

SELECTMEN'S MEETING AGENDA

Griffin Room, Town Hall

Regular Meeting 6:30 P.M.

Monday, October 26, 2015

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. WEEKLY BRIEFING

IV. PUBLIC COMMENT/ANNOUNCEMENTS

V. CONSENT AGENDA

- A. Approve Minutes –
 - 1. October 13, 2015 Regular Meeting
- B. Award FY16 Road Salt contract to Eastern Minerals in the amount of \$75.35 per ton delivered
- C. Accept resignation of Peter deBakker as the Planning Board's representative to the Community Preservation Committee.
- D. Appoint James Atkinson as the Planning Board's representative to the Community Preservation Committee on a temporary basis
- E. Accept resignation of Robin Wilkins from the Harwich Housing Authority
- F. Accept various gift donations to be deposited into the Saquatucket Harbor Demolition/Beautification Account in the amount of \$150.00
- G. Appoint Amy Duffy as alternate representative to Cape Cod Municipal Health Group

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

- A. Annual Meetings:
 - 1. Waterways Committee – Matt Hart, Chair
 - 2. Golf Committee – Clem Smith, Chair
 - 3. Recreation and Youth – John Mahan, Chair
 - 4. Cemetery Commission – Cynthia Eldredge, Chair

VII. OLD BUSINESS

- A. West Harwich School RFI – *discussion and possible vote*

VIII. NEW BUSINESS

- A. Revisit Section 6 – Hours of Work of Finance Director/Town Accountant's Employment Contract – *discussion and possible vote*
- B. Wastewater Educational Moment - *discussion*
 - 1. Review Chatham Sewer Regulations
 - 2. Capital Outlay Summary (overview of request)
 - 3. Community Partnerships – Wastewater Treatment

IX. TOWN ADMINISTRATOR'S REPORT

- A. Brooks Free Library electrical issues - *update*
- B. Saquatucket Harbor & Albro House donations – *update*
- C. Bike Path & Trails maintenance – *update*
- D. Request to consider ordinance to deal with “eyesore” properties - *discussion*
- E. Road Safety Audit - *update*

X. SELECTMEN'S REPORT

XI. 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:

Posted by: _____

Town Clerk

Date: October 22, 2015

Ann Steidel, Admin. Secretary

**MINUTES
SELECTMEN'S MEETING
GRIFFIN ROOM, TOWN HALL
TUESDAY, OCTOBER 13, 2015
6:30 P.M.**

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

OTHERS PRESENT: Town Administrator Christopher Clark, Amy Usowski, Ginny Hewitt, Sheila House, Sharon Stover Gleason, Christina Joyce, Tina Games-Evans, Ed Groves, Emily Milan, Anne Stewart, Duncan Berry, Bob Bradley, Barry Worth, and others.

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

WEEKLY BRIEFING

Ms. Hewitt reported that the Library was closed today as the emergency light converter had failed over the weekend and it has affected about 90-95% of the building's lighting. She noted that our Facilities Maintenance Manager is working on it and has been on the phone with the manufacturer in California. She further announced some personnel changes at the Library.

Mr. Worth reported that the Inter-Governmental Agreement which governs all of the towns in relation to the Cape Light Compact is being slightly revised and that Ms. Downey will be here soon to answer questions.

CONSENT AGENDA

- A. Approve Minutes – September 28, 2015 Regular Session
- B. Approve and sign Covenant with Phyllis A. DiCapua regarding Muddy Creek Bridge Project
- C. Accept resignations of Joan Jones, Robert Jones, Nancy DeDominici, Deborah Delaney and Frank Salewski from the Treasure Chest Committee effectively immediately
- D. Approve recommendation of the Interview & Nominations Subcommittee to appoint Treasure Chest Committee members
- E. Approve HEA Job Description for Office Assistant – Golf
- F. Approve request for assistance from the Caleb Chase Fund
- G. Accept gifts to Harbor Demolition/Beautification Fund

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. Annual Meetings:

- 1. Voter Information Committee – Christina Joyce, Chair

Christina Joyce delivered the annual report of the Voter Information Committee.

2. Youth Services Committee – Sharon Stover Gleason, Chair

Sharon Stover Gleason delivered the annual report of the Youth Services Committee.

3. Cemetery Commission – Cynthia Eldredge, Chair

Chairman Hughes noted that the Cemetery Commission will be rescheduling.

B. Artificial Reef Project between Saquatucket Harbor and Red River Beach:

1. Status of project plan – *discussion*

Ms. Usowski provided a slide presentation including site map and provided a history of the project. She reported that it would be for recreational fishing and not necessarily for commercial fishing. She noted that the material is currently at the landfill and has been inspected by the Division of Marine Fisheries (DMF) which has indicated that they are hoping to fund the entire project. She stated that the cost is approximately \$275,000, with the majority going for deployment of the barge, and it would be more palatable for the DMF if the Town offers some matching funds and so they are applying for CPC funding in the amount of \$70,000.

2. Establish gift account – *discussion & possible vote*

Ms. Brown moved to establish the Harwich Reef Gift Account. Mr. LaMantia seconded the motion and the motion carried by a unanimous vote.

NEW BUSINESS

A. Work plan for the relocation of the Bay View Road public access path – *discussion and possible vote*

Ms. Usowski outlined her memo dated October 6, 2015 and path relocation diagram (attached) designed by Wilkinson Ecological Design. She reported that the next steps are for our Surveyor to re-stake the central line of where path should go and she has applied to AmeriCorps to assist in the restoration project. She noted that they are going for a 4' wide path in most places and are hoping to go ahead this winter now that all the appeal periods are over. She recommended adding 150-200 combs of beach grass plantings as well as some stakes. She further added that the path will have to be monitored yearly.

Mr. LaMantia moved to approve the Bay View Road path relocation diagram as presented with the construction techniques identified and to direct the Town Administrator to identify sources of funding as needed to supplement in-house construction. Mr. MacAskill seconded the motion and the motion carried by a unanimous vote.

B. West Harwich School RFI – *discussion and possible vote*

Chairman Hughes stated that he thought that it was intent of the Board to enter into a license agreement whereby: the licensee can improve and maintain the facility, to maintain the historic characteristics, and to identify the fact that whoever wins this takes the building as is and they have to make the improvements. He pointed out that Mr. Spitz was not present for that discussion.

Mr. Spitz stated that he simply combined a previous description of the property which was in the 2009 RFP with the RFI we did for the Middle School. He noted that they now have an email from a hydrologist from Mass DEP regarding the status of the plume which seems to indicate that it is not much of a concern and that should be clarified.

Ms. Cebula questioned if the Board is comfortable leaving out for-profit groups. The consensus of the Board was to include both non-profit and for-profit groups and Mr. Spitz agreed to make the change. Mr. LaMantia said it is not a good idea to try to do affordable housing there and Chairman Hughes stated that the intent is not to increase the size of the building or change the footprint. Ms. Cebula recommended that this be stated in the document and the Board agreed. Mr. Spitz stated that if that is the case, then 40B housing definitely wouldn't work there. Chairman Hughes suggested including a sample license agreement. Anne Stewart read a statement from Lou and Sally Urbano (attached). The Board took comments from Duncan Berry of 37 Route 28 regarding the vision of their group. Chairman Hughes stressed that they should focus on this building and not any other property in their response to an RFI. The Board took comments from Brooke Williams and Chairman Hughes suggested he meet with Mr. Berry. It was agreed that Mr. Spitz would return in two weeks with a revised draft RFI.

C. Wastewater Educational Moment – Wastewater Subcommittee Agenda / Draft Inter-Municipal Agreement for Wastewater Treatment and Disposal with Town of Chatham
– *discussion and possible vote*

Mr. Clark provided an overview of the agenda, draft Inter-Municipal Agreement, and points from John Giorgio. He took questions and comments from the Board. Ms. Cebula asked to be provided with Exhibit A and the Chatham Wastewater Regulations referred to in #9. She questioned if our share of the operating expenses would go down if Chatham increases their capacity but we only buy in for 300,000 gallons and Mr. Clark responded that our percentage would go down for O&M only. Ms. Cebula said that should be clarified in the contract. She stressed that net costs should be clear before Town Meeting.

TOWN ADMINISTRATOR'S REPORT

A. Town Administrator Goals & Objectives quarterly report

Mr. Clark reviewed the status of each of his goals as discussed in his memo of October 7, 2015.

B. Summary of Capital Outlay budget requests

Mr. Clark stated that he will meet with all the department heads on the capital budgets to determine their priorities.

C. Brooks Library columns – update

Mr. Clark reported that he is waiting for a response to his letter to the Library Trustees and the Historic Commission regarding the column materials.

D. Legal costs summary – Collins, Loughran & Peloquin FY 14, 15 & 16

Mr. Clark reported that it would be worthwhile to look at other vendors for this service and he has received two proposals which are less expensive and of equal quality.

SELECTMEN’S REPORT

Ms. Brown noted that the Board of Health did not meet tonight due to lack of a quorum and this is delaying the contractors. She recommended that alternates be added to the Board. Mr. Clark said he would check into it to see if they can have alternates.

ADJOURNMENT

Chairman Hughes adjourned the meeting at 8:52 p.m.

Submitted by,

Ann Steidel
Recording Secretary



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 *lh*

DATE: October 16, 2015

RE: Recommendation of Award for FY 16 Road Salt Contract

Attached please find the results of this year's regional salt bid conducted by the Town of Plymouth. Based on this information, I am recommending that the Board of Selectmen award a contract to Eastern Minerals in the amount of \$75.35 per ton delivered to the Town of Harwich DPW. Given that this year's cost represents an increase of \$5.50 per ton, I pre ordered 1,500 tons, enough to fill our salt barn, at last year's price of \$69.85 per ton. This represents \$8,250 in savings.

Please sign the attached copies of the contract and return the originals to me. Thank you for your consideration in this matter.

Cc: Chris Clark, Town Administrator

Attachments: Contract between Eastern Minerals and the Town (2 copies)
Salt bid results

AGREEMENT

This agreement made the **26 of October, 2015** by and between **Eastern Minerals Inc.**, hereinafter called the "CONTRACTOR," and the **Town of Harwich**, hereinafter called the "TOWN".

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

ARTICLE 1. SCOPE OF WORK

The Contractor shall furnish all of the materials/services called for in the specifications for:

Road Salt

ARTICLE 2. TIME PERIOD

- A. This contract is for the period of **one (1) year**.
- B. The work to be done under this contract shall be completed : **10/26/2016**

ARTICLE 3. THE CONTRACT SUM

The Town shall pay the contractor:

- A. **\$75.35 per ton delivered to the Town**

ARTICLE 4. TIME OF PAYMENT

The Town shall pay the Contractor on original invoices only.

ARTICLE 5. THE CONTRACT DOCUMENTS

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

ARTICLE 6. TERMINATION FOR CAUSE

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

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

By

Eastern Minerals Inc.

