

SELECTMEN'S MEETING AGENDA*

Griffin Room, Town Hall

Regular Meeting 6:30 P.M.

Monday, March 21, 2016

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. WEEKLY BRIEFING

IV. PUBLIC COMMENT/ANNOUNCEMENTS

V. CONSENT AGENDA

- A. Minutes – March 14, 2016 Executive Session
- B. Approve request by the Garden Club to close Pine Street between Lower County and Rt. 28 from 6:30 am – 2:30 pm for their annual plant sale at Doane Park on May 28th.
- C. Approve the Contract Agreement between the Town and the Cape Cod Chronicle for Legal Advertising.
- D. Approve appointment of Special/Reserve Police Officer per the recommendation of the Police Chief.
- E. Approve Caleb Chase Fund request in the amount of \$700.00 per the request of the Council on Aging Outreach Coordinator

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

VII. OLD BUSINESS

VIII. NEW BUSINESS

- A. Review of Annual Town Meeting Warrant Articles – *discussion & possible vote to support*
 - 1. Petition Articles:
 - #51 Ginger Plum Lane Reconstruction
 - #52 Chase/Harwich Port Libraries
 - #53 Promote the Town of Harwich
 - #54 Cultural Council Annual Allocation
 - #55 Establish a Charter Enforcement Commission
 - #56 Demolition of Residential Buildings Bylaw
 - 2. #45 Door to Door Sales Bylaw – Town Counsel Feedback
 - 3. #62 Prior Year's Unpaid Bills - Per MGL Ch. 41, Section 100b – retired firefighter medical expense indemnification
- B. Review of Special Town Meeting Articles and Draft Ballot – *discussion & possible vote*
- C. Administrator/Selectmen Communication Memo – *discussion*
- D. Route 6 Exit Sign Replacement – *discussion & possible vote*

IX. TOWN ADMINISTRATOR'S REPORT

- A. Housing Production Plan Update

X. SELECTMEN'S REPORT

- A. April 7, 2016 Wastewater Summit

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

Sandra Robinson, Admin. Secretary

Date: _____
March 17, 2016

Sandy Robinson

From: Carolyn O'leary -
Sent: Tuesday, March 15, 2016 3:33 PM
To: Sandy Robinson
Subject: Garden club road closure

Selectmen: The Garden Club of Harwich will once again hold our biggest fund raiser Saturday may 28 in Doane Park, from 9-1. The past four years you and the police have allowed Pine St to be closed between Lower County and Rt. 28 from 6:30-2:30 allowing also for setup and breakdown. Deputy Chief Gagnon has agreed to our request if confirmed by you. We hope this will be approved. Our sale is much safer this way. I look forward to hearing from you. Thank you. Carolyn O'Leary. :

Sent from my iPhone

*Rec & Youth has approved use of Doane Park
for this event.*

OFFICE OF THE TOWN ADMINISTRATOR

Phone (508) 430-7513

Fax (508) 432-5039

Christopher Clark, *Town Administrator*

Charleen Greenhalgh, *Assistant Town Administrator*

732 MAIN STREET, HARWICH, MA



Memo

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

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

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

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

T O W N O F



H A R W I C H

*Harwich, Massachusetts
02645*

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

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

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

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

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

FOR _____
(CONTRACTOR)

FOR the Town of Harwich (OWNER)

(Authorized Signature)

(Date)

Board of Selectmen

FORM A

BID PRICING SHEET
LEGAL ADVERTISING FOR FISCAL YEARS 2017 THROUGH 2019

Please submit bids in duplicate

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

Table with 5 columns: Item, Year 1, Year 2, Year 3, Total. Row 1: Legal rate per column inch, \$5.00, \$5.50, \$6.00, \$

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

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

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

[Handwritten signature]
Authorized signature

February 26, 2016
Date

Henry C. Hyora
Printed name of person signing above

Acknowledgement of addendums (if any)

Hyora Publications, Inc.
Business name

60-C Munson Meeting Way
Business address

Chatham, MA 02633
City, State, Zip Code

508-945-2220
Telephone number

FORM B

CERTIFICATE OF NON-COLLUSION

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



Authorized signature

February 26, 2016
Date

Henry C. Hyora
Printed name of person signing above

Hyora Publications, Inc.
Business name

60-C Munson Meeting Way
Business address

Chatham, MA 02633
City, State, Zip Code

TAX COMPLIANCE CERTIFICATION

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



Authorized signature Henry C. Hyora

February 26, 2016
Date

FORM C

CORPORATE RESOLUTION

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

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

Henry C. Hyora
Karyn A. Hyora

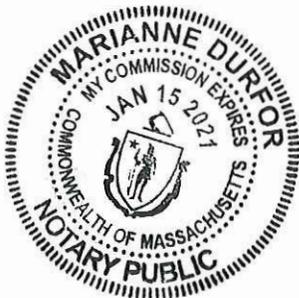
were duly authorized and empowered to execute Forms of General Bid, Contracts, Agreements
or Bonds on behalf of the Corporation. I further certify that the above authority is still in
effect and has not changed or modified in any respect.

