

SELECTMEN'S MEETING AGENDA

Griffin Room, Town Hall

Executive Session 6:00 P.M.

Regular Meeting 6:30 P.M.

Monday, July 27, 2015

I. CALL TO ORDER

- II. EXECUTIVE SESSION - Pursuant to M.G.L. c. 30A, § 21(a)(3), to discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the litigating position of the Board – First Congregational Church

III. PLEDGE OF ALLEGIANCE

IV. WEEKLY BRIEFING

V. PUBLIC COMMENT/ANNOUNCEMENTS

VI. CONSENT AGENDA

A. Approve Minutes –

1. June 8, 2015 Regular Meeting
2. June 15, 2015 Regular Meeting
3. June 29, 2015 Regular Meeting
4. June 29, 2015 South Harwich Meetinghouse Tour
5. July 13, 2015 Executive Session

B. Approve request by American Cancer Fund for Children Inc. to approve and sign proclamation declaring September 2015 as Childhood Cancer Awareness Month in Harwich

C. Accept the resignation of Paul Lagg from the Harwich Cultural Council effective immediately

D. Authorize Chair to sign MassDOT Title VI/Nondiscrimination Assurance Requirement

E. Confirm appointment of Jennifer Clarke as Administrative Assistant in the Health and Conservation Departments as recommended

F. Approve request for assistance from the Caleb Chase Fund as recommended

G. Approve application for One Day Entertainment License by Harwich Conservation Trust for Wildlands Music and Art Stroll for Saturday, September 19, 2015, waive \$25 application fee, approve use of Middle School parking lot and Harbormaster's Bank Street building parking lot

H. Approve application by American Lung Association for 31st Annual Autumn Escape Bike Trek for September 26, 2015 contingent on approval by MassDOT

I. Approve request to participate in and support the Barnstable County Regional Emergency Planning Committee's Regional Sheltering Plan and authorize Town Administrator to sign acceptance letter

J. Approve line item deficit transfers as recommended by Town Accountant

K. Approve proposed accounting change for CPC Fund as recommended by Town Accountant

L. Approve list of Election Officers as submitted by Democratic Town Committee

M. Confirm vote to approve list of Election Officers as submitted by Republican Town Committee (item to be taken up separately)

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

- A. **Presentation** – Town Counsel opinion on the following items - *John Giorgio*

1. Non-Binding Ballot Question for Middle School Building Repurpose – *discussion*
 2. Board of Selectmen Town Charter Appointing Authority & potential Charter change to support “Strong Chief” concept for Public Safety Departments – *discussion & possible vote*
 3. Sewer Fee Attached to Water Rates - *discussion*
- B. **Presentation** – Implementation of Accela E-Permitting – *David Spitz*
 C. **Presentation** – Facilities Maintenance Overview – *Sean Libby, Lincoln Hooper*
 D. **Presentation** - Community Center Catering Services – *Carolyn Carey, Barbara-Anne Foley*

VIII. **OLD BUSINESS**

- A. Town Administrator FY 16 Goals and Objectives – *discussion & possible vote*

IX. **NEW BUSINESS**

- A. Approve request by Pilgrim Congregational Church for refund of building permit fees expended by applicant Clean Energy Solar in the amount of \$670 for photovoltaic project at the Church
- B. Wastewater Educational Moment; Harwich Drinking Water Sources (figs. 8-1, 3-10, 4-1, 4-2) – *discussion*
- C. MRSD/Chatham Draft Concept Funding – establish a process for negotiating agreement - *discussion & possible vote*

X. **TOWN ADMINISTRATOR’S REPORT**

- A. Middle School Insurance Update
 B. Landfill Solar Field Revenue Allocation of Funds to Water Department

XI. **SELECTMEN’S REPORT**

XII. **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 a person with a disability who requires an accommodation contact the Selectmen’s Office at 508-430-7513.*

Authorized Posting Officer:

 Ann Steidel, Admin. Secretary

Posted by: _____
 Town Clerk

Date: _____
 July 23, 2015

**MINUTES
SELECTMEN'S MEETING
GRIFFIN ROOM, TOWN HALL
MONDAY, JUNE 8, 2015
6:30 P.M.**

SELECTMEN PRESENT: Brown, Cebula, Hughes, LaMantia, MacAskill

OTHERS PRESENT: Town Administrator Christopher Clark, Deputy Chief Kent Farrenkopf, Sheila House, Jim Cheverie, Lou Urbano, Richard Gunderson, and others.

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

PUBLIC COMMENT/ANNOUNCEMENTS

Mr. Urbano updated the Board on his plan to paint the Albro House.

CONSENT AGENDA

- A. Vote to accept the resignation of Bill Lean from the Middle School Repurpose Committee
- B. Vote to approve application for renewal of Junk Dealer license by Monahan & Co.
- C. Vote to accept a check from the Cape Cod Five in the amount of \$250 for the Friends of the Harwich Bikeways Committee to be used to allay expenses for their Bike Rodeo event to promote bicycle safety
- D. Vote to appoint Mark Polselli as Part-Time Health Inspector

Ms. Brown moved approval of the Consent Agenda. Ms. Cebula seconded the motion and the motion carried by a unanimous vote.

OLD BUSINESS

- A. Assistant Town Administrator job description – *discussion and possible vote*

Mr. Clark outlined the job description. Ms. Cebula said personnel and procurement should be added to the experience section. She said the description of duties was very loose and needs to be clear. The Board discussed the timing of advertising the position. Ms. Cebula asked Mr. MacAskill to work on the loose language with her in the last paragraph. The Board took comments from Mr. Gunderson. The Board agreed to bring this item back.

- B. South Harwich Meeting House Agreement status – *discussion and possible vote*

Mr. Hughes noted that Ms. Ford will be making a presentation on June 29th and asked what the Board would like addressed. Ms. Cebula said it should be conveyed to Ms. Ford that she is looking for an overview of the work to be done and the associated costs.

- C. Police Chief Selection update – *discussion and possible vote*

Mr. Hughes noted that Ms. Cebula and Mr. MacAskill have visited the towns where the candidates are employed. Mr. MacAskill said that they met with the Police Chief, members of the Board of Selectmen and Town Administrator in both towns and everything was very positive about the candidates. Ms. Cebula added that both towns expressed that they would be sorry to see them go as they are valued employees. Ms. Cebula moved to offer the position of Police Chief to David Guillemette. Mr. MacAskill seconded the motion. He commented that they were both very strong candidates and it was a tough decision. The motion carried by a unanimous vote.

D. Wastewater Moment - Harwich/Chatham Wastewater Meeting update – *discussion and possible vote*

Mr. Hughes discussed details of the recent meeting with Chatham on wastewater issues on June 3. The Board took comments from Lou Urbano and Jim Cheverie.

Mr. Hughes left the meeting to place a call to Mr. Guillemette and Ms. Cebula took over as Chair.

NEW BUSINESS

A. Reallocation of space at the Albro House for Engineering Department – *discussion and possible vote*

The consensus of the Board was that they were willing to give up their office and reallocate the space. At this point Chairman Hughes returned to the meeting. He stressed that there needs to be a comprehensive plan for the building and they haven't yet had the Facilities Maintenance Manager in to talk about the building.

Ms. Cebula questioned what is stopping us from using the Community Center for storage and Mr. Clark responded that we need to comply with standards of the Secretary of State's Office including that the area must be temperature controlled with a dehumidifier. He noted that Ms. Carey has been tasked with doing that.

Mr. Clark noted that the building needs updating including electrical updates and he added that the air conditioning is only window units.

Mr. MacAskill questioned if anyone else could use the Selectmen's Office. He stressed that we should explore all options before we separate the employees and Ms. Brown agreed.

Mr. Clark noted that the request for CPC funding was not granted for work on the envelope of the building.

Mr. LaMantia expressed concerns about access to confidential information and increased traffic.

The Board took comments from Mr. Gunderson.

Chairman Hughes said that this should be reevaluated to make sure it's what we want to do, that we are making the best use of space and it should be brought back.

B. Responsibilities of Selectmen and Town Administrator – *discussion and possible vote*

Mr. Hughes read the following sections of the Charter stressing that the Board should not be involved in the day to day operation of the Town:

3-2-3 The board of selectmen shall serve as the chief policy-making agency of the town and, as such, shall not normally administer the day-to-day affairs of the town, but shall instead regularly direct the town administrator to help it in carrying out its administrative duties and make recommendations to the town meeting relating to actions required to be taken by that body.

3-7-1 Except for the purpose of investigation authorized by this charter, the board of selectmen or its members shall deal with town officers and employees who are subject to the direction and supervision of the town administrator solely through the town administrator, and neither the board nor its members shall give orders to these officers or employees, either publicly or privately.

Chairman Hughes stated that the Board should not be directing staff and Mr. MacAskill noted that the Board should not be giving direction to Mr. Clark individually either. Mr. LaMantia and Ms. Cebula agreed that they can't give direction but they can speak with him as they often need clarification on issues.

TOWN ADMINISTRATOR'S REPORT

A. Middle School – FY 15 Insurance Premium Breakdown – *discussion and possible vote*

Mr. Clark said an individual member of the public called our insurance company and asked why we don't have vacant building coverage at the Middle School. He commented that this was inappropriate and he found it disturbing. He reported that he met with our insurance representative who said that as long as the building has some use, the vacant building coverage isn't needed, which is the guidance he gave from the beginning. The Board heard comments from Mr. Gunderson regarding the insurance on the building and Mr. Hughes said it has been made clear to the insurance company that they are only to deal with the Town Administrator. Ms. Cebula asked for clarification on whether we are paying for the Elementary and High School insurance and if so, are we being reimbursed.

SELECTMEN'S REPORT

A. Selectmen's FY 16 Goals and Objectives – *discussion and possible vote*

Mr. Hughes asked for the Board to provide input and said this would be brought back for a more substantive discussion next week.

B. Committee/Board/Commission Liaisons – *discussion and possible vote*

Mr. Hughes outlined the assignments. The Board agreed that Chairman Hughes would continue as the Ambulance Billing Waiver Administrator. Ms. Cebula noted that there are some committees missing from the list. The following additional liaison assignments were agreed upon:

Mr. MacAskill – Architectural Advisory Committee, Traffic Safety Committee

Ms. Brown – Brooks Academy Museum, Youth Services Committee, Trails Committee

Ms. Cebula – Treasure Chest, Saquatucket Development Committee

ADJOURNMENT

Chairman Hughes announced that the Board would be going into Executive Session as they have decided on a potential Police Chief and they need to discuss some negotiation parameters.

At 8:41 p.m., Ms. Cebula moved pursuant to M.G.L. Ch. 30 A, Section 21(2) to conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with non-union personnel regarding Police Chief recruitment. Mr. MacAskill seconded the motion and the motion carried by a unanimous vote. Chairman Hughes said the Board would not be returning to open session.

Respectfully submitted,

Ann Steidel
Recording Secretary

**MINUTES
SELECTMEN'S MEETING
GRIFFIN ROOM, TOWN HALL
MONDAY, JUNE 15, 2015
6:30 P.M.**

SELECTMEN PRESENT: Brown, Cebula, Hughes, LaMantia, MacAskill

OTHERS PRESENT: Town Administrator Christopher Clark, Chief Clarke, Paula Champagne, Lincoln Hooper, Barbara-Anne Foley, and others.

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

CONSENT AGENDA

- A. Approve Minutes –
 - 1. May 11, 2015 Regular Meeting
 - 2. May 18, 2015 Executive Session
 - 3. June 9, 2015 Interview Sub-committee
- B. Approve FY16 Committee Re-appointments
- C. Approve FY16 Miscellaneous Appointments
- D. Approve FY16 Annual Police Appointments
- E. Approve plan for volunteer painting of the Albro House
- F. Approve new Common Victualler application for Scribano's Italian Market & Deli
- G. Approve Catch Basin Contract extension
- H. Approve vacation carry-over for Town Administrator

Ms. Cebula moved to accept the May 11, 2015 regular session minutes and the May 18, 2015 executive session minutes. Mr. LaMantia seconded the motion. Chairman Hughes pointed out that Mr. MacAskill and Ms. Brown were not on the Board at that time and only the three Board members who were on the Board would vote on these. The motion carried by a 3-0 vote.

Ms. Brown moved approval of the balance of the Consent Agenda. Ms. Cebula seconded the motion and the motion carried by a unanimous vote.

OLD BUSINESS

- A. Wastewater Educational Moment – Paula Champagne, Health Director – *discussion*

Health Director Paula Champagne provided the attached presentation on septic systems.

- B. Selectmen's Rules and Responsibilities – *continued discussion*

Ms. Cebula stated that the Board has to be careful that they don't allow the employees, if they talk to them, to move them in a direction of directing the Town Administrator and the employees should be directed to their supervisor or the Town Administrator.

C. Selectmen's FY 16 Goals and Objectives – *discussion and possible vote*

The Board discussed the goals and objectives that Chairman Hughes had assembled. Ms. Cebula said that the committees should have email addresses. Mr. MacAskill said we need to work toward having live streaming of the meetings. Ms. Cebula asked for a report on how often the Middle School property is being used and by whom. Mr. MacAskill stressed the need to decide what direction to go with the Middle School and Mr. Clark recommended putting a non-binding question on the ballot to see what people would like to do with the building. It was agreed that Ms. Cebula would take the lead on the IT, Financial and Personnel goals, Mr. LaMantia and Mr. MacAskill were assigned to the Middle School Repurpose goals, Mr. MacAskill to Wastewater goals, Mr. Hughes to the Monomoy Regional School District, Ms. Brown was assigned to Town Buildings, and Mr. MacAskill and Ms. Brown to Economic Development. Chairman Hughes asked Mr. Clark to schedule Mr. Libby and Mr. Hooper to provide an update to the Board on Town buildings. Mr. LaMantia stressed that our fees need to match our costs and Mr. Clark suggested doing a general fee study.

NEW BUSINESS

A. Consideration of disposal fee reduction costs for the “At Our Gate Program” sponsored by the Council on Aging – *discussion and possible vote*

Mr. Hooper outlined his letter to the Board dated June 9, 2015 (attached) and stated that he is reluctant about recommending waiving or reducing the fees out of concern for setting a precedent. He did not recommend waiving the C&D fees and suggested reducing them instead. He stated that although the request does not meet the conditions set in the Board's General Fee Waiver Policy, he feels it has merit and he noted that Ms. Foley has offered to vet the requests. Ms. Foley pointed out that the Knights of Columbus have been providing the service for free and most of what they do is trash runs. She commented on the current hoarding problem with seniors and noted that the problem is not going to go away. Mr. Clark recommended granting the requests on a limited basis only after a vetting process for those who have an issue such as hoarding. Mr. Hughes stressed that it should only be for trash and not C&D debris. The Board agreed that Ms. Foley would bring back a procedure for vetting the requests.

B. Proposal to update committees – *discussion and possible vote*

Ms. Brown noted that there are 6 inactive committees on our website and 7 committees not assigned a liaison. She questioned if some of them should be disbanded such as Recycling or the Police Station Building Committee, or merged such as Trails and Bikeways, or if some should be reactivated such as the Harwich Center Initiative or Technology Committee. Ms. Cebula noted that we don't need the Harwich Center Initiative as we now have an overlay district. Chairman Hughes pointed out that we often have difficulty finding people to serve. Ms. Cebula stated that some committees don't traditionally have liaisons. Ms. Brown further questioned why we have 3 Pleasant Bay Committees and a Forest Committee. Mr. Clark stated that if you have a Town forest then you must have a Forest Committee. Chairman Hughes recommended that the Interview Committee dig a little deeper on these and work with staff to bring back a matrix.

C. New Police Chief Contract – *discussion and possible vote*

Chairman Hughes reported that we have reached an agreement with Mr. Guillemette and have signed the contract tonight. He noted that Mr. Guillemette's start date is July 20, 2015.

TOWN ADMINISTRATOR'S REPORT

A. Generator repairs at the Community Center

Mr. Clark reported that there had been a significant amount of damage to the Community Center generator over the harsh winter months. He stated that it will cost about \$6,300 to repair and a Reserve Fund Transfer has been submitted.

SELECTMEN'S REPORT

A. No Selectmen's meeting on June 22, 2015 – start of the summer meeting schedule

Chairman Hughes announced that there will be no Selectmen's meeting on June 22, 2015 as it is the start of the summer schedule.

ADJOURNMENT

Chairman Hughes adjourned the meeting at 9:17 p.m.

Respectfully submitted,

Ann Steidel
Recording Secretary

**MINUTES
SELECTMEN'S MEETING
GRIFFIN ROOM, TOWN HALL
MONDAY, JUNE 29, 2015
6:30 P.M.**

SELECTMEN PRESENT: Brown, Cebula, Hughes, LaMantia, MacAskill

OTHERS PRESENT: Town Administrator Christopher Clark, David Spitz, Peggy Rose, Larry Brophy, Dana DeCosta, Judy Ford, Mark Dennen, and others.

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

CONSENT AGENDA

- A. Approve Minutes —
 - 1. May 26, 2015 Regular Meeting
 - 2. June 19, 2015 Regular Meeting
- B. Approve 2 -day Special License application for wine and malt for Lower Cape Communications, d/b/a WOMR 92.1FM, for event to be held on Saturday, September 19, 2015 from 12:00 p.m. to 8:00 p.m. and Sunday, September 20, 2015 from 12:00 p.m. to 6:00 p.m. at Brooks Park
- C. Approve recommendation to appoint David Nixon as Recreation & Youth Commission's representative to the Community Preservation Committee
- D. Approve appointment of Larry Cole to the *Utility & Energy Conservation Commission*
- E. Re-Appoint Cindi Maule as representative to the Barnstable County HOME Consortium's Advisory Committee for a term to expire January 31, 2017
- F. Appoint Tina Games Evans to the Cultural Council for a term to expire on June 30, 2018
- G. Annual Miscellaneous Appointments:
 - 1. Rescind appointment of Buck Mabile and appoint Captain Brian Coughlin as *Right-to-Know Coordinator*
 - 2. Rescind appointment of Chris Nickerson to the *Cape Cod Joint Transportation Committee* and appoint him as *Alternate* member to replace David Spitz
 - 3. Appoint Lincoln Hooper as *full* member of the *Cape Cod Joint Transportation Committee*
- H. Approve establishing Albro House Maintenance Gift Account
- I. Approve new Innholders License for The Platinum Pebble Boutique Inn
- J. Approve Special License for Downeast Cider dba Farmer Willie's to sell alcoholic ginger beer at 2015 Farmers Market
- K. Approve FY16 Nursing Services Contract with Visiting Nurse Association and authorize Chair to sign
- L. Approve Amendment No. 1 to Agreement with CDM Smith Inc. to conduct an Evaluation of Natural Nitrogen Attenuation at Cold Brook and authorize Chair to sign
- M. Approve Amendment No. 6 to Agreement with CDM Smith Inc. to finalize a Comprehensive Wastewater Management Plan and authorize Chair to sign

Ms. Brown moved approval of the Consent Agenda. Ms. Cebula seconded the motion and the motion carried by a unanimous vote.

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

- A. Presentation** — Gift of Milton Welt Mural reproduction — Accept gift and approve its placement at the Community Center — *discussion and possible vote*

Peggy Rose presented the mural reproduction. Mr. MacAskill moved to accept the gift of the Milton Welt mural reproduction and approve its placement at the Community Center. Mr. LaMantia seconded the motion and the motion carried by a unanimous vote.

- B. Presentation** — Update on South Harwich Meeting House and license extension — *Judy Ford — discussion & possible vote*

Judy Ford provided the attached presentation to the Board and took questions from the Board on the project. The Board requested that Ms. Ford provide another report before September 30 and it should include items such as things left to be done and costs. Mr. MacAskill moved to extend a one year license agreement for South Harwich Meeting House with the provision that Judy comes back to us with a report on status, plan to finish and cost no later than September 30. Mr. LaMantia seconded the motion and the motion carried by a unanimous vote. Ms. Cebula wanted a commitment that they will have discussions start on the use agreement by March 1 and Ms. Ford agreed.

- C. Presentation** — Update from Middle School Repurpose Committee Data — *Larry Brophy - discussion & possible vote*

Mr. Brophy discussed the attached report entitled “Evaluation of Three Middle School Repurpose Committee Priorities.” Ms. Cebula asked Mr. Clark to provide a schedule of use of the Middle School building. She asked to get a Town Counsel opinion on putting a non-binding ballot question on the warrant. Mr. LaMantia proposed putting together a different group to work on this that might include a couple of Selectmen, Mr. Brophy, Mr. Spitz and the Town Administrator. Mr. MacAskill noted that Marna Bate wants to take the approach of developing a Cultural Center and he would like her to have the ability to put something together for us. Mr. MacAskill was in favor of a working group and suggested including the Town Engineer. Ms. Cebula stressed that those people with ideas need to put together a concrete plan. Chairman Hughes asked Mr. Brophy if he would be willing to participate in a working group and he agreed. Chairman Hughes suggested charging Mr. LaMantia and Mr. MacAskill with coming up with a plan to move forward for the July 13 meeting.

- D. Presentation** - Harwich website demonstration and ability to stream Board of Selectmen's meetings on demand — *Jamie Goodwin, Ch. 18 Director*

Ms. Goodwin provided a walkthrough of the website for the public on how to find general information and subscribe to meeting minutes, agendas and notices.

OLD BUSINESS

- A.** Consideration of disposal fee reduction costs for the "At Our Gate Program" sponsored by the Council on Aging — *discussion & possible vote*

Mark Dennen who manages the program for the Knights of Columbus described the background of the program noting that it is designed to help those in the Town who are physically or financially

unable to do small chores around their house. He said there is no cost for the program but they do require that the people own their homes and that they have insurance and the typical person is an elderly widow. He noted that they might need to go to the dump once a month and he suggested a possible budget of \$500 per year to be able to bring materials to the dump. He stated that they waive the fees in Dennis and Yarmouth. Mr. Clark outlined Ms. Foley's recommendation for a process. Ms. Cebula moved to accept the procedure for fee adjustment for non-profit organizations such as the "At The Gate Program" as indicated in the memorandum from Barbara-Anne Foley. Ms. Brown seconded the motion. Mr. MacAskill moved to amend the motion and specifically mention the "At Our Gate Program." The motion was not seconded. The main motion failed on a 2-3-0 vote with Ms. Brown, Mr. Hughes and Mr. MacAskill in opposition. Mr. MacAskill moved to adopt the procedure for fee adjustment for the "At Our Gate Program" directed by the Knights of Columbus as proposed by Barbara-Anne Foley consistent with her memo dated June 23, 2015 (attached). Ms. Brown seconded the motion and the motion carried by a unanimous vote.

B. Selectmen's FY 16 Goals and Objectives — *discussion & possible vote*

Ms. Cebula stated that the economic development section items are mostly unmeasurable and are just mission statements. She stressed that they must be quantifiable. Ms. Brown disagreed and said she doesn't know if the definition of goal always has to have measureable in front of it. She offered to work with Mr. MacAskill to revise some of the verbiage. Mr. LaMantia agreed with Ms. Cebula and Mr. MacAskill said he believes most of the items are measurable. Chairman Hughes recommended the following based on discussion of the Board: Eliminate WW#3 Wastewater Funding Source and renumber, and after the word "buildings" in item TB#3 Disposition of Town Property add "to include but not limited to" and furthermore ask Ms. Brown and Ms. Cebula to rework the Economic Development section and bring back to the Board. Ms. Cebula moved Mr. Hughes' recommendation. Mr. LaMantia seconded the motion and the motion carried by a unanimous vote. Chairman Hughes stated that Mr. Clark should use the document to assist in formulating his goals and should bring a draft to the next meeting. At Mr. DeCosta's recommendation the Board agreed to meet with the Finance Committee at the end of August to discuss how the Finance Committee can assist with the Board's goals.

C. Assistant Town Administrator job description — *discussion & possible vote*

Mr. Clark outlined the job description which he noted he cleaned up and made more functional. Mr. MacAskill said he is not convinced that he would like to put another \$100,000 into the front office and said he wanted Mr. Clark to look at potential other concepts including using the staff we already have. He pointed out that we already have two people who can do procurement. Chairman Hughes disagreed and said things aren't getting done. Mr. LaMantia pointed out that staff is actually down one or two from a few years ago and he said we could add one. Mr. LaMantia said that every time we have been without we have gotten much less done. Mr. MacAskill stated that it's a very detailed description with a lot of responsibility and he wants to see if we can explore other options like utilizing staff we already have at a much lower rate. Ms. Cebula said she is concerned about the person doing everything in the job description and being the human resources manager. She said she would prefer not to have them actively managing collective bargaining negotiations. She added that it is going to be hard to find someone who will actually be able to perform all of these functions and she wishes they could afford to hire two people. Mr. LaMantia questioned if there is a way to handle personnel differently without using the Assistant position. Mr. Clark indicated that he could continue negotiating the contracts and said the real void is the human resources part and there are a lot of evaluations to be done. Ms. Brown suggested raising the number of years of experience to a minimum of 5. The Board

debated the number of years' experience that should be required. Mr. Clark said he did not want Board members on the search committee and suggested putting on 3 citizens as well as some department heads. He noted that Deputy Chief Gagnon, Lincoln Hooper and Carolyn Carey have volunteered. Ms. Cebula said Mr. Clark should be cautious what department heads are on the committee because it's probably not a good idea to have the department head pick their own boss as they'd be looking for the one snoozing in the corner. The Board agreed that Mr. Clark should advertise the position. The Board agreed that the amount of experience required should be 3-5 years. Ms. Cebula moved to approve the job description with the modest changes that have been recommended. Mr. LaMantia seconded the motion and the motion carried by a unanimous vote.

D. Wastewater cost recovery method — *discussion & possible vote*

Ms. Cebula moved to adopt the following:

The Harwich Board of Selectmen endorse a cost recovery policy for wastewater program implementation that utilizes the combination of Town wide property taxes, an Infrastructure Investment Fund and a sewer enterprise account based on water consumption. Where appropriate grant funds will be applied for and if awarded will be used to offset costs as applicable. This policy will be utilized to support the implementation of at least the first three phases of the eight phase program and is subject to change should other potential beneficial funding programs become available to the Town and the actions of Town Meeting and subsequent ballot results.

Ms. Brown seconded the motion and the motion carried by a unanimous vote.

NEW BUSINESS

A. Wastewater Educational Moment; Harwich Watershed map — *discussion*

Chairman Hughes outlined the attached slides of Harwich watershed maps.

B. Response to Open Meeting Law Complaint — *discussion & possible vote*

Mr. MacAskill moved to approve the response to the Open Meeting Law violation dated June 8, 2015. Ms. Brown seconded the motion and the motion carried by a unanimous vote.

C. Approve list of Election Workers from Republican Town Committee — *discussion & possible vote*

Chairman Hughes recused himself on this item. Mr. MacAskill moved to approve the list of election workers from the Republican Town Committee. Mr. LaMantia seconded the motion and the motion carried by a 4-0-0 vote.

D. Town Administrator FY16 evaluation form and process — *discussion & possible vote*

Mr. LaMantia moved to adopt for the coming year. Ms. Cebula seconded the motion and the motion carried by a unanimous vote.

Ms. Brown departed the meeting at this time (9:45 p.m.).

SELECTMEN'S REPORT

- A. Award for Landfill Solar Project from the Environmental Business Council of New England

Mr. Hughes announced that the Town is a recipient of an award from the Environmental Business Council of New England for the landfill solar project.

ADJOURNMENT

Chairman Hughes adjourned the meeting at 9:52 p.m.

Respectfully submitted,

Ann Steidel
Recording Secretary

**MINUTES
SELECTMEN'S MEETING
SOUTH HARWICH MEETING HOUSE
270 CHATHAM ROAD, SOUTH HARWICH
MONDAY, JUNE 29, 2015
5:30 P.M.**

SELECTMEN PRESENT: Brown, Cebula, Hughes, LaMantia, MacAskill

OTHERS PRESENT: Town Administrator Christopher Clark, Judy Ford, Bob MacCready, Lou Urbano, Sally Urbano, Bill Galvin, and others.

Ms. Ford led a tour of the South Harwich Meeting House. The attached handouts were provided. The tour ended at 6:05 p.m.

Respectfully submitted,

Ann Steidel
Recording Secretary



**A PROCLAMATION
CHILDHOOD CANCER AWARENESS MONTH**

September 2015

WHEREAS, the American Cancer Fund for Children and Kids Cancer Connection report cancer is the leading cause of death by disease among U.S. children between infancy and age 15. This tragic disease is detected in nearly 15,000 of our country's young people each and every year.

WHEREAS, one in five of our nation's children loses his or her battle with cancer. Many infants, children and teens will suffer from long-term effects of comprehensive treatment, including secondary cancers; and

WHEREAS, the American Cancer Fund for Children and Kids Cancer Connection provide a variety of vital patient psychosocial services to children undergoing cancer treatment at Massachusetts General Hospital, Boston Children's Hospital, UMass Memorial Medical Center in Worcester, as well as participating hospitals throughout the country, thereby enhancing the quality of life for these children and their families; and

WHEREAS, the American Cancer Fund for Children and Kids Cancer Connection also sponsor Courageous Kid Recognition Award presentations, community get well cards and hospital celebrations in honor of a child's determination and bravery to fight the battle against childhood cancer.

Given this 27th day of July, 2015:

HARWICH BOARD OF SELECTMEN

Ann Steidel

From: Christopher Clark
Sent: Monday, July 13, 2015 9:00 AM
To: Sandy Robinson; Ann Steidel; peter hughes
Subject: FW: [Harwich MA] Childhood Cancer Awareness Month - SEPTEMBER

See if Peter wants this on for a BOS meeting in August

Christopher Clark
Town Administrator
Town of Harwich
732 Main Street
Harwich, MA 02645
Tel. 508.430.7513
Fax.508.432.5039
cclark@town.harwich.ma.us

-----Original Message-----

From: Steven Firestein [mailto:acfckids@earthlink.net]
Sent: Saturday, July 11, 2015 6:35 PM
To: Christopher Clark
Subject: [Harwich MA] Childhood Cancer Awareness Month - SEPTEMBER

cclark,

Someone has sent you a message using your contact form on the Harwich MA site.

If you don't want to receive such e-mails, you can change your settings at <http://www.harwich-ma.gov/users/cclark>.

Message:

Dear Chairman Hughes, Board of Selectmen and staff,

I hope you are doing well. I am writing to request a proclamation recognizing September as Childhood Cancer Awareness Month in Harwich. Cancer is the leading cause of death by disease among children in our country today. This tragic disease is detected in nearly 15,000 of our country's young people each and every year. I am truly grateful for the Town's past support.