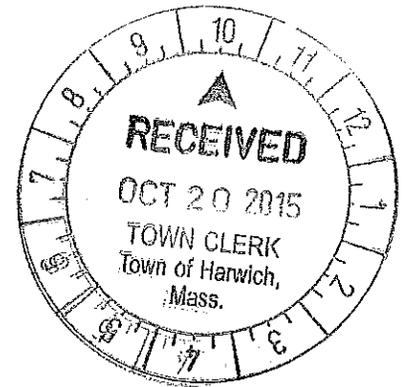
Town of Harwich

Board of Selectmen

Town of Plymouth - Regional Salt Bid Results										
Bid # 21539		October 2, 2015								
Towns	Road Salt									
	Est. Amt.	All State Asphalt	Eastern Minerals	Innovative Municipal	Morton Salt	Mid American Salt, LLC	Safe Road Services	GB Sons Construct ion Co Inc.	American Rock Salt Co., LLC	Saltine Warrior Inc.
Abington	4000	No Bid	\$64.82	No Bid	\$82.63	\$70.80	No Bid	No Bid	\$79.56	\$74.94
Barnstable	15000	No Bid	\$71.03	No Bid	\$91.67	\$72.28	No Bid	No Bid	No Bid	\$75.87
Bourne	3000	No Bid	\$69.31	No Bid	\$87.72	\$70.85	No Bid	No Bid	\$80.68	\$64.87
Brewster	500	No Bid	\$75.51	No Bid	\$93.53	\$83.80	No Bid	No Bid	No Bid	\$79.87
Bridgewater	5000	No Bid	\$65.88	No Bid	\$84.13	\$69.93	No Bid	No Bid	\$79.47	\$75.29
Carver	1454	No Bid	\$69.68	No Bid	\$82.69	\$74.06	No Bid	No Bid	\$79.47	\$62.62
Chatham	900	No Bid	\$76.35	No Bid	\$95.33	\$83.85	No Bid	No Bid	No Bid	\$80.71
Cohasset	750	No Bid	\$69.63	No Bid	\$82.63	\$78.33	No Bid	No Bid	No Bid	\$76.63
Dennis	2000	No Bid	\$74.48	No Bid	\$91.67	\$82.83	No Bid	No Bid	No Bid	\$68.84
Eastham	500	No Bid	\$76.77	No Bid	\$95.33	\$83.75	No Bid	No Bid	No Bid	\$81.13
Easton	3500	No Bid	\$68.44	No Bid	\$84.13	\$66.67	No Bid	No Bid	\$79.47	\$77.37
Edgartown (Deliver Picked up	700	No Bid	No Bid	No Bid	\$225.00	\$205.00	No Bid	No Bid	\$225.00	No Bid
		No Bid	No Bid	No Bid	\$81.00	\$64.00	No Bid	No Bid	\$78.00	No Bid
Falmouth	4000	No Bid	71.42	No Bid	\$91.67	\$72.28	No Bid	No Bid	No Bid	\$66.37
Halifax	2750	No Bid	\$68.58	No Bid	\$84.13	\$70.21	No Bid	No Bid	\$79.47	\$77.45
Harwich	2000	No Bid	\$75.35	No Bid	\$93.53	\$83.90	No Bid	No Bid	No Bid	\$79.71
Hull	2500	No Bid	\$67.97	No Bid	\$82.63	\$71.98	No Bid	No Bid	No Bid	\$77.32
Kingston	4000	No Bid	\$66.31	No Bid	\$84.13	\$71.39	No Bid	No Bid	\$79.56	\$75.64
Lakeville	2200	No Bid	\$69.36	No Bid	\$82.69	\$73.44	No Bid	No Bid	\$79.47	\$61.88
Marion	350	No Bid	\$71.53	No Bid	\$84.08	\$76.70	No Bid	No Bid	\$80.52	\$65.37
Mashpee	2500	No Bid	\$73.07	No Bid	\$89.46	\$71.95	No Bid	No Bid	No Bid	\$67.43
Mattapoisett	600	No Bid	\$71.66	No Bid	\$82.69	\$76.75	No Bid	No Bid	\$80.68	\$65.37
Middleboro	4000	No Bid	\$66.86	No Bid	\$85.83	\$69.62	No Bid	No Bid	\$79.47	\$76.38
Orleans	850	No Bid	\$76.21	No Bid	\$95.33	\$83.60	No Bid	No Bid	No Bid	\$80.57
Pembroke	6000	No Bid	\$65.39	No Bid	\$84.13	\$71.35	No Bid	No Bid	\$79.56	\$76.77
Plymouth		No Bid	\$67.28	No Bid	\$85.83	\$70.98	No Bid	No Bid	\$79.56	\$76.63
Plympton	800	No Bid	\$68.73	No Bid	\$85.83	\$79.30	No Bid	No Bid	\$79.47	\$77.87
Provincetown	1200	No Bid	\$77.37	No Bid	\$98.73	\$89.05	No Bid	No Bid	No Bid	\$84.22
Rochester	1500	No Bid	\$68.32	No Bid	\$84.08	\$73.13	No Bid	No Bid	\$80.56	\$78.36
Rockland	2500	No Bid	\$66.99	No Bid	\$82.63	\$70.75	No Bid	No Bid	\$79.56	\$76.88
Sandwich	8000	No Bid	\$69.31	No Bid	\$89.46	\$71.90	No Bid	No Bid	No Bid	\$65.37
Truro	125	No Bid	\$78.74	No Bid	\$96.67	\$88.73	No Bid	No Bid	No Bid	\$83.09
Wellfleet	650	No Bid	\$78.04	No Bid	\$96.67	\$85.54	No Bid	No Bid	No Bid	\$82.39
Whitman	2500	No Bid	\$67.32	No Bid	\$82.63	\$71.10	No Bid	No Bid	\$79.47	\$74.65
Yarmouth	1200	No Bid	\$74.37	No Bid	\$91.67	\$76.56	No Bid	No Bid	No Bid	\$78.73



Peter de Bakker
9 Edith Grove Road
Harwich, MA 02645



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

October 19, 2015

Dear Members of the Board of Selectmen:

It is with regret that I need to inform you that I have to step down as the Planning Board's Representative to the CPC.

I have enjoyed filling that position over the past few years. However, I find myself travelling overseas many times per year (for extended periods of time) to visit my 100-year old father. As a consequence, I find it impossible to give the CPC the attention that it requires, especially at this time of the year, when applications for CPA funds are being evaluated.

I am sure that the Planning Board Chairman will assign a capable representative who can fill the position I leave vacant.

Respectfully submitted,

Peter de Bakker

Cc: Mr. James Atkinson, Chairman Harwich Planning Board

Ann Steidel

From: David Spitz <dspitz@town.harwich.ma.us>
Sent: Friday, October 16, 2015 9:20 AM
To: Ann Steidel; Sandy Robinson
Cc: Robert C. MacCready
Subject: Community Preservation Committee

Hi Ann and Sandy,

Peter de Bakker has asked to step down as the Planning Board representative to the Community Preservation Committee. At last night's meeting, the Planning Board voted to recommend Chair Jim Atkinson as the new representative. Please forward this recommendation to the Board of Selectmen for an official appointment.

Please note – no other Planning Board member was willing to make this time commitment on short notice, so Jim Atkinson has indicated he will do this on a temporary basis until another member agrees to represent the Board (presumably next year).