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

A True Copy:

Attest Marianne Dufor
Marianne Dufor (Notary Public)

My Commission Expires January 15, 2024 MD
(Date)







HARWICHPolice
DEPARTMENT
183 Sisson Road, Harwich, MA 02645
Tel 508-430-7541 Fax 508-432-2530



DAVID J. GUILLEMETTE
Chief of Police

THOMAS A. GAGNON
Deputy Chief

Memorandum

TO: *Board of Selectmen*
Christopher Clark
Town Administrator

FROM: **David J. Guillemette**
Chief of Police 

DATE: **March 16, 2016**

SUBJECT: **Special / Reserve Police Officer Appointment Recommendation**

Background

The Harwich Police Department recently completed a hiring process that has filled one full-time opening. Our number one candidate, Ron Ruggiero, was selected to fill the full time opening. Ron will be starting the Basic Police Recruit Academy in early April. The process also established a short list of qualified candidates who will be considered for employment as additional full time positions become available.

Our FY17 budget includes an additional full time officer to backfill a Patrol Investigator who will be used to aggressively deal with the opioid issue. If all goes well, the department will be able to hire an additional full time officer as of July 2016. That second full time position will be offered to our number two candidate Ryan Fazzino.

Ryan has recently graduated from the Basic Recruit Academy in Plymouth and has experience as a dispatcher and reserve police officer with the Town of Dennis. Ryan is an outstanding candidate and we would like to bring him on board as a part time officer in order to start his field training in anticipation of the full-time opening in July. We anticipate Ryan working less than 20 hours a week until the full time position is approved in May.

Recommendation

I am requesting that Ryan Fazzino be appointed as a part-time Special / Reserve Police Officer with an hourly rate of \$19.25. I am requesting that this appointment be contingent upon successful completion of physical and psychological exams as well as a satisfactory background check. I would further request that the appointment become effective April 10, 2016.

RECONSTRUCTION OF GINGER PLUM LANE THROUGH PRIVATE ROAD
BETTERMENT

ARTICLE 51: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sufficient sum of money to repair Ginger Plum Lane in Harwich, subject to repayment through the use of a private way betterment assessment program, and to act fully thereon. By request of the Board of Selectmen. Estimated cost: \$223,650.

DEFRAY THE EXPENSES OF THE CHASE LIBRARY AND HARWICH PORT
LIBRARY

ARTICLE 52: To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$20,000 to help defray the expenses of the Chase Library and the Harwich Port Library; said funds to be expended under the direction of the Chase Library and Harwich Port Library Trustees, and to act fully thereon. By Petition. Estimated cost: \$20,000.

Explanation: Chase Library and Harwich Port Library are free, publicly supported libraries. Town funds have been appropriated either through the general budget or by articles since 1911 (Chase) and 1926 (Harwich Port). These funds are essential for continued operation and for the customary State reimbursements.

PROMOTE THE TOWN OF HARWICH

ARTICLE 53: To see if the Town will vote to raise and appropriate a sufficient sum of money for the Harwich Chamber of Commerce to promote the Town and its businesses and to advance economic development initiatives for and with the Town of Harwich. Said monies to be used to manage and fulfill year-round visitor/resident/business information services, to promote and market the Town, to generate and initiate materials and activities that encourage the establishment, growth and sustainability of businesses in Harwich, and to implement economic development objectives and activities in partnership with the Town, and to act fully thereon. By Petition. Estimated cost: \$25,000.

Explanation:

For more than 57 years, Harwich Chamber of Commerce (HHC) has worked in the best interest of Harwich and for the people living in, working in and visiting the Town of Harwich. Since 1995, the citizens of Harwich through the Annual Town Meeting, have voted to fund warrant articles submitted by the Harwich Chamber of Commerce in support of its work promoting the community, providing needed informational services, and developing and advancing economic sustainability and development strategies. We are again requesting the Town's support for the Chamber's efforts in:

(a) Providing year-round informational services to visitors, residents, second homeowners, and businesses

(b) Promoting the Town of Harwich, thereby bringing much needed income into the community

(c) Support of the Chamber's efforts, in partnership with the Town of Harwich, to develop and implement economic development initiatives to benefit the Town as defined by objectives in the Town's Local Comprehensive Plan.