-Massachusetts includes Governor's childhood cancer proclamations
www.flickr.com/photos/kidscancerconnection/sets/72157633025071585

I will continue to coordinate activities including our popular Courageous Kid Recognition Award program and other hospital functions at Massachusetts General Hospital in Boston among other facilities.

I've included sample text below for your reference. (*) May we please receive a .PDF format copy to share? Thank you for your time and consideration.

Sincerely,
Steven Firestein, M.A.
Volunteer Director

American Cancer Fund for Children, Inc.
IRS 501 (C)(3) # 13-3780954
Kids Cancer Connection, Inc.
IRS 501 (C)(3) # 56-2520924

-KCC Document/Photo Albums
www.flickr.com/photos/kidscancerconnection/sets
-U.S. Congressional Record
http://capitolwords.org/term/steven_firestein

SAMPLE: Childhood Cancer Awareness Month

WHEREAS, the American Cancer Fund for Children and Kids Cancer Connection report cancer is the leading cause of death by disease among U.S. children between infancy and age 15. This tragic disease is detected in nearly 15,000 of our country's young people each and every year.

WHEREAS, one in five of our nation's children loses his or her battle with cancer. Many infants, children and teens will suffer from long-term effects of comprehensive treatment, including secondary cancers; and

WHEREAS, founded over twenty years ago by Steven Firestein, a member of the philanthropic Max Factor cosmetics family, the American Cancer Fund for Children, Inc. and Kids Cancer Connection, Inc. are dedicated to helping these children and their families; and

WHEREAS, the American Cancer Fund for Children and Kids Cancer Connection provide a variety of vital patient psychosocial services to children undergoing cancer treatment at Massachusetts General Hospital, Boston Children's Hospital, UMass Memorial Medical Center in Worcester, as well as participating hospitals throughout the country, thereby enhancing the quality of life for these children and their families; and

WHEREAS, the American Cancer Fund for Children and Kids Cancer Connection also sponsor Courageous Kid Recognition Award presentations, community get well cards and hospital celebrations in honor of a child's determination and bravery to fight the battle against childhood cancer.

-Please add your concluding statement.

www.KidsCancerConnection.org

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Message sent by: Steven Firestein (acfckids@earthlink.net)

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Anita Doucette

From: Paul Lagg <plagg001@gmail.com>
Sent: Tuesday, July 14, 2015 1:21 PM
To: Anita Doucette
Cc: Lynn Schweinshaut
Subject: Paul Lagg Resignation from Cultural Council

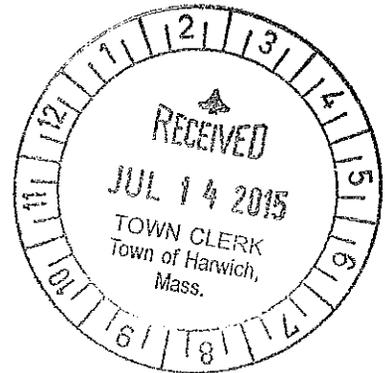
Hello Anita:

The purpose of this message is to inform you of my decision to resign from the Cultural Council effective immediately. Unfortunately, due to work and family demands, I am currently unable to dedicate the necessary time to the council and I believe there are a few interested citizens who are willing to fill my spot, so my decision seems well timed.

I thoroughly enjoyed my tenure on the council and it should be noted that my fellow council members are truly great citizens and volunteers and their dedication to the council is indeed marvelous. I wish them continued success and support.

Thank you for your attention to this matter.

Best regards,
Paul Lagg





Charles D. Baker, Governor
Karyn E. Polito, Lieutenant Governor
Stephanie Pollack, MassDOT Secretary & CEO

massDOT
Massachusetts Department of Transportation

July 1, 2015

Town Administrator Clark
Town of Harwich
732 Main Street
Harwich, MA 0



RE: Title VI/Nondiscrimination Assurance Requirement

Dear Town Administrator Clark:

On behalf of the Massachusetts Department of Transportation (MassDOT), I am writing to request your review and signature on the attached Federal Highway Administration (FHWA) Title VI/Nondiscrimination Assurance (Assurance).

By signing and returning the attached Assurance, MassDOT will have a clear record of your community's commitment not to discriminate in any program, service or activity supported by federal financial assistance. MassDOT is required to sign this same Assurance as a condition of our receipt of federal funds from the FHWA, and must secure municipally signed Assurances as a prerequisite for state and local collaboration on the development of federally funded transportation projects.

For reference, Title VI of the Civil Rights Act of 1964 prohibits discrimination based on race, color, or national origin (including limited English proficiency) in any program, service, or activity receiving or benefiting from federal financial assistance. Related federal nondiscrimination provisions further prohibit discrimination based on age, sex, or disability, the latter of which includes the obligation to plan, design and maintain transportation assets consistent with the Americans with Disabilities Act of 1990. MassDOT is making this request of all Massachusetts municipalities, including those without any active or pending transportation projects.

To facilitate this process, I have enclosed the Assurance document for your municipality's signature. The Assurance should be signed by your community's chief elected official(s) on page seven (7) and returned to MassDOT's Office of Diversity and Civil Rights (ODCR) electronically at MASSDOT.CivilRights@state.ma.us or by regular mail to MassDOT-ODCR, 10 Park Plaza, Suite 3800, Boston, MA 02116. Also enclosed is a copy of MassDOT's Title VI Notice to Beneficiaries and Subrecipient Brochure which provide foundational information on this obligation and demonstrate MassDOT's commitment thereto.

Ten Park Plaza, Suite 4160, Boston, MA 02116
Tel: 857-368-4636, TTY: 857-368-0655
www.mass.gov/massdot

Please direct any question or request for assistance to MassDOT's Title VI Specialist, Gregory Sobczynski, via the e-mail address above or by phone at 857-368-8580. I request that these Assurances be signed and returned within thirty (30) days from the date of receipt of this letter. Failure to return a signed Assurance to MassDOT may delay or compromise our ability to provide federal financial assistance to your municipality, including any federally-aided transportation projects on municipally-owned roadways.

Thank you for your consideration of this request and I look forward to your prompt response in this instance.

Sincerely,



Stephanie Pollack
Secretary/CEO MassDOT

Enclosures (3)

What Are the Legal Authorities Guiding the FHWA Title VI Program?

Title VI of the Civil Rights Act of 1964 is a federal law that protects individuals, groups, and organizations from discrimination on the basis of race, color, or national origin in federally assisted programs and activities.

Other nondiscrimination authorities have expanded the scope of Title VI application to include income, gender, disability, and age. Under the FHWA Title VI Program, reference to Title VI includes other provisions of federal statutes and related authorities to the extent that they prohibit discrimination in programs and activities receiving federal financial assistance.

Who Is a Subrecipient?

A **subrecipient** is an entity or person that **indirectly** (usually through a grant or contract) receives federal financial assistance in order to implement a program or activity, which obligates them to Title VI compliance responsibilities. Subrecipients include, but are not limited to, metropolitan planning organizations, local public agencies, and colleges/universities.

What Is the Definition of "Federal Financial Assistance"?

Federal financial assistance can be more than just money. It includes aid that enhances the ability to improve or expand allocation of a subrecipient's resources. Examples include:

- Training of employees
- Assistance from federal personnel
- Grants, loans, and tax exempt bonds
- Property or land
- Loan of personnel
- Technical assistance

What Are Your Responsibilities as a Subrecipient?

- Submit to MassDOT a signed assurance that programs, activities, and facilities will be operated in a nondiscriminatory manner.
- Maintain a policy statement that indicates your commitment to nondiscrimination in your programs and activities to the effect that no person shall on the grounds of race, color, national origin, gender, age, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination or retaliation under any program or activity administered by you or your contractors whether it is federally assisted or not. The policy statement must be signed by the head of your organization.
- Disseminate Title VI information to your beneficiaries and stakeholders (for example, members of the general public, employees, and any subcontractors).
- Ensure that Title VI provisions are in all contracts and in those extended to subcontractors.
- Voluntarily comply with Title VI.
- Extend subcontracting opportunities to Disadvantaged Business Enterprises (DBEs).
- Keep complete and accurate records that clearly show Title VI compliance.
- Appoint a Title VI/Nondiscrimination Coordinator.
- Develop Title VI/Nondiscrimination-related procedures and mechanisms to ensure nondiscrimination in all programs, activities, and services. These include procedures for involving the public, including people with limited English proficiency and other protected groups, and complaint procedures. Subrecipients may develop their own procedures or adapt or adopt MassDOT's Title VI/Nondiscrimination Program.

- Provide (to MassDOT, upon request,) data about the participants and beneficiaries of your programs and activities.
- Produce a Title VI/Nondiscrimination Annual Update Report detailing the results of all process reviews and of analysis of statistical data collected during the reporting period to determine if there are any deficiencies.
- Identify and implement processes to address identified deficiencies in an expeditious manner.

MassDOT's Office of Diversity and Civil Rights is available to explain, at your request, any of your responsibilities under Title VI, as outlined above.

Other Applicable Federal Statutes and Authorities

The Civil Rights Restoration Act of 1987 clarified the intent of Title VI to include all programs and activities of federally assisted entities, including those programs and activities that are not specifically federally funded.

The 1970 Uniform Act (42 U.S.C. 4601) prohibits unfair and inequitable treatment of persons displaced or whose property will be acquired as a result of programs or activities receiving federal financial assistance.

Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 790) prohibits discrimination based on a disability.

The Federal Aid Highway Act of 1973 (23 U.S.C. 324) prohibits discrimination based on gender.

The Age Discrimination Act of 1975 (42 U.S.C. 6101) prohibits discrimination based on age.

The Americans with Disabilities Act of 1990 (42 U.S.C. 126) prohibits discrimination based on a disability.

Environmental Justice (EJ), under Executive Order 12898, addresses disproportionate adverse environmental, social, and economic impacts that may occur in communities with minority or low-income populations.

Limited English Proficiency (LEP), under Executive Order 13166, addresses access to services by persons whose primary language is not English and who have limited ability to read, write, speak, or understand English.

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Title VI of the Civil Rights Act of 1964 is a federal law that protects individuals, groups, and organizations from discrimination on the basis of race, color, or national origin in federally assisted programs and activities.

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- Maintain a policy statement that indicates your commitment to nondiscrimination in your programs and activities to the effect that no person shall on the grounds of race, color, national origin, gender, age, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination or retaliation under any program or activity administered by you or your contractors whether it is federally assisted or not. The policy statement must be signed by the head of your organization.
- Disseminate Title VI information to your beneficiaries and stakeholders (for example, members of the general public, employees, and any subcontractors).
- Ensure that Title VI provisions are in all contracts and in those extended to subcontractors.
- Voluntarily comply with Title VI.
- Extend subcontracting opportunities to Disadvantaged Business Enterprises (DBEs).
- Keep complete and accurate records that clearly show Title VI compliance.
- Appoint a Title VI/Nondiscrimination Coordinator.
- Develop Title VI/Nondiscrimination-related procedures and mechanisms to ensure nondiscrimination in all programs, activities, and services. These include procedures for involving the public, including people with limited English proficiency and other protected groups, and complaint procedures. Subrecipients may develop their own procedures or adapt or adopt MassDOT's Title VI/Nondiscrimination Program.

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Charles D. Baker, Governor
Karyn E. Polito, Lieutenant Governor
Stephanie Pollack, MassDOT Secretary & CEO

massDOT
Massachusetts Department of Transportation

TITLE VI/NONDISCRIMINATION ASSURANCES

The United States Department of Transportation (U.S. DOT) Order No. 1050.2A

The Massachusetts Department of Transportation (hereinafter referred to as the "Recipient") hereby agrees that, as a condition to receiving any Federal financial assistance from the U. S. Department of Transportation (DOT), through the Federal Highway Administration (FHWA), is subject to and will comply with the following:

STATUTORY/REGULATORY AUTHORITIES

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin (including limited English proficiency));
- 49 C.F.R. Part 21 (entitled *Non-discrimination in Federally-Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964*);
- 28 C.F.R. section 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.*), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability);
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*), (prohibits discrimination on the basis of age);
- Americans with Disabilities Act of 1990, as amended, (42 U.S.C. § 12101 *et seq.*), (prohibits discrimination on the basis of disability);
- 49 C.F.R. Part 27 (entitled *Nondiscrimination On The Basis Of Disability In Programs Or Activities Receiving Federal Financial Assistance*);
- 49 C.F.R. Part 28 (entitled *Enforcement Of Nondiscrimination On The Basis Of Handicap In Programs Or Activities Conducted By The Department Of Transportation*);
- 49 C.F.R. Part 37 (entitled *Transportation Services For Individuals With Disabilities (ADA)*);
- 23 C.F.R. Part 200 (FHWA's Title VI/Nondiscrimination Regulation);
- 28 C.F.R. Part 35 (entitled *Discrimination On The Basis Of Disability In State And Local Government Services*);

The preceding statutory and regulatory cites are referred to as the "Acts" and "Regulations," respectively.



FEDERAL EXECUTIVE ORDER AUTHORITIES

Although not applicable to Recipients directly, there are certain Executive Orders and relevant guidance that direct action by Federal agencies regarding their federally assisted programs and activities to which compliance is required by Recipients to ensure Federal agencies carry out their responsibilities. Executive Order 12898, 3 C.F.R. 859 (1995), entitled "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations" emphasizes that Federal agencies should use existing laws to achieve Environmental Justice, in particular Title VI, to ensure nondiscrimination against minority populations. Recipients should be aware that certain Title VI matters raise Environmental Justice concerns and FHWA intends that all Recipients evaluate and revise existing procedures (as appropriate) to address and implement Environmental Justice considerations.

Additionally, Executive Order 13166, 3 C.F.R. 289 (2001) on Limited English Proficiency, according to the U.S. Department of Justice in its Policy Guidance Document dated August 16, 2000 (65 Fed. Reg. at 50123), clarifies the responsibilities associated with the "application of Title VI's prohibition on national origin discrimination when information is provided only in English to persons with limited English proficiency." When receiving Federal funds Recipients are expected to conduct a Four-Factor Analysis to prevent discrimination based on National Origin. (See also U.S. DOT's "Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons," dated December 14, 2005, (70 Fed. Reg. at 74087 to 74100); the Guidance is a useful resource when performing a Four-Factor Analysis).

GENERAL ASSURANCES

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurances that:

No person in the United States shall, on the grounds of race, color, national origin (including limited English proficiency), age, sex, disability, or low-income status, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity, for which the Recipient receives Federal financial assistance from U. S. DOT, including FHWA.

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI and other Non-discrimination requirements (The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973), by restoring the broad, institutional-wide scope and coverage of these non-discrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

Additionally, the Recipient may not discriminate in the selection and retention of contractors, including without limitation, retaining contractors whose services are for, or incidental to, construction, planning, research, highway safety, engineering, property management, realty, fee contracts, and other commitments with persons for services and expenses incidental to the acquisition of rights-of-way.

Federal-aid contractors may not discriminate in their selection and retention of first-tier subcontractors and first-tier subcontractors may not discriminate in their selection and retention of second-tier subcontractors, who participate in Federal-aid highway construction, acquisition of rights-of-way, and related projects, including those who supply materials and lease equipment.

The Recipient may not discriminate against eligible persons in making relocation payments and in providing relocation advisory assistance where highway rights-of-way acquisitions necessitate relocation(s).

The Recipient may not discriminate by preventing Title VI/Nondiscrimination populations from accessing and using facilities and services provided for public accommodations (i.e., eating, sleeping, rest, recreation, and vehicle servicing) constructed on, over, or under the rights-of-way of Federally-assisted highways.

The Recipient shall not locate, design, or construct a highway in such a manner as to deny access to, and use thereof, to any persons on the basis of race, color national origin (including limited English proficiency), age, sex, or disability, including low-income status.

Additionally, the Recipient shall develop and implement a Public Participation Plan in a manner that ensures the identification of Title VI/Non-discrimination population(s), affords the population(s) opportunities to comment on transportation planning and highway project development, and provides for consideration of and prompt response to all substantive comments.

SPECIFIC ASSURANCES

More specifically, and without limiting the above general Assurance, the Recipient gives the following Assurances:

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23(b) and 21.23(e) of 49 C.F.R. § 21 will be (with regard to an "activity") facilitated, or will be (with regard to a "facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.
2. The Recipient will insert the following notification in all solicitations for bids, Requests for Proposals for work, or material subject to the Acts and the Regulations made in connection with all its programs and activities and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

The Massachusetts Department of Transportation, in accordance with Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) the Acts and the Regulations (FHWA Title VI/Nondiscrimination Assurance), hereby affirmatively ensures that for any contract entered into pursuant to this advertisement, all bidders, including disadvantaged business enterprises, will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, national origin (including limited English proficiency), age, sex, disability, or low-income status in consideration for an award.

3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations;
4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to the Recipient;
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith for the duration of Recipient ownership of the facility and future deeds, leases, licenses, permits, or similar transfers where the use of the facility remains transportation related (see Specific Assurance #8, below).

6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.
7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
 - a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program (Appendix C); and
 - b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program (Appendix D).
8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property or interest therein or structures or improvements thereon, in which case the Assurance obligates the Recipient or any transferee for the longer of the following periods:
 - a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
 - b. the period during which the Recipient retains ownership or possession of the property.
9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed by or pursuant to the Acts, the Regulations and this Assurance.
10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations and this Assurance.

By signing this Assurance, the Massachusetts Department of Transportation also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the FHWA's access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by FHWA. You must keep records, reports, and submit the material for review upon request to FHWA, or its designee in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

The Massachusetts Department of Transportation gives this Assurance in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. Department of Transportation under the Federal-aid Highway Program. This Assurance is binding on the Massachusetts Department of Transportation, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors, transferees, successors in interest, and any other participants in the Federal-aid Highway Program. The person signing below is authorized to sign this Assurance on behalf of the Recipient.

SIGNED FOR THE RECIPIENT:



6/19/15

Stephanie Pollack

Date

Secretary/CEO

Massachusetts Department of Transportation

SUBRECIPIENT TITLE VI/NONDISCRIMINATION ASSURANCES

The _____ (hereinafter referred to as the "Sub-Recipient"), hereby agrees that, as a condition of receiving any Federal financial assistance from the United States Department of Transportation (U. S. DOT), Federal Highway Administration (FHWA), from the Commonwealth of Massachusetts, through its Department of Transportation (Recipient), it is subject to and must comply with the Acts and Regulations detailed in this document.

This Assurance is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the Department of Transportation under the Federal Highway Program and is binding on it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the Federal Highway Programs. The person or persons whose signature appears below are authorized to sign this assurance on behalf of the Sub-Recipient.

SIGNED FOR THE SUB-RECIPIENT:

(Signature & Date)

(Print Name & Title)

APPENDIX A

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

1. **Compliance with Regulations:** The contractor (hereinafter includes consultants) will comply with the Acts and Regulations relative to Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Federal Highway Administration (FHWA), as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. **Non-discrimination:** The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, national origin (including limited English proficiency), age, sex, disability, or low-income status in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.
3. **Solicitations for Subcontractors, including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to nondiscrimination on the grounds of race, color, national origin (including limited English proficiency), age, sex, disability, or low-income status.
4. **Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto, and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Massachusetts Department of Transportation (MassDOT) or FHWA to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the contractor will so certify to MassDOT or FHWA, as appropriate, and will set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of a contractor's noncompliance with the Nondiscrimination provisions of this contract, MassDOT will impose such contract sanctions as it or FHWA may determine to be appropriate, including, but not limited to:
 - a. withholding payments to the contractor under the contract until the contractor complies; and/or
 - b. cancelling, terminating, or suspending a contract, in whole or in part.
6. **Incorporation of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations, and directives issued pursuant

thereto. The contractor will take action with respect to any subcontract or procurement as MassDOT or FHWA may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request MassDOT to enter into any litigation to protect the interests of MassDOT. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

APPENDIX B

CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

The following clauses will be included in deeds effecting or recording the transfer of real property, structures, or improvements thereon, or granting interest therein from the United States pursuant to the provisions of Assurance 4:

“Now, therefore, the U.S. Department of Transportation (hereinafter referred to as “U.S. DOT”), as authorized by law, and upon the condition that the Massachusetts Department of Transportation will accept title to the lands and maintain the project constructed thereon in accordance with Title 23, U.S.C., the Regulations for the Administration of the above statute, and the policies and procedures prescribed by the Federal Highway Administration (hereinafter referred to as “FHWA”) of the U.S. DOT in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the U.S. DOT pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. § 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the Massachusetts Department of Transportation all the right, title and interest of the U.S. DOT in and to said lands described in Exhibit A attached hereto and made a part hereof.”

(HABENDUM CLAUSE)

“To have and to hold said lands and interests therein unto the Massachusetts Department of Transportation and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and shall be binding on the Massachusetts Department of Transportation, its successors and assigns.

The Massachusetts Department of Transportation, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that:

(1) no person will on the grounds of race, color, national origin (including limited English proficiency), age, sex, disability, or low-income status be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed, and;

(2) that the Massachusetts Department of Transportation will use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended, and;

*(3) that in the event of breach of any of the above-mentioned nondiscrimination conditions, U.S. DOT will have a right to enter or re-enter said lands and facilities on said land, and that above-described land and facilities will thereon revert to and vest in and become the absolute property of the U.S. DOT and its assigns as such interest existed prior to this instruction.**

* Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purpose of Title VI.

APPENDIX C

CLAUSES FOR TRANSFER OF REAL PROPERTY ACQUIRED OR IMPROVED UNDER THE ACTIVITY, FACILITY, OR PROGRAM

The following clauses will be included in all deeds, licenses, leases, permits, or similar agreements entered into by the Massachusetts Department of Transportation, pursuant to the provisions of Assurance 7a:

1. *The (grantee, lessee, permittee, etc. as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add "as a covenant running with the land"] that:*
 - a. *In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, national origin (including limited English proficiency), age, sex, disability, or low-income status will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.*
2. *With respect to licenses, leases, permits, etc., in the event of breach of any of the above Non-discrimination covenants, the Massachusetts Department of Transportation will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued.**
3. *With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, the Massachusetts Department of*

* Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purpose of Title VI.

*Transportation will have the right to enter or re-enter the lands and facilities thereon, and the above described lands and facilities will there upon revert to and vest in and become the absolute property of the Massachusetts Department of Transportation and its assigns.**

APPENDIX D

CLAUSES FOR CONSTRUCTION/USE/ACCESS TO REAL PROPERTY ACQUIRED UNDER THE ACTIVITY, FACILITY, OR PROGRAM

The following clauses will be included in all deeds, licenses, leases, permits, or similar instruments/agreements entered into by the Massachusetts Department of Transportation pursuant to the provisions of Assurance 7b.

1. *"The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add, "as a covenant running with the land") that (1) no person on the ground of race, color, national origin (including limited English proficiency), age, sex, disability, or low-income status will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land, and the furnishing of services thereon, no person on the ground of race, color, national origin (including limited English proficiency), age, sex, disability, or low-income status will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, and (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.*
2. *With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above non-discrimination covenants, the Massachusetts Department of Transportation will have the right to terminate the (license, permit, etc., as appropriate) and to enter or re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued.**
3. *With respect to deeds, in the event of breach of any of the non-discrimination covenants, the [description of the property] will there upon revert to and vest in and become the absolute property of the Massachusetts Department of Transportation and its assigns.**

* Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.

APPENDIX E

During the performance of this contact, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the “contractor,” which includes consultants) agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

PERTINENT NON-DISCRIMINATION AUTHORITIES:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252) (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. § 4601) (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-Aid programs and projects)
- Federal-Aid Highway Act of 1973 (23 U.S.C. § 324 *et seq.*) (prohibits discrimination on the basis of sex)
- Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794 *et seq.*), as amended (prohibits discrimination on the basis of disability) and 49 CFR Part 27
- The Age Discrimination Act of 1975, as amended (42 U.S.C. § 6101 *et seq.*) (prohibits discrimination on the basis of age)
- Airport and Airway Improvement Act of 1982 (49 U.S.C. § 471, Section 47123), as amended (prohibits discrimination based on race, creed, color, national origin, or sex)
- The Civil Rights Restoration Act of 1987 (PL 100-209) (broadened the scope, coverage, and applicability of Title VI of the Civil Rights Act of 1964, the Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms “programs or activities” to include all of the programs or activities of Federal-Aid recipients, sub-recipients, and contractors, whether such programs or activities are Federally funded or not)
- Titles II and III of the Americans with Disabilities Act (42 U.S.C. §§ 12131-12189), as implemented by Department of Transportation regulations at 49 CFR parts 37 and 38 (prohibits discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities)
- The Federal Aviation Administration’s Non-Discrimination Statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex)
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (ensures discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations)

- Executive Order 13166, Improving Access to Services for People with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100)
- Title IX of the Education Amendments Act of 1972, as amended (20 U.S.C. 1681 *et seq.*) (prohibits discrimination on the basis of sex in education programs or activities)

Notice of Nondiscrimination Rights and Protections to Beneficiaries

Federal "Title VI/Nondiscrimination" Protections

The Massachusetts Department of Transportation (MassDOT) operates its programs, services, and activities in compliance with federal nondiscrimination laws including Title VI of the Civil Rights Act of 1964 (Title VI), the Civil Rights Restoration Act of 1987, and related statutes and regulations. Title VI prohibits discrimination in federally assisted programs and requires that no person in the United States of America shall, on the grounds of **race, color, or national origin** (including **limited English proficiency**), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal assistance. Related federal nondiscrimination laws administered by the Federal Highway Administration, the Federal Transit Administration, or both prohibit discrimination on the basis of **age, sex, and disability**. These protected categories are contemplated within MassDOT's Title VI Programs consistent with federal interpretation and administration. Additionally, MassDOT provides meaningful access to its programs, services, and activities to individuals with limited English proficiency, in compliance with US Department of Transportation policy and guidance on federal Executive Order 13166.

State Nondiscrimination Protections

MassDOT also complies with the Massachusetts Public Accommodation Law, M.G.L. c 272 §§ 92a, 98, 98a, prohibiting making any distinction, discrimination, or restriction in admission to or treatment in a place of public accommodation based on **race, color, religious creed, national origin, sex, sexual orientation, disability, or ancestry**. Likewise, MassDOT complies with the Governor's Executive Order 526, section 4 requiring all programs, activities, and services provided, performed, licensed, chartered, funded, regulated, or contracted for by the state shall be conducted without unlawful discrimination based on **race, color, age, gender, ethnicity, sexual orientation, gender identity or expression, religion, creed, ancestry, national origin, disability, veteran's status** (including Vietnam-era veterans), or **background**.

Additional Information

To request additional information regarding Title VI and related federal and state nondiscrimination obligations, please contact:

Title VI Specialist
MassDOT, Office of Diversity and Civil Rights
10 Park Plaza
Boston, MA 02116
857-368-8580
TTY: 857-368-0603
MASSDOT.CivilRights@state.ma.us

Complaint Filing

To file a complaint alleging a violation of Title VI or related federal nondiscrimination law, contact the Title VI Specialist (above) within 180 days of the alleged discriminatory conduct.

To file a complaint alleging a violation of the state's Public Accommodation Law, contact the Massachusetts Commission Against Discrimination within 300 days of the alleged discriminatory conduct at:

Massachusetts Commission Against Discrimination (MCAD)
One Ashburton Place, 6th Floor
Boston, MA 02109
617-994-6000
TTY: 617-994-6196

Translation

English: If this information is needed in another language, please contact the MassDOT Title VI Specialist at 857-368-8580.

Portuguese: Caso esta informação seja necessária em outro idioma, favor contar o Especialista em Título VI do MassDOT pelo telefone 857-368-8580.

Spanish: Si necesita esta información en otro idioma, por favor contacte al especialista de MassDOT del Título VI al 857-368-8580.

Chinese Simplified: (mainland & Singapore): 如果需要使用其它语言了解信息, 请联系马萨诸塞州交通部 (MassDOT) 《民权法案》第六章专员, 电话857-368-8580。

Chinese Traditional: (Hong Kong & Taiwan): 如果需要使用其它语言了解信息, 請聯繫馬薩諸塞州交通部 (MassDOT) 《民權法案》第六章專員, 電話857-368-8580。

Russian: Если Вам необходима данная информация на любом другом языке, пожалуйста, свяжитесь со специалистом по Титулу VI Департамента Транспорта штата Массачусетс (MassDOT) по тел: 857-368-8580.

Haitian Creole: Si yon moun vle genyen enfòmasyon sa yo nan yon lòt lang, tanpri kontakte Espesyalis MassDOT Title VI la nan nimewo 857-368-8580.

Vietnamese: Nếu quý vị cần thông tin này bằng tiếng khác, vui lòng liên hệ Chuyên viên Luật VI của MassDOT theo số điện thoại 857-368-8580.

French: Si vous avez besoin d'obtenir une copie de la présente dans une autre langue, veuillez contacter le spécialiste du Titre VI de MassDOT en composant le 857-368-8580.

Italian: Se ha bisogno di ricevere queste informazioni in un'altra lingua si prega di contattare lo Specialista MassDOT del Titolo VI al numero 857-368-8580.

Khmer: ប្រសិនបើលោកអ្នកត្រូវការបកប្រែព័ត៌មាននេះ សូមទាក់ទងអ្នកដឹកនាំសេវាជំនួយភ្នំ 6 របស់ MassDot តាមរយៈលេខទូរស័ព្ទ 857-368-8580

إن كنت بحاجة إلى هذه المعلومات بلغة أخرى، يُرجى الاتصال بأخصائي الفقرة السادسة على الهاتف **Arabic: 857-368-8580**



OFFICE OF THE TOWN ADMINISTRATOR

Christopher Clark, Town Administrator

Phone (508) 430-7513

Fax (508) 432-5039

732 MAIN STREET, HARWICH, MA 02645



July 15, 2015

Jennifer Clarke
P.O. Box 274
South Orleans, MA 02662

Dear Ms. Clarke:

We would like to offer you the position of Administrative Assistant in the Health and Conservation Departments for the Town of Harwich. This conditional offer letter confirms our understanding of your pre-employment terms with the Town.

- Pursuant to the Town Charter the Town Administrator makes the appointment for this position subject to confirmation by the Board of Selectmen. Your name has been put forth for confirmation. Successful confirmation will be needed to finalize appointment.
- Your appointment is subject to successful CORI check.
- Your appointment is subject to a successful pre-employment physical which is being arranged by the Harwich Health and Conservation Departments.

Please read the letter and confirm your understanding of the terms of your employment by signing the bottom of the letter and returning a copy to us for your personnel file.