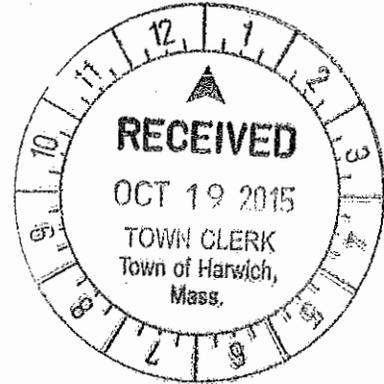
Thanks,
David

~~~~~  
David Spitz, Harwich Town Planner  
508-430-7511  
dspitz@town.harwich.ma.us

**Robin D. Wilkins  
126 Bank Street  
Harwich Port, MA 02646**

**October 19, 2015**

**Anita N. Doucette  
Town Clerk  
732 Main Street  
Harwich, MA 02645**



**RE: Harwich Housing Authority Resignation**

**Dear Anita:**

**It is with deep regret that I submit this resignation to the Harwich housing Authority. I looked forward to working with the authority but that will not be possible. It's absolutely critical that a member of the authority attend all meetings. As a result of health issues I cannot be relied upon to attend the required meetings. With the onset of winter my ability to get about will become increasingly more difficult. With that said I think it is important that I be replaced as soon as possible.**

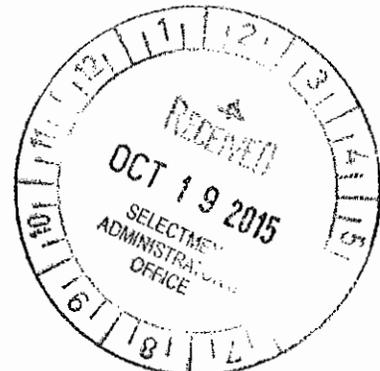
**Thank you to the voters who elected me to the position.**

**Respectfully**

A handwritten signature in cursive script that reads "Robin D. Wilkins".

**Robin D. Wilkins**

**Pc: Peter Hughes, Chairman ✓  
Board of Selectmen  
Robert MacCready, Chairman  
Harwich Housing Authority**



# CHECKLISTS FOR RESIGNATION AND ELECTED AND APPOINTED OFFICIALS

## AND

### FILLING OF VACANCIES IN ELECTED POSITIONS

#### Resignation

##### Statutory Provision: MGL c41, Sec 109

1. Elected and appointed officers of the Town shall file a written letter of resignation with the Town Clerk.
2. The resignation may either be effective immediately, or may specify a date certain in the future for the effective date thereof.
3. Once the resignation is received by the Town Clerk, the position is deemed to be vacant and the Town Clerk is required to notify the remaining members of the board or committee, if applicable as well as the Board of Selectmen, of the vacancy and the effective date of the resignation.

#### Policy Considerations

1. When a written letter of resignation is presented at a public meeting, the elected or appointed officer acknowledges that the clerk of such board or committee shall include a copy thereof in the minutes of the meeting and shall file the written resignation with the Town Clerk as soon as possible thereafter.
2. The filing of such resignation by the clerk of said board or committee shall constitute a resignation for purposes of MGL c.41, sec109, and may not thereafter be "rescinded," even if such person fails to also personally file the letter of resignation with the Town Clerk.
3. For purposes of MGL c41, sec109 and this policy, the term "elected officer" shall mean every person elected to office by the voters of the Town at an election, and the term "appointed officer" shall mean a person: (1) whose duties are public in nature; (2) who has entrusted to him some portion of the sovereign authority of the state; (3) whose duties are not merely clerical, but involve the exercise of power and authority bestowed by the law; and (4) who holds a position established by law (either in the General Laws and/or the Town Charter). See Attorney General v. Tillinghast, 203 Mass. 539 (1909).

## Election to Fill a Vacancy

Statutory Provision: MGL c.41, sec10

1. In case of a vacancy caused by resignation, death, or otherwise, in an office other than that the Board of Selectmen, the Board of Selectmen may, consistent with Section 6-2-1 of the Town Charter:
  - (a) fill the position pursuant to MGL c.41, sec11;
  - (b) place the office on the ballot at an annual or special election
2. In the case of a vacancy on the Board of Selectmen, the Board may consistent with Section 3-1-2 of the Town Charter, Place the office on the ballot at an annual or special election.

In the event that the Board of Selectmen receives a petition of 200 or more registered voters not less than 100 days prior to the date of the next annual election, the Board of Selectmen shall call a special election to fill the vacancy

3. In order for the office to appear on the ballot, the Board of Selectmen must file with the Town Clerk notice thereof not less than 64 days prior to the date of the election.
4. If the resignation designates a future date certain as its effective date, the Board of Selectmen may place the office on a ballot at an election held on or after the effective date of the resignation creating the vacancy.

## Policy Considerations

1. If an elected official is contemplating a voluntary resignation, consideration should be given to the timing thereof to facilitate the filing of the position at an annual election. Such consideration should take into consideration scheduled meetings of the Board of Selectmen occurring prior to the 64<sup>th</sup> day prior to the date of the annual election.

**2015 RECREATION AND YOUTH COMMISSION ANNUAL REPORT TO THE  
BOARD OF SELECTMEN**

**ACCOMPLISHMENTS**

- THE SUMMER OF 2015 WAS OUR MOST SUCCESSFUL SUMMER YET. ALL STAFF DID A GREAT JOB KEEPING PATRONS AND PROGRAM PARTICIPANTS SAFE.
- MOST DAILY PASS REVENUE EVER THIS YEAR (6 YEARS RUNNING)
  - 2010- 2290 TICKETS FOR \$34,355
  - 2011- 2523 TICKETS FOR \$37,845
  - 2012- 3156 TICKETS FOR \$47,340
  - 2013- 2909 TICKETS FOR \$49,855
  - 2014- 3585 TICKETS FOR \$59,325
  - 2015- 4262 TICKETS FOR \$85,240
- \*BEACH STICKER REVENUE ALSO HIGHEST EVER AT \$264,690. (as of August 15)
- ADDED 12 NEW PROGRAMS THIS YEAR INCLUDING SUMMER ARCHERY, SUMMER FLAG FOOTBALL, SUMMER PICK-UP SOCCER, TINY TOT TENNIS, KAYAK TRIPS, SUMMER DODGE BALL, WINTER SEASONAL CRAFTING, FAMILY NIGHTS, FALL YOUTH PICKLE BALL, FALL BOWLING TRIPS, FALL YOUTH CRAFTS AND CONFECTIONS, AND FALL YOUTH FIELD HOCKEY.
- WE, ONCE AGAIN, RECEIVED A \$2000 GRANT FROM THE CHAMBER OF COMMERCE THROUGH THE HARWICH 5K ROAD RACE FOR WINTER SATURDAY NIGHT OPEN GYMS AND YOUTH PICKLE BALL EQUIPMENT.
- COMPLETED PHASE 2 OF THE BROOKS PARK EXPANSION PROJECT WHICH INCLUDED 2 NEW TENNIS/PICKLE BALL COURTS AND THE COMPLETE RENOVATION OF THE CURRENT BASKETBALL COURT.
- HOSTED THE ECAC COLLEGIATE TOURNAMENT AT WHITEHOUSE FIELD.
- HOSTED ANOTHER GREAT HARWICH MARINERS SEASON AT WHITEHOUSE.
- WILL BE HOSTING OUR, EVER GROWING, SECOND ANNUAL PICKLE BALL TOURNAMENT AT BROOKS PARK THIS SEPTEMBER.
- RELOCATED LIFEGUARDS TO CAHOON BEACH FROM SAND POND.
- EXPANDED OUR ELEMENTARY SCHOOL PROGRAM PICK-UP PROGRAM. WE WILL BE OFFERING A WIDE VARIETY OF DIFFERENT PROGRAMS FOR ELEMENTARY SCHOOL STUDENTS AND WE WILL PROVIDE PICK UP EACH DAY AT THE ELEMENTARY SCHOOL. THIS FALL WE WILL BE DOING PICK-UPS ALL FIVE WEEKDAYS.
- INTRODUCTION OF A SECOND PART-TIME SUMMER PARKING ENFORCEMENT OFFICER SO THAT WE HAVE TWO OFFICERS ON DUTY ON THE BUSY SUMMER WEEKENDS.

**GOALS**

- CONTINUE TO EXPAND PROGRAMMING FOR ALL AGE GROUPS WITH AN EMPHASIS ON NON-ATHLETIC ACTIVITIES AND PASSIVE RECREATION FOR CITIZENS OF THE TOWN OF HARWICH.
- CONTINUE TO EXPLORE ADDITIONAL REVENUE SOURCES INCLUDING KAYAK/STAND-UP PADDLEBOARD SUMMER RENTALS, SALES OF BEACH T-SHIRTS, HATS ETC., SEEK A ICE CREAM VENDOR CONTRACT AS WELL AS A RED RIVER BEACH FOOD VENDOR CONTRACT.
- SEEK FUNDING FOR PHASE 3 OF THE BROOKS PARK EXPANSION PROJECT WHICH WOULD INCLUDE: ADDITIONAL PARKING, HALF BASKETBALL COURT, HALF TENNIS WALL PRACTICE COURT, PICNIC PAVILION, TENNIS COURT RE-SURFACING, AND ADA ACCESSIBLE PATHWAYS THROUGHOUT THE AMENITIES OF THE PARK.

- SEEK FUNDING FOR THE REPLACEMENT OF ALL FENCING AT WHITEHOUSE FIELD AND TO CONTINUE TO MAINTAIN AND IMPROVE ALL RECREATION PROPERTIES INCLUDING BEACHES, PARKS, FIELDS, AND MEMORIAL SQUARES.
- TO CONTINUE TO USE THE MIDDLE SCHOOL BUILDING FOR RECREATIONAL ACTIVITIES THROUGHOUT THE YEAR.

### YOUTH PROGRAM REGISTRATION NUMBERS

- FALL '14- 274 YOUTH PARTICIPANTS (10% INCREASE FROM LAST YEAR)
- WINTER '14/'15- 308 YOUTH PARTICIPANTS (NO CHANGE FROM LAST YEAR)
- SPRING '15- 241 YOUTH PARTICIPANTS (20% INCREASE FROM LAST YEAR)
- SUMMER '15 1022 YOUTH PARTICIPANTS (7% INCREASE FROM LAST YEAR)

TOTAL YOUTH PARTICIPANTS- 1845 (8% INCREASE FROM LAST YEAR)

\*\* WE ALSO HAD APPROXIMATELY 5233 PEOPLE PARTICIPATE IN OUR YEAR ROUND OPEN GYM AND GAME ROOM PROGRAM.

### ADULT PROGRAM REGISTRATION NUMBERS

- WE OFFERED A FULL SLATE OF YEAR ROUND ADULT PROGRAMS INCLUDING: OPEN TENNIS, TENNIS LESSONS, TURBO TENNIS, PICKLE BALL, MIDDLE SCHOOL PICKLE BALL, PICKLE BALL LESSONS, ADULT VOLLEYBALL, ADULT FIELD HOCKEY, MENS PICK UP BASEBALL, OVER 55 BASKETBALL, PING PONG
- WE HAD 328 ADULT PROGRAM PARTICIPANTS WHICH IS A 30% INCREASE FROM LAST YEAR.

\*\*The Harwich Recreation and Youth Commission would like to thank the Board of Selectmen, Highway Department, Police Department, Fire Department, Engineering Department, Health Department, Harbormaster, Treasury Department, Accounting Department and many others, as well as, the citizens of the Town of Harwich for their continued support.

# Harwich Cemetery Commission

Annual Report to Board of Selectmen

Monday October 26, 2015

Presented by Cynthia Eldredge, Chair

The Harwich Cemetery Commission is comprised of three appointed Harwich residence to oversee the Harwich cemeteries. We have meetings once a month usually the third Monday. The objective of the committee is to support and provide guidance to the cemetery administrator and prioritize expenditure from the lot sales revolving fund.

Over the past year we have:

- Updated the Rules and Regulations for the Harwich Cemetery Department which was approved at May 2015 Town Meeting.
- Opened the newly expanded Mount Pleasant Cemetery expansion for sales.
- Robbin Kelley, Cemetery Administrator and Paul Sweetser, Town Surveyor scanned the Harwich Center Cemetery to find possible open areas and locate where the town's first meeting place stood.
- Chip sealed the South Harwich Meeting House roadway and parking lot.
- Posted no dog signs in the cemeteries.
- Fertilized the newly expanded Evergreen Cemetery area.
- Cleared trees in Island Pond Cemetery for new lots.
- Hydroseeded and loamed areas in Island Pond Cemetery.
- Removed of dead or damaged trees in Harwich Center Cemetery, Island Pond Cemetery and Mount Pleasant Cemetery.
- Repaired the post and rails at East Harwich Methodist Cemetery after a traffic accident.
- Repaired the historic iron fencing that encloses the Brooks Lot at Harwich Center Cemetery after a traffic accident.
- The Commission has been working with Christopher Clark, Town Administrator; Town Attorney, Shirrin Everett; Tom Daly of Cemetery Helpful Solution to resolve issues with the First Congregational Church Memorial Garden.

Looking Forward:

- We have submitted a CPC article for the Historic Restoration and Preservation of the Burial Crypts.
- We are presenting a Pre-Planning Seminar Luncheon on November 5<sup>th</sup> at the Community Center.
- We are updating the website with digitized copies of the cemetery books. The files were too large and may need to be divided.
- We are working with Amy Usowski, Conservation Agent on the recovery well for the lily pond in Island Pond Cemetery.
- We are forming a committee for the design of the Veterans Circle in Evergreen Cemetery.
- We are finishing the brochures for each of the cemeteries in town. These will include a map with streets and the history of each cemetery.
- We continue to replace fence rails at the cemeteries.
- We are continuing to work on the Harwich Center Cemetery for the National Register.
- We continue to work on a resolution of Perpetual Care Funds with the Town Accountant.

Respectfully submitted,  
Cynthia Eldredge, Chair  
Wilfred Remillar  
Warren A. Nichols

LEGAL NOTICE  
TOWN OF HARWICH  
REQUEST FOR INFORMATION  
USE OF WEST HARWICH SCHOOL BUILDING

The Town of Harwich (the "Town") is seeking responses from parties interested in using the Town-owned Old West Harwich School building, located at 5 Bell's Neck Road in West Harwich, with the purpose of providing a public benefit to the West Harwich area.