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

ARTICLE 54: To see if the Town will vote to raise and appropriate and/or transfer from available funds a sufficient sum of money to supplement the Massachusetts Cultural Council annual allocation for grant awards to artists, performers and interpretive scientists who bring events to local venues which enhance the cultural experience of Harwich citizens of all ages, and to act fully thereon. By request of the Harwich Cultural Council. Estimated Cost: \$3,000.

AMEND THE HARWICH HOME RULE CHARTER – ESTABLISH A CHARTER
ENFORCEMENT COMMISSION

ARTICLE 55: To see if the Town will vote to propose the following amendment to the Harwich Home Rule Charter, to be approved by the voters at the next annual Town election, and to act fully thereon. By Petition.

Chapter 6, Section 9: The Charter Enforcement Commission

6-9-1 There shall be a charter enforcement commission consisting of five members and elected for three-year overlapping terms so arranged that the term of at least one member shall expire each year.

6-9-2 A vacancy on the commission may be filled by the remaining members of the commission, but only until the next annual election when a new member can be elected to fill the unexpired term.

6-9-3 The commission shall take action only after receiving a written petition filed by a voter or voters alleging a violation of this charter by reason of an act or failure to act of any individual(s) or board serving in an elected or appointed capacity, including any employee of the Town of Harwich.

6-9-4 The petition shall state the specific section of this charter which is subject of the violation, the individual(s) or board responsible for the violation, and the act or failure to act resulting in the violation.

6-9-5 The petition shall be filed by delivery to the town clerk, who shall note the date of its receipt on the petition and mail a copy to each member of the commission within one week of its receipt.

6-9-6 Within three weeks of the receipt of a petition by the town clerk,

the chairman shall set a time and date for the hearing, and shall mail notice of the hearing to the town clerk who shall post and publish the notice, and to the petitioner and the individual(s) or board named in the petition. The hearing date shall be not less than three weeks nor more than eight weeks from the date of the receipt of the petition by the town clerk.

6-9-7 At the hearing the commission shall allow any person to address the commission as to the merits of the petition.

6-9-8 Within three weeks of the hearing, the commission shall vote whether there has been a violation of this charter as alleged in the petition, and shall mail a notice of its vote to the town clerk, who shall post a copy of the vote for a period of four weeks, and to the petitioner and the officer or board named in the petition.

6-9-9 If the commission shall vote that there has been a violation of this charter as alleged by the petition, and if following its vote there continues to be a violation, the commission may file a petition with the Superior Court.

6-9-12 The town shall establish a fund to enable the commission to pay the costs and expenses, including fees for independent attorney(s), fees related to the filing of a complaint with the Superior Court and other reasonable expenses as may from time to time be required in order to fulfill the responsibilities of the Commission.

6-9-13 Sections 6-9-3 through 6-9-11 shall not limit the right to seek enforcement of this charter as otherwise provided by law.

6-9-14 This amendment will be in effect on the first day of July following adoption by voters; and the selectmen, town clerk, board of registrars and other elections officers will include the election of the five Charter Enforcement Commissioners in the next following annual town election, at which time two members will be elected for three year terms; two for two year terms, and one for a one year term. Annually thereafter, at the annual town election, there shall be elected commissioners to fill the positions whose terms are about to expire, each to be elected to terms of three years.

6-9-15 Upon certification of the initial election of the five Charter Enforcement Commissioners, the Town Clerk shall within 30 days call the first meeting of the Commission for purposes of organization. The Commission will choose from its membership a Chairman, Vice Chairman and Clerk.

6-9-16 Within 90 days of the initial organizational meeting, the Commission will adopt, by vote of at least three of the five members, Rules of Procedure which may thereafter from time to time, be amended by majority vote.

ENACT A GENERAL BY-LAW – DEMOLITION OF RESIDENTIAL BUILDINGS

ARTICLE 56: To see if the Town will vote to enact a General By-Law as follows:

DEMOLITION OF RESIDENTIAL BUILDINGS

No Town funds shall be appropriated or otherwise made available through a grant agreement with a private party or public entity for an affordable housing project for the Judah Chase House and or barn located at 97 Route 28 in West Harwich unless the Board of Selectmen first enters into a grant agreement which prohibits the grant recipient from demolishing any building or subdividing the property. Furthermore, no such funds shall be made available to a private or public affordable housing entity for a project that will in any way jeopardize, compromise, or destroy the historic fabric of any building or structure on the site, nor compromise, divide, or partition the land on which they stand, or to act in any manner thereon. By Petition.