Your position title will be Administrative Assistant in the Health and Conservation Departments and your starting date is August 3, 2015. This position is included in the Harwich Employees Association and your employment is subject to the rights and obligations included in the contract. A copy of the contract is enclosed. Your starting salary will be \$22.90 per hour (Grade 5, Step 3).

Please feel free to contact me if you have any questions prior to beginning work.

Sincerely,

Christopher Clark
Town Administrator

Jennifer Clarke

Date

CC: Board of Selectmen
Health Department
Conservation Department
IT Director

Jennifer Clarke

[REDACTED]

June 11, 2015

Town of Harwich
Town Administrator
732 Main Street
Harwich, MA 02645

To Whom It May Concern:

I am writing in response to your advertisement as an Administrative Assistant for the Town of Harwich Health/Conservation Departments. Based on the requirements listed in the ad, I feel that my skills and experience are a great match for this position. For the past 9 years, I have been employed as an office assistant for the Health Department in the Town of Dennis. I have been a secretary for the Dennis Board of Health, attending meetings and taking minutes for those 9 years as well as having many other responsibilities. I feel that my skills and experience working with the public would make me a perfect candidate for this position.

I have enclosed my resume for your review. If you have any questions or would like to schedule an interview, please call me at [REDACTED]. I look forward to hearing from you.

Sincerely,
Jennifer Clarke

J Clarke



Jennifer Clarke



Objective

To obtain a position as an Administrative Assistant for the Town of Harwich Health/Conservation Departments.

Experience

Town of Dennis-Health Department 09/05-present

- Assist the public with the daily operations of the Health Department, including but not limited to, processing and issuing permit applications, answering general questions regarding the Health Department
- Managing the daily schedule of the Health Director and 8 Health Agents
- Weekly deposits
- Payroll experience
- Minute taking at monthly Board of Health meetings

E.F. Winslow Plumbing & Heating-South Yarmouth, MA 09/02-08/05

- General clerical duties, including but not limited to, answering phones, scheduling calls, processing work orders, and filing.
- Managing the daily schedules of the staff of over 100 plumbers.
- Processing of daily time sheets for staff.

Education

Cape Cod Community College-Early Childhood Education 2002-present

Nauset Regional High School-Obtained High School Diploma 1998-2002

Skills

Advanced experience with Microsoft Word, Excel and Powerpoint

Experience with Munis (payroll and account inquiry)

Experience with GEO TMS and Pk.

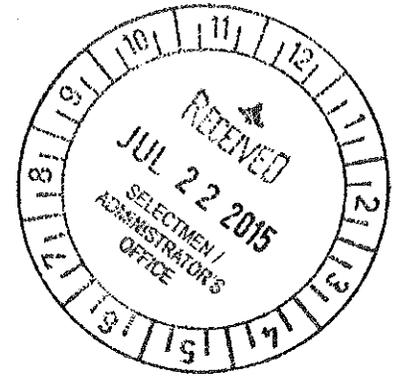
Ability to multi-task in fast paced office with little to no supervision.

References

Maryellen Fabiano-Stowe [REDACTED]

Jacquelyn Hodgdon [REDACTED]

Carrie Schoener [REDACTED]



July 21, 2015

Board of Selectmen
Town of Harwich
732 Main Street
Harwich, MA 02645

Dear Board of Selectmen,

To celebrate 27 years of preserving special places in Harwich, the Harwich Conservation Trust (HCT) is pleased to announce the *Wildlands Music & Art Stroll* for the third year in a row which will be held Saturday, September 19th, from 1-4pm at HCT's Bank Street Bogs Nature Preserve in Harwich Port. Visitors will be shuttled to the event from the Harwich Middle School parking area (with Selectmen approval) courtesy of Cape Destinations.

Last year, the Board of Selectmen and the Harbormaster granted permission for HCT to utilize the Harbormaster Workshop parking area located at #203 Bank Street as a drop-off point for event visitors, a temporary parking spot for volunteers and staff, and a place for two portable toilets courtesy of Nauset Disposal to be set-up the day before and removed the Monday after.

We respectfully ask you to consider granting the following requests:

- 1) **We ask for your permission to utilize the Harbormaster Workshop parking area located at #203 Bank Street for the same purposes on Sept. 19 2015 subject to the Harbormaster's permission. The Harbormaster has granted permission (see Attachment B) for Sept. 19th. Please see certificate of insurance (Attachment A).**
- 2) **Permit fee waiver---**
Also, we ask for you to grant an application fee waiver for the following permit application related to the event:
 - a) **\$25.00 Application for Entertainment License**
- 3) **Permission to use Middle School Parking Lot—Last year, HCT utilized the Elementary School parking lot. This year, HCT currently has permission to use the Elementary School Parking Lot (see Attachment D), but HCT hopes to utilize the Middle School parking lot with Selectmen approval as it offers easier access and is closer to the event. See certificate of insurance (Attachment A).**
- 4) **Approve application for Entertainment License (see Attachment E)**

About the Wildlands Music & Art Stroll event on Sept. 19th:

HCT will bring together local artists from the Guild of Harwich Artists and musicians for an afternoon filled with art, live acoustic music, food, and a special appreciation for the preserved lands that protect woods, water, wildlife and our shared quality of life. Similar to last year, HCT will ask the Harwich Fire Department to provide two off-duty EMTs to be available at the site for the afternoon. Additionally, HCT will ask the Harwich Police Department to provide a police detail at #203 Bank St. to control traffic flow.

We believe that the concurrent attractions of both HCT's Wildlands Music & Art Stroll and the Town's Cranberry Harvest Festival will work together to bring a significant number of visitors to Harwich for the afternoon and evening, and will allow us to enhance promotion of our local offerings. We have consulted with the Harvest Festival Committee, and they have agreed that the events can be mutually beneficial.

We thank you for your support over the years regarding HCT's land-saving efforts. We hope you'll join us at the Wildlands Music & Art Stroll on Sept. 19th. If you have questions, please call Matt Cannon, HCT's Land Stewardship Coordinator, at 508-432-3997, or email hctmattcannon@gmail.com. Watch www.HarwichConservationTrust.org for more details.

Sincerely,

Matt Cannon
Land Stewardship Coordinator

ATTACHMENTS:

Attachment A: Certificates of insurance

Attachment B: Email from Harbormaster granting permission of use for #203 Bank St. parking area on May 7, 2015

Attachment C: Temporary Events – Food Vendor Permit (Approved)

Attachment D: Approval for use of Elementary School parking area on South Street

Attachment E: Application for Entertainment License

Attachment A:
Certificates of insurance



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

5/5/2015

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER License # 0C36861 Chantilly-Alliant Ins Svc Inc. 4530 Walney Rd Ste 200 Chantilly, VA 20151-2285	CONTACT NAME: Andrew Schmechel
	PHONE (A/C, No, Ext): (703) 397-0977 FAX (A/C, No): (703) 397-0995
E-MAIL ADDRESS:	
INSURER(S) AFFORDING COVERAGE	
INSURER A : Federal Insurance Company NAIC # 20281	
INSURER B :	
INSURER C :	
INSURER D :	
INSURER E :	
INSURER F :	

INSURED
Harwich Conservation Trust
PO Box 101
South Harwich, MA 02661

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			35352174	01/01/2015	01/01/2016	EACH OCCURRENCE \$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000
							MED EXP (Any one person) \$ 10,000
							PERSONAL & ADV INJURY \$ 1,000,000
							GENERAL AGGREGATE \$ 2,000,000
							PRODUCTS - COMP/OP AGG \$ Included
							\$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident) \$
	<input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						BODILY INJURY (Per person) \$
							BODILY INJURY (Per accident) \$
							PROPERTY DAMAGE (Per accident) \$
							\$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB DED RETENTION \$			79756731	01/01/2015	01/01/2016	EACH OCCURRENCE \$ 1,000,000
							<input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE
							AGGREGATE \$ 1,000,000
							\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						PER STATUTE OTH-ER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	Y/N	N/A				E.L. EACH ACCIDENT \$
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE \$
							E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

CANCELLATION

Monomoy Regional School District
425 Crowell Road
Chatham, MA 02633

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Attachment B:

**Email from Harbormaster granting permission of use
for #203 Bank St. parking area on May 7, 2015**



Matthew Cannon <hctmattcannon@gmail.com>

Harwich Conservation Trust's Music & Art Stroll Sept. 19: Permission to Use Harbormaster's Parking Lot

3 messages

Matt Cannon, HCT <hctmattcannon@gmail.com>

Tue, May 5, 2015 at 1:29 PM

To: jrendon@town.harwich.ma.us

Cc: Michael Lach <hct@cape.com>

Dear Harbormaster John Rendon,

Last September, the Harwich Conservation Trust (HCT) hosted its 2nd annual 'Wildlands Music & Art Stroll' in Harwich Port as a bookend event to the Town's Cranberry Harvest Festival. The Wildlands Music & Art Stroll attracted more than 300 visitors who walked the trails of HCT's 66-acre Bank St. Bogs Nature Preserve listening to live folk, cajun, jazz and other music played on a variety of instruments as well as watching art unfold by plein air painters from the Guild of Harwich Artists. The Harwich Historical Society even partnered by letting HCT borrow the now famous "Piano in the Woods" that was recovered from the Town Bell's Neck Conservation Lands back in 2009. We thank you and the Selectmen for granting permission last year for HCT to use #203 Bank St. (Harbormaster's Workshop property) as a place for visitors to access the event.

Besides being an innovative way to blend music, art and nature, we believe that the Wildlands Music & Art Stroll also added to the number of people that weekend who visited local restaurants and shops. HCT is planning the Wildlands Music & Art Stroll again for Saturday, Sept. 19, 2015.

As you know, the Board of Selectmen and you the Harbormaster manage the town-owned land located at #203 Bank St. For the past several years, the Selectmen have graciously allowed cars to park in a limited number of spaces at the Harbormaster's Workshop parking lot in order to access the walking trails at HCT's adjacent Preserve.

I ask for your permission to use that same location (Harbormaster's Workshop parking area at #203 Bank St.) as the main access point for two shuttles that will drop off and pick up visitors to the Wildlands Music & Art Stroll on Sept. 19, 2015 from noon-5pm. I will provide a certificate of insurance listing the Harbormaster and Town of Harwich as certificate holders. If I receive your permission, then I will ask for permission from the Selectmen as well.

Additionally, last year you gave us permission to use your golf cart, which allowed us to be properly equipped for emergencies and helped to provide access for people with disabilities. Because the golf cart was such an important feature of our event last year, we ask that you grant us permission to use it this year as well.

Thank you for your consideration. We look forward to promoting art, music and walking trails in Harwich with the next Wildlands Music & Art Stroll.

Many thanks,
Matt

*Matthew Cannon
Land Stewardship Coordinator, Monday-Wednesday
Harwich Conservation Trust*

*Ph: 508-432-3997
www.HarwichConservationTrust.org*

Mailing address: P.O. Box 101, South Harwich, MA 02661

John Rendon <jrendon@town.harwich.ma.us>

Thu, May 7, 2015 at 4:48 PM

To: "Matt Cannon, HCT" <hctmattcannon@gmail.com>

Cc: Michael Lach <hct@cape.com>, William Neiser <wneiser@town.harwich.ma.us>, Michelle Morris <mmorris@town.harwich.ma.us>

Matt,

Thanks for the heads up on the Music & Art Stroll... I certainly have no problem with you using the Bank Street parking lot in the same capacity as you did last year. Again, I just ask that the building remain off-limits to the general public and please ensure that access to our garage doors remains clear. Also, no problem with using our golf cart, I will have it driven over from the harbor the day before your event. Hope you have great weather and a big turnout for the event. best regards,

John C. Rendon

Harbormaster

Town of Harwich

774 212-6193 (c)

From: Matt Cannon, HCT [mailto:hctmattcannon@gmail.com]

Sent: Tuesday, May 05, 2015 1:30 PM

To: John Rendon

Cc: Michael Lach

Subject: Harwich Conservation Trust's Music & Art Stroll Sept. 19: Permission to Use Harbormaster's Parking Lot

[Quoted text hidden]

Matt Cannon, HCT <hctmattcannon@gmail.com>

Mon, May 11, 2015 at 11:32 AM

To: John Rendon <jrendon@town.harwich.ma.us>

Cc: Michael Lach <hct@cape.com>, William Neiser <wneiser@town.harwich.ma.us>, Michelle Morris <mmorris@town.harwich.ma.us>

John,

Great news! Thank you very much. Just like last year, the public will not be accessing the building, and we will keep garage door access clear.

I will check in with you closer to the event regarding the golf cart.

All the best,
Matt

*Matthew Cannon
Land Stewardship Coordinator, Monday-Wednesday
Harwich Conservation Trust*

*Ph: 508-432-3997
www.HarwichConservationTrust.org*

Mailing address: P.O. Box 101, South Harwich, MA 02661

[Quoted text hidden]

Attachment C:

Temporary Events – Food Vendor Permit (Approved)



Town of Harwich
THE COMMONWEALTH OF MASSACHUSETTS

Permit

15-156

Board of Health

TEMPORARY FOOD SERVICE PERMIT

In accordance with Regulations promulgated under authority of Chapter 94, § 305A and Chapter 111, § 5 of General Laws a Permit is hereby granted to:

Harwich Conservation Trust - South Harwich, MA 02661

Event Location: Banks Street Bogs Nature Preserve

Type of business and any restrictions temporary food

Event Date: 9/19/15

Dates Valid: 9/19/15

Paula J. Champagne, R.S., C.H.O.
Health Director

Attachment D:

**Approval for use of Elementary School parking area on
South Street**



Matthew Cannon <hctmattcannon@gmail.com>

Your requested schedule is activated.(Event:Harwich Conservation Trust)

1 message

SchoolDude Message Center <message.center@smtp.schooldude.com>

Tue, May 5, 2015 at
3:02 PM

Reply-To: message.center@smtp.schooldude.com

To: mbantick@monomoy.edu, hctmattcannon@gmail.com, slitwinowich@monomoy.edu, kiserio@monomoy.edu, emerson@monomoy.edu, shein@monomoy.edu, rsirois@monomoy.edu, dmorgan@monomoy.edu

(Please do not reply to this message. It is a system generated message to notify you of a new schedule request.)

The facility schedule request listed below is approved and activated.

FS Schedule ID: 1200
Event Title: Harwich Conservation Trust
Event Time: 11:00AM
Event Date: 9/19/2015
Event Setup Time: 11:00AM
Event Breakdown Time: 5:00PM
Status: Approved
Schedule State: Activated
Organization: Harwich Conservation Trust
Location: HARWICH ELEMENTARY
Building:
Area(Buildings|Rooms): Parking Lot(Parking Lot HES)
Events:

Date : 9/19/2015
Start Time : 11:00 AM
End Time : 5:00 PM
Location : HARWICH ELEMENTARY
Building :
Area : Parking Lot
Room(s) : Parking Lot HES

Attachment E:
Application for Entertainment License



OFFICE OF THE SELECTMEN
732 MAIN STREET
HARWICH, MA 02645
508-430-7513

APPLICATION FOR ENTERTAINMENT LICENSE

Weekday Entertainment (\$75) 1 day (\$25) New application
 Batters Box (\$50) *★ Request Fee to* Renewal
 Go Carts (\$50) *be Waived* Annual
 Miniature Golf (\$50) Seasonal
 Trampolines (\$25) Opening Date
 Theater (\$150 per cinema)
Automatic Amusement:
 Juke Box (\$100 each)
 Video Games (\$100 each) Other

Business Name HARWICH CONSERVATION TRUST Phone 508-432-3997

Business Address 947 ROUTE 28, S. HARWICH, MA 02661

Mailing Address P.O. Box 101, S. HARWICH, MA 02661

Owners Name & Address Same as above

Email Address hct@cape.com

Managers Name & Address Same as above

TIMES AND DAYS OF WEEK FOR ENTERTAINMENT (Please note this application does not cover Sundays. You can obtain a Sunday license application at the Selectmen's Office):

Saturday, September 19, 2015 1pm-4pm

ENTERTAINMENT TYPE: (Check all appropriate boxes)

Concert Dance ^{Art} Exhibition Cabaret Public Show Other
 Dancing by Patrons
 Dancing by Entertainers or Performers
 Recorded or Live Music
 Use of Amplification System
 Theatrical Exhibit, Play or Moving Picture Show
 A Floor Show of Any Description
 A Light Show of Any Description
 Any Other Dynamic Audio or Visual Show, Whether Live or Recorded

*Location: 203 Bank Street
Harwich Port*

At any time during this concert, dance exhibition, cabaret or public show, will any person(s) be permitted to appear on the premises in any manner or attire as to expose to the public view any portion of the body as described in Mass. General Laws Chapter 140, Section 183A, Para. 3.

___ Yes No

If Yes, answer questions 1 through 4 below. Attach a separate sheet and/or exhibits if necessary:

1. Describe in complete detail the extent of exposure during the performance and the nature of the entertainment: _____

2. Furnish additional information concerning the condition of the premises and how they are suitable for the proposed entertainment: _____

3. Fully describe the actions you will take to prevent any adverse effects on public safety, health, or order: _____

4. Identify whether and how you will regulate access by minors to the premises: _____

Days/Hours of Business Operation Mon-Fri 10am-5pm

Pursuant to MGL, Chapter 62C, Section 49A, I certify under the penalties of perjury that I, to the best of my knowledge and belief, have filed all State tax returns, and have paid all State taxes under the law.

Matthew Carnan, Land Stewardship Coordinator
Signature of applicant & title

04-6599166
Social Security # or Federal I.D. #

Signature of individual or corporate name

Social Security # or Federal I.D. #

Signature of Manager

Social Security # or Federal I.D. #

Signature of Partner

Social Security # or Federal I.D. #

REGULATORY COMPLIANCE FORM

The premises to be licensed as described herein have been inspected and found to be in compliance with applicable local codes & regulations, including zoning ordinances, health regulations & building & fire codes.

[Signature]
Building Commissioner

[Signature]
Board of Health

[Signature]
Fire Department

[Signature]
Police Department

comments:

Required signatures to be obtained by the applicant prior to submission of new applications.

TOWN OF HARWICH

GENERAL FEE WAIVER POLICY FOR NON-PROFIT ORGANIZATIONS

It shall be the general policy of the Town of Harwich to reduce or waive a license, permit or user fee if there exists a need that is clearly defined and documented by a non-profit organization, and such reduction or waiver is in the best interest of the Town.

Board of Selectmen

It shall be the policy of the Board of Selectmen, as the Licensing Authority for the Town of Harwich, that any applicant seeking a fee reduction or waiver will follow all application procedures in applying for any license issued by the Board.

In order to qualify for non-profit status, non-profit applicants must provide a tax-exempt number.

The licensing fee, as established by the License Fee Schedule, may be reduced or waived by the Board if, in the opinion of the Board, there is a need and it determines that the service the applicant offers to the Town, and a reduction or waiver of the associated fee, is in the best interest of the Town.

The Board's waiver or reduction of a licensing fee will be determined on a case-by-case basis by written request to the Board with a minimum of 2 weeks notice to the Town Administrator's Office.

All Other Departments, Commissions or Boards

Applicants seeking a fee reduction or waiver from any Department, Commission or Board of the Town of Harwich must follow all application procedures established by such Department, Commission or Board.

In order to qualify for non-profit status, non-profit applicants must provide a tax-exempt number.

The reduction or waiver of a license, permit, or user fee, as established by such Department, Commission or Board, may be granted if, in the opinion of the particular Department Head, Commission or Board, there is a need and it determines that the service the applicant offers to the Town, and a reduction or waiver of the associated fee, is in the best interest of the Town.

Such waiver or reduction of a fee will be determined on a case-by-case basis by written request to the particular Department, Commission or Board. The Planning Board, Board of Health, Conservation Commission, Recreation and Youth Commission, Waterways Commission, Library Trustees, Facilities Committee, and Board of Water Commissioners may act to reduce or waive fees under a specific policy adopted by these Boards and Commissions that is consistent with this general fee waiver policy. All other reductions or waivers of fees must be presented for consideration to the Board of Selectmen based on a recommendation by the Department Head.

It is further acknowledged by the Town of Harwich that there are certain licenses or permits which, while administered by the Town of Harwich, provide for some or the entire fee to go to the Commonwealth of Massachusetts and that, in such cases, the associated fees may not be waived. Furthermore, where fees for specific groups are dealt with by a General Law, a reduction or waiver of such fees may not be established which is inconsistent with such statute or statutory procedure.

Date Adopted: _____ 8/9/10 _____



AMERICAN LUNG ASSOCIATION®
of New England



American Lung Association of the NE
260 West Exchange Street, Suite 102B, Providence, RI 02903

Date: 7/15/15

Number of Pages: 4

To: Harwich FD

From: Paul Curley

Org: _____

Title: Route Manager

Fax: 508 432 5685

Phone: 781 314 9004

COMMENTS: could someone from your department please sign and return this fax to: 401 331 5266

This form is needed for me to apply for a DOT permit.

Many Thanks



FORM #7

OFFICE OF THE SELECTMEN
732 MAIN STREET
HARWICH, MA 02645
Telephone: (508) 430-7513

APPLICATION FOR LICENSE/PERMIT

PLEASE CHECK

ROAD RACE

CRAFT FAIR

OTHER

IN ACCORDANCE WITH THE PROVISIONS OF THE STATUTES RELATING THERETO, APPLICATION AS STATED ABOVE IS HEREBY MADE BY:

NAME OF BUSINESS American Lung Association

PHONE 781 314 9000

BUSINESS ADDRESS 260 West Exchange St., Ste 102-B

MAILING ADDRESS Providence, RI 02903

PLEASE STATE THE PURPOSE FOR WHICH LICENSE/PERMIT IS REQUESTED

31st Annual Autumn Escape Bike Trek

3 Day bicycle event to raise money to fight lung cancer and other lung diseases

DESCRIPTION OF ROAD RACE/CRAFT FAIR/OTHER EVENT TO BE LICENSED, PLEASE LIST DATE, TIME, LOCATION/ROUTE, ETC.

DATE Saturday, September 26, 2015

TIME 10 AM - 2 PM

ROUTE/LOCATION route notes included

(please use reverse side if necessary)

Signature of Applicant

Route Manager
Title

Social Security Number of Federal Identification Number

060 646 594
Tax Exempt ID (for non-profit organizations)

Signature of Individual or Corporate Name

By Corporate Officer (if applicable)

REGULATORY COMPLIANCE FORM

THE EVENT(S) TO BE LICENSED AS DESCRIBED HEREIN HAVE BEEN REVIEWED AND APPROVED BY:

[Signature] 7/14/15
Police Department Date

Building Commissioner Date

[Signature] 7-16-15
Recreation & Youth Commission Date

Board of Health Date

[Signature] 7/14/15
Fire Department Date

***Required signatures are to be obtained by the Applicant prior to submission of application with the Selectmen's Office.

 For Office Use Only

FEE _____ CASH _____ CHECK _____

FOR _____

REVIEWED BY _____

DATE LICENSE ISSUED _____

Go (Mile)	To (Mile)	Signs	Direction	Location (roads of travel in Bold)	Landmarks	Fastest	Slowest
Harwich							
0.6	29.9	ss	straight	on Cape Cod Rail Trail	small dirt road	9:54	11:24
0.1	30	ss	straight	on Cape Cod Rail Trail	Western Rd (busy)		
0.5	30.5	ss	straight	on Cape Cod Rail Trail	Depot St./Bike Depot Shop		
0.6	31.1	ss	straight	on Cape Cod Rail Trail	dirt road		
0.4	31.5	ss	straight	on Cape Cod Rail Trail	Bells Neck Rd		
0.4	31.9	ss	straight	on Cape Cod Rail Trail	Lorthrop Ave		
0.5	32.4		straight	on Cape Cod Rail Trail	under tunnel/Main St.		
0.1	32.5	SIGN	bear right	onto Chatham Bike Path 1st right off rotary	Bike Path Rotary		
0.6	33.1	4ss	straight	on Chatham Bike Path	small road		
0.1	33.2	ss	straight	on Chatham Bike Path	Cross Route 124 (busy)		
0.1	33.3	4ss	straight	on Chatham Bike Path (along Old Colony Rd.)	Meadow Lane/Town Hall		
0.1	33.4	ss	straight	on Chatham Bike Path	Oak St (Brooks Park)		
0.5	33.9		straight	on Chatham Bike Path (path divides)	Cross Route 39 (busy)		
1.4	35.3	ss	straight	on Chatham Bike Path	Depot Road		
0.5	35.8		straight	on Chatham Bike Path	town line	10:12	12:00
Chatham							
0.3	36.1	ss	straight	on Chatham Bike Path	Morton Road	10:18	12:06
0.3	36.4	ss	straight	on Chatham Bike Path (xing Meetinghouse Rd/RI 137)	trail head parking on right (15)		
0.4	36.8		straight	on Chatham Bike Path (path on left of Access Road)	CWF		
0.3	37.1	ss	straight	on Chatham Bike Path	Sam Ryder Road		
0.4	37.5	ss	right	onto George Ryder Road	at Airport on left		
0.1	37.6		left	onto Bike Path			
0.2	37.8	ss	straight	onto Wilfred Road	share the road sign		
0.2	38		straight	on Wilfred Road	Public Beach on right		
1.4	39.4	ss	straight	onto Stepping Stones Road (crossing Queen Ann Rd.)	or on new bike path		
0.2	39.6		right	onto Bike Path	trail head parking on left (10)		
0.4	40		right	onto Crowell Road	trail ends		
0.6	40.6	lights	straight	onto Queen Ann Road	Cross Route 28		
0.2	40.8		bear right	onto Pond Road			
0.1	40.9		right	into Rest Stop #3, Oyster Pond Beach		10:30	12:30
70 Stage Harbor Rd., Chatham, MA 02633							

Go (Mile)	To (Mile)	Signs	Direction	Location (roads of travel in Bold)	Landmarks	Fastest	Slowest
Chatham							
0	40.9		right	onto Stage Harbor Road		10:30	12:30
0.2	41.1		left	onto Cross St	Bridge Detour		
0.2	41.3		bear left	on Cross St	at Shattuck		
0.1	41.4	ss	left	onto Main St			
0.1	41.5		right	onto Seaview St			
0.5	42	ss	left	onto Shore Rd	right to Light House 1 mi.		
0.5	42.5	lights	straight	onto Route 28	town line		
0.4	42.9	SIGN	left	onto Stoney Hill Rd (Citgo Station)	old route went straight		
0.4	43.3	ss	straight	on Stoney Hill Rd	cross Crowell Rd		
0.4	43.7	ss	straight	onto Wilfred Road	riders coming head-on		
0.6	44.3		straight	onto Bike Path (follow path back to Dennis Rotary)	at Sky Way on left		
0.7	45		right	onto George Ryder Road	at Airport on right		
0.2	45.2		left	onto Bike Path			
0.4	45.6	ss	straight	on Chatham Bike Path	Sam Ryder Road		
0.3	45.9		straight	on Chatham Bike Path (path on left of Access Road)	CWF		
0.4	46.3	ss	straight	on Chatham Bike Path (xing Meetinghouse Rd/Rt 137)	trail head parking on left (15)		
0.3	46.6	ss	straight	on Chatham Bike Path	Morton Road		
0.3	46.9		straight	on Chatham Bike Path	town line	10:48	1:06
Harwich							
0.5	47.4	ss	straight	on Chatham Bike Path	Depot Road	10:48	1:06
1.4	48.8		straight	on Chatham Bike Path (path divides)	Cross Route 39 (busy)		
0.5	49.3	ss	straight	on Chatham Bike Path	Oak St (Brooks Park)		
0.1	49.4	4ss	straight	on Chatham Bike Path (along Old Colony Rd.)	Meadow Lane/Town Hall		
0.1	49.5	ss	straight	on Chatham Bike Path	Cross Route 124 (busy)		
0.1	49.6	4ss	straight	on Chatham Bike Path	small road		
0.6	50.2	SIGN	bear right	onto Cape Cod Rail Trail (new) 1st right off rotary	Bike Path Rotary		
0.9	51.1	ss	straight	on Cape Cod Rail Trail	Queen Anne Rd.		
0.2	51.3		straight	on Cape Cod Rail Trail	over Route 6		
0.8	52.1	ss	straight	on Cape Cod Rail Trail	Route 124/Pleasant Lake Ave		
1	53.1		straight	on Cape Cod Rail Trail	town line	11:36	1:48
Brewster							
0.1	53.2	ss	straight	on Cape Cod Rail Trail	Route 124/Harwich Rd.	11:36	1:48
1.9	55.1	ss	straight	on Cape Cod Rail Trail	Route 137/Long Pond Rd.		
0.5	55.6	ss	straight	on Cape Cod Rail Trail	Underpass Rd.		
1.5	57.1	SIGN	left	onto Millstone Road	turn off bike path		
0.1	57.2	ss	left	onto Route 6A			
0.1	57.3		right	into Cape Cod Sea Camp	Finish Day 2	11:48	2:12
3057 Main St., Route 6A, Brewster, MA 02631							

Phone (508) 430-7513

Fax (508) 432-5039



OFFICE OF THE TOWN ADMINISTRATOR

Christopher Clark, *Town Administrator*

732 MAIN STREET, HARWICH, MA 02645

July 27, 2015

Fire Chief Mark Foley & Police Chief Ronald Fisette
Co-Chairs, Barnstable County Regional Emergency Planning Committee
Barnstable County Complex – Department of Health and Environment
P.O. Box 427 / 3195 Main Street
Barnstable, MA 02630

Dear Chief Foley and Chief Fisette:

Please let this letter serve as a commitment from the Town of Harwich to participate in and support the Barnstable County Regional Emergency Planning Committee's Regional Sheltering Plan.

Currently, our Emergency Management Director Lee Culver serves as the Town of Harwich's representative to the BCREPC and all communications regarding the Regional Sheltering Plan should be directed to him. I would appreciate being copied on all such communication.

Sincerely,

Christopher Clark
Town Administrator

cc: Lee Culver, Emergency Management Director

BARNSTABLE COUNTY REGIONAL EMERGENCY PLANNING COMMITTEE

REGIONAL SHELTERING PLAN

I. AUTHORITY

The Barnstable County Regional Emergency Planning Committee (BCREPC) was established under the Superfund Amendments and Reauthorization Act, or SARA Title III. The BCREPC has emerged as an "all hazards" emergency planning agency and provides its fifteen participating communities with options that would assist communities with local and regional disaster response. The Regional Sheltering Plan (RSP) herein established falls within the scope of responsibility of the BCREPC.