Responses should be marked "West Harwich School RFI" and are due at the Office of the Town Administrator, 732 Main Street, Harwich, MA 02645 NO LATER THAN 2:00 PM ON THURSDAY, December 10, 2015. Five copies are requested for those respondents who choose to submit hard copies. Responses also may be submitted electronically to [srobinson@town.harwich.ma.us](mailto:srobinson@town.harwich.ma.us).

Further details are available at the Office of the Town Administrator at the above address or by calling to request them at (508) 430-7513 Monday from 8:30 A.M. to 8:00P.M., Tuesday through Thursday from 8:30 A.M to 4:00 P.M. and Friday from 8:30 A.M. to 12:00 Noon. Questions regarding this project shall be submitted to David Spitz, Town Planner, at (508) 430-7511.

Christopher Clark,  
Town Administrator

Central Register  
November 4, 2015

Cape Cod Chronicle  
November 5, 2015

## **Request for Information**

**USE OF WEST HARWICH SCHOOL BUILDING**

## **SECTION I INTRODUCTION**

The Town of Harwich (the "Town") is seeking responses from parties interested in using the Town-owned Old West Harwich School building, located at 5 Bell's Neck Road in West Harwich, with the purpose of providing a public benefit to the West Harwich area. Submissions shall be received no later than 2:00 p.m. on Thursday, December 10, 2015 at the Office of the Town Administrator, 732 Main Street, Harwich, Massachusetts 02645.

All potential submitters are encouraged to inspect the premises by contacting David Spitz, Town Planner, at (508) 430-7511.

## **SECTION II BACKGROUND**

The Old West Harwich School was built in 1871. It is a two story building with one large room and office, and a men's and ladies' room on the first floor and one large room, and a kitchen on the second floor. The building has not been used for some time and the windows are boarded up. The Town is committed to maintaining the historic façade of this building by seeing that it is restored to the Secretary of the Interior's Standards.

## **SECTION III POTENTIAL USES**

It is the intention of the Town to seek uses that will benefit the public and complement the surrounding West Harwich area. Potential uses identified to date are artistic, cultural or educational activities. Other uses also may be proposed.

The Town's intention is to enter into a license agreement with a potential user similar to the Town's license agreement for the South Harwich Meeting House. A copy of that agreement is available upon request from David Spitz, Town Planner.

## **SECTION IV BUILDING CONDITION**

A structural evaluation of the former West Harwich School was performed by Coastal Engineering Company in 2007. A copy of that evaluation is included in the appendices. A potential user of the property shall be responsible for restoring the historic character of the building along with any other necessary improvements.

## **SECTION V SITE REQUIREMENTS**

The Town's intention is to entertain uses that will not expand the building beyond its existing footprint. Use of the overall site shall include the following considerations:

- The submission must include sufficient parking spaces on the site to serve uses in the building and elsewhere on the property.
- Any exterior use of the property shall be secondary to use of the historic building and shall be compatible with neighboring properties.
- The site will require maintenance of an on-site septic system to serve all proposed uses on the property.

- The building and site must be compliant with the American with Disabilities Act (ADA) and local disability access laws.

Bennett Environmental Associates performed an environmental site assessment in 2010 of a possible groundwater contamination at this site migrating from a release that occurred at the Dennisport automatic coin laundry, located approximately 2,000 feet southwest of the site. The report is available from David Spitz, Town Planner, upon request. An e-mail message from Massachusetts DEP regarding the current status of the site, is included in the appendices.

## **SECTION VI INFORMATION TO BE SUBMITTED**

The Town seeks the following information from interested parties. Your responses are for informational purposes only and will not result in any contractual obligation on your part. Please note that your response will become a public record.

1. Description of use. Please describe in as much detail as practical how you propose to use the property. Describe what portions of the building and/or property you intend to use. If you propose more than one use, please describe each separate use.
2. Financial benefit/cost to the Town
  - a. Will you provide annual lease payments to the Town?
  - b. Will you pay for all operating costs associated with your use?
  - c. What type of Town services will your use require?

Please note – while final cost information is not required with this RFI, any estimates that you provide for lease details, operating costs, and cost of Town services will assist the Town in deciding whether to support your proposed use.

3. Other benefits to the Town
  - a. Does your proposed use support goals of the Harwich Local Comprehensive Plan or other approved Town plans? Please specify.
  - b. What is the need in the community for your proposed use? Please specify.
4. Impact on the neighborhood
  - a. Will your proposed use complement the West Harwich area? Will it be incompatible in any way, and how will you mitigate any potential adverse impacts?
  - b. What adverse impacts may be created for residents in the vicinity, and how will you mitigate such impacts? Please consider type of use, traffic, noise, lighting, appearance, and any other relevant impacts.
5. Ability to perform
  - a. Please describe your experience with the development and operation of your proposed use.
  - b. Please describe your financial capacity to develop and operate the proposed use.

We welcome any additional suggestions or feedback you might have as we evaluate possible future uses.

## **SECTION VII SUBMISSION**

Responses should be marked "West Harwich School RFI" and are due at the Office of the Town Administrator, 732 Main Street, Harwich, MA 02645 NO LATER THAN 2:00 PM ON THURSDAY, December 10, 2015. Five copies are requested for those respondents who choose to submit hard copies. Responses also may be submitted electronically to [srobinson@town.harwich.ma.us](mailto:srobinson@town.harwich.ma.us).

## **APPENDICES**

1. Structural Evaluation, Former West Harwich School, prepared by Coastal Engineering Company, Inc., September 20, 2007
2. E-mail message from Jan Niemiec, Hydrogeologist, MassDEP

COASTAL ENGINEERING COMPANY, INC.  
260 Cranberry Highway (Rte. 6A), Orleans, MA 02653  
www.CoastalEngineeringCompany.com  
Orleans 508-255-6511  
Provincetown 508-487-9600  
Hyannis 508-778-9600 Fax 508.255-6700

September 20, 2007

Project No. C16896.00

Menders, Torrey & Spencer Inc.  
Attn: Brian Mulligan  
123 North Washington St.  
Boston, MA 02114

RE: Structural Evaluation  
Former West Harwich School, Harwich, MA

Dear Mr. Mulligan:

Pursuant to your request and subsequent authorization, personnel from our office conducted a field investigation of the referenced property on 5/25/07 and again on 6/07/07. The purpose of this investigation was to assess the general condition of the existing schoolhouse and determine the nature and condition of the first floor, second floor, roof, and foundation systems. The following report summarizes observations noted during our investigation and presents comments and recommendations for the proposed retrofit design foundation.

## **LIMITS TO INVESTIGATION**

Due to the restricted access of the crawl space beneath the first floor framing and to existing finishes on the second floor framing, it is impossible to assess all of the existing conditions pertaining to the integrity of the floor framing and supports. While every effort has been made to employ our knowledge of standard construction techniques and established engineering principles to determine member loads, stresses, etc., it is beyond the scope of this investigation to thoroughly assess every element of the existing floor framing. Our report and as-built framing plans are therefore limited to typical conditions found in the areas observed.

## **OBSERVATIONS**

### General

The project consists of a two and one-half story federal style building. The windows and doors in the building are boarded up and the building has been vacant for some time. The siding appeared to be vinyl with an asphalt shingle roof. Based on pictures from Coastal Engineering Company, Inc. previous report dated February 9, 2001 some siding work has been done on the west side of the building. There is a limited crawl space under the building and there is a walk-up attic. The building does not appear to have any additions; however, it is evident that the building has undergone some degree of renovations over time. For the purpose of this report, the south side of the building will refer to the side that faces Route 28.

### Foundation

It appears that the foundation of the schoolhouse has had foundation repairs done at the southeast corner. There are now CMU blocks where it appears brick masonry once existed. Also by this area, under the south stairs, a lower row of bricks appears to be missing. It is likely that animals use this area to gain access into the crawl space of the building. The northwest corner of the building has had similar foundation repairs to that found on the southeast corner of the building. At the southwest corner of the building, the foundation shows signs of minor cracking and separation. On the east side of the building there is a small access way to the crawl space below the first floor.

In the crawl space at the approximate center of the building there are 5 masonry piers running the long length of the building. The piers are of approximately 15"x11" in size with a beam supporting the first floor resting atop. The spacing of the piers varies with a maximum span of approximately 8 feet 6 inches. The piers appear to be in good condition with little deterioration of the bricks. The mortar shows more deterioration than the bricks do, but appear to have good adhesion to the bricks. Also located in the crawl space is a stub wall approximately 4 feet 4 inches from the north wall, and extends from the east side of the building to approximately 18 feet out from the exterior wall. The wall consists of a 7"x7" bottom beam resting on the soil below. The beam appeared to have approximately 2 inches of deterioration on the portion of the beam in contact with the soil. The studs consist of 4"x 3" posts that align directly below and support the 1st floor joists. The studs appeared to be in good condition with little to no deterioration. There is also an approximately 3 foot by 4 foot by 3 foot deep pit in the crawl space. The pit is located directly under the interior access way to the crawl space, and is supporting the surrounding crawl space soil with 3 foot high, 8" CMU retaining walls.

### Sill

The sill appeared to be 7" x 8" lumber resting atop the masonry foundation. The sill appeared to be in good condition with little deterioration observed. The first floor joists appear to rest on top of the sill, at the north and south sides of the building. There was no visible connection between the sill and the foundation wall, at the locations viewed.

### 1<sup>st</sup> Floor

The first floor framing appeared to be 3"x 8" joists spaced approximately 19 inches on center. The joists appeared to be in good condition with little deterioration observed. The joists spanned from north to south of the building with two simple spans resting on the 7" x 8" beam that is in turn bear on the uniformly spaced masonry piers in the crawl space. There did not appear to be any bracing between the joists at any of the observed locations. There is a 30"x 24" opening in the first floor framing to allow access to the crawl space below. This opening is relatively new and is framed with newer dimensional lumber.