§ 255-4. Improvements to private ways.

- A. In the event that a group of property owners who own property on a private road which has been open for public use for at least five years wish the Town of Harwich to finance the repair of their private way, they shall engage an engineer experienced in road construction and repair who shall survey the road in question to develop a plan for the repair of that private road which shall take into consideration the need for additional drainage, new berms, driveway aprons to protect the edges of the repaired road, the filling of existing cracks and the application of one or more layers of bituminous concrete. The repair shall be designed to bring the road up to Town standards or as close as possible within the physical constraints of the right-of-way.
- B. The plan shall specify the projected useful life of the repaired private way, and in no event shall the projected useful life be less than 15 years. All costs of preparing the plan, obtaining cost estimates and preparing the petition described below shall be the exclusive responsibility of the petitioners.
- C. The property owners shall prepare a petition to the Board of Selectmen for the Town of Harwich to finance the work in an amount certain, including a ten-percent contingency amount. The petition shall list the parcels by lot number and map number together with the owners' names of record with a space for each owner to place his or her signature. The petition must state that each signature represents an irrevocable agreement by each signatory to repay to the Town of Harwich, through the mechanism of a betterment added to each owner's real estate tax bill, his or her pro rata share of the total amount to be financed plus interest and administrative costs, which Town administrative costs shall not exceed 10% of the project. The petition shall not be presented to the Selectmen unless 50% of all the abutters to the road plus one more abutter shall have agreed to the project and its financial commitment by having signed it. Once approved by the Board, all abutters shall be assessed for a pro rata share of the cost of the betterment.
- D. The petition, accompanied by the engineer's plan, a map of the private way to be repaired and backup for the cost estimates, shall be submitted to the Selectmen's office on or before August 31. The Selectmen shall refer every such petition to the Assessor's office for verification of signatures and confirmation that more than 50% of the abutters have signed. The Selectmen shall consider all submitted petitions that pass the Assessor's examination prior to September 30. If the Selectmen determine that the proposed repairs are in the public interest and if the Selectmen determine that these repairs are within the financial capabilities of the Town, the Board of Selectmen shall refer each petition so determined to the Planning Board which shall conduct a public hearing on each petition on or before November 15 to evaluate the plan, examine the cost estimates and hear from both the abutters and the general public. The Planning Board shall either endorse the plan by a simple majority vote and return it to the Selectmen, recommend changes in costs or scope of the plan or disapprove the plan by a simple majority vote.
- E. If the Planning Board approves any such plan, the Board of Selectmen may place the plan on the warrant for the next Annual Town Meeting. If the Planning Board suggests modifications or changes in scope of costs, the Board of Selectmen may, as its option, send out proxies to the abutters noting scope and cost changes or it may return the project to the petitioners. If proxies are sent out, they must be returned by December 31;

#1
OK#2
OK

#3

the Selectmen may place the project on the Annual Town Meeting warrant, provided that more than 50% of the abutters approve the revisions.

- F. If the Annual Town Meeting votes to endorse and finance the project, the engineer who did the original plan shall be named "Project Manager." He shall prepare a new set of bid specifications with the bids to be directed to the Town Administrator. The Project Manager and the Town Administrator shall select the best bid to do the work. The Project Manager shall advise the Director of the Division of Highways and Maintenance 48 hours in advance of each phase of the project and certify, in writing, to the Director of the Division of Highways and Maintenance that each phase of the project has been completed to the Project Manager's satisfaction. The Director of the Division of Highways and Maintenance shall inspect the completed work and certify to the Town Accountant that the work is completed so that payment may be made.
- G. For a group of private roads within a subdivision in which membership in a neighborhood property owners' association is automatic or mandatory, the same procedure shall be used:
- (1) So long as a majority of the owners of the lots abutting the group of private ways to be repaired signs the petition required by Subsection C above; and
 - (2) So long as the group of private ways to be repaired is owned or controlled, directly or indirectly, by the neighborhood association or its members.
- H. The Town of Harwich shall incur no liability for any damages of any nature whatsoever arising from the project by virtue of the Town's agreeing to finance any repair of a private subdivision way. The abutters who accept Town financing shall be deemed to have indemnified and held the Town harmless against any and all such claims.
- I. Any private way improved under the provisions of this bylaw need not be brought up to full Town road standards. Any private way improved under the provisions of this bylaw shall continue to remain a private way.