II. PURPOSE

In order to effectively share and allocate resources, the Barnstable County Regional Emergency Planning Committee has created a regional sheltering concept with the objective of establishing six regional shelters. This regional sheltering concept brings together several agencies with a common goal of providing Cape Cod with a safe and capable shelter system. The purpose of this plan is to describe the organizational arrangements, operational concepts, responsibilities, policies and procedures to protect evacuees and others from the effects of an emergency by providing shelter, mass care services, and other needed services. More specifically, it must provide the capability to meet basic human needs of the general and special-needs populations and their pets in a disaster situation in Barnstable County. This includes the mitigation, preparedness, response, and recovery phases.

III. EXPLANATION OF TERMS

A. Acronyms

ADA - Americans with Disabilities Act (1990)
ARC - American Red Cross
ARES - Amateur Radio Emergency Service
BCIMT- Barnstable County Incident Management Team
BCREPC - Barnstable County Regional Emergency Planning Committee
BSO - Barnstable County Sheriff's Office
CCDART - Cape Cod Disaster Animal Response Team
CCETP- Cape Cod Emergency Traffic Plan
CCMRC - Cape Cod Medical Reserve Corps
CCTV - Closed Circuit Television
CMS - Consumable Medical Supplies
DHS - Department of Homeland Security
DMR - Durable Medical Equipment

EAS - Emergency Alert System
EMC - Emergency Management Coordinator
EMS - Emergency Medical Services
EMT - Emergency Management Team
EOC - Emergency Operations Center
FCC - Federal Communications Commission
FEMA - Federal Emergency Management Agency
FNSS - Functional Needs Support Services
HAT - Hearing Assisted Technology
ICS - Incident Command System
KTS - knots
NIH - National Institute of Health
MACC - Multi-Agency Coordination Center
mbar - millibar (units of pressure)
MEMA - Massachusetts Emergency Management Agency
MPH - miles per hour
MRC - Medical Reserve Corps
NIMS - National Incident Management System
NWS - National Weather Service
PAS - Personal Assistance Services
PIO - Public Information Officer
RSP - Regional Sheltering Plan
SEAS - State Emergency Alert System
SEOC - State Emergency Operations Center
SNP - Special Needs Population
SNS - Special Needs Shelter
SOP/SOGs - Standard Operating Procedures/ Standard Operating Guides
TTY - Text, Telephone or Teletypewriter

B. Definitions

1. Disaster - A disaster is an impending or occurring event of such destructive magnitude and force as to dislocate people, separate family members, damage or destroy homes and injure or kill people. A disaster produces a range and level of immediate suffering and basic human needs that cannot be promptly or adequately addressed by the affected people and that prevents them from initiating and proceeding with recovery efforts. The Red Cross and other emergency agencies categorize disasters by their causative agents, broadly separated into natural and human-caused disasters. Natural disasters include floods, tornadoes, hurricanes, typhoons, winter storms, tsunamis, hailstorms, wildfires, windstorms, pandemics or biological threats, and earthquakes. Human-caused disasters — whether intentional or unintentional — include residential fires, building collapses, transportation accidents, hazardous materials releases, nuclear accidents, explosions and acts of terrorism. The Red Cross further characterizes each disaster by its scope and the response required.
2. Community Emergency - A community emergency is a situation in which increased human, social and economic needs require extraordinary action by community organizations and local government officials to improve the situation. Such emergencies might include factory closings or other events that disrupt the socioeconomic fabric of the community.
3. Emergency Assistance - Relief services are designed to minimize the immediate suffering caused by the disaster by providing food, clothing and shelter, and medical, nursing and mental health

assistance. Assistance is based on the regional, ethnic and cultural customs and practices of the people affected by the disaster. It must be standardized so that all families with like needs receive like assistance for a specific event, and it may be provided either as mass care or individual assistance, or a combination of the two, depending on the needs of the victims.

4. Mass Care - Assistance provided to meet the basic human needs of people impacted by a catastrophic event. Mass care assistance includes shelter, food, water, ice, clothing, medical care, crisis counseling, pastoral care, and other essential life-support needs. Assistance may be provided through any combination of the following:
 - a. Individual or congregate temporary shelters;
 - b. Fixed or mobile feeding operations;
 - c. Distribution of relief supplies.
5. Individual Assistance - Assistance provided on an individual/family basis through the purchase of necessary items and/or services or referrals to agencies and organizations that offer assistance at no charge to disaster victims. Assistance is also provided for the reunification of separated family members within a disaster area and the processing of welfare information requests.
6. Community Recovery - Community recovery is a case management process implemented after a disaster victim receives state and federal disaster relief assistance. The process involves an exploration of the client's personal resources and needs, as well as close working relationships with other agencies and service providers to gather resources, recovery planning and — when resources are available — additional financial assistance.
7. Catastrophic Hurricane – Hurricanes defined by the Saffir-Simpson Hurricane Scale as producing catastrophic damage equal to a Category 4 or 5 storm.
8. Evacuation – Organized, phased, and supervised withdrawal, dispersal, or removal of civilians from dangerous or potentially dangerous areas, and their reception and care in safe areas.
9. Evacuation Shelter – Short-term (approximately 24 hours) lodging facilities opened for evacuees prior to, during, and after an incident. Shelters are typically places where mass care operations are conducted and are generally located away from known hazards. A short-term shelter opened for temporary housing of people who have evacuated due to an impending threat. A type of shelter designed to house members of the public without regard to age, gender, or health condition.
10. Evacuation Zone – Geographic areas identified by officials as at risk from all hazards (major hazard).
11. Hurricane Warning – An announcement that hurricane conditions (sustained winds of 74 mph or higher) are expected somewhere within the specified coastal area. Because hurricane preparedness activities become difficult once winds reach tropical storm force, the hurricane warning is issued 36 hours in advance of the anticipated onset of tropical storm force winds.
12. Hurricane Watch – An announcement that hurricane conditions (sustained winds of 74 mph or higher) are possible within the specified coastal area. Because hurricane preparedness activities become difficult once winds reach tropical storm force, the hurricane watch is issued 48 hours in advance of the anticipated onset of tropical storm force winds.
13. General Shelter – A shelter that is located close to an impacted area after the area has been determined safe for re-entry. General shelters may remain open for over 24 hours after an event or until temporary housing becomes available. Cots or sleeping pads and hot meals will be available in these shelters. The ARC standard for post-impact shelters is 40 square feet per evacuee.
14. Medical Special Needs Shelters – A type of special needs population shelter designed specifically to care for individuals with chronic and acute health issues which prevent the individuals from being housed in a general population shelter.

15. Reception Center – Designated facility within a shelter to process evacuees entering a shelter. Evacuees will be registered, triaged, and directed to an appropriate place in the evacuation shelter.
16. Functional Needs Support Services (FNSS) – services that enable individuals to maintain their independence in a general population shelter. Children and adults requiring FNSS may have physical, sensory, mental health, and cognitive and/or intellectual disabilities affecting their ability to function independently without assistance. Others that may benefit from FNSS include women in late stages of pregnancy, elders, and people needing bariatric equipment. FNSS includes:
 - reasonable modification to policies, practices, and procedures
 - durable medical equipment (DME)
 - consumable medical supplies (CMS)
 - personal assistance services (PAS)
 - other goods and services as needed
17. Saffir-Simpson Scale

SAFFIR-SIMPSON SCALE		
Category	MPH	KTS
Tropical Storm	39 - 73	34 - 63
1	74 - 95	64 - 83
2	96 - 110	84 - 96
3	111 - 130	97 - 113
4	131 - 155	114 - 135
5	>155	>135

18. SLOSH Zones - SLOSH, which stands for Sea, Lake, and Overland Surge from Hurricanes, is a computerized model developed by the Federal Emergency Management Agency (FEMA), United States Army Corps of Engineers (USACE), and the National Weather Service (NWS) to estimate storm surge depths resulting from historical, hypothetical, or predicted hurricanes by taking into account a storm's pressure, size, forward speed, forecast track, wind speeds, and topographical data.
19. Tropical Storm Warning - An announcement that tropical storm conditions (sustained winds of 39 to 73 mph) are expected somewhere within the specified coastal area within 36 hours.
20. Tropical Storm Watch - An announcement that tropical storm conditions (sustained winds of 39 to 73 mph) are possible within the specified coastal area within 48 hours.

IV. CIRCUMSTANCES AND ASSUMPTIONS

A. Circumstances

1. Cape Cod is subject to natural and man-made hazards which have the potential to endanger both human life and property. Possible natural hazards include hurricanes, tornadoes, earthquakes, floods, ice/snow, droughts, fire, and other severe weather. Man-made hazards include civil disturbances, acts of terrorism, or technological negligence resulting in transportation accidents, hazardous materials incidents, or utility failures.
2. As a peninsula, Cape Cod is bordered by Cape Cod Bay to the north, the Atlantic Ocean to the east, Nantucket Sound to the south, and the Cape Cod Canal and Buzzards Bay to the west. The Bourne Bridge and the Sagamore Bridge transverse the Cape Cod Canal, providing the only vehicle access to and from the Cape. Timely evacuation of the Cape during the threat of natural or man-made hazards is dependent on the status of these two bridges. The Cape Cod Canal

Railroad Bridge is used by a seasonal tourist train, the Cape Cod Central Railroad, and a train used to haul waste off of Cape Cod.

3. There are only three main traffic arteries on Cape Cod:
 - a. Route 6 bisects the Cape in an east/west direction from Sandwich to Orleans and in a north/south direction from Eastham to Provincetown.
 - b. Route 28 runs along the southern side of the peninsula
 - c. Route 6A runs along the northern side of the peninsula
4. Sheltering on Cape Cod could be significantly impacted by evacuations from Martha's Vineyard and Nantucket, as well as a very large seasonal population during the summer months. The population of Cape Cod approximately triples during the summer season.
5. Cape Cod has a population significantly older than the norm with a median age of 50. Likewise, approximately 27% of the population is over the age of 65 (compared with 15 % in the remainder of the Commonwealth of Massachusetts).

B. Assumptions

1. When Cape Cod and the Islands face an imminent threat from hurricanes, tornadoes, earthquakes, floods, ice/snow, droughts, fire, other severe weather, hazardous materials accidents, and other man-made disasters, residents may seek temporary shelter other than the regional shelters. Homes of friends and family, hotels/motels, or public congregate shelters may be alternate sheltering options.
2. Because Cape Cod is connected to the mainland by only two vehicle bridges, which may close in the event of dangerous travel conditions and high winds, state and federal assets may not be readily available for emergency situations.
3. Some evacuees will not have their own transportation and will require transportation assistance in order to evacuate.
4. Children and adults with disabilities have the same right to services in regional shelters as other residents. Barnstable County and towns participating in the Regional Sheltering Program have the responsibility of ensuring that sheltering services and facilities are universally accessible.
5. Shelters will be able to accommodate pets and service animals.
6. All organizations that have a responsibility for the provision of mass care services have a finite capacity for delivering these services. It is necessary for all organizations to be aware of their limitations and request help as soon as they can anticipate the needs will exceed their capacities.
7. Volunteers, both registered and spontaneous, play a critical role in the provision of mass care service. A suitable credentialing system will be in place.
8. Shelter staff will be able to get to shelters when needed. All agencies will take whatever steps are necessary to ensure that sufficient staff and volunteers are available at the shelter to ensure safe operability.
9. When an evacuation is recommended, approximately 80 percent of those for whom evacuation has been recommended will evacuate. The vast majority of evacuees will seek refuge with friends or relatives or go to commercial accommodations rather than a public shelter. In addition, some people who are not at risk may spontaneously evacuate and some of these individuals may seek public shelter.
10. There is sufficient in-county sheltering to meet the needs of an evacuation during an emergency or disaster. Regional shelters will be operational as needed.
11. Local grocery stores, restaurants and other businesses may support the initial shelter/feeding operations by donating emergency supplies.
12. In instances where quarantine is implemented, mass care procedures will have to be modified according to the specific emergency. Quarantined clients may have to be transported to Cape Cod Hospital.

13. During times of disaster, private nursing homes, rest homes, skilled-care facilities, assisted-living facilities and other domiciliary facilities will continue the protection of residents under their care. If necessary, these facilities will arrange for the evacuation of residents under their care to a safe area.
14. Each regional shelter will accommodate all as defined in the above definitions of disaster and emergency assistance.
15. Communications will be needed to coordinate resources and to enhance safety and security and that these communications will be needed in both secure and non-secure modes. It is further assumed that the normal infrastructure will be degraded.
16. The State of Massachusetts (MEMA) may not activate its state or regional emergency operations centers (EOC's) until an incident is well under way within a local jurisdiction or may not activate them at all.
17. Participating jurisdictions have agreed to use the MACC to coordinate the efforts of providing resources and addressing inter-organizational issues associated with regional shelters. Participating agencies may or may not have activated their EOC's. Unless participating jurisdictions have declared an emergency, they will be financially responsible for all resources requested from the MACC.
18. Participating jurisdictions may not receive support from non-participating jurisdictions because those jurisdictions may be affected by the same incident.
19. Long-term care organizations such as nursing homes and assisted living facilities will form peer-to-peer alliances with similar organizations and transition their clients to an alternate facility with proper services.

V. CONCEPT OF OPERATIONS

A. General

This plan is based on four organizational levels of emergency management, specifically, municipal, county, state and federal governments. Mitigation, preparedness, response and recovery are the responsibilities of all levels of government working together to provide a delivery system to meet the needs of the public. Emergency operations will be initiated at the lowest level able to respond to the situation effectively. All government agencies associated with this plan shall utilize Incident Command System (ICS) protocols and shall comply with the National Incident Management System (NIMS). It is recognized that not all agencies in the private sector associated with this plan will utilize Incident Command System (ICS) protocols and the National Incident Management System (NIMS).

B. Local Governments (County and Municipal)

1. The BCREPC Executive Committee will initiate emergency preparedness operations in accordance with its by-laws and this Regional Sheltering Plan (RSP) for the protection, health, and welfare of Cape Cod residents and visitors.
2. This RSP will be implemented by thresholds when a major emergency or disaster occurs requiring the sheltering of residents and when the capabilities of local and municipal resources are exceeded.
3. Municipal resources will be utilized to protect against and respond to an emergency or threatening situation to include activating pre-established mutual aid agreements.

4. When municipal governments determine that their resources are not adequate for regional plan shelters, additional resources may be requested through the MACC. The MACC will request resources through MEMA or other local and regional entities.
5. When the MACC determines that county resources are not sufficient, the MACC will request state assistance through MEMA Region 2 if it's operational, if not, then MEMA Headquarters at the State Emergency Operations Center (SEOC).
6. The MACC as well as all applicable agencies and municipalities, shall establish and maintain journals, records, and reporting capabilities in accordance with state and federal laws and regulations.
7. Agencies and municipalities are encouraged to designate a representative and alternate to the Regional Sheltering Task Force as well as the MACC for the purpose of planning and implementation.
8. Where applicable, any agency or municipality that has been assigned as the primary agency for a specific emergency support function, or shelter management function, is responsible for coordinating the development, preparation, and testing of that function and enabling SOPs.
9. Full activation of the MACC will require coverage for at least the following six functions:
 - a. MACC Management
 - b. Situation Assessment
 - c. Resource Coordination and Support
 - d. Information Coordination
 - e. Documentation
 - f. Liaison
10. Upon activation of the MACC or as the situation warrants, public information briefings, news releases, and all emergency information for public dissemination will be released by the MACC in coordination with the PIO and the BCREPC Chair.

C. Facility Selection and Capacity

Shelters have been selected in accordance with predetermined criteria as outlined in a Facilities Survey (See each shelter Annex for specific surveys for each shelter). Special Needs Populations are addressed in this checklist.

1. ARES - Communications
ARES will install external antennas at each of the shelter facilities. There is sufficient operating space (one or two rooms) with sufficient electrical power and power options at each facility. There are no constraints on the shelter population with the equipment provided by ARES.
2. American Red Cross – Mass Care
See Shelter Facility Surveys in the individual shelter Annexes
3. Medical Reserve Corps – First Aid
See Shelter Facility Surveys in the individual shelter Annexes

D. Mitigation

Mitigation includes those activities designed to reduce or eliminate risks to persons or property or to lessen the actual or potential effects or consequences of an incident. Mitigation measures may be implemented prior to, during, or after an incident. Mitigation involves on-going actions to reduce exposure to, probability of, or potential loss from hazards. Measures may include zoning and building codes. Mitigation may include efforts to educate municipalities, businesses, and the public on measures they can take to reduce loss or injury.

E. Preparedness

1. BCREPC Regional Sheltering Plan Development and Maintenance
 - a. This plan is the principal source of documentation concerning the BCREPC's emergency management activities. Designated agencies that are part of this plan have the responsibility for developing and maintaining their portion of this plan. The BCREPC will perform overall coordination of this process.
 - b. The BCREPC will coordinate the efforts of all responsible agencies for plan development and timely update/revision. All organizations that have emergency-oriented missions or support roles are required to prepare supporting documentation (i.e. standard operating procedures).
2. Communications

ARES will provide the appropriate communications equipment required to ensure effective communications between the participating agencies.

Items not stored at the shelter will be stored at the Cape Cod and Islands Chapter of the ARC. ARES/ARC logistics will transport equipment to the shelter prior to activation of the facility. ARES members will likely bring much more capable equipment, as most are self-sufficient. The reason for having pre-existing assets for the facilities is so other operators who may not be self-sufficient (CERT, spontaneous volunteers, etc) will be able to operate. Each participating agency is responsible for supplying its own low band radios.

F. Response

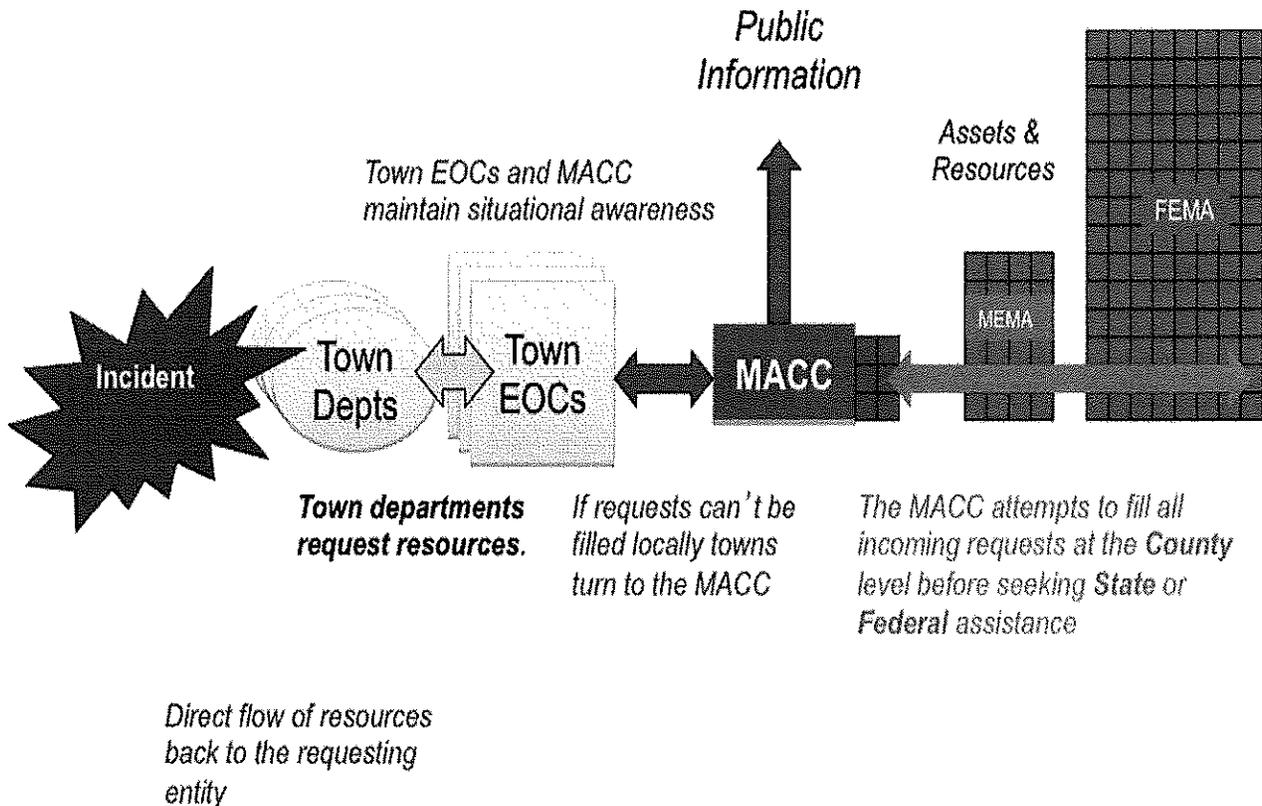
1. MACC

The Multi-Agency Coordination Center (MACC) serves as the central clearinghouse for information collection and coordination of response and recovery resources within the participating communities on Cape Cod
2. BCREPC/Municipal Response

Municipal units of government call upon the BCREPC or other municipalities in coordination with the BCREPC for assistance during events in which their own capabilities are overwhelmed.
3. Information and Resources Flow:

MACC

Information & Resources Flow



6

G. Recovery

1. Recovery activities include the development, coordination, and execution of service and site restoration plans for impacted communities and the reconstitution of government operations and services through individual, private sector, non-governmental, and public assistance programs
2. The decision to deploy damage assessment teams will be made in coordination with the affected municipalities. Damage assessment teams will be organized and trained in advance. Preparations will be made to deploy teams into affected areas as quickly as possible. Assistance from MEMA and FEMA will be requested in the disaster recovery stage when appropriate.

9

VI. ORGANIZATION AND ASSIGNMENT OF RESPONSIBILITIES

A. Summary

The following agencies will be involved in coordinating and implementing the Regional Sheltering Plan:

Primary Agencies	Responsible Position
American Red Cross (ARC)	Emergency Services Director
Barnstable County Regional Emergency Planning Committee	Chair
Barnstable County Incident Management Team	Coordinator
Participating Agencies	Responsible Position
Local Fire Departments/EMS	Fire Chief
Local Police Departments	Police Chief
Towns	Town Administrator/Manager
School Districts	Superintendent
CERT	CERT Team Leader / Director
Cape Cod Medical Reserve Corps (CCMRC)	Director
Amateur Radio Emergency Services (ARES)	District Emergency Coordinator
Cape Cod DART	Animal Control Lead
AmeriCorps Cape Cod	Program Coordinator
LCAST	Animal Control Lead

B. The Barnstable County Regional Emergency Planning Committee (BCREPC)

1. Decisions

The decision to open regional shelters on Cape Cod will be made by the BCREPC Executive Committee. Except for certain supplies, the BCREPC assumes no financial responsibility for the implementation of the RSP but will perform the following coordination functions:

- a. Establish rules by which the BCREPC will function. See BCREPC Bylaws
- b. Establish provisions for public notification, comments etc. as a part of the sheltering plan implementation
- c. Develop and maintain the Regional Sheltering Plan
- d. Coordinate Regional Sheltering training and exercises as required
- e. Serve as the clearing house for invoices received from those towns hosting a regional shelter

2. MOU's

In order to fulfill its responsibilities the BCREPC has established and signed a MOU with the American Red Cross. See *Appendix 10 Memorandum of Understanding - American Red Cross and BCREPC*.

3. FNSS

The BCREPC will ensure that planning for FNSS in general population shelters includes the development of mechanisms that address the needs of children and adults in areas such as:

- a. Communication assistance and services when completing the shelter registration process and other forms or processes involved in applying for emergency-related benefits and services including Federal, State, tribal, and local benefits and services

- b. DME (durable medical equipment), CMS (consumable medical supplies, and/or PAS (personal assistance services) that assist with activities of daily living
- c. Access to medications to maintain health, mental health, and function
- d. Available sleeping accommodations (e.g., the provision of universal/accessible cots or beds and cribs; the placement, modification, or stabilization of cots or beds and cribs; the provision and installation of privacy curtains)
- e. Access to orientation and way-finding for people who are blind or have minimal vision
- f. Assistance for individuals with cognitive and intellectual disabilities
- g. Auxiliary aids and services necessary to ensure effective communication for persons with communication disabilities
- h. Access to an air-conditioned and/or heated environment (e.g. for those who cannot regulate body temperature)
- i. Refrigeration for medications
- j. Availability of food and beverages appropriate for individuals with dietary restrictions (e.g., persons with diabetes or severe allergies to foods such as peanuts, dairy products and gluten)
- k. Providing food and supplies for service animals (e.g., dishes for food and water, arrangements for the hygienic disposal of waste; and, if requested, portable kennels for containment)
- l. Access to transportation for individuals who may require a wheelchair-accessible vehicle, individualized assistance, and the transportation of equipment required in a shelter because of a disability
- m. Assistance locating, securing, and moving to post-disaster alternative housing, which includes housing that is accommodating to the individual's functional support needs (e.g., accessible housing; housing with adequate space to accommodate DME; or housing located in close proximity to public transportation, medical providers, job or educational facility, and/or retail stores)
- n. Assistance with activities of daily living such as:
 - eating
 - taking medication
 - dressing and undressing
 - transferring to and from a wheelchair or other mobility aid
 - walking
 - stabilization
 - bathing
 - toileting
 - communicating

The Stafford Act and Post-Katrina Emergency Management Reform Act (PKEMRA), along with Federal civil rights laws, mandate integration and equal opportunity for people with disabilities in general population shelters. The Americans with Disabilities Act of 1990 (ADA), the Rehabilitation Act of 1973 (RA), and the Fair Housing Act (FHA), their regulations and agency guidance, as well as State counterparts, among others, define the scope of FNSS. These attributes of equal opportunity for people with disabilities include:

- a. The implementation and execution of a general policy of nondiscrimination on the basis of disability
- b. Sheltering persons with disabilities in the most integrated setting appropriate to the needs of the person, which in most cases is the same setting people without disabilities enjoy
- c. Reasonable modifications of policies, practices, and procedures to ensure nondiscrimination, with reasonableness judged in light of nondiscrimination principles applied in emergent circumstances

- d. The provision of auxiliary aids and services to ensure effective communication, with primary consideration of the aid or service given to the person with a disability
- e. Elimination of eligibility criteria, discriminatory administrative methods, paternalistic safety requirements, and surcharges where discrimination results
- f. The selection of accessible sites for the location of general population emergency shelters, the construction of architecturally compliant mass care shelters and elements, and required physical modifications to ensure program accessibility in existing facilities

All towns participating in the Regional Sheltering Program will share all costs associated with providing FNSS (Functional Needs Support Services).

C. Barnstable County Incident Management Team (MACC)

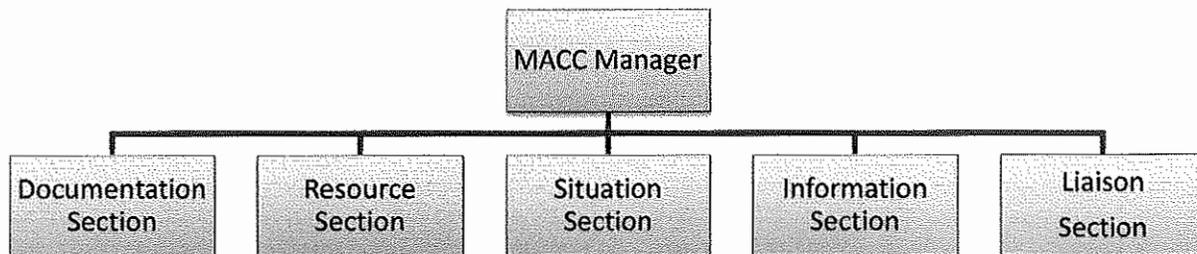
1. General

Direction and control of response and recovery operations for disasters affecting the residents will be coordinated by the Barnstable County Incident Management Team by staffing the MACC. The MACC will provide leadership and coordination of emergency response forces in the event of a disaster requiring the opening of one or more regional shelters. The MACC staff will be located at the Barnstable County Complex – Harborview Room - unless an alternate location is approved by the BCREPC Executive Committee.

2. Organization

The MACC will be organized according to the National Incident Management System (NIMS) using Incident Command System (ICS) protocols. The MACC will be staffed by members of the Incident Management Team and others as appropriate.

- a. MACC Management
- b. Situation Assessment
- c. Resource Coordination and Support
- d. Information Coordination
- e. Documentation
- f. Liaison (ARES, ARC, NSTAR, etc., at the discretion of the participating agencies)

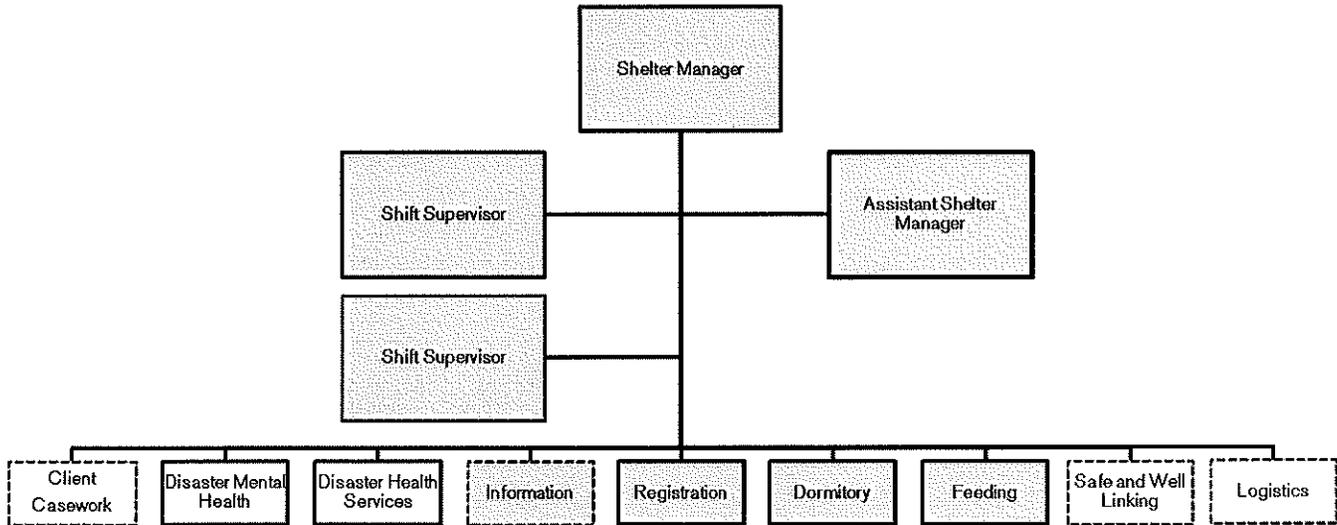


3. Responsibilities
 - a. MACC Management
 - i. Provide overall responsibility for MACC operations
 - ii. Establish objectives and priorities
 - iii. Coordinate resolution of conflicts
 - iv. Make strategic decisions
 - v. Coordinate information flow
 - vi. Integrate communications system
 - vii. Approve MACC documentation
 - viii. Provide an After Action Report (AAR).
 - b. Situation Assessment
 - i. Provide situational awareness to the MACC
 - ii. Keep and display an events log (Web EOC)
 - iii. Combine, summarize, and display data
 - iv. Request/obtain situation status from EOC's and MEMA
 - v. Maintain information on meteorological conditions and forecasts that may impact the region
 - vi. Maintain information on environmental issues, cultural, and historic resources, or sensitive populations/areas.
 - c. Resource Coordination and Support
 - i. Request and track resources
 - ii. Track resources
 - iii. Maintain resource log and Web EOC reporting.
 - d. Information Coordination
 - i. Collect, analyze, and disseminate internal and external information
 - ii. Serve as MACC Public Information Officer
 - iii. Advise MACC Management on all public information matters
 - iv. Handle media and public inquiries, emergency public information, rumor monitoring, and media monitoring
 - v. Prepare and release summary information regarding the regional activity to participating agencies, MEMA, and the EOC's
 - vi. Establish and manage regional Joint Information Center (JIC)
 - e. Documentation
 - i. Maintain documentation on all items that are received or sent out from the MACC
 - ii. Maintain a file of resource requests received and made by the MACC in support of incident activities
 - iii. Maintain a file for documentation generated by MACC operations
 - iv. Ensure all documentation is prepared to support possible reimbursement following an incident
 - v. Prepare agendas/reports for briefings and planning meetings
 - f. Liaison
 - i. Collect, analyze, and disseminate internal and external information to and from their respective agencies
 - ii. Provide regular situation reports to MACC management
 - iii. Communicate decisions made by their respective agencies

D. American Red Cross – Cape Cod and Islands Chapter (ARC)

1. Organization

The Red Cross utilizes the same organization regardless of shelter.