### 2<sup>nd</sup> Floor

The second floor framing was observed at two locations where the first floor ceiling finishes had been removed. It joists appeared to be 3"x 12" joists at 18" on center at the locations observed. The joists appeared to be in good condition with no deterioration visible on the joists that were observed. At both locations viewed there did not appear to be any bracing present between the

joists. It was also observed that some joists in the northeast corner of the building appeared to be resting on a 2x4 ledger board attached to the exterior stud-bearing wall. Most of the second floor joists are clear spans from north to south of the building. There are some joists in Multipurpose Room 1 being supported at mid span by a beam resting on 6" circular steel columns running east to west. The beam supporting the second floor in the Multipurpose Room 1 is 7"x7"x17' long and is centered in the room, this beam does not extend the entire length of the building. The posts that support the beam appear to be supported by the center beam supporting the first floor. However, it does not appear that the beam in the first floor is supported directly under the posts. There appeared to be water damage and mold present on the ceiling in Multipurpose Room 1, possibly from a ruptured water pipe.

### Attic Framing

The attic framing consists of 3"x 9" joists at 18" on center to span the length of the attic the joists were spliced at the center of the building. Along with being connected with nails the floor at this location was also supported by a board typically a 1x of various widths to the roof peak. The attic has no flooring material present and has insulation filled between the joists. There was a framed opening in the attic in which two chimneys pass through. It appeared that both brick chimneys changed to metal ductwork in the attic and exhausted out through the roof. The connection of the roof rafters to the top of the wall was not observed due to restricted access though it is believed that the connection is inadequate based on current code, this is based on knowledge of common construction practices of the time.

### Roof Framing

The roof framing consists of 3"x 8" rafters spaced approximately 30" on center. Rafters are clear span from eave to peak, with no ridge board or beam present at the peak. There was no blocking or bridging that was present in the roof rafters at the observed locations. Some insect damage was noticed and appeared to extend about 1/2" in depth into the rafters. There also appeared to be the water staining to some of the roof sheathing and roof rafters due to compromised roofing (refer to Coastal report dated February 9, 2001). The extent of the water staining and insect damage was not fully determined. Some of the roof rafters on the north east corner have been cut to allow for roof penetrations, this change from the original roof design does not appear to be adequate based on visual inspection and engineering mechanics.

## **GENERAL RECOMMENDATIONS**

Based on our preliminary observations, it appears that the structure is in need of structural repair and overall general upkeep repairs along with reinforcing required to conform with current code. The following repairs and evaluations are suggested.

- Foundation and interior masonry piers should be repainted, and repaired as needed.
- Based on Coastal Engineering Company, Inc. previous report dated February 9, 2001 foundation does not have adequate ground penetration or bearing capacity.
- First floor live loading should be limited to 44psf, which is equivalent to typical residential home loading. This loading can be increased by properly reinforcing the first floor beam and joists. This loading is also assuming that the second floor beam is replaced with one coming down at proper support locations.
- All second floor joists should be reinforced/supported as close to mid span as possible. It is suggested to place a beam at the location of the current beam in Multipurpose Room 1, but the new beam should span from the west exterior wall to the inner wall by the chimney. The beam should then continue to the east exterior wall. There appeared to be a masonry pier next to the chimney that may support a column for the new beam.

- The second floor joist resting on the 2x4-ledger board should be better secured to the exterior wall. It is recommend replacing the existing ledger board with a larger one and attaching the joists flush with the new ledger board with joist hangers.
- Second floor loading should be limited to 38psf, which is equivalent to typical loading of a bedroom. This can be increased to 60psf if a properly sized new beam is installed to support all of the 2nd floor joists at mid span. This is equivalent loading to offices or library reading rooms. Reinforcing the floor joists can further increase load capacity of the 2nd floor.
- Attic loading is limited to approximately 10psf live load to limit deflection. Current code requires an attic space of this type found in the west school to have a minimum live load capacity of 20psf. In order to achieve this minimum capacity, reinforcing of the joist would be required.
- Roof rafters appear to be adequate for current snow loading prescribed by code. But should be reinforced with collar ties, and hurricane straps.
- Vertical ties in roof system need to be reinforced to limit attic deflection.
- New roof shingles should be installed to minimize water damage to the roof system.
- At time of roofing, connection should be verified and condition of connection determined of roof sheathing to roof rafters.
- Siding should be removed from a section of the building to expose any previous siding, and exterior sheathing to determine the condition of the underlayment.

## CONCLUSION

The Harwich West School, although needing structural augmentation, is in good condition. Since the building is not in use at present, the framing does not need to be reinforced at this time. If the building is opened for use, then it is recommended that screw jack lallies with new footings be used between the current supports of the main wood beam supporting the first floor. We also recommend that the second floor use be limited to small groups of 50 or less at a time until the joists are reinforced/mid span support is added for the length of the building. The roof should be reshingled to prevent any further water damage to the building. Minor foundation repairs are needed, mainly consisting of repointing of interior brick piers and brick replacement under the front entrance. Of course, since this building has been abandoned for some time, several other architectural and building technologies improvements will be needed before opening.

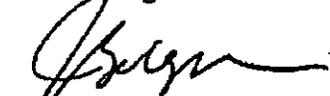
Please contact us if you have any questions concerning the above report.

Very truly yours,

**COASTAL ENGINEERING CO., INC.**

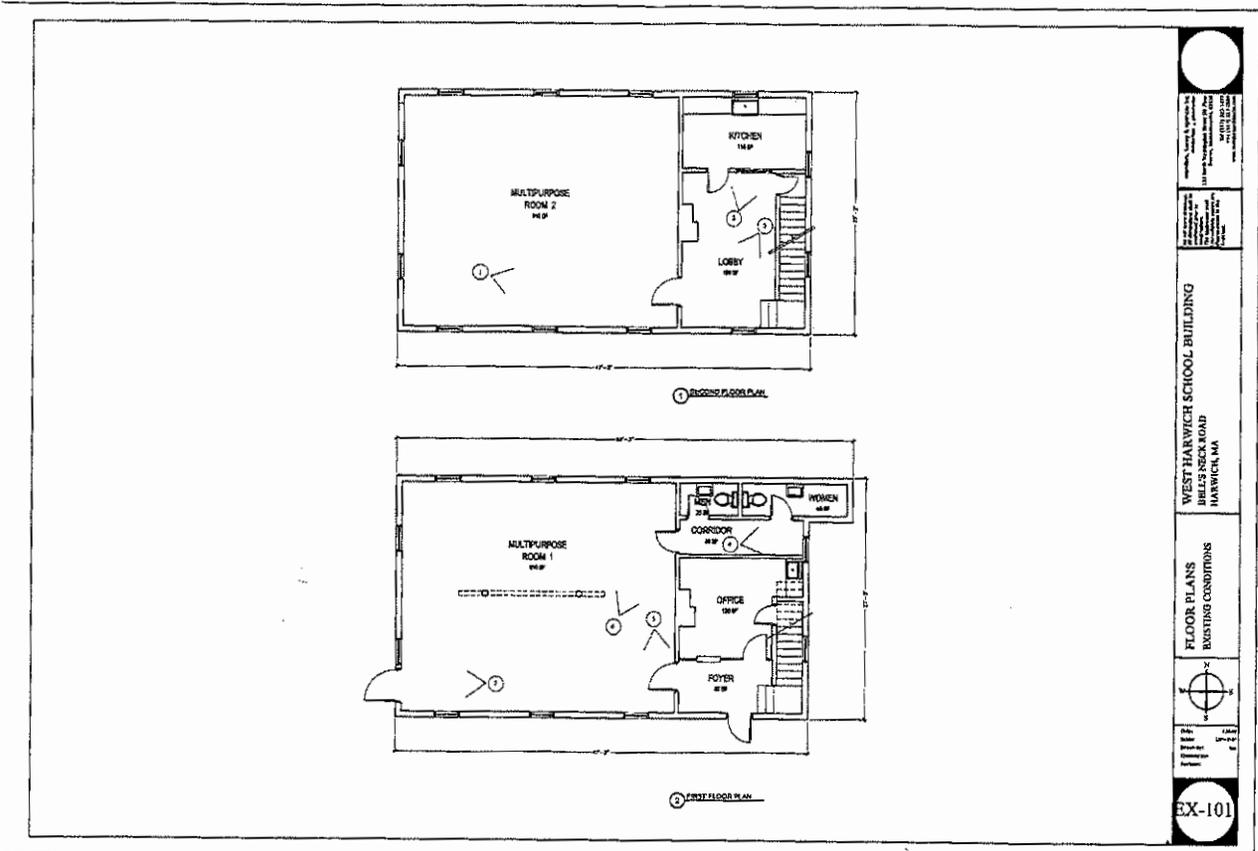


Jon Downing E.I.T.



John A. Bologna P.E.

JMD/dlb





<http://public.dep.state.ma.us/fileviewer/Rtn.aspx?rtn=4-0013326>

The link, above, is to the webpage in the MassDEP sites database that pertains to the Bell's Neck property investigations.

As you will see, there is only one file under the "Electronically Submitted Files" tab. This is because the work was performed prior to the full implementation of MassDEP's electronic record keeping system. It was not until 2009 that LSPs were required to only submit their work electronically. MassDEP prior to that had kept paper files, and once the electronic system was up and running, began the long process of scanning and uploading older files. So – to view the older files, click on the Scanned Files tab, then, click on the "Submit Date" column of the table of records and all records will be presented in the order in which they were submitted. The Release Tracking Number (RTN) for this site is RTN 4-0013326.

As you are aware, this site came to MassDEP's attention after routine water supply testing of a deep well that served the residences on the property tested positive for chlorinated volatile organic compounds (cVOCs) including some that are typically used in dry cleaning operations. Investigations were required to determine whether the contamination originated on site, or came from an upgradient source. Shallow groundwater was the issue: if it also were contaminated at the Bell's Neck property, this would suggest an on-site source. If it were only found at depth, however, that would provide evidence of an upgradient (in terms of groundwater flow) source.

Wells were installed at different depths on the subject property and tested for contamination. Briefly, results indicated that the contamination was found at depth only. This work was performed under an IRA Plan, a Supplemental IRA Plan, and results reported in an IRA Completion Report. Because the evidence pointed to an upgradient, rather than on-site source at the Bell's Neck property, a Downgradient Property Status Opinion was filed pointing to potential upgradient sources.

Meanwhile, a greater area of the aquifer underlying Harwich and Dennisport was under similar investigations by MassDEP, and the data found in this much larger area dovetailed with the data and conclusions reached for the Bell's Neck Property. This is all described and contained in the 3/31/2003 submittal of the Harwich PCE/TCE Study Area Site Investigation Report. Figure 3 of this report presents a cross sectional view of the aquifer, which indicates the presence of cVOCs as not being present at the Bell's Neck Road area in shallow groundwater. Figure 4 presents the groundwater contours, flowing approximately to the northeast from the apparent source area in Dennisport. The plume of cVOCs flowing through the aquifer at that time appeared to be, appropriately, shallower at its point of origin, deeper as it proceeded toward the Bass River, where it appears to rise to the discharge to the river. Also, as you are aware, the contaminated deeper well at the Bell's Neck property has been abandoned, and water is now supplied from the Town's municipal system.

I hope the preceding is sufficiently clear – any questions, please give me a call.

Jan Niemiec, Hydrogeologist  
MassDEP 20 Riverside Drive, Lakeville, MA 02347  
(508) 946-2841 PHONE / (508) 947-6557 FAX

**Employment Agreement**  
**Between**  
**Andrew Gould, Finance Director / Town Accountant**  
**And**  
**The Town of Harwich, Massachusetts**

This Agreement is made and entered into on this 2nd day of March, 2015, by and between the Town of Harwich ("Town") a municipal corporation, acting through its Board of Selectmen (the "Board"), and Andrew Gould, Finance Director / Town Accountant, both of whom agree to and understand the following:

WHEREAS, the Town desires to employ the services of Andrew Gould as the Town Accountant of the Town from **April 6, 2015, through April 6, 2018** and also to serve as Finance Director from **April 6, 2015 through April 6, 2018**; and

WHEREAS, the Board has appointed Andrew Gould to be its Town Accountant in accordance with the provisions of the Harwich Home Rule Charter, effective **April 6, 2015** and appointed Andrew Gould to be its Finance Director in accordance with the provisions of the Harwich Home Rule Charter, effective **April 6, 2015**; and

WHEREAS, it is the desire of the Town to establish certain conditions of employment and working conditions for the Finance Director/Town Accountant; and

WHEREAS, the Town and the Finance Director/Town Accountant acknowledge the provisions of the Harwich Home Rule Charter, local bylaw and State law with respect to the duties and obligations of the Town and the Finance Director/Town Accountant, as the same may change from time to time, including, but not limited to M.G.L. Ch. 41, Sec. 55 , and

WHEREAS, the Town and the Finance Director/Town Accountant desire to enter into an employment contract;

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties agree as follows:

