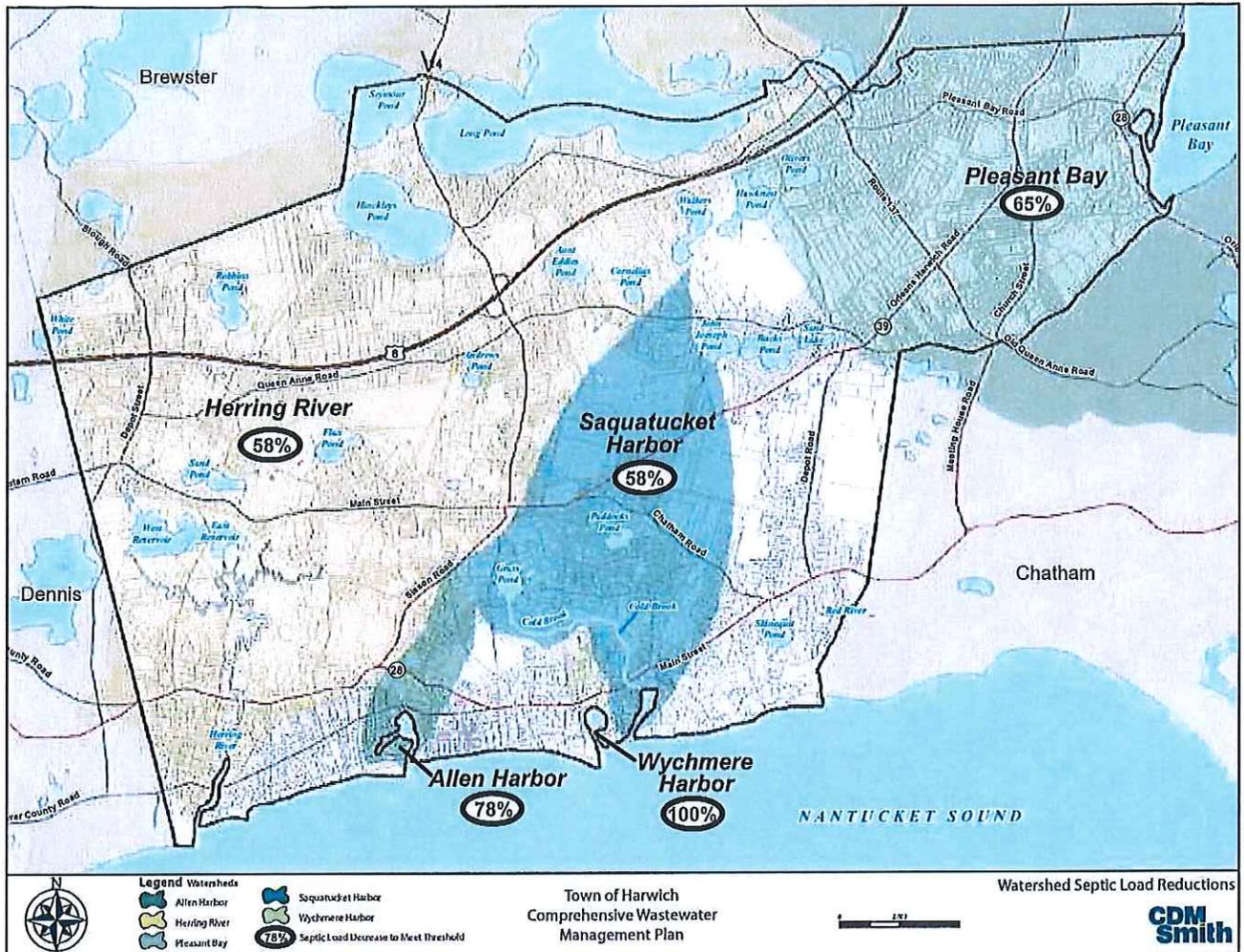
Nitrogen from Title 5 septic systems infiltrates groundwater.



Nitrogen destroys water quality and marine life.



Comprehensive Wastewater Management Planning in Harwich



Percentages shown above indicate the amount of septic system nitrogen that must be removed by watershed to restore our water resources to a healthy state.

Our Draft Comprehensive Wastewater Management Plan evaluated several solutions and recommends that the most efficient and cost-effective solution is to sewer portions of each watershed resulting in about 50% of the Town being sewered in eight phases over 40 years and to implement other non-infrastructure solutions.



## LEARN MORE!

### Online

- Harwich Town Hall Website – <http://www.harwich-ma.gov/>
- Harwich Draft Comprehensive Wastewater Management Plan (CWMP) [http://www.harwich-ma.gov/Public\\_Documents/HarwichMA\\_BComm/wqtf/CWMPReports/CWMP/](http://www.harwich-ma.gov/Public_Documents/HarwichMA_BComm/wqtf/CWMPReports/CWMP/)
- Massachusetts Estuaries Project (MEP) Reports – <http://oceanscience.net/estuaries/reports.htm>
- Draft Section 208 Water Quality Plan – <http://watersheds.capecodcommission.org/>

**Brochures** are available at Town Hall, Community Center, Brooks Free Library and Chamber of Commerce

### Contacts

- Wastewater Implementation Committee meets the third Wednesday of each month (9:30AM at Town Hall)
- Town Administrator's Office can be reached at (508) 430-7513

**We need your involvement. Help us protect our water resources!  
Visit a website or attend a meeting.**