Note: The Shelter Lead's title is used here. In the Incident Action Plan this title is changed to "Supervisor Red Cross" to make it compatible with NIMS and ICS.

2. Responsibilities

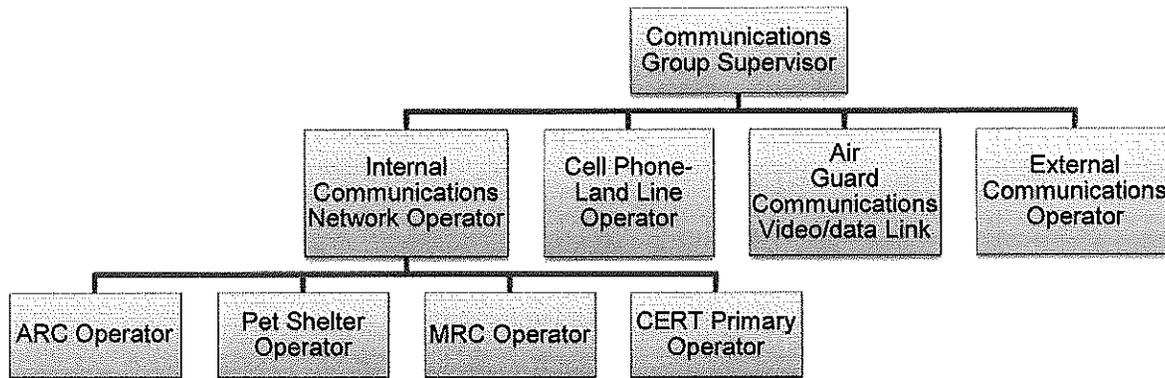
The Red Cross will perform the following duties/functions:

- a. Follow current Red Cross SOPs support of the BCREPC Regional Sheltering Plan. Provide Functional Needs Support Services (FNSS) as appropriate.
- b. Ensure materials are inventoried yearly and/or post-event as needed for correct quantity counts and appropriately stored in shelter Connex boxes ready for use.
- c. Provide staff as outlined in the graphic above and trained as appropriate. Minimal staffing will be provided at the onset of an event, depending on the type of storm and expected shelter population, covering the activities of Mass Care, Logistics, Health Services, and Mental Health. Additional staff will be provided as assessed during the event by Red Cross and the BCREPC in coordination with the Red Cross Shelter Lead and Branch Director at each Shelter
- d. Fill out the Red Cross form titled "Pre-Inspection Checklist" prior to setting up operations at each facility being supported as directed by the BCREPC and local Emergency Manager.
- e. Set up shelter registration, dormitory, mental health, and health services areas for the shelter with Red Cross activity leads reporting to the Shelter Lead and the Red Cross Shelter Lead reporting to the Branch Director. Work with the Department of Public Works or other assigned town authority to ensure Connex boxes can be accessed and materials unloaded by our staff for the set up of these areas.
- f. Set up shelter feeding operations to include menu selection, food and supplies procurement and appropriate storage, meal preparation, meal distribution, kitchen cleanup and sanitization and trash removal.

- g. Coordinate with all partner agencies named in this plan, as well as the Barnstable County Public Information Officer and other support agencies, to ensure expectations are met and the community is informed of shelter locations and other important information needed depending on the type of event which will predicate information given.
- h. Ensure all internal Red Cross paperwork (i.e., shelter registrations and other documents) are completed. Ensure, if the Branch Director is also signing in staff for organizations, Red Cross staff will participate in signing in with the Branch Director and Red Cross.
- i. Provide for appropriate signage at each open shelter for the areas identified above supported by the Red Cross.
- j. Establish demobilization plans and procedures to include the following:
 - i. Clean, prepare, or discard as needed all equipment and supplies used in preparation to return to a pre-event state (i.e., cots, blankets, other dormitory materials, kits, and other supplemental supplies).
 - ii. Return all appropriate equipment and supplies to the Connex boxes prior to signing out with the Red Cross and Branch Director if requested.
 - iii. Ensure all Red Cross documentation is completed.
 - iv. Complete all Red Cross Mass Care paperwork required of the demobilization process prior to leaving the facility.

E. ARES (see Appendix 2 ARES Emergency Communications Plan for Regional Shelters on Cape Cod)

1. Organization



2. Responsibilities

In order to fulfill its responsibilities ARES has established and signed MOU's with the American Red Cross. See *Appendix 11 - Memorandum of Understanding - American Red Cross, ARES, and BCREPC*

Ares will function as the communication agency for each of the regional shelters and will be financially and operationally responsible for the following:

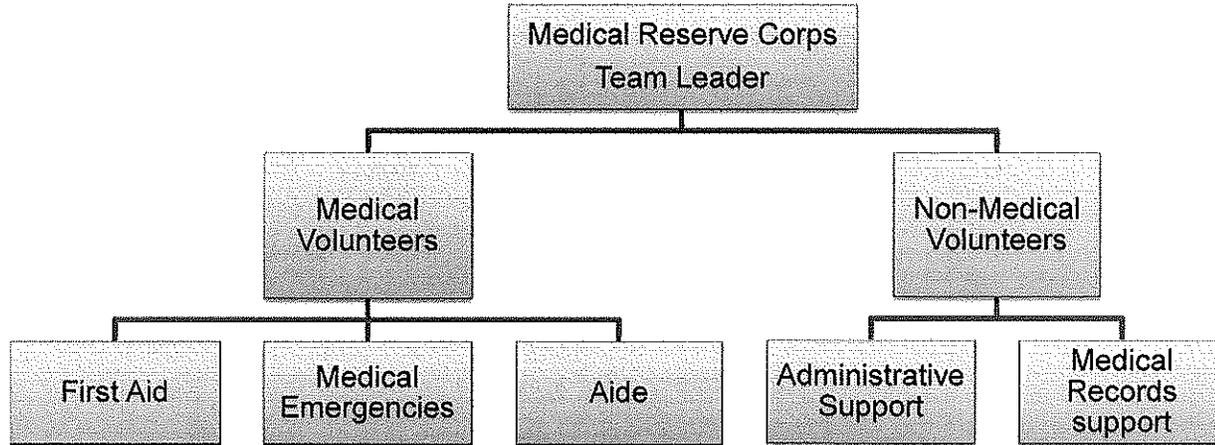
- a. Provide, install and maintain all Amateur Radio FM equipment necessary to operate each shelter
- b. Staff the shelter communications center
- c. Provide Functional Needs Support Services (FNSS) as appropriate.
- d. Assign agency communications operator when necessary
- e. Establish a communications hierarchy to insure that informational exchanges flow freely and in an efficient manner.
- f. Manage external communications from each shelter through a primary radio operator in the communications room. The primary operator will be the ranking communications operator in the facility and will be responsible for maintaining contact with Amateur Radio Emergency Service Network control, the MACC, local EOC's and the Red Cross chapter.
- g. Manage internal communications in each shelter through an internal network operator who will be responsible for managing the flow of communications within the shelter including all agencies and communications operators. All communications between agencies in the facility will route their calls through the internal network operator. Internal communications between amateur radio operators using amateur frequencies will be managed by the primary radio officer if the internal network operator is not FCC licensed for amateur radio operation. In-house phone and PA usage can be coordinated by assistants reporting to the internal network operator. Direct point to point contact between agencies in the facility will not be permitted without routing the call through the internal network operator.
- h. Establish radio frequencies for the following:
 - i. Amateur radio external operations
 - ii. Amateur radio internal operations

- iii. Agency and Auxiliary Communications
- iv. Public Safety Communications
- v. Red Cross low band communications
- i. Establish tactical designations for each agency participating in the shelters
- j. Establish internal radio calling procedures and protocols for each shelter
- k. Maintain communications records using ICS 213, ICS 214 and ICS 309 forms
- l. Demobilization procedures to:
 - i. Collect all logs and documentation from all operators
 - ii. Place all collected documentation in a folder for supervisory review
 - iii. Collect and log in all equipment from operators to be secured
 - iv. Inspect equipment for any required maintenance or damage observed
 - v. Report any shortfalls of equipment and label/report any damaged items
 - vi. Secure equipment
 - vii. Distribute after-action operator report forms
 - viii. Ensure communications operating area is secure with no hazards
 - ix. Inform Branch Director of ARES status as secured

F. Medical Reserve Corps (MRC)

1. Organization

The Medical Reserve Corps utilizes the same organization regardless of shelter.



Note: The Team Leader title is used here. In the Incident Action Plan this title is changed to “Supervisor Medical Reserve Corps” to make it compatible with NIMS and ICS.

2. Responsibilities

In order to fulfill its responsibilities the MRC has established and signed a MOU’s with the American Red Cross. See *Appendix 12 - Memorandum of Understanding - American Red Cross and MRC*

The MRC will perform the following duties/functions:

- a. Develop emergency shelter operations/management plans and procedures in support of the BCREPC Regional Sheltering Plan. Provide Functional Needs Support Services (FNSS) as appropriate
- b. Coordinate with the BCREPC Subcommittee for required emergency shelter equipment, supplies, and other materials needed for first aid treatment in the emergency shelters. Ensure that these materials are of sufficient quality, quantity and appropriately stored in shelter Connex boxes and ready for use.
- c. Coordinate with the Superintendents of Barnstable County Regional Shelter Schools, or their designees, for appropriate facilities, emergency shelter supplies, adequate phones, and computers that are connected to the Internet.
- d. Provide medically trained team leaders to supervise the first aid services at the emergency shelters.
- e. Assign and train team leaders and staff for emergency shelter operations, to include crisis management training.
- f. Provide first aid go kits to team leaders and staff, as appropriate.
- g. Set up the MRC area in the shelter. Remove MRC shelter supplies from the Connex boxes or arrange for their removal. Conduct an opening facility checkout with the Facility Group Supervisor.
- h. Coordinate with health, social services, EMS, law enforcement, amateur radio, and other government and volunteer agencies to provide support personnel/volunteers during sheltering, as required.
- i. Arrange for qualified staffing of emergency shelters as the emergency shelters are activated.
- j. Establish and maintain journals, records and reporting capabilities in accordance with state and federal laws and regulations.
- k. Provide for appropriate signage at each open shelter.
- l. Establish demobilization plans and procedures to include the following:
 - i. Clean and prepare all equipment and supplies for storage
 - ii. Inventory all supplies and equipment prior to storage
 - iii. Return all appropriate equipment and supplies to the Connex boxes
 - iv. Prepare documentation packages appropriate for the MRC Director and each shelter Branch Manager
 - v. Return all MRC utilized space to pre-deployment state. Conduct a closing facility checkout with the Facility Group Supervisor.

G. Public Safety

1. Harwich

The Town of Harwich in collaboration with the Towns of Brewster and Chatham will provide coverage for public safety in the following areas:

- a. Incident Command staffing
- b. Fire and EMS
- c. Police (traffic control and security)
- d. Health inspection
- e. Animal Control

In addition to the above, the Cape Cod Technical High School will provide the facility as well as facility/custodial and feeding operations support.

More detailed information on this coverage can be found in *Annex B – Cape Cod Technical High School*.

2. *Yarmouth*

The Town of Yarmouth in collaboration with the Town of Dennis will provide coverage for public safety in the following areas:

- a. Incident Command staffing
- b. Fire and EMS
- c. Police (traffic control and security)
- d. Health inspection

In addition to the above, the Dennis-Yarmouth School District will provide the facility, Dennis-Yarmouth High School, as well as facility/custodial and feeding operations support.

More detailed information on this coverage can be found in *Annex C – Dennis – Yarmouth High School*.

3. *Eastham*

The Town of Eastham in collaboration with the Towns of Orleans, Truro and Wellfleet will provide coverage for public safety in the following areas:

- a. Incident Command staffing
- b. Fire and EMS
- c. Police (traffic control and security)
- d. Health inspection

In addition to the above, the Nauset Regional School District will provide the facility, Nauset Regional High School, as well as facility/custodial and feeding operations support.

More detailed information on this coverage can be found in *Annex D – Nauset Regional High School*.

4. *Sandwich*

The Town of Sandwich in collaboration with the West Barnstable Fire Department will provide coverage for public safety in the following areas:

- a. Incident Command staffing
- b. Fire and EMS
- c. Police (traffic control and security)
- d. Health inspection

In addition to the above, the Sandwich School District will provide the facility, Sandwich High School, as well as facility/custodial and feeding operations support.

More detailed information on this coverage can be found in *Annex E – Sandwich High School*.

5. *Falmouth*

The Town of Falmouth in collaboration with the Town of Mashpee will provide coverage for public safety in the following areas:

- a. Incident Command staffing
- b. Fire and EMS
- c. Police (traffic control and security)
- d. Health inspection

In addition to the above, the Falmouth School District will provide the facility, Falmouth High School, as well as facility/custodial and feeding operations support.

More detailed information on this coverage can be found in *Annex F – Falmouth High School*.

6. *Barnstable*

The Town of Barnstable will provide coverage for public safety in the following areas:

- a. Incident Command staffing
- b. Fire and EMS
- c. Police (traffic control and security)
- d. Health inspection

In addition to the above, the Barnstable School District will provide the facility, Barnstable Intermediate School, as well as facility/custodial and feeding operations support.

More detailed information on this coverage can be found in *Annex G – Barnstable Intermediate School*.

VII. ADMINISTRATION AND SUPPORT

A. General

A large emergency or disaster will place great demands on the resources of local governments. Distribution of required resources might be made difficult by the circumstances for reestablishment of the infrastructure. Resources will be identified and provided as soon as practical. Coordination with appropriate departments and agencies will be performed to ensure that operational readiness is maintained at all times. Administrative procedures will be conducted in accordance with existing rules, resolutions and ordinances.

B. Funding and Accounting

Expenditures of monies for emergency sheltering operations will be in accordance with guidelines set forth by the BCREPC. Accounting for expenditure of funds will be conducted under applicable laws and ordinances and will be subject to audit. Proper documentation will be maintained and will serve as the basis for federal and state declarations and subsequent reimbursement requests. The Branch Directors and individual Group Supervisors (ARES, American Red Cross, Cape Cod Disaster Animal Response Team, Public Safety and Shelter Facilities) in each designated shelter will be responsible for maintaining reports, invoices, and vouchers for that shelter. Those towns hosting a regional shelter will submit their invoices covering local expenses for feeding operations, public safety, Functional Needs Support Services, facilities maintenance and other municipal shelter related expenses to Barnstable County care of the Emergency Coordinator. The Barnstable County Emergency Coordinator will assist with collecting the funds from the participating towns to pay these invoices and will help coordinate subsequent reimbursement requests.

C. Nondiscrimination

Discrimination against persons on the basis of age, color, economic status, nationality, race, religion, sex or handicap in the administration of emergency sheltering services is prohibited. Complaints of discrimination in emergency sheltering operations will be made to the local emergency management organizations for investigation and further action.

D. Training

This plan shall be exercised annually in lieu of an actual response to real emergency events. All Primary and Support Agencies will be responsible for training their own sheltering and administrative support staff in sheltering operations and procedures.

E. Records and Reports

All agencies participating in Regional Sheltering Plan will provide for the security and protection of administrative and operational records and reports associated with these operations.

1. ARES will maintain necessary records of communication operations, and provide general statistical information to the MACC for planning purposes, as requested, and authorized by current regulations.
2. The American Red Cross Executive Director – Cape Cod and Islands Chapter will maintain necessary records of emergency shelter and mass care operations, and provide general statistical information to the MACC for planning purposes, as requested, and authorized by current regulations.
3. The Cape Cod Medical Reserve Corps will maintain the necessary records of persons with special medical needs under their care and will provide status reports and logs, as requested, to the MACC.
4. CCDART will maintain the necessary records of emergency shelter and pet care operations for which they are responsible and will provide status reports and logs as requested to the MACC.

F. Logistics

1. **Essential Supplies**
Emergency shelters (human) will be provided essential supplies (i.e. food, bedding, sanitation needs, etc.) by the Regional Emergency Planning Committee, the American Red Cross and other appropriate agencies that support regional emergency shelters on Cape Cod. The Cape Cod Disaster Animal Response Team will provide essential supplies (food, cages, sanitation, clean up, etc) required for pet shelter operations.
2. **Shelter Kits**
The ARC Cape Cod and Islands Chapter will provide Shelter Manager kits, Medical Health Manager kits and Mental Health Manager kits containing sufficient quantities of appropriate forms (for registration, inventory, event logs, and emergency shelter occupancy reports), handbooks and identification. The MRC will provide First Aid kits and sufficient quantities of forms and identification.
3. **Communications**
The primary communications link between the regional shelters and the MACC will be telephone with radio as the secondary/back-up link. Shelter communications will be in accordance with the ARES Emergency Communications Plan for Regional Shelters on Cape Cod.

VIII. PLAN DEVELOPMENT AND MAINTENANCE

Barnstable County's Regional Emergency Planning Committee will be responsible for maintaining the original copy of the Regional Sheltering Plan.

The Barnstable County Regional Sheltering Task Group of the Barnstable County Regional Emergency Planning Committee (BCREPC) will continuously monitor situations that occur in Barnstable County, to determine the need for revisions. The Regional Sheltering Plan will be reviewed bi-annually for needed revisions. Additionally, any Public Safety agency lead, Town Manager/Administrator, County Manager, or County Commissioner may make recommendations to the Barnstable County Regional Sheltering Task Group for revisions. All revisions approved by the Task Group will be submitted to the BCREPC Executive Committee for approval. If approved, they will be incorporated into the Plan.

IX. REFERENCES

BCREPC By-laws
 CCETP- Cape Cod Emergency Traffic Plan
 ARC Shelter Operations Management Toolkit
 ARC Health Services Handbook
 ARC Health Services Manager's Toolkit
 ARC Health Services Protocols (July 2010)
 ARC Disaster Mental Health Handbook
 ARES Emergency Communications Plan for Regional Shelters on Cape Cod
 Cape Cod Disaster Animal Response Team Operating Procedures for Emergency Animal Sheltering.

X. OTHER

A. Shelters

Regional Shelter	Street Address	General Capacity	Evacuation Capacity
Barnstable Intermediate School	895 Falmouth Road Hyannis, MA 02601	462	925
Cape Cod Regional Technical High School	351 Pleasant Avenue Harwich, MA 02645	500	1080
Dennis-Yarmouth Regional High School	210 Station Avenue South Yarmouth, MA 02664	907	2418
Falmouth High School	874 Gifford Street Falmouth, MA 02536	327	655
Nauset Regional High School	100 Cable Road North Eastham, MA 02651	456	912
Sandwich High School	365 Quaker Meetinghouse Road East Sandwich, MA 02537	261	700

See Appendix 4. – Regional Shelters Location Map

XI. APPROVALS

A. For Barnstable County Regional Emergency Planning Committee

Fire Chief Mark Foley, Co-Chair

Signature _____

Date _____

Police Chief Ron Fissette, Co-Chair

Signature _____

Date _____

B. For American Red Cross, Cape Cod and Islands Chapter

Emergency Services Director

Signature_____

Date_____

C. For the Barnstable County Commissioners

Sheila Lyons, Chair

Signature_____

Date_____

Mary Pat Flynn, Vice-Chair

Signature_____

Date_____

Leo Cakounes, Commissioner

Signature_____

Date_____

D. Heads of Town Government

Copies of agreement/approval letters are in *Annex A*

XII. ANNEXES

Annex A. Heads of Town Government Letters

Annex B. Cape Cod Regional Technical High School

Appendix 1. Incident Action Plan

Appendix 2. Traffic Flow and Parking

Appendix 3. Facility Layout

Appendix 4. American Red Cross Facility Survey

Appendix 5. Medical Reserve Corps Facility Survey

Appendix 6. Shelter Agreement

Annex C. Dennis-Yarmouth Regional High School

Appendix 1. Incident Action Plan

Appendix 2. Parking

Appendix 3. Traffic Flow

Appendix 4. Facility Layout

Appendix 5. American Red Cross Facility Survey

Appendix 6. Medical Reserve Corps Facility Survey

Appendix 7. American Red Cross Shelter Agreement

Annex D. Nauset Regional High School

Appendix 1. Incident Action Plan

Appendix 2. Traffic Flow

Appendix 3. Remote Parking

Appendix 4. Facility Layout

Appendix 5. American Red Cross Facility Survey

Appendix 6. Medical Reserve Corps Facility Survey

Appendix 7. Shelter Agreement

Annex E. Sandwich High School

Appendix 1. Incident Action Plan

Appendix 2. Traffic Flow and Parking

Appendix 3. Facility Layout

Appendix 4. American Red Cross Facility Survey

Appendix 5. Medical Reserve Corps Facility Survey

Appendix 6. American Red Cross Shelter Agreement

Annex F. Falmouth High School

Appendix 1. Incident Action Plan

Appendix 2. Parking

Appendix 3. Traffic Flow

Appendix 4. Facility Layout

Appendix 5. American Red Cross Facility Survey

Appendix 6. Medical Reserve Corps Facility Survey

Appendix 7. American Red Cross Shelter Agreement

Appendix 8. Falmouth Shelter

Annex G. Barnstable Intermediate School

Appendix 1. Incident Action Plan

Appendix 2. Parking and Traffic Flow

Appendix 3. Facility Layout

Appendix 4. American Red Cross Facility Survey

Appendix 5. Medical Reserve Corps Facility Survey

Appendix 6. American Red Cross Shelter Agreement

XIV. Appendices

Appendix 1 – Regional Shelter Activation Matrix

Appendix 2 – ARES Communications Plan

Appendix 3 – MRC Handbook

Appendix 4 – Regional Shelters Location Map

Appendix 5 – AED Locations Map

Appendix 6 – Conex Box Inventories

Appendix 7 – Regional Shelter Plan Job Aids

Appendix 8– CC Dart Handbook

Appendix 9– LCAST Handbook

Appendix 10 – Memorandum of Understanding - ARC and BCREPC

Appendix 11 – Memorandum of Understanding - ARC, ARES, BCREPC

Appendix 12 – Memorandum of Understanding - ARC and MRC

Appendix 13 – Media Policy

Town of Harwich
Year End Line Items in Deficit
June 30, 2015

Expenditure Line Items in Deficit:	Amount	Line Item Used to Transfer to Elimi
Selectmen Travel	234.00	Fin Com Office Supplies
Town Acct Salaries	9,354.00	Treasurer Salaries & Wages
Admin Administrative Leavs	5,316.00	Medicare
Admin Travel	1,475.00	Postage
Legal	2,355.00	Postage
Albro House	4,658.00	Public Bldg Repairs
Old Rec Bldg	5,301.00	Medicare
West Harwich School	873.00	Public Bldg Repairs
Advertising	938.00	Public Bldg Repairs
Police Salaries	2,300.00	Medicare
EMS Medical Supplies	3,730.00	Health Insurance
Bldg Travel	3,458.00	Health Insurance
Emer Mgmt OT	465.00	Medicare
DPW Other Purch Services	25,061.00	Unemployment
Cemetery Admin Wages	784.00	Medicare
Cemetery Utilities	203.00	Telephone
Community Ctr Wages	1,289.00	Medicare
Veterans Benefits	5,664.00	Health Insurance
Historical Commission Wages	225.00	Medicare
Cape Cod Commission Assessment	5,640.00	Health Insurance
Total	79,323.00	

**Town of Harwich
Year End Line Items in Deficit
June 30, 2015**

nate Deficit

Town of Harwich

Proposed Accounting Process Change for Community Preservation Committee Fund (CPC)

Current practice is the debt service for CPC is in the general fund. Each fiscal year the debt service for CPC is determined and included in the budget as a transfer from CPC to the general fund to cover the debt service for CPC.

In addition, there are warrant articles for CPC in both the general fund and the CPC fund.

The proposed change is to transfer the debt service for CPC and the CPC warrant articles in the general fund to the CPC fund as of June 30, 2016, for FY 2017. This will result in all CPC activity being in the CPC fund. When the Town develops the FY 2017 budget it will not be necessary to transfer the CPC debt service amount to the general fund because it will already be in the CPC fund. It will be necessary however, to develop a budget for CPC for the CPC debt service and the administrative fee and include it in the 2017 budget, in a separate warrant article at Town Meeting.

I ran this concept by David Ryan when he was in to assist me and I have his support. I have also run this by the auditors and have their support. I have run it by Bob MacCready, Chris Clark and the Finance Committee. With the exception of some concerns by a couple of Finance Committee members about the legality of the move there is general acceptance of this change. I will certainly consult with the Town's attorney before making such a move.

Raymond Gottwald, Chairman
Democratic Town Committee
38 Huckleberry Path
Harwich, MA 02645



June 22, 2015

The Honorable Board of Selectmen
Harwich Town Offices
732 Main Street
Harwich, MA 02645

To The Honorable Board of Selectmen:

As requested, and in accordance with Massachusetts General Laws, Chapter 54, Section 12, the Harwich Democratic Town Committee submits the following names of enrolled Democrats who desire to be Election Officers for a one-year period beginning September 1, 2015.

It is our understanding that the Board of Selectmen shall, not earlier than July 14, 2015, not later than August 11, 2015, appoint Election Officers for each precinct from this filed list, which has also been submitted to the Town Clerk and Board of Registrars.

Johanne M. Arnemann	89 Pleasant Bay Rd	Harwich	432-3655
Joyce E. Bearse	19 Sequattom Road	Harwich	432-1892
Sheila Bowen	64 West Tupelo	Harwich	432-7956
Virginia Burke	16 Harwood Avenue	Harwich	432-9710
Charles Callahan	4 Woodbine Road,	Harwich Port	432-3740
Mary Clarke	3 Fairways Drive	Harwich	432-4762
Joan Callahan	4 Woodbine Road,	Harwich Port	432-3740
Ursula Corbett	2 Baddeck Street P.O. Box 1642	Harwich	432-3272
Mary Eagan	EchoWoods Road, Box 191	South Harwich	432-8452
Donna W. Eaton	159 Long Pond Dr	Harwich	430-4372
Carolyn Flahive	3 Johns Way,	Harwich	432-9207
Leslie Flynn	54 Oak Street	Harwich	432-2576
William Flynn, Jr	54 Oak Street	Harwich	432-2576
Dorothy M. Harrington	19 Village Green	Harwich Port	432-9150
William Hooper	80 Nor'East Drive	Harwich	430-2385

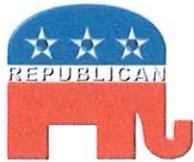
Laurel Johnson	Wilmas Way,	Harwich	
Mary Lee Kelsey	27 Mabel Canto Way	Harwich	432-4103
Larry D. Knight	34 Uncle Venies Road	Harwich	432-0341
Shirley Knowles	62 Oak Street`	Harwich	432-1048
Valerie M. Knight	34 Uncle Venies Road	Harwich	432-0341
Mary Larkin	312 Bank Street	Harwich Port	432-7541
Kathleen M. Teahan	3 Pleasant Avenue	Harwich Port	430-1369
Wilfrid Remillard	642 Queen Anne Road	Harwich	432-6249
Catherine A. Sacramone	43 Division Street	West Harwich	432-4718
Janet Silverio	7 Harvest Hollow Dr	Harwich	430-1712
Arkaline Silverio	7 Harvest Hollow Dr	Harwich	430-1712
Sandra Shelton	42 John Nelson Way,	Harwich	430-5389
Jacqueline Stiles	65 John Nelson Way,	Harwich	432-0968
Susan Weinstein	21 Lake Street	Harwich	432-1165
Joyce Phillips	18 John Nelson Way	Harwich	430-1888
Adele Hooper	80 Nor'East Drive	Harwich	430-2385
Robert Hartwell	26 Argyle Way	Harwich	774-408-7882
Wendy Woods-Hartwell	26 Argyle Way	Harwich	774-408-7882

I will contact you if there are any additional names to be added to this list.
Thank you for your consideration in this matter.

Respectfully,

Raymond C. Gottwald

Raymond Gottwald, Chairman
Harwich Democratic Town Committee



Harwich Republican Town Committee
P O Box 1374
Harwich, MA 02645

To: Harwich Board of Selectmen

Subject: Republican Election Worker List

At its June 18th, 2015 meeting, the Harwich Republican Town Committee voted the attached list of election workers hereby submitted for your approval.