**Section 1 – Duties**

The Town hereby agrees to employ the Finance Director/Town Accountant to perform the functions and duties specified in the Harwich Home Rule Charter and Massachusetts General Law, Ch.

41. The daily financial oversight of the Town shall be the responsibility of the Finance Director/Town Accountant. The Finance Director/Town Accountant shall have all the authority and powers granted to him in accordance with the provisions of the Harwich Home Rule Charter and M.G.L. Ch.41, Sec. 50 through Sec. 61.

The Finance Director/Town Accountant shall serve as the Chief Financial Officer of the Town, and shall be responsible for authorizing payment of bills, examination, and oversight of all the Town's financial operations. The duties of the Finance Director/Town Accountant shall include but are not limited to the following:

- A. Examine all bills, drafts, orders, and pay rolls related to appropriations, and if found correct, the Accountant shall draw a warrant upon the treasury for payment.
- B. Keep a complete set of books, which shall include all the amounts of each specific appropriation, the amounts and purpose of each expenditure, the receipts from each source of income, the amount of each assessment levied, and the abatements made, in a form prescribed by the Director of Accounts, pursuant to the provisions of Section 43 of Chapter 44.
- C. Distribute monthly statements of account balances to all departments, boards and commissions having appropriations against which drafts may be presented.
- D. Maintain custody of all contracts of the Town, and a register of the sureties on all bonds of indemnification given to the Town.
- E. Keep a detailed record of the Town debt, showing the purpose for which it was incurred, when incurred, when due, the rate of interest, and the provisions made for the payment of the debt.
- F. Prepare an annual report covering the financial transactions of the Town.
- G. Examine the books and accounts of all Town officers and committees entrusted with the receipts, custody, or expenditure of money, and all original bills and vouchers upon which money has been paid from the treasury.
- H. Review and reconcile actual treasury balances, as presented by the Treasurer, with the record of appropriation, revenue collection and expenditure.
- I. Prepare regular revenue and expenditure projections for the Board of Selectmen, Town Administrator, the Finance Committee and department heads.
- J. Assist the independent auditor with the conduct of the annual audit.

## Section 2 – Term

The term of this Contract will be from April 6, 2015 through April 6, 2018. It shall remain in force and effect after that, until a successor agreement is reached.

The Board shall authorize the Town Administrator to commence contract renewal negotiations with the Finance Director/Town Accountant at least six months prior to the expiration date of this Contract.

Nothing in this Agreement shall prevent, limit, or interfere with the right of the Finance Director/Town Accountant to resign at any time during the term of this Agreement. In the event the Finance Director/Town Accountant decides to resign, he will provide the Town with thirty (30) days notice unless the parties otherwise agree. In the event the Finance Director/Town Accountant decides to retire, he will provide the Town with ninety (90) days notice unless the parties otherwise agree.

The Finance Director/Town Accountant is appointed in accordance with Section 3-6-1 of the Harwich Home Rule Charter. The Finance Director/Town Accountant may be removed only for just cause by the Board after a hearing.

In the event the Finance Director/Town Accountant's employment is terminated by the Board before the expiration of the then applicable term of employment, other than for just cause, the Town agrees to pay the Finance Director/Town Accountant a lump sum cash payment equal to sixty (60) days of annual base salary on his last day of employment with the Town. These payments shall be in addition to any other wages or benefits, such as any accrued but unused vacation time, to which the Finance Director/Town Accountant. This provision shall survive the termination of this agreement.

## Section 3 - Suspension and Termination

- A. The Finance Director/Town Accountant may be disciplined or discharged only for just cause, upon proper notice and only after a hearing at which he shall have the right to be represented by counsel at his expense. The Finance Director/Town Accountant shall have the option of choosing whether or not any such hearing shall be closed to the public or be held as an open or public hearing. The principle of progressive discipline will apply and the Board recognizes the Town Administrator's obligation to provide the Accountant with periodic performance evaluations.

- B. The Finance Director/Town Accountant may appeal any discipline or discharge to the district court or to the superior court, each of which shall have jurisdiction to review whether any discipline was proper and may order reinstatement of the Finance Director/Town Accountant if the allegation that he has been improperly discharged or disciplined is sustained.
- C. In the event of the suspension or discharge of the Finance Director/Town Accountant, if the court shall reverse or modify a suspension or discharge, the Finance Director/Town Accountant, notwithstanding Sections A through C above, shall be entitled to back pay, benefits and counsel fees.

#### **Section 4 – Disability**

The Town recognizes its obligations under M.G.L. c.152, (Workers Compensation) in the event that the Finance Director/Town Accountant is injured while at work, or as a result of work-related activity.

The Town acknowledges the Finance Director/Town Accountant's rights in addition to the benefits granted herein, to the rights provided by the law, under the Family Medical Leave Act of 1993 and other applicable Federal and State statutes. Should there be a conflict within this Section and the Family Medical Leave Act of 1993, the provisions of the Federal law shall prevail.

#### **Section 5 – Compensation**

The Town agrees to compensate the Finance Director/Town Accountant at the annual rate of \$120,000 commencing April 6, 2015. Cost-of-living increases will be applied, contingent on other employee contracted unions obtaining said increases. The Town agrees that it shall not, at any time during the term of this Contract; reduce the salary, compensation or other benefits of the Finance Director/Town Accountant, except to the extent that such reduction is evenly applied across-the-board for all employees of the Town of Harwich.

Two thousand dollars per contract fiscal year will be deposited into the Finance Director/Town Accountant's 457 retirement account at the end of each fiscal year covered by this contract. For FY 15, the amount to be deposited will be prorated to five hundred dollars (\$500.00).

### **Section 6 - Hours of Work**

The Finance Director/Town Accountant agrees to devote that amount of time and energy, which is reasonably necessary for the Finance Director/Town Accountant to faithfully perform the duties of Town Finance Director/Town Accountant under this Contract.

The Finance Director/Town Accountant's work week shall ordinarily consist of a four-day week, Monday through Thursday, of thirty-five (35) hours, in addition to evening and/or weekend hours that may be necessary from time to time in order to properly discharge his duties. The four-day work week will be for a six (6) month trial period only to facilitate transition out of the Town of Salisbury and will be revisited by the Board of Selectmen and the Finance Director/Town Accountant in six (6) months.

### **Section 7 - Leave Policy**

The Finance Director/Town Accountant will be entitled to fifteen (15) days of paid vacation for the first year and subsequently twenty (20) days the following fiscal years of the contract. A maximum of two (2) weeks vacation may be carried over to the following year, subject to approval by the Town Administrator.

The Finance Director/Town Accountant will accrue one and one quarter (1¼) days of sick leave per month. With prior approval, the Finance Director/Town Accountant may borrow sick leave up to a maximum number of days available under the remaining period of the contract. Once all sick leave has been used, the Finance Director/Town Accountant will be required to use his vacation time or request an unpaid family medical leave if additional time is required. See also Section 4.

The Finance Director/Town Accountant will be entitled to Bereavement Leave without loss of pay for the death of; a spouse, parent, child or grandchild for a period of seven (7) calendar days, a brother, sister, mother-in-law, father-in-law for a period of three (3) days, a grandparent, aunt, uncle or cousin for a period of one (1) day.

Extension of Bereavement Leave may be granted by the Town Administrator if such request is based upon special conditions.

The Finance Director/Town Accountant may accrue up to a maximum of 200 days of sick leave.

### **Section 8 - Disability, Health, and Life Insurance**

- A. The Town agrees to provide the Finance Director/Town Accountant with the same group health and life insurance benefits available to the other municipal employees in conformity with the provisions of M.G.L. Ch. 32B.
  
- B. Death during term of employment. If the Finance Director/Town Accountant dies during the term of his employment, the Town shall pay to the Finance Director/Town Accountant's estate all the compensation which would otherwise be payable to the Finance Director/Town Accountant up to the date of his death, including, but not limited to, payment for any unused leave days.

**Section 9 - Retirement Benefits**

The Finance Director/Town Accountant shall be eligible to participate in the Barnstable County Retirement System. Upon retirement, the Finance Director/Town Accountant will be entitled to receive payment at his current wage scale for any unused vacation time.

**Section 10 - Holidays**

The Finance Director/Town Accountant shall be entitled to the same holidays granted to the other municipal employees under the By-laws of the Town of Harwich. Said holidays include:

- |                             |                            |
|-----------------------------|----------------------------|
| New Years Day               | Labor Day                  |
| Martin Luther King, Jr. Day | Columbus Day               |
| Presidents Day              | Veterans Day               |
| Patriots Day                | Thanksgiving Day           |
| Memorial Day                | the day after Thanksgiving |
| Independence Day            | Christmas Day              |

**Section 11 - Outside Employment**

The Finance Director/Town Accountant must receive prior written approval from the Town Administrator to undertake any outside employment.

### **Section 12 - Professional Development**

The Town hereby agrees to budget for and to pay the reasonable travel and subsistence expenses of the Finance Director/Town Accountant for professional development, to include, but not limited to: multi-day conferences, short courses, seminars, and meetings that are necessary for his professional growth for the good of the Town, subject to the availability of appropriated funds for such expenses.

### **Section 13 - Dues and Subscriptions**

The Town agrees to budget and to pay for all the professional dues and subscriptions for the Finance Director/Town Accountant necessary for his continuation and participation in national, regional, state and local associations and organizations necessary and desirable for his continued professional participation, growth and advancement for the good of the Town, subject to the availability of appropriated funds for such expenses.