Best regards,

**Peter Hughes, Chairman
Harwich Republican Town Committee**



cc: Town Clerk

Attachment

2015 Republican Election Workers

Ruth Barnett	18 Rainbow Way, Harwich	432-3648
David Bassett	8 Moody Road, Harwich Port	237-1514
Emily Brutti	28 Hillcrest Drive, Harwich	
Dorothy Hemmings-Bassett	8 Moody Road, Harwich Port	237-1514
Janet Bowers	142 Kendrick Rd, Harwich	432-8895
Richard Bowers	P O Box 244, Harwich	432-8895
Eric Carroll	434 Lower County Road, Harwich Port	432-9316
Gayle Carroll	434 Lower County Road, Harwich Port	432-9316
Lee Chase	2 Robbins Road, Harwich Port	432-2236
Judy Davis	170 Gorham Rd, Harwich Port	432-9312
Marjorie Frith	231 Route 28 23, West Harwich	430-1104
Richard Gomes	15 Ridgevale Rd, South Harwich	432-1431
Jeffrey Hadley	29 Scotlin Way, Harwich	432-3124
Sandra Hall	24 Intervale Ln, Box 426, South Harwich	432-1963
Linda Hughes	41 Martha Ln, Box 54, South Harwich	432-7512
Janet Kaiser	4 Spring Tide Lane, Harwich	432-3277
Ann Kaplan	154 Clearwater Dr, Harwich	432-9886
Barbara Madson	247 Church St, Harwich	432-2945
Beverly Millar	11 Carriage Lane, Harwich	432-3142
Susan Mills	139 Gorham, Harwich Port	432-9057
Dorothy Parkhurst	36 Buttonwood Rd, Harwich	432-7191
MaryAnn Pina	3 Frances Road, Harwich	432-8455
Judith Sullivan	4 Paddock Road, Harwich	432-5526
Pat Switchenko	3 Riley Road, Harwich	432-2458
Lou Urbano	152 Riverside Drive, West Harwich	858-922-4212
Sally Urbano	152 Riverside Drive, West Harwich	425-583-8494



THE 189TH GENERAL COURT OF
THE COMMONWEALTH OF MASSACHUSETTS

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PART I	ADMINISTRATION OF THE GOVERNMENT	NEXT
TITLE VIII	ELECTIONS	PREV NEXT
CHAPTER 54	ELECTIONS	PREV NEXT
Section 12	Election officers in towns; procedure; eligibility; examinations	PREV NEXT

[First paragraph effective until May 22, 2014. For text effective May 22, 2014, see below.]

Section 12. The selectmen of every town shall annually, not earlier than July fifteenth nor later than August fifteenth, appoint as election officers for each voting place or precinct, except as provided in section twenty-four, one warden, one deputy warden, one clerk, one deputy clerk, two inspectors and two deputy inspectors, who shall be enrolled voters in the commonwealth, except as otherwise provided in this section. They may, in like manner, appoint two inspectors and two deputy inspectors in addition, and such number of tellers as may be necessary to count the ballots cast. Said tellers shall be appointed for the counting of said ballots at the close of the polls. In the event that the selectmen fail to appoint such election officers on or before August fifteenth, the board of registrars of voters shall forthwith appoint said officers.

[First paragraph as amended by 2014, 111, Sec. 11 effective May 22, 2014. For text effective until May 22, 2014, see above.]

The selectmen of every town shall annually, not earlier than July fifteenth nor later than August fifteenth, appoint as election officers for each voting place or precinct, except as provided in section twenty-four, one warden, one deputy warden, one clerk, one deputy clerk, two inspectors and two deputy inspectors, who shall be enrolled voters in the commonwealth, except as otherwise provided in this section. They may, in like manner, appoint two inspectors and two deputy inspectors in addition, and such number of tellers as may be necessary to count the ballots cast. Said tellers shall be appointed for the counting of said ballots at the close of the polls. In the event that the selectmen fail to appoint such election officers on or before August fifteenth, the board of registrars of voters shall forthwith appoint said officers. The state secretary shall establish a waiver system to allow a town to request to appoint fewer election officers than specified in this paragraph.

The chairman of the town committee of each political party may, not later than June first in each year, file with the registrars a list of enrolled members of such party who desire appointment as election officers. The selectmen shall, not later than April fifteenth of each year, make written notification to the chairman of record of the town committee of each political party that said list must be submitted no later than June first of the same year. Upon the filing of such lists the registrars shall forthwith proceed to the consideration thereof, and shall, on or before June thirtieth submit to the selectmen the names of persons whose names

debated the number of years' experience that should be required. Mr. Clark said he did not want Board members on the search committee and suggested putting on 3 citizens as well as some department heads. He noted that Deputy Chief Gagnon, Lincoln Hooper and Carolyn Carey have volunteered. Ms. Cebula said Mr. Clark should be cautious what department heads are on the committee because it's probably not a good idea to have the department head pick their own boss as they'd be looking for the one snoozing in the corner. The Board agreed that Mr. Clark should advertise the position. The Board agreed that the amount of experience required should be 3-5 years. Ms. Cebula moved to approve the job description with the modest changes that have been recommended. Mr. LaMantia seconded the motion and the motion carried by a unanimous vote.

D. Wastewater cost recovery method — *discussion & possible vote*

Ms. Cebula moved to adopt the following:

The Harwich Board of Selectmen endorse a cost recovery policy for wastewater program implementation that utilizes the combination of Town wide property taxes, an Infrastructure Investment Fund and a sewer enterprise account based on water consumption. Where appropriate grant funds will be applied for and if awarded will be used to offset costs as applicable. This policy will be utilized to support the implementation of at least the first three phases of the eight phase program and is subject to change should other potential beneficial funding programs become available to the Town and the actions of Town Meeting and subsequent ballot results.

Ms. Brown seconded the motion and the motion carried by a unanimous vote.

NEW BUSINESS

A. Wastewater Educational Moment; Harwich Watershed map — *discussion*

Chairman Hughes outlined the attached slides of Harwich watershed maps.

B. Response to Open Meeting Law Complaint — *discussion & possible vote*

Mr. MacAskill moved to approve the response to the Open Meeting Law violation dated June 8, 2015. Ms. Brown seconded the motion and the motion carried by a unanimous vote.

C. Approve list of Election Workers from Republican Town Committee — *discussion & possible vote*

Chairman Hughes recused himself on this item. Mr. MacAskill moved to approve the list of election workers from the Republican Town Committee. Mr. LaMantia seconded the motion and the motion carried by a 4-0-0 vote.

D. Town Administrator FY16 evaluation form and process — *discussion & possible vote*

Mr. LaMantia moved to adopt for the coming year. Ms. Cebula seconded the motion and the motion carried by a unanimous vote.

Ms. Brown departed the meeting at this time (9:45 p.m.).

Ann Steidel

From: Christopher Clark
Sent: Wednesday, July 15, 2015 1:18 PM
To: Ann Steidel
Subject: FW: Non Binding Advisory Question

For BOS Meeting July 27 2015 Middle School Ballot Question

Christopher Clark
Town Administrator
Town of Harwich
732 Main Street
Harwich, MA 02645
Tel. 508.430.7513
Fax.508.432.5039
cclark@town.harwich.ma.us

From: John Giorgio [mailto:JGiorgio@k-plaw.com]
Sent: Tuesday, July 14, 2015 11:23 AM
To: Christopher Clark
Subject: Non Binding Advisory Question

Dear Chris;

I spoke with Lauren concerning whether the Board would be able to place any additional explanatory information on the ballot other than the question itself. As you know I express a concern when we spoke this morning because, in my experience, the only time the Town can include explanatory information on an election ballot is when the statute expressly provides. Lauren has confirm that view. There is no such provision in c. 53, s. 18A. Therefore, only the question itself may appear on the ballot. The Town can provide information about the ballot question options at public forums, at town meeting, and on the Town's website but as is true with any ballot question, the Town cannot expend public funds on provide explanatory information including the mailing of any fliers or brochures.

John

John W. Giorgio, Esq.
Kopelman and Paige, P.C.
101 Arch Street
12th Floor
Boston, MA 02110
jgiorgio@k-plaw.com
Phone: (617) 556-0007
Fax: (617) 654-1735
Mobile Phone: (617) 785-0725

Ann Steidel

From: Christopher Clark
Sent: Wednesday, July 15, 2015 1:16 PM
To: Ann Steidel
Subject: FW: middle school reuse ballot question

Info for BOS July 27 2015 Middle School Ballot Question

Christopher Clark
Town Administrator
Town of Harwich
732 Main Street
Harwich, MA 02645
Tel. 508.430.7513
Fax.508.432.5039
cclark@town.harwich.ma.us

From: John Giorgio [mailto:JGiorgio@k-plaw.com]
Sent: Monday, July 13, 2015 10:44 AM
To: Christopher Clark
Cc: peter hughes
Subject: RE: middle school reuse ballot question

Dear Chris;

The Board of Selectmen has the authority pursuant to G.L. c. 53, s. 18A to place a non-binding referendum question on the ballot at the annual town election. There is, however, no authority to place such a question on the warrant for a special election. I do not see any reason why you could not structure the ballot question along the lines you are suggesting.

You are also correct that any follow-up action by the Town involving the appropriation of funds and/or the authorization to transfer, sell or lease the land would require town meeting action. Authorization to transfer and sell or lease would require a two-thirds vote.

John W. Giorgio, Esq.
Kopelman and Paige, P.C.
101 Arch Street
12th Floor
Boston, MA 02110
jgiorgio@k-plaw.com
Phone: (617) 556-0007
Fax: (617) 654-1735
Mobile Phone: (617) 785-0725

From: Christopher Clark [mailto:cclark@town.harwich.ma.us]
Sent: Friday, July 10, 2015 12:08 PM
To: John Giorgio
Cc: peter hughes
Subject: middle school reuse ballot question

Hi John,

I did finally think of the question I had few regarding the middle school reuse. I've been asked by the board of selectmen to inquire with you in regards to the ability of the board to place a binding or nonbinding question on the annual town election ballot. I believe the concept of the question would be something to the effect of what reuse with the community like to see for the former middle school. I believe the concept would be to have that question with for instance three potential reuse items such as continue to use the facility for town use as a cultural center, demolish the existing building and retain the site for general municipal purposes or sell the site to a private developer for use as housing. I believe the latest committee's work had these as three potential outcomes. I think the board is seeking some sense of the community for which direction they would like to see the reuse go.

I believe the board further understands that they would have to be follow-up binding town meeting votes for funding of the above or for the disposition of the building if the third option were selected by the voters.

Chris

Christopher Clark
Town Administrator
Town of Harwich
732 Main Street
Harwich, MA 02645
Tel. 508.430.7513
Fax.508.432.5039
cclark@town.harwich.ma.us



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www.k-plaw.com

September 18, 2013

John W. Giorgio
jgiorgio@k-plaw.com

BY FACSIMILE - (508)432-5039

Mr. Robert C. Lawton, Jr.
Acting Town Administrator
Harwich Town Hall
732 Main Street
Harwich, MA 02645

Re: Town Charter – Appointment Authority

Dear Mr. Lawton:

You have requested an opinion as to the application of the Town Charter to the scope of authority of the Board of Selectmen and Town Administrator to make certain appointments. In particular, you note apparent inconsistencies or “gaps” in the Charter, such as the absence of definitions for certain terms that can render the proper appointing authority unclear. I address in detail, below, the issues you have raised.

1. Division Directors and Department Heads

A. Board of Selectmen and Town Administrator - Generally

Your first question concerns the appointing authority for the Town officers listed in Section 3-6-1. Chapter 3 of the Town Charter is entitled, “Board of Selectmen”. Section 3-6, entitled “Powers of Appointment” includes two sections, the first dealing with appointment of certain Town officers, and the second dealing with the appointment of Town committees. Section 3-6-1 provides, in its entirety:

Except as may otherwise be provided by General Laws, this charter, or the personnel by-law, the board of selectmen shall have the power to appoint and remove: a) a town administrator as provided in chapter 4; b) a town counsel; c) a town accountant; d) a police chief; e) a fire chief; f) 3 assessors for overlapping 3-year terms; g) 3 members of a board of registrars of voters for overlapping 3-year terms; h) election officers; and i) 1 or more constables. [emphasis supplied]

Thus, the Charter specifically authorizes the Board of Selectmen to appoint the named officers. However, the underlined text, above, suggests that there may be other provisions applicable to appointment of such officers in either the General Laws, Charter or Personnel By-laws.

KOPELMAN AND PAIGE, P.C.

Mr. Robert C. Lawton, Jr.
Acting Town Administrator
September 18, 2013
Page 2

Chapter 4 of the Charter addresses the authority of the Town Administrator and in Section 4-4-1 provides that the Town Administrator appoints "division directors" and "department heads". Section 5-1-1 of the Charter provides that the Town government shall consist of "2 or more divisions and several departments", and Section 5-1-2 states that the "divisions shall include: a division of finance, a division of highways and maintenance, and any other divisions established under clause 4-5-1."

Chapter 5 of the Charter addresses the Town's administrative organization. Section 5-4-1 establishes a Police Department, while Section 5-5-1 establishes a Fire Department. Thus, there appears to be an inconsistency, in that while the Police and Fire Chiefs are department heads, which, arguably, would be appointed by the Town Administrator under Section 4-4-1 of the Charter, Section 3-6-1 provides that the Board of Selectmen shall make such appointments.

Resolution of this apparent inconsistency is found in the rules of statutory construction. One such rule provides that a single piece of legislation, whether adopted at the state or local level, must be interpreted so as to give meaning to all provisions as a holistic whole, and to give meaning to all of its words. See Com. v. Woods Hole, Martha's Vineyard & Nantucket S. S. Auth., 352 Mass. 617, 618 (1967) (stating, "(n)one of the words of a statute is to be regarded as superfluous, but each is to be given its ordinary meaning without overemphasizing its effect upon the other terms appearing in the statute, so that the enactment considered as a whole shall constitute a consistent and harmonious statutory provision capable of effectuating the presumed intention of the Legislature.") (Internal citations omitted). Another rule stands for the proposition that a legislative provision should not be interpreted so as to create an "absurd result". Green v. Board of Appeal of Norwood, 358 Mass. 253, 258 (1970). Yet another rule provides that a specific legislative provision supersedes a more general provision in the same legislation. Jaworski v. Earth Removal Bd of Millville, 35 Mass.App.Ct. 795, 799 (1994).

Applying these concepts to the current matter, two conclusions result. First, read as a holistic whole, the Charter transfers from the Board of Selectmen to the Town Administrator a portion of the Board's far reaching authority under state law, including default appointment authority for a significant number of Town officers and employees; however, the Charter reserves to the Board of Selectmen appointment authority for certain key officers and for multiple member bodies. Second, if one were to interpret Section 4-4-1 as taking precedence over Section 3-6-1, Section 3-6-1 would have no meaning, creating an absurd result. Therefore, in order to give meaning to the Charter's division of appointment authority, and recognizing that Section 3-6-1 is more specific than the default provisions of Section 4-4-1, in my opinion, the Board of Selectmen is responsible for appointing those specific officers listed in Section 3-6-1, regardless of whether such persons are characterized as "department heads" or "division directors".

KOPELMAN AND PAIGE, P.C.

Mr. Robert C. Lawton, Jr.
Acting Town Administrator
September 18, 2013
Page 3

B. Other Division Directors and Department Heads

As discussed above, aside from the specific officers appointed by the Board of Selectmen pursuant to the provisions of Section 3-6-1, the Town Administrator appoints division directors and department heads. For example, the Division of Highways and Maintenance is created by Section 5-3-1 of the Town Charter and the position of Director of Highways and Maintenance is not included in Section 3-6-1. Where Section 4-4-1 provides that the Town Administrator appoints "division directors", in my opinion, the Town Administrator is the appointing authority for the Director of the Division of Highways and Maintenance, subject to the approval of at least three votes of the Board of Selectmen (see further discussion of this topic below). Similarly, although the Board of Selectmen appoints the members of the Planning Board under the provisions of Section 3-6-2, the Town Planner is properly characterized as a department head and would therefore be appointed by the Town Administrator under the provisions of Section 4-4-1, subject to the Board of Selectmen's approval authority. In fact, Section 5-6-1 specifically provides that the Planning Department shall be established under the Town Planner, and that the Town Planner shall be appointed by the Town Administrator under the provisions of Section 4-4-1.

C. Finance Director and Town Accountant

It is my understanding that the positions of Finance Director and Town Accountant have been combined, although no change has been made to the Charter with respect to the combined position. This creates a question under the Charter, whereas the Board of Selectmen appoints the Town Accountant pursuant to the provisions of Section 3-6-1, and the Town Administrator appoints the Finance Director as a "division director" under Section 4-4-1. This inconsistency must be resolved based upon the practical realities of such appointments. For that reason, while the Finance Director/Town Accountant appointment requires a "joint appointment", where the Town Administrator's appointment of the Finance Director is subject to the approval of the Board of Selectmen, the practical effect is that the Board of Selectmen has final authority over the appointment for this combined position.

2. Board of Selectmen Approval of Town Administrator Appointments

You have also requested guidance concerning the authority of the Board of Selectmen with respect to appointments and removals made by the Town Administrator under Sections 4-4-1 and 4-4-2. Section 4-4-1 provides that appointments or removals of "division directors, department heads and an assistant town administrator" require the approval of at least three votes of the Board of Selectmen.

In contrast, however, all other appointments made by the Town Administrator, including full, part-time and seasonal employees, employees of appointed town agencies and inspectors, as well as

KOPELMAN AND PAIGE, P.C.

Mr. Robert C. Lawton, Jr.
Acting Town Administrator
September 18, 2013
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removal of such employees, are treated differently. The relevant portion of Section 4-4-2 of the Charter provides:

Any such appointments or removals may be overturned only by the affirmative vote of at least 4 selectmen taken within 14 days of the town administrator's action in initiating such appointment or removal.

Thus, the language concerning the higher quantum of vote and deadline for action is found only in Section 4-4-2. Again, one must look to rules of statutory construction to determine the applicability of this provision.

In particular, the policy reason for the different treatment of the authority of the Town Administrator with respect to appointment of non-management level appointees must be examined. See, e.g., Knapp Shoes, Inc. v. Sylvania Shoe Mfg. Corp., 418 Mass. 737, 744-745 (1994) (stating, "The general and familiar rule is that a statute must be . . . considered in connection with the cause of its enactment, the mischief or imperfection to be remedied and the main object to be accomplished, to the end that the purpose of its framers may be effectuated."). As noted above, the Town Charter transferred certain administrative/operational authority from the Board of Selectmen to the Town Administrator. Imposition of a higher standard for overturning appointments and removals of employees below management level reinforces that the Administrator is entrusted with managing day to day operations, and that the Board can interfere with such authority only if it acts quickly, and by a significant majority. Further, "[W]hen the Legislature has employed specific language in one paragraph, but not in another, the language should not be implied where it is not present" Commonwealth v. Galvin, 388 Mass. 326, 330 (1983). In other words, "The expression of one thing is an implied exclusion of other things omitted from the statute." Glorioso v. Retirement Board of Wellesley, 401 Mass. 648, 650 (1988). Where the language imposing higher standards for overturning appointments made by the Town Administrator is found only in Section 4-4-2, it cannot, in my opinion, be implied in Section 4-4-1.

For these reasons, in my opinion, the Board is not restricted to a 14-day period to review appointments or removals made by the Town Administrator under Section 4-4-1, and must approve the same by the affirmative vote of no less than three Selectmen. While there may be strong policy reasons to support acting on such appointments within a relatively brief time frame, such action is not mandated. In contrast, Section 4-4-2 establishes a presumption that action taken thereunder to appoint or remove is effective unless the Board acts within 14 days of the action, by a vote of no less than four Selectman to disapprove the same.

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3. Police Department

Questions have also been raised as to the appointing authority for the Police Chief and police officers. I understand that prior to the adoption of the Charter, the Town had accepted G.L. c.41, §97 (the so-called "strong chief" law), which states that Police Chief and Police Officers are appointed by the Board of Selectmen. As discussed above, the provisions of Section 3-6-1 provides that the Board of Selectmen appoints the Police Chief. In addition, Section 5-4-1 of the Charter states, "the board of selectmen shall appoint the chief of police and other officers that they consider necessary, as provided by section 97A of chapter 41 of the General Laws." [Emphasis added].

As discussed above, in my opinion, rules of statutory construction require the conclusion that the Board of Selectmen is the appointing authority for both the Police Chief and police officers. Section 5-4-1 of the Charter specifically establishes the Board of Selectmen as the appointing authority for police officers, and, as discussed above, would supersede the more general provisions of Section 4-4-2. In fact, if the Charter were interpreted differently, the above-quoted line of Section 5-4-1 would have no meaning, a result disfavored by the courts.

Be aware that while the Board's authority to make such appointments arises from the Charter rather than from the so-called "strong chief" provision of the General Laws, the end result is the same. In Atkinson v. Town of Ipswich, 34 Mass. App. Ct. 663 (1993), the Massachusetts Appeals Court ruled that where the town had adopted a special act charter, the charter provisions prevailed over previously accepted General Laws, including the so-called "strong" Fire Chief statute at G.L. c.48, §42. This case supports the conclusion reached herein, and would be controlling, in my opinion.

4. Fire Department

Similar questions have been raised with respect to appointment of the Fire Chief and fire fighters. As noted above, Section 3-6-1 provides that the Board of Selectmen appoints the Fire Chief. Section 5-5-1 establishes the Fire Department, but does not specify that appointments of fire fighters shall be made by the Board of Selectmen. In the absence of such language, in my opinion, while the Board of Selectmen is the appointing authority for the Fire Chief, fire fighters, which are, as applicable, full or part-time employees of the Town, are appointed by the Town Administrator under the provisions of Section 4-4-2 of the Charter.

In summary, it is my opinion that under the current Charter: (1) the officers listed in Section 3-6-1 are appointed by the Board of Selectmen; (2) as long as the Town Accountant/Finance Director remains a joint position, the position is filled by a joint appointment of the Board and the Town Administrator in accordance with the provisions of Section 3-6-1 and 4-4-1; (3) the Director of Public Works and Town Planner are appointed by the Town Administrator subject to the approval

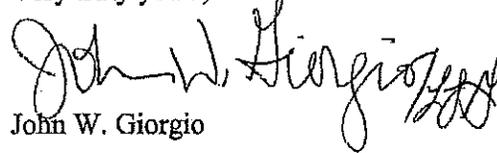
KOPELMAN AND PAIGE, P.C.

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of the Board of Selectmen under the provisions of Section 4-4-1; (4) the Police Chief and all police officers are appointed by the Board of Selectmen under the provisions of Sections 3-6-1 and 5-4-1; and (5) the Fire Chief is appointed by the Board of Selectmen but fire fighters are appointed by the Town Administrator in accordance with the provisions of Sections 3-6-1 and 4-4-2.

If you have further questions in this regard, please feel free to contact me.

Very truly yours,


John W. Giorgio



Town of Harwich

PLANNING DEPARTMENT

TO: Board of Selectmen
FROM: David Spitz, Town Planner
RE: Permitting Software Update
DATE: July 23, 2015

- January 2011 – I proposed purchase of an update to GeoTMS. The upstairs permitting departments had been using an unsupported version of GeoTMS for years. Jim Merriam did not support this purchase due to the company’s proposed form of license contracts. Also, there was some town interest in participating in a regional permitting software effort.
- 2011-12 – I participated in a regional group that was exploring county-wide regional permit software. The effort was headed by Ed Senteio of the Yarmouth Finance Department. Chatham, Harwich and several other towns were represented.
- April 2012 – The regional group interviewed four permitting software companies – Accela (California), Energov (Georgia), Full Circle (Massachusetts) and ViewPermit (Massachusetts). Accela was the preferred choice of the large majority of the group since it had the most functionality. I preferred ViewPermit since I felt its product involved less customization and was a better fit for small towns, even within a regional effort.
- September 2012 – Assisted by a State grant, the Cape Cod Commission hired Accela to begin Phase 1 in the towns of Chatham and Yarmouth. Nantucket also participated in Phase 1. The original “go live” target was April 2013, but actual start-up came much later. I believe that Yarmouth took longer to design its system but ultimately had an easier implementation than Chatham.
- October 2013 – The Cape Cod Commission executed a contract with Accela for Phase 2. Originally, Harwich and Provincetown were to participate. However, a second State grant application was unsuccessful, and the Commission found reduced funding elsewhere for Phase 2. Harwich proceeded and Provincetown was delayed.
- November 2013 – Harwich began work on the Accela permitting project with an initial “go live” target of April 2014. Most employees in the Health, Building, Conservation and Planning Departments participated in varying degrees. The “consulting team” included an Accela project manager (who we hardly ever saw and who ultimately left the project), an independent Accela partner, ZedIT from Newfoundland, and a recently hired full-time Cape Cod staff member.
- 2014 – the project proceeded at a slow pace. Allison Locke from ZedIT and David Sullivan from the Cape Cod Commission were still involved with the Phase 1 towns. A basic flaw in the concept was that towns would be able to use standard input screens and forms developed in the Phase 1 towns and elsewhere in Massachusetts. However, we ended up doing a lot of customization to fit the Harwich permitting process. The consultants were willing to spend time to do this customization since they thought the end product would benefit future projects elsewhere in Cape Cod and Massachusetts.

- February 2015 – excerpts from an evaluation that I provided to the company: *“The Accela business plan has been quite difficult. The company relies on an outside consultant and appears to provide minimal support. ZedIT has done a strong job of maneuvering between a client (us) that sometimes has expectations above the original scope of work and a company (Accela) that has a formula that can be rigid at times, despite the flexibility of its software. Early in the project, I felt that ZedIT was adhering too strongly to the company’s standard model and did not recognize the need for flexibility in providing services to a small town with limited IT capability. However, I have not had that same concern lately ...”*.
- April 2015 – we began conversion of our GeoTMS database. More than any other town in Phase 1 or 2, Harwich had a large amount of permit history in our recorded database. We were concerned about data conversion to the new system; and like much of this project, it proceeded in stages with several required corrections and restarts.
- May 8, 2015 – “Go Live” took place. We had hoped this would happen 2 months earlier before we hit the busy permit season. However, we have been able to make the transition reasonably successfully.
- May-July 2015. Current users – Health (4), Building (4), Conservation (2) and Planning (2). Most employees are now familiar with data entry, though some training is on-going. Three of our employees (1 each in Health, Building and Planning) have Administrator status with the authority to make minor system adjustments. Larger adjustments are directed to David Sullivan from the Cape Cod Commission who has a weekly all-day Tuesday appointment with us for various forms of assistance. He directs more complicated questions to the Accela company.
- Current issues and needs:
 - Most permit forms and fee calculations are being output correctly, but we are still making some adjustments
 - We are doing further development and testing of output reports for daily use
 - We still have conversion difficulties that impact our past permit searches
 - Time required – to date, the system has not been a time saver as considerably more data input is required
 - Our monthly summaries to the Assessing Department are not working correctly
 - A major concern is data security. We have found ways to use some customized reports to manipulate permit data. We have sought assistance from Accela to know how to “lock” our data so that others may not change it.
- Next steps:
 - Improve reliability of current data entry and output forms
 - Improve current users knowledge of the system
 - Extend use to our inspectors including the Fire Department (July through September)
 - Acquire 1 or 2 Town Hall read-only licenses to allow Assessors Dept, Town Administrator and others to view all data and reports
 - Extend read-only ability to the general public (by end 2015)
 - Complete public interface allowing users to submit permits electronically (by June 2016).



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: July 22, 2015

RE: Facilities Maintenance Overview

At a June 15, 2015, Board of Selectmen's meeting, the subject of Town facilities was discussed and I was asked to bring our new Facilities Maintenance Manager Sean Libby to a future Board meeting. My understanding of this request was for three main purposes: To formally meet Mr. Libby, to be briefed on what he has been doing since his hire on 11/25/2013 and to hear his recommendations for improving facility maintenance in Harwich. Attached please find a bulleted list of what Sean plans on discussing during his presentation to the Board.

As many of you know, it was a Board of Selectmen's goal to establish this position beginning in 2008, which took four years to institute. Once funded, it took some time to develop an acceptable job description between the Board, the Administrator and myself and took months to recruit as we had to advertise twice and remove some minimum job requirements before we had an acceptable pool of candidates. Mr. Libby was the only qualified candidate as others had indicated that the advertised salary of \$60k was insufficient. During the recruitment process I learned that this skill set has a market value in the \$80 - \$90k range.

This fact might make you wonder how we were able to attract Sean with a salary that is 30% below market rate. Mr. Libby is a retired Master Chief (E-9 – the highest enlisted rank that he spent 12 years at) from the Navy with an excellent pension. Being retired at his age he was bored and looking for a challenge. He was also looking for the camaraderie that he enjoyed in the Navy and saw that during the interview process with us. I believe Mr. Libby has found a home in the DPW, the challenges he was missing and camaraderie that he desired. Quite frankly, the Town of Harwich hit a home run with Sean as he has exceeded every expectation I and many Department Heads had.

Attachments: Facility Maintenance Discussion Bullets

Facilities Maintenance Discussion with BOS 27 July 2015

History of Harwich building maintenance

Began the end of Nov 2013 (18 months)

- Began inventory of Town Facilities and equipment
- Researched appropriate CMMS (Computerized Maintenance Management Software)
- cursory review of buildings through tours and service calls
- Documented items in need of immediate repair
- Worked with Department Heads for last year's Capital plan

Time has been split approximately

- 20-25% Custodial inspecting, directing and managing schedules
- 10-25% Researching and contacting vendors for materials/repair
- 10% working with Department heads on their concerns or projects
- 10% developing and working management tools
- 30-50% in the field either evaluating issues or performing repairs

My Goals

- Move from a primary breakdown maintenance program to a mix of planned and coordinated maintenance with a lesser amount of service calls.
- Utilize CMMS to visually see trends, plan preventative maintenance, plan whole building assessments, quantify requests for service and evaluate budgets
- Continue to look for energy efficiency savings working with Cape Light Compact and other resources.

Issues

Manpower

- Currently a staff of three for 35 significant facilities totaling over 260k square feet of space. Additionally there are over 40 areas such as beach stairs, lifeguard stands, Town gardens, etc.
- Researching the internet, the benchmarks vary for recommended staffing from 6-9 technicians with various skills for this workload.
- We have received 51 service requests during the first three weeks of July.

Funding

- Currently each department manages their maintenance budgets whichever way works best for the department.
- This does not always disburse the funds in such a way that is best for the town fulfilling higher priorities first.
- Maint budgets are pretty much steady year to year and increased as a need or requirement is presented.
- Capital Outlay for facilities is easy to manage, well defined and limited
- What is not captured in these budgets are the projects or items that are not routine or those that are below Capital Plan requirements. This is where many of the major issues fall, and therefore my biggest challenge. These unplanned items below capital thresholds, which are not included in the annual budget, can't always wait for Town Meeting articles.