### **Section 14 - Indemnification**

- A. The Town shall defend, save harmless and indemnify the Finance Director/Town Accountant against any tort, professional liability claim or demand or other legal action, whether groundless or otherwise, arising out of an alleged act or omission occurring in the performance of the Finance Director/Town Accountant's duties. The Town will compromise and settle any such claim or suit and pay the amount of any settlement or judgment rendered thereon, in accordance with Sections B and C below.
- B. The Town agrees to provide professional liability insurance for the Finance Director/Town Accountant in the amount of not less than one million dollars (\$1,000,000.00) per occurrence, to provide legal counsel in defense of any action to which the Finance Director/Town Accountant is a party, to indemnify the Finance Director/Town Accountant in all claims made against him in the performance of his duties and to continue such indemnification and legal defense in all claims made against him in the performance of his duties even if said claim has been made following his termination from employment.

C. In addition to its obligations under Section B above, the Town agrees to indemnify the Finance Director/Town Accountant for any claim not available from or in excess of what insurance may provide. However, the employer's obligation under this section shall be limited to affirmatively presenting this claim to Town Meeting and supporting its passage as a Town Meeting appropriation and is contingent upon such appropriation. Further, the Town's total indemnification shall be limited to a total of \$1,000,000.00 unless a greater amount should become available from the Town's insurers, and shall not apply to any violation of any person's state or federal civil rights if the Finance Director/Town Accountant acted in a grossly negligent, willful or malicious manner. This section shall survive any termination of this agreement.

#### **Section 15 - Performance Evaluation**

The Town Administrator shall review and evaluate the performance of the Finance Director/Town Accountant on a formal basis annually under the terms and conditions of this Agreement. Said review and evaluation shall include, but not be limited to: (1) the Finance Director /Town Accountant's progress and performance on goals and objectives (2) Budgetary/Financial Administration; (3) Personnel Administration; (4) Supervisor/Leadership; (5) Staff Development; (6) Public Relations; (7) Employee and Labor Relations; (8) Policy Execution; and (9) Interaction with the Board as well as other governmental officials, departments, boards, and committees.

The Town Administrator shall provide the Finance Director/Town Accountant with a written evaluation report based on the forgoing elements and any others which might be mutually agreed upon after each formal review and evaluation. The Board shall provide the Finance Director/Town Accountant with an opportunity to discuss his review and evaluation with them in a workshop session.

#### **Section 16 - Use of Vehicle**

The Finance Director/Town Accountant agrees to use his personal vehicle for the business of the Town. The Town agrees to reimburse the Finance Director/Town Accountant at a rate per mile consistent with that rate reimbursed to other employees of the Town based upon the Internal Revenue Code (currently \$.575 per mile), plus parking and tolls, subject to submittal of a signed voucher detailing expenses and requesting reimbursement.

**Section 17 - Residency**

The Finance Director/Town Accountant shall not be required to maintain a permanent residence in the Town of Harwich.

**Section 18 - Notices**

Notices pursuant to this Agreement shall be given by deposit in the custody of the U.S. Postal Service, postage prepaid and addressed as follows:

|       |                    |                    |
|-------|--------------------|--------------------|
| Town: | Board of Selectmen | Andrew Gould       |
|       | Harwich Town Hall  | Town Accountant    |
|       | 732 Main Street    | Town Hall          |
|       | Harwich, MA 02645  | 732 Main Street    |
|       |                    | Harwich, Ma. 02645 |

**Section 19 - Severability of Provisions**

If any clause or provision of this Agreement shall be determined to be invalid, unenforceable, unconstitutional or illegal by a court of competent jurisdiction, the remainder of this Agreement shall not be affected thereby.

**Section 20 - General Provisions**

This agreement shall become effective upon signing by both parties. This Agreement may be modified or amended at any time by written mutual agreement of the parties.

**Section 21 - Entire Agreement**

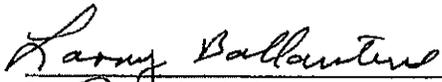
This agreement embodies the whole Agreement between the Board and Andrew Gould and there are no inducements, promises, terms, conditions or obligations made or entered into by either party other than those contained herein. The Laws of the Commonwealth of Massachusetts will govern the Agreement.

IN WITNESS WHEREOF, the Town of Harwich, MA has caused this Agreement to be signed and executed on its behalf by its Board of Selectmen and Andrew Gould have signed and executed this Agreement, both in duplicate, the day and year first above written.

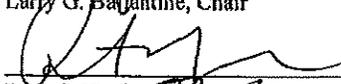
Approved this 2<sup>nd</sup> day of March, 2015 by -

Board of Selectmen:

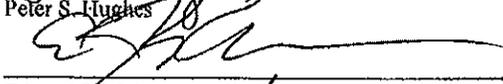
Andrew Gould, Finance Director/Town Accountant



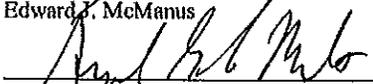
Larry G. Ballantine, Chair



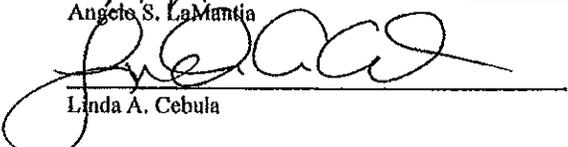
Peter S. Hughes



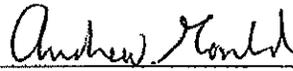
Edward J. McManus



Angela S. LaMantia



Linda A. Cebula



**TOWN OF CHATHAM  
RULES AND REGULATIONS  
OF THE  
SEWER DEPARTMENT**

**ADOPTED:** Under Article 57 of the March 15, 1972, Annual Town Meeting

**REVISED:** Under Article 33 of the May 11, 2004, Annual Town Meeting, Article 21 of the May 9, 2005, Annual Town Meeting, Article 35 of the May 12, 2008, Annual Town Meeting, Article 9 of the August 27, 2012, Special Town Meeting, Article 3 of the October 7, 2013 Special Town Meeting and Articles 29 & 42 of the May 12, 2014 Annual Town Meeting.

An ordinance regulating: the use of public and private sewers and drains; the installation and connection of building sewers; the discharge of water and wastes into the public sewer system(s); and providing penalties for violations thereof, in the Town of Chatham, County of Barnstable, Commonwealth of Massachusetts.

**Purpose**

The purpose of the Rules and Regulations of the Sewer Department of the Town of Chatham are:

- a) To establish the technical and administrative procedures for making connections to the sanitary sewer system including standards of materials and design;
- b) To establish requirements, restrictions, and controls on the quantities and quality of what may be discharged to the sanitary sewer system; such as discharges that may:
  - 1. Interfere with the operation of the sewer system, pump station or publicly owned treatment works (POTW) in any way;
  - 2. Pass through the POTW, to the groundwaters, inadequately treated effluent that may cause contravention of standards for these waters or surface waters or cause violation of the POTW's Groundwater Discharge Permit (GWDP) or negatively impact the watershed into which treated effluent is discharged;
  - 3. Reduce the opportunity to reclaim or recycle treated wastewater and/or sludge from the system;
  - 4. Increase the cost or otherwise hamper or limit the disposal of sludges and other residuals;
  - 5. Endanger municipal employees or the public;
  - 6. Cause, directly or indirectly, any public nuisance condition;
- c) To prevent new sources of inflow and infiltration and eliminate private source inflow;
- d) To provide for equitable distribution to all users of the POTW, all costs associated with the collection, transmission, treatment, and residuals disposal, and to provide for the collection of such costs; and

- e) To provide for the orderly planning of sewer systems' and treatment systems' components to improve the health and environmental quality of the Town of Chatham and its people and resources.

The following rules and regulations are a part of the contract with every person who discharges water and waste into the Town of Chatham Sewer System, and governs the relationship between the Sewer Department and its consumers, contractors and/or developers, and all other persons who install sewers, discharges wastewater, is connected into the sewer system or applies for a connection to the sewer system.

### **Modifications**

Modifications, additions to or rescinding of these Rules and Regulations may take place from time to time as authorized by a Town Meeting as required by Massachusetts General Laws, Chapter 83, Section 10.

The aforesaid Rules and Regulations and all of the Previous Amendments shall be deemed to be valid and in full force and affect; and

Notwithstanding anything to the contrary which may be contained therein, all further amendments, changes, modifications, revisions, additions, or rescission of the aforesaid Rules and Regulations and Previous Amendments shall not be valid without the approval and authorization of a majority vote of Town Meeting.

Or take any other action in relation thereto.

**TOWN OF CHATHAM  
RULES AND REGULATIONS  
OF THE SEWER DEPARTMENT**

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## Young, David F.

---

**From:** Young, David F.  
**Sent:** Monday, October 19, 2015 7:39 PM  
**To:** Peter de Bakker (debakker.peter@gmail.com); Heinz Proft (hproft@town.harwich.ma.us); Bob Cafarelli (rcafarelli@town.harwich.ma.us); Chris Harlow (harlow515@hotmail.com) (harlow515@hotmail.com); Allin Thompson (allinthompson@comcast.net); Dannette Gonsalves (dgonsalves2@comcast.net); Jeremy (jeremy@harwichcc.com); Dan Pelletier (dpelletier@harwichwater.com)  
**Cc:** Michael MacAskill; Ann Howe; Chris Clark (cclark@town.harwich.ma.us); Larry Ballantine (larryballantine@yahoo.com); NDonahue (ndcape@comcast.net)  
**Subject:** FW: Capital Outlay Committee Forms - Summary

Here is the capital outlay summary that was submitted.

### Overview of Wastewater Requests:

#### FY2017

- \$250 K for acquiring an effluent recharge site for Pleasant Bay watershed area. (place holder)
- \$2.5 Million for initial phase design of Pleasant Bay/ East Harwich sewer system
- \$3.0 Million for "buy-in costs to Chatham WWTP (estimated 1/3 payment of total \$9.2 estimate (CWMP Cost value)

#### FY 2018

- \$500K for Hinckley's Pond restoration
- \$200K for design of Cold Brook natural nitrogen attenuation program

#### FY 2019

- \$3.0 Million for Harwich share of pumping station and forcemain construction in Chatham to convey East Harwich wastewater proportional share
- \$19.8 Million for construction of initial phase sewers in East Harwich

#### FY 2020

- \$1.8 Million for construction of Cold Brook natural nitrogen attenuation program

#### FY 2021

- \$350K for evaluation and restoration of Seymour Pond
- \$3.0 Million for connection cost to Chatham wastewater plant (estimated 1/3 payment)

#### FY 2022

- \$810K for second phase sewer system design in East Harwich

# MEMO

TO: Christopher Clark, Town Administrator  
FROM: Sandy Robinson, Admin. Secretary  
RE: Gift Accounts  
DATE: October 26, 2015

As of October 26, 2015 the total amounts received for the Albro House Gift Account and the Saquatucket Demolition/Beautification Gift Account are as follows:

- Albro House \$1,732
- Harbor Demolition/Beautification \$3,850

**From:** Lincoln Hooper [<mailto:highway@cape.com>]

**Sent:** Wednesday, October 21, 2015 9:22 AM

**To:** Ann Steidel <[asteidel@town.harwich.ma.us](mailto:asteidel@town.harwich.ma.us)>

**Cc:** Christopher Clark <[cclark@town.harwich.ma.us](mailto:cclark@town.harwich.ma.us)>; Charleen Greenhalgh <[cgreenhalgh@town.harwich.ma.us](mailto:cgreenhalgh@town.harwich.ma.us)>

**Subject:** Re: Items from Monday's Selectmen's meeting

Hi Ann,

Please see the email below I sent to Peter, cc'd to Chris, yesterday. Thanks,

Link

From: "Lincoln Hooper" <[highway@cape.com](mailto:highway@cape.com)>