**TOWN Of Harwich
FISCAL YEAR 2016 - 2022 CAPITAL IMPROVEMENT PROGRAM**

Town Priority	Project	Estimated Required Funds								Funds Required
		FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022		
S	1	DPW Trench Drain	\$27,682							\$27,682
S	2	Beach Stair Material Replacement	\$143,350							\$143,350
S	3	Police Station Carpet		\$16,800						\$16,800
O	4	Fire Station 1 HVAC	\$95,000							\$95,000
O	5	DPW Air Compressor	\$6,900							\$6,900
L/E	6	DPW Metal Siding/Gutters	\$95,400							\$95,400
L/E	7	DPW Highway Barn Boiler	\$26,105							\$26,105
L/E	8	Fire Station 1 Roof	\$88,512							\$88,512
L/E	9	Maint. Garage Boiler			\$22,000					\$22,000
N	10	Design Feasibility new maint/storage	\$25,000							\$25,000
L/E	11	Brooks Library Roof		\$101,000						\$101,000
L/E	12	Fire Station 2 HVAC	\$22,000							\$22,000
C	13	Fire Station 1 Carpet		\$23,300						\$23,300
L/E	14	Brooks Academy Boiler				\$22,000				\$22,000
C	15	Town Hall Ceiling Tiles	\$19,400							\$19,400
C	16	Town Hall Carpet		\$48,600						\$48,600
L/E	17	Community Center HVAC			\$90,000					\$90,000
L/E	18	Community Center Generator				\$105,000				\$105,000
C	19	Community Center Carpet				\$76,400				\$76,400
L/E	20	Transfer Station siding/gutters						\$85,000		\$85,000
N	21	Construction of new Harbor facility					\$2,500,000			\$2,500,000
N	22	DPW Building Maintenance Facility						\$225,000		\$225,000
L/E	23	Community Center Roof				\$240,000				\$240,000
N	24	Whitehouse Mower/chem Storage	\$15,000							\$15,000
N	25	Brooks Library Generator					\$110,000			\$110,000
		TOTAL	\$569,349	\$189,700	\$112,000	\$98,400	\$2,955,000	\$225,000	\$85,000	\$4,234,449

S = Safety
O = Operational
L/E = Life cycle / Efficiency
C = Cosmetic
N = New



Harwich Community Center
**Birthday Party
Packages!**

HARWICH
Community
CENTER

100 Oak Street
Harwich, MA 02645
(508) 430-7568
Fax: (508) 430-7085

*Come celebrate
with us!*



ROOM RENTALS

Enjoy a fun-filled party at the Community Center!
The Community Center is pleased to offer room rentals for Birthday Parties. Host your event in one of the building's spacious rooms, and leave the set-up of tables/chairs and clean-up to us!

Activity Room

Activity Rooms measure approximately 29 x 23 feet and have a sink and counter to help facilitate your event in a self-contained atmosphere. Tables and chairs can be set up as per your request.

Playroom

The Playroom hosts small tables and chairs, as well as a variety of toys and is ideal for a younger child's birthday party. The room measures 31 x 35 feet and contains a sink, counter, and single bathroom.

Game Room

The Game Room is available for rental in conjunction with the rental of an activity room. Please note that no food or drinks are allowed inside the Game Room.

Multi-Purpose Room

This space can accommodate up to 14 round tables (5 foot diameter) with 8 chairs per table, for a total of 112 seats.

Gymnasium

The Gymnasium measures 77 feet by 99 feet, with approximately 7,623 square feet of floor space. The gymnasium can seat between 400 and 500 adults, or approximately 600 children.

Adult Menus – Hot Lunch

***Served with water, coffee, tea, and dessert*

Option 3 – \$5.50

- Meatballs & ziti
- Salad

Option 4 – \$5.50

- Chicken Alfredo
- Salad & roll

Option 5 – \$6.00

- Veggie lasagna
- Salad
- roll or bread

Breakfast

***Served with coffee, tea, and water*

Option 1 – \$4.00

- Blueberry coffeecake
- Assorted pastry

Option 2 – \$6.00

- Blueberry coffeecake
- Assorted pastry
- Fresh fruit salad

Option 3 – \$8.00

- Scrambled eggs
- Home fries
- Bacon, sausage, or ham
- Coffeecake or muffins

Extra Options

Cake

- Half sheet – \$15.00
- Full sheet – \$25.00

Dessert options :

- Cookies, brownies, congo bars
- Cranberry oatmeal cookies
- Coffeecake, banana or zucchini bread



PARTY PACKAGES

PACKAGE 1

Use of an Activity Room
for 2 hours.

\$100.00

PACKAGE 2

Use of an Activity Room
+ use of the Game Room
for 2 hours.

\$150.00

PACKAGE 3

Use of the Gym or field
+ use of an Activity Room
for 2 hours.

\$150.00

** The Gym is available on a limited schedule.
Please contact the front desk for details.

PACKAGE 4

Use of the Multi-purpose
Room for 2 hours.

\$150.00

PARTY RULES

- Participants must abide by the Board of Health rules regarding food at the Community Center.
- Decorations must be in compliance with the Community Center Decorations Policy.
- No alcohol is permitted on the premises.
- Maximum number of participants is 18 without prior authorization from the Community Center Director.
- Supervision of the event is the responsibility of the applicants.

ADDITIONAL SERVICES

Some additional services are available, including Wii, parachute games, paper products and birthday cakes. These services require additional fees. For more information, please contact the Community Center Director.

MENU OPTIONS

**Cakes available for all options at additional cost

Children's Party Menu

Option 1 -- \$4.00

- Mac & Cheese
- Hot dogs
- Chips
- Water, Juice boxes
(Coffee & tea available)

Option 2 -- \$5.00

- Chicken fingers/nuggets
- Nachos or Pizza
- Chips
- Water, Juice boxes
(Coffee & Tea available)

Adult Menus -- Cold Lunch

**served with chips, water, coffee, tea, and dessert

Option 1 -- \$6.00

- Assorted deli wrap sandwiches
Turkey/Ham/Roast beef/Chicken Salad

Option 2 -- \$8.00

- Assorted sandwiches on bread or roll
Tuna/Chicken salad/Egg salad/Ham/Turkey/Roast beef
- Soup or chowder

SCHEDULING

Please see the Community Center Director or Front Desk staff to schedule your party. Birthday parties are scheduled on weeknights and Saturdays. Sunday rentals are available at a significantly greater cost.

Activity Room



Playroom



Game Room



Gymnasium



Multi-Purpose Room



HARWICH
Community
CENTER

100 Oak Street
Harwich, MA 02645
(508) 430-7568
Fax: (508) 430-7085

Harwich Community Center

Functions

Hours of Operation

6:00 am – 10:00 pm
Monday through Friday

9:00 am – 5:00 pm
Saturday

*(hours subject to change due to
holidays and town events)*

The Community Center is equipped with
free wireless internet, accessible throughout
the building and in areas of the courtyard.

Find us on Facebook or check out our
website www.harwichcommunitycenter.org

Come plan your event with us!

Welcome!

The Community Center is available for rent by private individuals, for-profit organizations, and non-profit organizations at various rates. Please contact Carolyn Carey, the Community Center Director, to discuss availability, fees, and other event particulars:

CCarey@town.harwich.ma.us
Or (508)-430-7568

Reserving a Space

In order to reserve a space, one must fill out and submit an **Application for Room Use**, available at the Front Desk or online at our website. Space will not be reserved until applications and Room Use Fees are received. All reservations are on a First-come, first-serve basis. Applications from groups who have never before reserved space in the Center are subject to review by the Community Center Director. Please see the Front Desk staff or Community Center Director to schedule your event.

****For renters providing services to clients, the following documentation must be provided prior to the beginning of the rental**

1. A business license or professional license (if applicable)
2. A certificate of insurance naming the Town of Harwich as also insured for \$1,000,000
3. A completed CORI Check

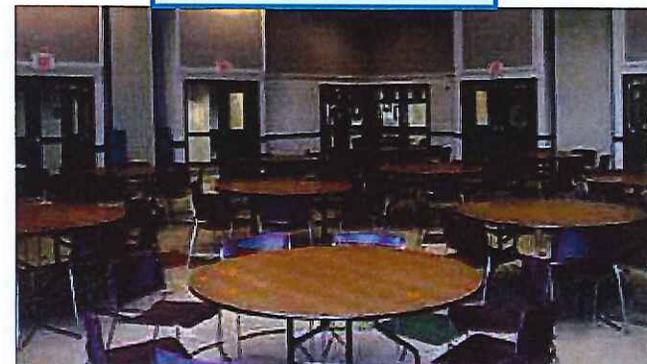
Game Room



Gymnasium



Multi-Room



Rental Packages

Package 1

Use of an Activity Room for 2 hours \$100.00

Package 2

Use of an Activity Room
+ Use of the Game Room for 2 hours \$150.00

Package 3

Use of the Multi-Purpose Room for 2 hours \$150.00

We offer catering!

Food, drinks, and other refreshments are available at an additional cost, prepared by our very own staff cook. Please see the Front Desk about menu options.

Rooms Available

The Community Center offers 5 classrooms, a multi-purpose room, and the Gymnasium. It is a beautiful, well-staffed and well-appointed facility suitable for many types of events.

Activity Rooms

Room 1 – The smallest of the building's five activity rooms, measuring 16 ½ ft x 19ft—Perfect for hosting smaller groups.

Rooms 2,3,4 & 5 – Measures at approximately 29x23 ft and have a sink and counter to help facilitate your event in a self-contained atmosphere.

Playroom – Measures approximately 31x35 feet and contains a sink, counter, a single bathroom, and a variety of children's toys. This room is ideal for children's events.

Multi-Purpose Room

This space can accommodate up to 14 round tables (5 ft diameter) with eight chairs per table, for a total of 112 seats.

Game Room

The Game Room is available in conjunction with the rental of an activity room. Please note that no food or drinks are allowed inside the Game Room.

Gymnasium

The Gymnasium measures 77x99ft, with approximately 7,623 square feet of floor space. The Gymnasium can seat between 400 and 500 adults, or approximately 600 children.

Examples of Functions

- ◆ Meetings with Refreshments
- ◆ Graduation Parties
- ◆ Family Reunions
- ◆ Receptions

...and much more!

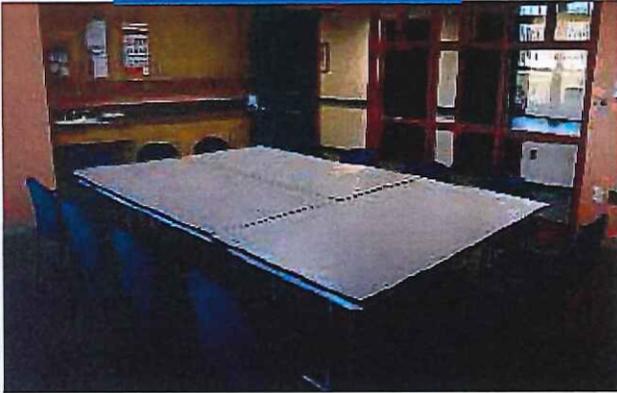
Rental Rules

- ◆ Participants must abide by the Board of Health rules regarding food at the Community Center
- ◆ Decorations must be in compliance with the Community Center Decorations Policy.
- ◆ No alcohol is permitted on the premises.
- ◆ Supervision of the event is the responsibility of the applicants.

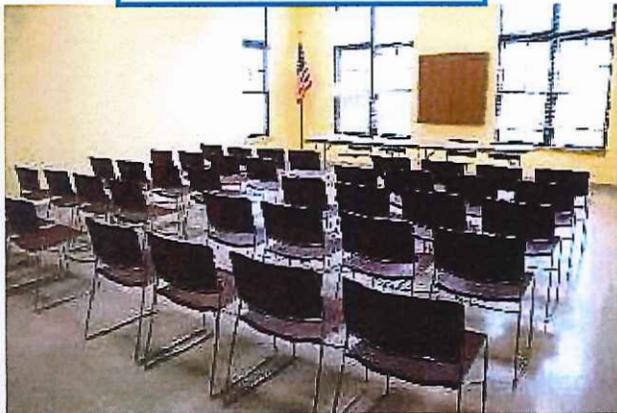
****See the next section for images of available rooms.**



Activity Room 1



Activity Room 2,3,4 &5



Playroom



Features

- ◆ Tables to seat 112 guests in our Multi-Purpose Room
- ◆ 4 Meeting Rooms
- ◆ 1 Smaller Meeting Room
- ◆ Centrally Located
- ◆ Handicapped Accessible
- ◆ Air-Conditioned
- ◆ Staffing
- ◆ Parking
- ◆ Easy access from the Mid-Cape Highway

Services

Room set-ups

Host your event in one of the building's spacious room and leave the set-up of tables/chairs and clean-up to us!

To facilitate a smooth set-up and breakdown of building spaces by having tables, chairs, and other equipment in place before your arrive, we ask that you inform us of your room set-up needs either at the time you reserve your space, or as early as possible in advance of your event. The best way to do this is to fill out a **Room Set-up Form**.

Technology/Equipment

If you would like to make use of the following available equipment, please alert staff at the time you reserve your space or as early as possible in advance of your meeting. Equipment is loaned on a first-come, first-serve basis.

- ◆ Television with DVD Player/VCR
- ◆ Easel (groups must provide their own chart paper)
- ◆ White Board Easel (Note: Activity Rooms 2-5 are equipped with whiteboards)
- ◆ Two podiums with microphones
- ◆ Portable PA System with Microphone
- ◆ Portable Screen for Projections
- ◆ Digital Projector (rental fee of \$25, plus \$50 deposit)
- ◆ Two Coffee Pots – 55-cup capacity
 - (Group must provide their own coffee and supplies)

All equipment must be returned in the same condition in which it was loaned. Equipment may not be removed from the building.

Charges For Birthday Parties Packages

Harwich Community Center Party Packages			
Name	Description	Length of Use	Price
Package 1	Single use of Activity Room	2 Hours	\$ 100.00
Package 2	Single use of Activity Room + use of the Game Room	2 Hours	\$ 150.00
Package 3	Single use of Gym or Field + use of an Activity Room	2 Hours	\$ 150.00
Package 4	Use of the Multi-Purpose Room	2 Hours	\$ 150.00

Other Community Center Party/Event Packages					
Location	Package Name	Description	Length of Use	Price	Similarities to HCC's Party Packages Offered
Gus Cnty Comm. Center**	N/A	Use of Teen Center/Gym (Includes Staff)	2 Hours	\$140.00	Similar to Package #3
Chatham Comm. Center	N/A	Use of Activity Room	4 Hours	\$50 - Resident \$100 - Non-Resident	Similar to Package #1
Hyannis Youth & Community Center	Package 3	Use of Gym + Shepley Room + Party Room Attendant	1 Hour - Gym 2 Hrs - Shepley RM	\$150.00	Similar to Package #3
Hyannis Youth & Community Center	Package 4	Use of 1/2 Gym + Shepley RM + Party Room Attendant	1 Hour - Gym 2 Hrs - Shepley RM	\$120.00	Similar to Package #2 or #4
Hyannis Youth & Community Center	Package 5	Shepley Room + Party Room Attendant	2 Hours	\$75.00	Similar to Package #1

**Gus Cnty Community Center
790 Main St
Falmouth, MA 02540

COA CATERING

Date	Revenue	Expense	Tax	payroll	payroll	deposits	Total paid
9/11/2014	\$117.43	\$48.15		17.32 x 4=69.28	69.28	9/11/14	\$117.43
9/13/2014	\$25.00	\$25.00		party menu		9/30/14	\$25.00
9/9/2014	\$459.28	\$390.00		17.32 x 4=69.28	69.28	10/31/14	\$459.28
10/20/2014	\$314.22	\$167.00		17.32x8.5=147.22	147.22	11/9/14	\$314.22
11/4/2014	\$528.56	\$390.00		8x17.32=138.56	138.56	11/24/14	\$528.56
11/12/2014	\$587.76	\$405.90		10.5x17.32=181.86	181.86	12/22/14	\$587.76
2/27/2015	\$156.96	\$156.96	\$11.04			2/27/15	\$168.00
2/26/2015	\$238.35	\$150.00		5x17.67=88.35	88.35	3/27/15	\$238.35
4/25/2015	\$825.16	\$600.00	\$21.00	13x17.32=225.16	\$225.16	5/22/15	\$846.16
5/8/2015	\$170.68	\$100.00		4x17.67=70.68	70.68	6/12/15	\$170.68
5/19/2015	\$487.04	\$275.00		12x17.67	212.04	6/8/15	\$487.04
6/6/2015	\$642.21	\$412.50		13x17.67=229.71	229.71	6/18/15	\$642.21
5/13-6/3/15	\$91.00	\$91.00				7/1/15	\$91.00
7/13/2015	\$99.60		\$28.88	8x8.84	70.72	7/14/15	\$99.60
	\$4,743.25	\$3,211.51	\$60.92		1502.86		\$4,775.29
			\$4,775.29				

indicate the Congressional District as the “Ninth District” rather than “Tenth District” and he moved to approve the ballot with that modification. Mr. McManus seconded the motion and the motion carried by a unanimous vote.

PUBLIC HEARINGS/PRESENTATIONS *(Not earlier than 7:00 P.M.)*

A. Presentation - Community Center catering services – *Julie Quintero-Schulz*

Ms. Quintero-Schulz presented a new program to offer parties and catering services for room rentals at the Community Center using the services of the existing Chef with revenue being turned back into the General Fund. She, Mr. Ryan and Ms. Carey took questions and comments from the Board. Mr. Ryan noted that everything would go through the General Fund with nothing through the Revolving Fund and the wage is not a loaded wage. Chairman Ballantine asked Ms. Quintero-Schulz to provide an update on the program in six months.

OLD BUSINESS

A. Request by Cumberland Farms to be heard by the Board of Selectmen as part of its administrative appeal to provide further information of its position – *discussion and possible vote*

Mr. LaMantia stated that he has read all the related documents and there doesn't seem to be a conflict of interest as far as he can determine. The Board discussed the legal opinion on the side by side configuration requirement. Mr. Veara reiterated the remarks he made at the last meeting. Ms. Cebula stated that in looking at some additional information that they didn't have two weeks ago, a lot of the sketches aren't to scale and it is under the Planning Board's purview to ask for that. Mr. McManus moved to deny the appeal of Cumberland Farms. Mr. LaMantia seconded the motion and the motion carried by a unanimous vote.

B. Wastewater Committee Charge – *discussion and possible vote*

Chairman Ballantine said he had incorporated the Board's comments into the charge. Mr. Hughes moved to adopt the Town of Harwich Wastewater Implementation Committee charge as presented. Ms. Cebula seconded the motion and the motion carried by a unanimous vote.

C. Memorandum of Agreement with Barnstable County for Regional Wide Area Network – *discussion and possible vote to authorize Town Administrator to sign*

Kristy Senatori, Deputy Director of the Cape Cod Commission, discussed the cost breakout and overall benefits of becoming part of this group, as well as the specifics and history of the Regional Wide Area Network. She stated that the goal is to provide savings to towns while increasing efficiencies through the use of technology, specifically to connect all 15 towns on one network. Ms. Senatori took questions and comments from the Board. Mr. LaMantia indicated that there is no data or study to support why they are doing this. Mr. Hughes said it would be appreciated if the experts came in with a presentation to help them understand their vision as they need to better understand how it's going to work for Harwich. Mr. Hughes said the document does not obligate the Town in money. Mr. Hughes asked if the Board would receive a presentation on how this would be used and Ms. Senatori said they would be happy to provide that to the Board. She also said she could provide

OFFICE OF THE TOWN ADMINISTRATOR

Phone (508) 430-7513

Fax (508) 432-5039

Christopher Clark, *Town Administrator*

732 MAIN STREET, HARWICH, MA



To: Board of Selectmen

From: Christopher Clark, Town Administrator

Re: FY 16 Goals and Objectives

Date: July 10, 2015

1. Information technology: Continue the implementation of the Accela electronic permitting application. Specific deliverables include implementing an internal online permitting system with user focus group. Completion by January 1, 2016. An online system for the general public to be implemented by June 30, 2016. Installation of fiber-optic cable between Town Hall and the Community Center for live broadcast by June 30, 2016.
2. Middle School Repurpose: To work with staff to prepare various concepts for reuse and prepare question for ballot of which options the community desires. Preparation for Board of Selectmen prior to finalization of the Election Ballot.
3. Wastewater: Assist in the negotiation of the use of the Chatham facility. Preparation of an IMA for Board of Selectmen's consideration prior to closing of the warrant for the 2016 Annual Town Meeting. Work with the Board in the development of a governance model for the integration of the Water Commission and the Board of Selectmen on the governance of wastewater prior to finalization of the warrant.
4. Monomoy Regional School District: Preparation of a submission to Board of Selectmen of a draft Agreement between Monomoy Regional School District, Town of Chatham and the Town of Harwich on a funding formula moving forward for the next five years among the three parties. Draft completed by July 2015.
5. Town Assets: Focus on three properties for upgrade or reuse the Albro House, Bank Street Fire Station and West Harwich School. Prepare concepts for Board consideration prior to January 1, 2016.
6. Financial: Development of the 2017 budget within Proposition 2 1/2 guidelines. Timing in accordance with Charter. In the evaluation of the budget to review various elements for efficiencies. Include two departments for specific review. Completion of public outreach financial software and visual information. To be completed by the end of September 2015.

- 7. Personnel: FY 16 has two completed collective bargaining agreements. Administration will negotiate six collective bargaining agreements during FY 16 with the goal of completing the vast majority of those prior to the end of the fiscal year. Also, the recruitment and reimplementation of the Assistant Town Administrator position to be completed by October 1, 2015.

- 8. Economic Development: To review and consider the plan for expanding the rental property taxation. Some towns on Cape Cod seek to tax summer homes that are used as rentals. To research this is a possibility and provide the Board of Selectmen with a report and to draft Special Legislation to accomplish the same. Completed prior to the finalization of the warrant.



TOWN of HARWICH

Massachusetts

BUILDING DEPARTMENT

David L Riquinha
Building Commissioner

July 22, 2015

Harwich Board of Selectman
Harwich Town Hall
732 Main Street
Harwich, MA 02645

David Riquinha
Building Commissioner
Harwich Building Department
732 Main Street, Harwich, MA 02645

RE: 533 Route 28. Pilgrim Congregational Church

I am recommending that the Board of Selectmen review and consider a request by the Pilgrim Congregational Church to issue a refund of the Building Permit fee totaling \$670.00 that was assessed for the roof mounted solar project at 533 Route 28 in Harwichport.

In an August 2011 meeting, the Board approved a similar request for the St. Peter Lutheran Church on Route 137, by unanimous vote.

Thank you,

David Riquinha
Town of Harwich
Building Commissioner



July 17, 2015

David Riquinha
Building Commissioner
Town of Harwich
732 Main Street
Harwich, MA 02645

RE: REQUEST FOR FEE WAIVER FOR NON-PROFIT ORGANIZATION
PILGRIM CONGREGATIONAL CHURCH, 533 MAIN STREET, HARWICH PORT
TAX EXEMPT #042325299, Exp 1/1/2019

Dear Mr. Riquinha,

I am writing to request the consideration of the Building Department and the Board of Selectman of the Town of Harwich to waive the permit fees incurred by Pilgrim Congregational Church for the installation of Solar.

The benefits for a nonprofit institution, such as Pilgrim Congregational Church, to add a 43 kW Photovoltaic system on their roof is substantial and the outreach of these benefits will be spread throughout the local community.

The Pilgrim Congregational Church was established in 1854 and has been a beloved landmark and gathering center for many of Harwich's residents and visitors. To this day, the steeple remains a beacon for Nantucket Sound mariners. The church has chosen to install panels on the roof sections on the rear of the building only, in order to respect the architectural integrity of the building.

The system will satisfy 110% of their electric energy use profile. State law, in connection with net metering, will allow them to donate energy credits to anyone they designate within a zone established by Eversource. Installing a system that will generate 10% more electricity than they use was intentional. They plan to donate accrued billing credits to local nonprofit charitable organizations as determined by the Church's mission committee.

In addition to the environmental attributes of owning a solar system, another important benefit is to provide long-term financial sustainability in response to the ever-increasing cost of electricity. This will ensure that the Church continues to be a key gathering place for all



members of the community and will continue its mission of giving approximately \$35,000 per year for local, state, national, and international causes.

The Church also plans on setting up a Kiosk so that interested members of the Church and the community will be able to view and monitor the solar energy system production data and learn about the environmental attributes/offsets of the system. This will provide educational outreach to the community and will send a very important message about sustainability, renewable energy sources and the environment. In addition, renewable energy workshops at the Church are planned to help educate and reach out to the community.

As you can see there are many benefits to the church, the community and the Town of Harwich. The fee's incurred by the church for the building permit and electrical permit added to \$790.00 (\$50 + \$670 + \$70). We would like to request the \$670 portion be waived/refunded.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink that reads "Lisa Schwab". The signature is written in a cursive style with a large initial "L".

Lisa M Schwab
Office Manager

C. Amendment to dredging agreement between Barnstable County and Town of Harwich – *vote to authorize Chairman to sign*

Mr. McManus moved to approve the amendment to the agreement raising the value from \$144,000 to \$145,500 and authorize the Chairman to sign on behalf of the Town. Mr. Hughes seconded the motion and the motion carried by a unanimous vote.

D. St. Peter's Lutheran Church request for waiver of building inspection fees for photovoltaic project at the Church – *vote to approve*

Ms. Cebula stated that the IRS Letter of Determination which confirms non-profit status is not included with the request and that Ms. Balmer has suggested changes to the Board's policy to specify that this is needed. Mr. Hughes commented that St. Peter's is in compliance with the current policy. Mr. Merriam stated that he is currently doing the audit for the church and he can attest that they are non-profit. Ms. Cebula stressed the need to revise the policy to be very specific. Mr. Hughes moved to waive the building inspection fees for this project. Mr. LaMantia seconded the motion and the motion carried by a unanimous vote.

Mr. McManus stated that Mr. Merriam is a member of this congregation and has provided a notice of disclosure to the Town Clerk's Office.

TOWN ADMINISTRATOR'S REPORT

Mr. Merriam delivered the following report to the Board:

Fire Chief

William Flynn has tendered his retirement letter to your Board, effective November 1st. We all applaud his 36 years of dedicated service to Harwich.

CMED

Attached is a letter from Sheriff Cummings seeking funding for CMED by charging \$6.53 per patched call starting October 1st. apparently no community would have funded this cost for FY 12.

Fratus Grant

We received the State reimbursement grant for the Fratus acquisition in the amount of \$500,000 on July 25th.

The Cranberry Scoop

See attached article in the New England Golf guide 2011 edition on Dennis Hoye and Cranberry Valley.

Street Openings in Summer Discussion resulting from National Grid work on Bank St

Jim, after speaking to Chris I do not feel we need to develop an additional policy. Typically Chris does not allow major work like Bank Street to take place during the summer and does not

TOWN OF HARWICH

GENERAL FEE WAIVER POLICY FOR NON-PROFIT ORGANIZATIONS

It shall be the general policy of the Town of Harwich to reduce or waive a license, permit or user fee if there exists a need that is clearly defined and documented by a non- profit organization, and such reduction or waiver is in the best interest of the Town.

Board of Selectmen

It shall be the policy of the Board of Selectmen, as the Licensing Authority for the Town of Harwich, that any applicant seeking a fee reduction or waiver will follow all application procedures in applying for any license issued by the Board.

In order to qualify for non-profit status, non-profit applicants must provide a tax-exempt number.

The licensing fee, as established by the License Fee Schedule, may be reduced or waived by the Board if, in the opinion of the Board, there is a need and it determines that the service the applicant offers to the Town, and a reduction or waiver of the associated fee, is in the best interest of the Town.

The Board's waiver or reduction of a licensing fee will be determined on a case-by-case basis by written request to the Board with a minimum of 2 weeks notice to the Town Administrator's Office.

All Other Departments, Commissions or Boards

Applicants seeking a fee reduction or waiver from any Department, Commission or Board of the Town of Harwich must follow all application procedures established by such Department, Commission or Board.

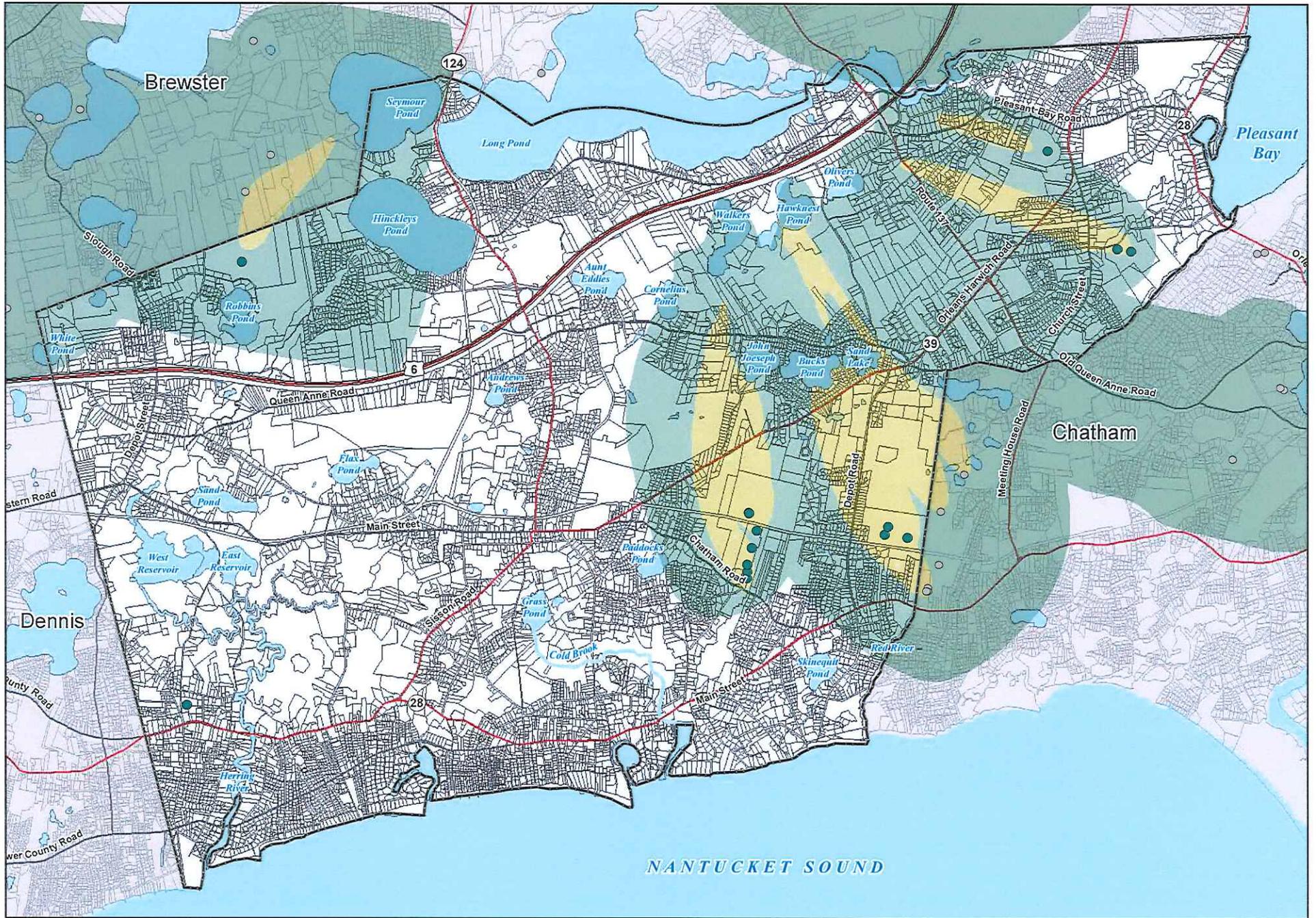
In order to qualify for non-profit status, non-profit applicants must provide a tax-exempt number.