Sent: Tuesday, October 20, 2015 10:50 AM

To: "Peter Hughes" <[Phughes41@comcast.net](mailto:Phughes41@comcast.net)>

Cc: "Mike Glynn" <[mikeglynn@comcast.net](mailto:mikeglynn@comcast.net)>; "Francis Salewski" <[fransalew@aol.com](mailto:fransalew@aol.com)>; "Chris Clark" <[cclark@town.harwich.ma.us](mailto:cclark@town.harwich.ma.us)>; "Chris Nickerson" <[cnickhighway@comcast.net](mailto:cnickhighway@comcast.net)>

Subject: Fw: Board of Selectmen meeting

> Hi Peter,

>

> I hear the Bike Committee was before the Board last night saying nice things

> about us (obviously lying - LOL).

>

> I wanted to advise you that I have contacted our line painter to refresh all

> the lines on the OCRT and paint new stop bars at some of the more dangerous

> road crossing at his convenience. Chris Nickerson has not had time to

> inspect the root damage yet as he has been busy doing private road

> inspections and is paving this and next week. Once he inspects and obtains

> estimates from contractors I will discuss potential funding options with the

> Administrator. This will most certainly have to be spring work as hotmix

> plants typically close around Thanksgiving. Please contact me should you

> have any questions regarding these matters.

>

> Link

>

> -----

> From: "Mike Glynn" <[mikeglynn@comcast.net](mailto:mikeglynn@comcast.net)>

> Sent: Tuesday, October 20, 2015 8:20 AM

> To: "Hooper Lincoln" <[highway@cape.com](mailto:highway@cape.com)>

> Subject: Board of Selectmen meeting

>

>> Hi Link. Last night Fran and I were at the BOS meeting - annual committee

>> presentation. Fran was very complimentary to DPW and you guys for all they

>> do. During discussion, Hughes asked about the distance markings fading

>> away. We said we had already asked you for help here. He also asked about

>> repair on the root damage showing up in some places. We similarly

>> mentioned we had been in communication with you on that (I said this might

>> take some money).

>> Hughes said he would have you come to the BOS some time to discuss bike

>> trail stuff. So consider this a 'heads up.'

>> Thanks again for all your help.

>>

>> Mike

>>

>> Mike Glynn

>> Sent from my iPad=

>

**From:** Ann Steidel  
**Sent:** Wednesday, October 21, 2015 8:55 AM  
**To:** Link Hooper  
**Cc:** Christopher Clark ; Charleen Greenhalgh  
**Subject:** Items from Monday's Selectmen's meeting

Link,

The following came out of this Monday's BOS meeting:

1. The Board would like the schedule on the redo of the mile markers on the bike path (came out of meeting with Bikeways committee)
2. The would like any plans for maintenance of trails (came out of meeting with Trails committee)
3. Put a line item in your budget for trails maintenance

Thanks –

Ann

*Ann Steidel  
Administrative Secretary  
Board of Selectmen/Town Administrator's Office  
Town of Harwich  
732 Main Street  
Harwich, MA 02645  
Phone 508-430-7513 x2  
Fax 508-432-5039*

Jay Mahoney  
30 Leslie Lane  
Harwich Port, MA 02646  
(508)-432-4132  
[jay02646@yahoo.com](mailto:jay02646@yahoo.com)



October 12, 2015

Mr. Peter Hughes  
Harwich Board of Selectmen  
732 Main St.  
Harwich, MA 02645

Dear Mr. Hughes,

I am writing with regard to the attached article which appeared recently in the Cape Cod Times. The article describes an ordinance passed by the Barnstable Town Council dealing with plight in their community. Here in Harwich, we are faced with similar problems.

In traveling through the town I have come across the following properties that can best be described as "EYESORES":

- The house on Pleasant Lake Road that was badly in need of a clean-up before it burned down
- The house at the corner of Route 137 and Queen Anne Road
- The house at the corner of Queen Anne Road and Baker St.
- The house at the corner of Queen Anne Road and Samuel's Path
- The house next to 463 Main St., A/K/A Kelly St.
- Several houses on Great Western Road

I'm sure that you have witnessed many other properties with similar untidy and neglected appearances.

I would suggest that the Board of Selectmen seriously consider a similar ordinance to deal with these types of situations.

Sincerely,

A handwritten signature in cursive script that reads "Jay Mahoney".

Jay Mahoney

# Council tackles problem properties

Homeowners must keep properties free of unsightly debris

By Geoff Spillane  
gspillane@capecodonline.com

HYANNIS — The Barnstable Town Council on Thursday sent a strong message to building and homeowners: Keep your yards tidy or face the consequences.

The council unanimously approved an ordinance that would eliminate nuisances on properties such as trash, debris and stagnant pools of water that would cause blight within neighborhoods and commercial areas. Councilors believe the ordinance will protect the health and safety of town residents. Violators could be fined

or receive a court summons.

A version of the ordinance was first approved in 2013 for a two-year trial period that expired in June. It has been slightly amended and will take effect Nov. 1 with no expiration date.

Councilors Jennifer Cullum and Ann Canedy sponsored the ordinance.

"This will force owners to respect their properties, especially rental units where tenants often don't care about maintenance," Cullum said. "It also helps people who want to enjoy their own, well-maintained homes, because it's not fair if they have to be subject to neglected properties in their neighborhoods."

The ordinance prohibits items such as furniture, appliances, bedding and plumbing

fixtures from being kept outside for more than seven days, while all other personal property can only be kept outside for 15 days. The council passed a separate ordinance on Thursday requiring that unregistered motor vehicles, boats or trailers must be screened from public view or garaged.

Richard Scali, director of regulatory services for the town of Barnstable, said that enforcement of the two ordinances will be complaint-driven and that town personnel will not be proactively looking for violations.

"For some people it's a life-style issue," he said. "And in some circumstances it's neglect."

Scali said the public health division will respond to complaints and advise the property

owner or tenant if there is a violation. If the issue is not resolved within the mandated time period, a \$100 citation will be charged. Non-payment will result in a referral to the court system.

Deb Nugnes of Hyannis spoke in support of the ordinances at a council meeting in September.

The Lantern Lane resident said that when she purchased her home in 1999, it was adjacent to a well-kept vacation cottage colony with a pool that was not visible from her property because of a fence. Years later, the property was sold and the cottages rented out as subsidized housing, the fence removed and the pool filled in, she said.

"It's horrific," she said. "I've seen abandoned cars,

unregistered vehicles, trash, trailers overflowing with scrap metal and even a mobile home with people living in it."

Nugnes, who is a gardener and says she takes good care of her property, said that she called for an inspection of the problem property. It was cleaned up after the inspection but was a mess a week later, she said. She also said that the property owner refused to reinstall a fence.

Her young daughter did not want to have a birthday party at the house because she was embarrassed for her friends to see the mess next door.

While Nugnes believes the ordinance will benefit property owners with similar problems, it may be too late for her family.

SEE COUNCIL, A8

## COUNCIL

From Page A3

"I'm still feeling the need to sell and get the hell out of there," she said. "Even if the mess isn't there, the disruptive tenants are still there."

Hyannis resident and businesswoman Andi Carole spoke in support of the ordinance on Thursday evening, telling the councilors about unkempt properties in her

neighborhood, including an incident where a neighbor shooting a gun at beer cans sent a bullet through her kitchen window.

"A major problem is that housing agencies put people in houses that are ill-equipped to take care of the property," she said on Friday.

In other business, the council approved a \$450,000 rehabilitation and renovation of the 1920s-vintage Craigville Beach bathhouse, with completion expected by

next Memorial Day.

In addition, the council approved the appropriation of \$35,000 for monitoring wells to determine the extent of lead contamination at the closed shooting range on conservation land in West Barnstable. It delayed a vote on a land swap of the property with municipal property on Breed's Hill Road until the council meeting on Jan. 7.

— Follow Geoff Spillane on Twitter: @GSpillaneCCT



# 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

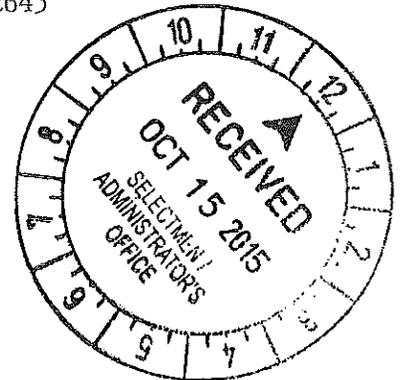
### MEMORANDUM

**TO:** Chris Clark, Town Administrator

**FROM:** Lincoln Hooper, Traffic Safety Clerk *LH*

**DATE:** October 14, 2015

**RE:** Recommendations for Requesting Road Safety Audit



---

At a meeting of the Traffic Safety Committee on October 7, 2015, the Committee unanimously voted to recommend that the Town of Harwich request a Road Safety Audit of the Route 39 / Pleasant Bay Road intersection through the Cape Cod Commission. Given the crash history at this intersection along with the abutter opposition to the Town's idea of installing a Round-a-bout, we feel having the Cape Cod Commission perform a safety audit may provide alternative solutions that the Town has not considered.

Please contact me if we can be of further assistance. Thank you for attending our meeting.



# 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:** Fran Salewski, Bike Committee Chairman

**FROM:** Lincoln Hooper, Traffic Safety Clerk *LH*

**DATE:** October 14, 2015

**RE:** Recommendations for Bike Crossing Warning System Installation

---

At a meeting of the Traffic Safety Committee on October 7, 2015, the Committee unanimously voted a priority list of bike crossings in Harwich as follows:

1. Cape Cod Rail Trail Queen Anne Road crossing
2. Cape Cod Rail Trail Route 124 Pleasant Lake General Store crossing
3. Cape Cod Rail Trail Depot Street North Harwich crossing

It was the Committees understanding that the Bike Committee intends on pursuing purchasing and installing one bike crossing warning system per year and we fully support that goal.

Please contact me if we can be of further assistance. Thank you for attending our meeting.



# 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

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Please contact me if we can be of further assistance. Thank you for attending our meeting.

Traffic Safety Committee Meeting Minutes  
Harwich Police Station  
October 7, 2015

Meeting called to order at 10:05 AM by Chairman Beltis

Members present – Jerry Beltis, Sgt. Aram Goshgarian, Bob Cafarelli, Link Hooper

Others in Attendance – Chris Clark, Town Administrator; Fran Salewski & Mike Glen, Bike Committee; Steve Tupper, Transportation Planner, Cape Cod Commission

Accepted minutes of previous meeting

Old Business – None

New Business –

- Bike crossing warning systems prioritization and recommendation. A memo will be sent to the Bike Committee with the prioritization.
- Route 39 / Pleasant Bay Road traffic calming measures. After presentation by Steve Tupper, the committee voted to install a painted wider median strip with the objective to slow Route 39 traffic.
- The committee voted unanimously to recommend that the Town request a road safety audit through the Cape Cod Commission. A memo will be sent to Town Administrator Chris Clark.
- Discussed accident frequencies at the on ramps of Route 6 at Routes 124 and 137. Plan to request MassDOT's consideration in extending the merge lanes to current standards at these locations during their upcoming resurfacing project.

Closed the meeting at 11:30 AM

Respectfully submitted by

Link Hooper, Clerk