The reduction or waiver of a license, permit, or user fee, as established by such Department, Commission or Board, may be granted if, in the opinion of the particular Department Head, Commission or Board, there is a need and it determines that the service the applicant offers to the Town, and a reduction or waiver of the associated fee, is in the best interest of the Town.

Such waiver or reduction of a fee will be determined on a case-by-case basis by written request to the particular Department, Commission or Board. The Planning Board, Board of Health, Conservation Commission, Recreation and Youth Commission, Waterways Commission, Library Trustees, Facilities Committee, and Board of Water Commissioners may act to reduce or waive fees under a specific policy adopted by these Boards and Commissions that is consistent with this general fee waiver policy. All other reductions or waivers of fees must be presented for consideration to the Board of Selectmen based on a recommendation by the Department Head.

It is further acknowledged by the Town of Harwich that there are certain licenses or permits which, while administered by the Town of Harwich, provide for some or the entire fee to go to the Commonwealth of Massachusetts and that, in such cases, the associated fees may not be waived. Furthermore, where fees for specific groups are dealt with by a General Law, a reduction or waiver of such fees may not be established which is inconsistent with such statute or statutory procedure.

Date Adopted: _____8/9/10_____



Legend

- Zone II
- Well Zones of Contribution
- Public Water Supplies
- Harwich
- Other Communities

Town of Harwich
Comprehensive Wastewater
Management Plan

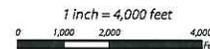
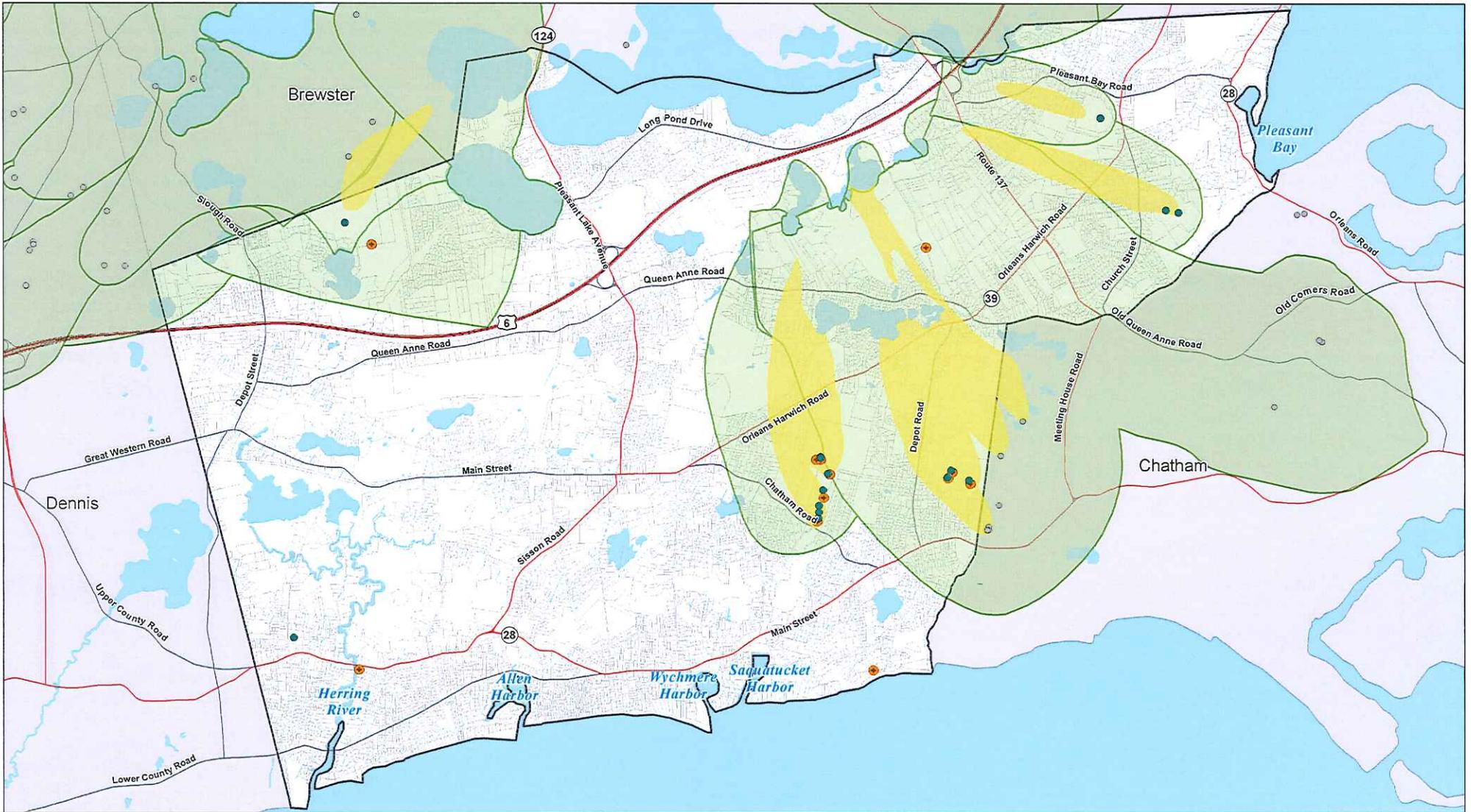


Figure 8-1
Drinking Water Sources





Legend

- Public Water Supplies
- Harwich
- Other Communities

- USGS Groundwater Monitoring Wells
- Well Contribution Zones
- Zone II (Aquifer)

**Town of Harwich
Comprehensive Wastewater
Management Plan**

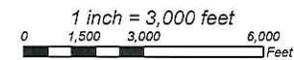
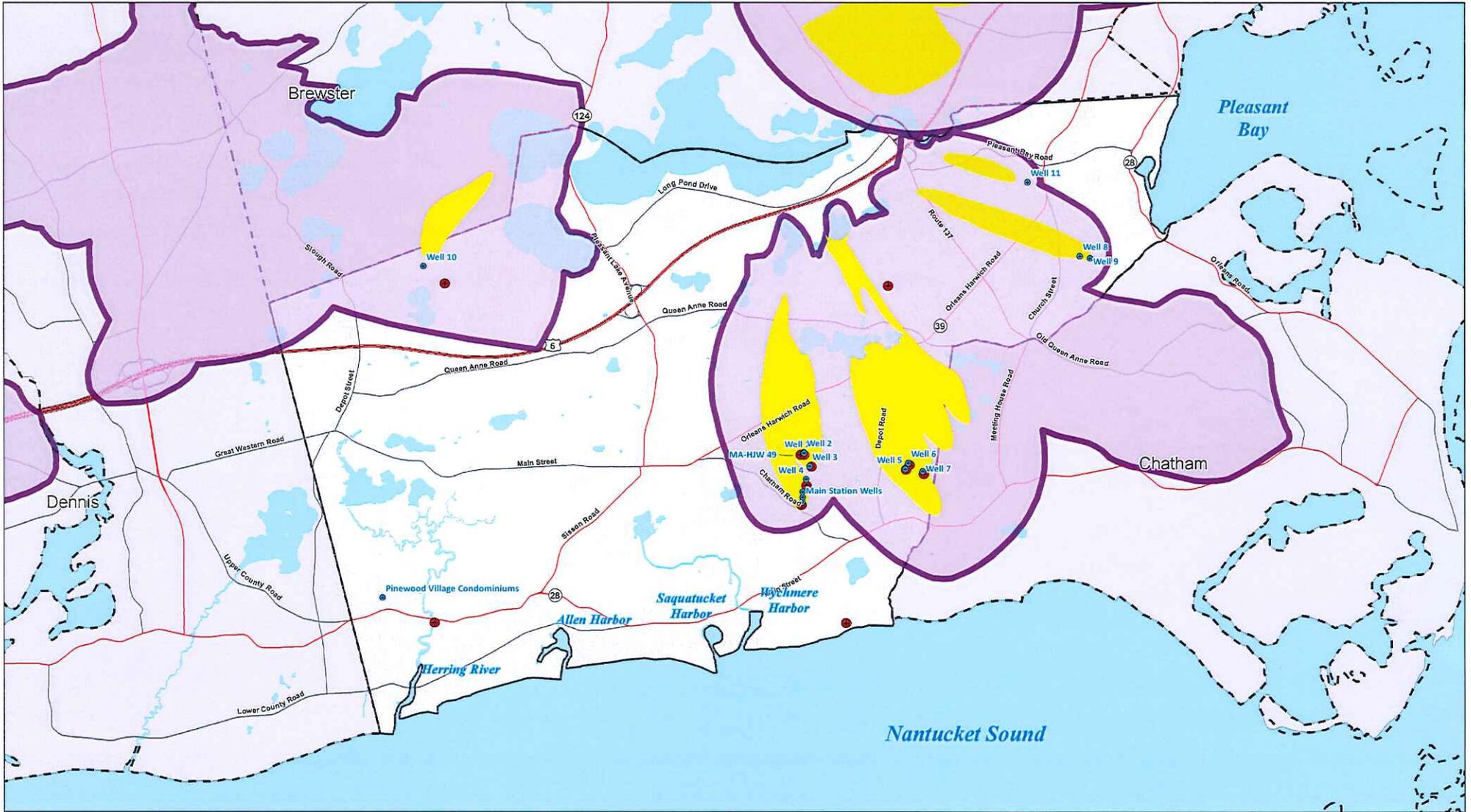


Figure 3-10
Drinking Water Supplies





- Legend**
- Public Water Supplies
 - USGS Groundwater Monitoring Wells
 - Zones of Contribution
 - Zone II (Public Supply Well)

Town of Harwich
 Comprehensive Wastewater
 Management Plan

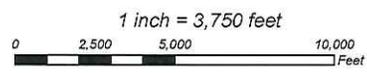
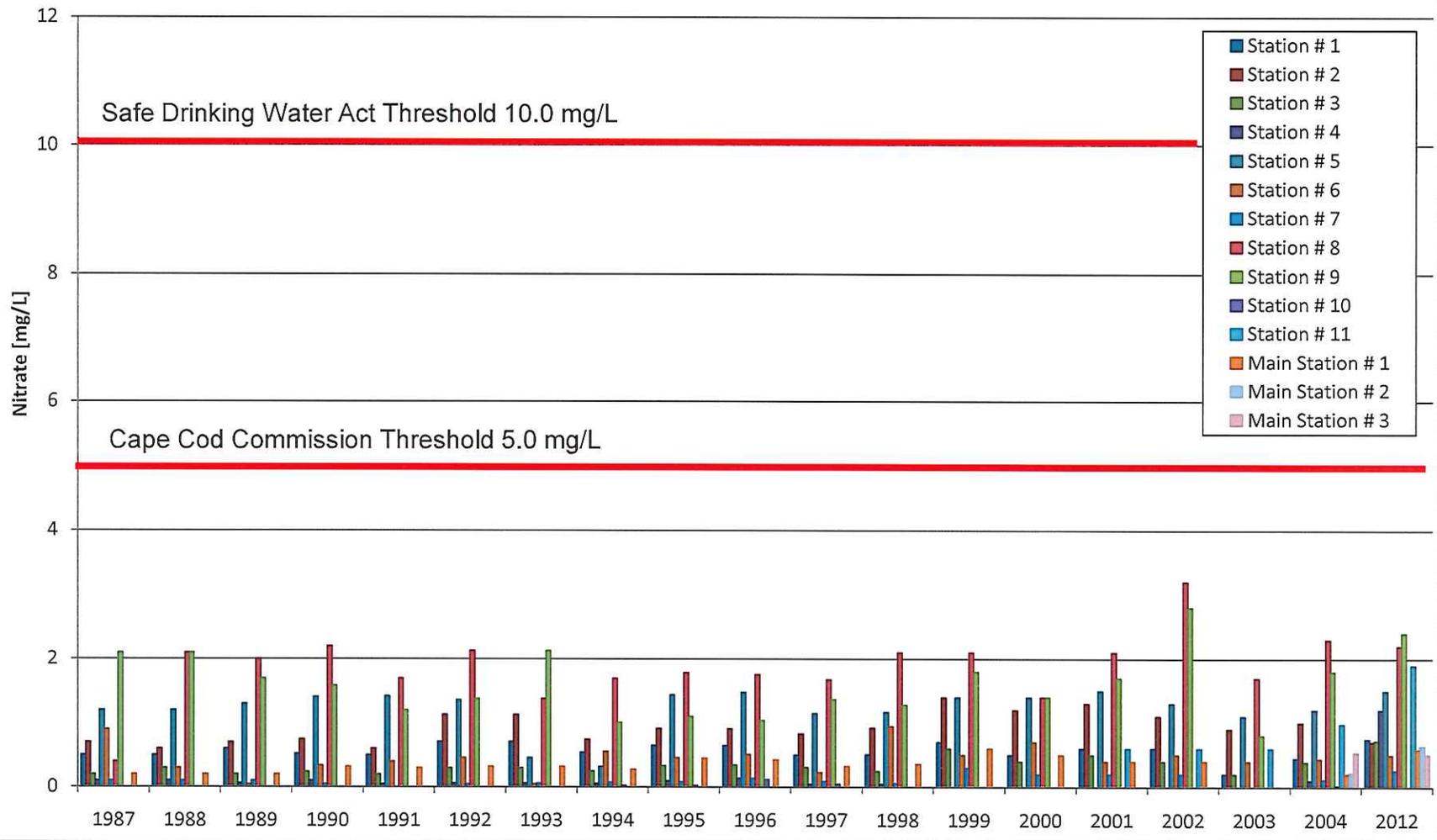


Figure 4-1
 Public Water Supply and Wells



\\campton\img\GIS\Harwich\Harwich_cmp\Map\Location_of_figure_3_3_LID 12062012

Figure 4-2. Nitrate Results for All Public Drinking Water Supply Wells
 (data from Harwich Water Department)



Memorandum of Understanding
between
the Monomoy Regional School District, Town of Chatham
and the Town of Harwich
August __, 2015

Whereas, it is acknowledged that municipal financial resources primarily come from property tax, all parties seek a reasonable estimation of revenue availability over the next five years. In order to achieve some sense of fiscal discipline, the parties acknowledge that the below formula will be used to determine available financial resources and agree to attempt to keep overall costs within the set limits unless Proposition 2 1/2 exceptions to exceed are utilized for specific budgetary purposes. Such as the debt exclusion was used to fund the newly constructed Monomoy Regional High School.

The formula used below is designed to have some flexibility depending upon economic circumstances in larger economy. Other significant factors include state funding of Chapter 70, School Choice, Charter School Impacts, Circuit Breaker and Regional Transportation. These items can play a significant role in funding public education.

1. Property tax estimated per year at 3.25%. This number reflects the increase allowed under proposition 2 1/2 of 2.5% with the additional balance coming from new growth which is an expansion of the property tax base due to improvements. (An example of new growth is a vacant parcel one year that becomes a newly constructed home the next). [Since 2009 our base Levy limit percent increase has ranged from a low of 3.58% to a high of 4.1%]
2. Local Receipts provided that they sustainably increase at between 3% to 4%, then the 3.25% overall would stand. If local receipts fall below 3% then the property tax would be reduced to 3%. If local receipts are greater than 4%, then the property tax estimated per year total would be increased to 3.5%.
3. The excess and deficiency account utilized by Monomoy Regional School District would agree to be used to fund capital and one-time expenses provided the amount is above targeted limits. The access and deficiency account would be attempted to be utilized to stabilize costs over time.

The parties agree to the above for a period of five years at which time said formula could be subject to continuation or adjustment.

Town of Chatham, BOS Chair Monomoy RS District, Chair Town of Harwich, BOS Chair

Town of Chatham, Finance Committee Chair Town of Harwich, Finance Committee Chair

Ann Steidel

From: Christopher Clark
Sent: Tuesday, July 21, 2015 11:44 AM
To: Ann Steidel
Subject: Fwd: middle school insurance coverage

Please put on agenda under TA announcements

Sent from my iPhone

Begin forwarded message:

From: Laura Peckham <laura.peckham@cabotrisk.com>
Date: July 17, 2015 at 11:45:30 AM EDT
To: 'Christopher Clark' <cclark@town.harwich.ma.us>
Cc: Adriene Magnolia <adriene.magnolia@cabotrisk.com>
Subject: RE: middle school insurance coverage

Hi Chris

I am working on obtaining quotes from Underwriting. I will now also provide quotes for Vacant Building Coverage as well.

The Blanket Building Rates are lower and the Actual Cash Value Rates are higher due to rating procedures by MIIA. Blanket Building rates are afforded underwriting credits due to the use of the building. When a building has limited use and/or has "other" issues including, but not limited to: Poor Condition, Limited Use, Lack of Use, Lack of Fire Protections, MIIA will change a building from Replacement Cost to Actual Cash Value and those Underwriting credits are removed. Hence the rate increase and the increase in premium.

I will get back to you on the quotes as soon as they are ready.

Thanks, Laura

Laura J Peckham
Account Manager
MIIA Member Services
15 Cabot Road
Woburn, MA 01801-1003
Direct Number: 781-939-6864
Fax Number: 781-376-9907

Confidentiality Notice: The information in this e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure of distribution is prohibited. If you are not the intended recipient, and have received this communication in error, please contact the sender by reply e-mail and destroy all copies of the original message. Thank you
Help make the earth a greener place. If at all possible resist printing this e-mail and join us in saving paper.

From: Christopher Clark [<mailto:cclark@town.harwich.ma.us>]
Sent: Friday, July 17, 2015 11:17 AM
To: Richard Gundersen

Cc: Ann Steidel; peter hughes; Laura Peckham
Subject: RE: middle school insurance coverage

Richard,

In an effort to simplify the response, I will just edit on your below red italicized areas. I am also CCing this to Laura Peckham to obtain the cost differential on the replacement value coverage versus the actual cash value. Laura and I did speak about this and she was kind to provide the cost differential, also she is can have someone come out to look at the building and finally I am not going to request vacant building coverage. At Monday night's board of selectmen's meeting, it appeared to me that the board wanted to continue the actual cash value coverage on the building.

Have a nice weekend.

Chris

Christopher Clark
Town Administrator
Town of Harwich
732 Main Street
Harwich, MA 02645
Tel. 508.430.7513
Fax.508.432.5039
cclark@town.harwich.ma.us

From: Richard Gundersen [<mailto:gundryrw@verizon.net>]
Sent: Monday, July 13, 2015 3:27 PM
To: Christopher Clark <cclark@town.harwich.ma.us>
Subject: Fwd: middle school insurance coverage

Hi Chris,
Thanks for copying me on this update. Although this email does provide some additional information on the subject, it fails to inform the BOS of specific information that was requested. As I recall the BOS Chair said these questions would be "clarified". I have inserted a few comments and questions (*in red italics*).

- Richard

Begin forwarded message:

From: Christopher Clark <cclark@town.harwich.ma.us>
Subject: middle school insurance coverage
Date: July 10, 2015 at 12:00:37 PM EDT
To: peter hughes <phughes41@comcast.net>, Linda Cebula <maccebula1@verizon.net>, Angelo LaMantia <aslcape@comcast.net>, Michael MacAskill <michael.d.macaskill@gmail.com>, "iloveharwich@gmail.com" <iloveharwich@gmail.com>
Cc: Laura Peckham <laura.peckham@cabotrisk.com>, Richard Gundersen <gundryrw@verizon.net>, Sandy Robinson <srobinson@town.harwich.ma.us>, Andrew Gould <agould@town.harwich.ma.us>

To: Board of Selectmen
From: Christopher Clark
Town Administrator
Cc: Laura Peckham, MIIA
Re: Middle School Insurance Coverage Issues
Date: July 10, 2015

One of my main concerns is your statement in the second sentence below where you say, "It has been the goal of this administration to mitigate insurance costs on the middle school." I have heard you say this on other occasions, as well. I agree that saving money is generally a good thing. However, I would suggest that the Town Administrator's fiduciary duty is to protect the assets of the Town first and secondly to accomplish that in the most economical way possible. This is probably the biggest reason why this issue has flared up. To me the Town should be communicating with its insurance company in a timely and accurate manner to make sure we are protecting our middle school building and our residents and visitors. Also this communication would allow better understanding of the costs and risks related with how the Town might continue the use of the Middle School. I believe the approach of not communicating (timely and officially) with the insurer for the purpose of keeping the costs down is applying the wrong priority and could adversely impact the Town. This is why I spoke up.

I can appreciate your concern and understand that the informal nature and which some of these actions have taken could potentially lead to additional liabilities. In my conversation with Laura Peckham from a coverage perspective I think we are at a reasonable place by having the basic coverages be the same with the total amount for loss being changed from \$13 million down to \$10 million on the actual cash value is a necessary evil due to the diminished use of the building.

I have been asked to provide a timeline by the chair of insurance coverage issues at the middle school. It has been the goal of this administration to mitigate insurance costs on the middle school. The timeline of significant events: Monomoy Regional School District controlled the middle school up until September 2014. The town of Harwich provided insurance coverage through MIIA on the building. The coverage was included within our blanket coverage of all active town buildings and was on for replacement value. By being on our blanket coverage if the building had property damage to it in excess of the stated value the replacement costs would be afforded to the town to replace the building. This is the typical coverage afforded to town buildings in active use. In September 2014, the middle

school went from being a fully utilized facility to being a diminished utilized facility under town operation. *(It is my position that MIIA should have been notified in writing of the change in status on or about that time.)* Administration specifically took actions to maintain some element of activity in the building through our Recreation Department and our Community Ctr., Department. Administration further directed the facilities division to continue to heat, maintain and monitor the building during the time of town use. A general discussion was held with MIIA prior to the turnover of the building. Administration indicated in that discussion that the town was contemplating a more permanent reuse of the facility and during this period of transition the town would continue some use of the building and had funding for maintenance and operation of the building. The recent events of MIIA being contacted, has led to an additional discussion with MIIA about the operation of the building. *(The trail of emails that you forwarded to me back in early June shows that Andy Gould and Katie Isernio were the first to contact MIIA about the change in status of the Mid. School.)* MIIA has decided as of June 1, 2015 to change the category of coverage from our blanket to actual cash value. *(The change from "replacement value" to "Actual Cash Value" coverage was mentioned in the June 4th email from Ms. Peckham/MIIA. She stated that she was having, "The building valuation amended to \$8,891,13". Isn't this the most current number?)* This action also lists the building separately. The blanket value assigned to the building was \$13 million in the actual cash value of the building has been diminished to approximately \$10 million. *(I think it is fairer to say that given this information on current use of the building, the insurer has reduced our coverage from a replacement amount estimated at about \$13 million to Actual Cash Value coverage of \$8.9 million.)* This does have the ramification of diminishing the amount of money available to the town to reconstruct the building if a significant event happened to it. There is also an increased premium cost to this type of coverage because of the diminished use. *(Can MIIA explain why this will cost more? Chris, this is contrary to what we discussed in your office last week. The coverage change required by the MIIA underwriter essentially reduced their financial risk by \$4.1 million - almost a third - and the premium increased? Did MIIA provide any justification for this?)* By having the middle school stay in a diminished use capacity and having the coverage be actual cash value as it is now been determined by MIIA we have successfully avoided and so long as the use and the oversight continue can continue to avoid having the building be deemed totally vacant. In a discussion, with our insurer it was pointed out that in a another community with a purely vacant school of approximately \$9 million of value the vacant building coverage was in excess of \$185,000. As the board is fully aware, the total funding for maintenance of the middle school is only \$125,000. I believe that the actions of administration throughout this process have had the desired effect of significant cost avoidance while the study of the reuse of the building continues.

I hope this clarifies the coverage decisions made by administration and the rationale. I do concur that I should have provided specifically to MIIA upon our receipt of the transition of use of the building from school purposes to town purposes. The advice provided by administration in the

management of this situation in my opinion has saved the town a significant amount of money. *(Are you saying that by not providing accurate and timely information to MIIA, that you saved the Town a significant amount of money? I don't understand. I agree that vacant building insurance could be more expensive and, therefore, meeting "minimal use" requirements as agreed to with MIIA adequately protects the asset at a lower cost. However, I have not seen the numbers to compare "replacement value coverage" with "Actual Cash Value coverage)* I will continue to encourage our recreation and community development departments to continue to use the building during this period of transition until the final disposition of the building can be determined.

Some additional points -

- You provided an example of cost for vacant building insurance. Back in a June email, Ms. Peckham/MIIA offered to provide a quote for vacant building casualty and property insurance. Did MIIA provide the Town with that quote? An actual number might be useful to have in assessing alternative uses for the building.

I believe that the reference to a similar type of situation in the cost impact is sufficient for discussion purposes. Knowing that we are not specifically obtain make building coverage at this time does not appear to make sense to request a formal quotation from MIIA.

- An appraisal conducted in April, 2014, for your office by Allied Appraisal Assoc. of New England concluded that the Middle School building and the associated 6.5 acres of land has an "as-is market value" of \$1.4 million. I'm not an insurance expert, but if the building and land is only worth \$1.4 million, what is the rationale for insuring the Middle School building for \$8.9 million?

This is a good observation and I will provide a copy of the appraisals to Ms. Peckham for use in the determination of the value of the building.

- The questions I asked at the June 8 BOS Meeting have not been answered.

1. *Has the Town paid more for property and casualty insurance than it should have during the 10 month period, Sept - June, 2014, than we would have if the insurance co. had timely and accurate status info?*

I believe the answer this question is the town would've paid slightly less. But I have asked Laura Peckham to review cost implications.

2. *Could this oversight potentially put the Town at risk either in a reduction on a property loss claim, not being covered for injuries to people using the building, or to possible cancellation of insurance coverage?*

For full transparency, would it be possible to get these questions answered in writing by MIIA?

It is my understanding from MIIA that the various levels of insurance coverage between replacement value and actual cash value is the only significant difference and that the base liability protections are the same.

Chris

- *Richard*

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cclark@town.harwich.ma.us

Ann Steidel

From: Christopher Clark
Sent: Tuesday, July 21, 2015 11:48 AM
To: Ann Steidel; Michael MacAskill; peter hughes
Subject: Fwd: Solar field

Ann,

Please place on BOS agenda under TA announcements.

Chris

Sent from my iPhone

Begin forwarded message:

From: Andrew Gould <agould@town.harwich.ma.us>
Date: July 2, 2015 at 2:14:41 PM EDT
To: Christopher Clark <cclark@town.harwich.ma.us>
Subject: FW: FW: Solar field

Chris,

Tony called me at lunch time and he spoke to Tony Rassias. They are both in agreement that if the Water Enterprise fund is responsible for 30% of the electricity generated by the Town the enterprise fund is entitled to 30% of the revenue the Town receives from the solar farm.

Andy

-----Original Message-----

From: Tony Roselli [<mailto:troselli@roselliclark.com>]
Sent: Thursday, July 02, 2015 11:19 AM
To: Andrew Gould
Subject: Re: FW: Solar field

Hi Andy

The DOR is developing regulations for alternate energy sources since they are springing up everywhere; from a pure economic standpoint, the water department should get 30% if this percentage can be verified somehow, but I do not know if there is a specific regulation or DOR policy that would supercede this. I would probably begin with Tony Rassias.

Thanks
Tony

Can you give an opinion on this?

Thanks,
Andy

From: David Scannell
Sent: Thursday, July 02, 2015 8:46 AM
To: Andrew Gould
Subject: FW: Solar field

From: Christopher Clark
Sent: Wednesday, July 01, 2015 4:16 PM
To: David Scannell
Subject: RE: Solar field

Hi Dave,

The question that came up that I was looking for your help to get an answer from the Department of revenue was in regards to if the water Department that operates as an enterprise fund generates approximately 30% of the total electric consumption of the town and the town receives a cash benefit from operating the solar field. The water enterprise account should be credited with the 30% credit related to town electric consumption from the checks from the utilities. Basically, the approximately 300,000 that we are estimated to receive 30% would need to be allocated to the water enterprise account. I was looking for a verification from the Department of revenue that this is necessary for us to do this which I believe it is.

Chris

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cclark@town.harwich.ma.us<<mailto:cclark@town.harwich.ma.us>>

From: David Scannell

Sent: Wednesday, July 01, 2015 9:09 AM

To: Christopher Clark

Subject: RE: Solar field

Hi Chris,

Ace Solar is estimated to be valued at 7Million. The DOR will approve all values by Jan 1.

Dave Scannell

From: Christopher Clark

Sent: Friday, June 26, 2015 1:52 PM

To: David Scannell

Cc: Michael MacAskill

Subject: Fwd: Solar field

Dave,

What is the status of our request to DOR on this topic?

Chris

Sent from my iPhone

Begin forwarded message:

From: Michael MacAskill

<michael.d.macaskill@gmail.com<<mailto:michael.d.macaskill@gmail.com>>>

Date: June 26, 2015 at 1:47:16 PM EDT

To: Christopher Clark

<cclark@town.harwich.ma.us<<mailto:cclark@town.harwich.ma.us>>>

Subject: Solar field

2nd request. I am looking to see where we are with the allocation of funds for the Solar field? this was a topic of conversation at a

selectmen's meeting prior to me. It was brought up as to the money going to different departments based on meter use. You were looking into the language.

Please tell me how this is being allocated now, and how the contract spells it out.

I have been asked by a water commissioner and would like to give an answer.

Michael

--

Tony Roselli, CPA, Partner

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617-750-4604

email: troselli@roselliclark.com

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