MEMO

To: Board of Selectmen
From: David Spitz, Town Planner *DS*
Date: November 16, 2015



RE: PB2015-29 Resident Petition Betterment – Ginger Plum Lane

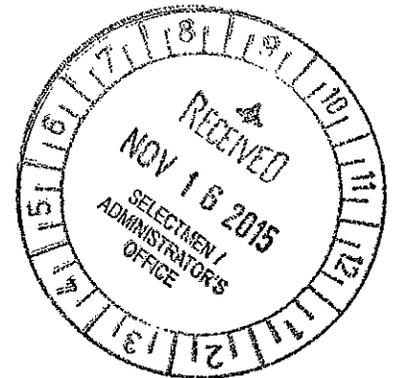
In accordance with the Harwich Code §255.4.D Improvements to Private Ways, the Planning Board held a public meeting to evaluate the plan, examine the cost estimates and hear from both abutters and the general public.

The public meeting concluded on November 11, 2015. Following the review of the plan, interdepartmental comments and hearing comments from all interested parties the Planning Board voted unanimously (7-0-0) to approve the preliminary plan entitled "Proposed Site Plan Ginger Plum Lane, c/o John McQuade 8 Ginger Plum Lane", dated July 24, 2015, prepared by J.M. O'Reilly & Associates, Inc., Sheets 1 – 3 with the following condition:

Condition: Final plans addressing the concerns expressed by the Highway and Engineering Departments shall be submitted to the satisfaction of the Town Engineer prior to putting the project out to bid. If any plan revisions result in a change to the overall project cost, the betterment charge per parcel must be revised.

The plan notes that it is a preliminary plan, not for construction.

cc: Petitioner McQuade
J.M. O'Reilly, PE
Town Engineer
Highway Department





September 22, 2015

James Atkinson, Chairman
Planning Board
732 Main Street
Harwich, MA 02645

Re: Ginger Plum Lane Road Betterment Petition

Dear Mr. Atkinson:

At a public meeting of the Board of Selectmen held on Monday, September 21, 2015, the Board reviewed the verification of owners and signatures certified by the Board of Assessors relative to the Ginger Plum Lane betterment petition and affirmed the recommendation of the Board of Assessors. (attached)

In accordance with Harwich Town Code, Part I General By-Laws, Chapter 255, Section 4 - Improvements to Private Ways, the Selectmen voted to refer this betterment petition to the Planning Board for Public Hearing for the purpose of evaluating plans and costs and to hear from abutters and the public. This hearing should be held on or before November 15. Thank you for your expeditious assistance with this matter.

Sincerely,

Peter S. Hughes, Chairman

Linda A. Cebula, Vice Chair

Jannell M. Brown, Clerk

Angelo S. La Mantia

Michael D. MacAskill

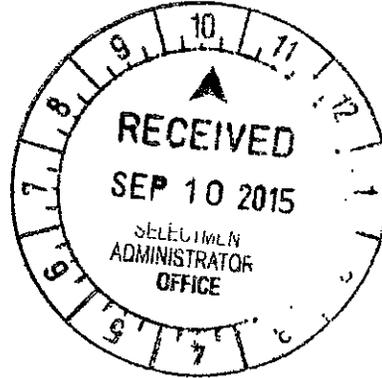
HARWICH BOARD OF SELECTMEN

CC: David Spitz, Town Planner
David Scannell, Deputy Assessor



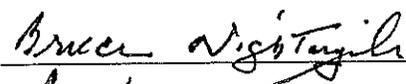
TOWN OF HARWICH
ASSESSORS OFFICE
732 MAIN STREET
HARWICH, MASSACHUSETTS 02645

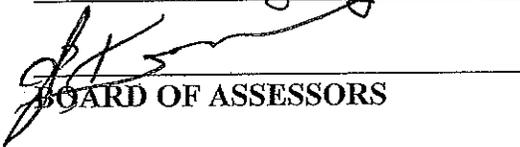
OFFICE OF THE
BOARD OF ASSESSORS
Tel: 508-430-7503
Fax: 508-430-7086



TO: Board of Selectmen
DATE: September 10, 2015
RE: Road Betterment —Ginger Plum Ln.

We have verified the owners and signatures for the twenty three (23) properties out of twenty nine (29) properties in the Ginger Plum Lane betterment petition. The 50% plus one rule would require sixteen (16) of the twenty nine (29) parcel owners to agree. We find that this petition meets this test.





BOARD OF ASSESSORS

Extract: KEY GINGER PLUM LN
 Database: LIVE
 Filter: Key IN
 638,640,8047,641,644,8048,646,647,651,8050,653,657,659,8052,660
 ,666,668,670,16030,693,695,8055,697,699,701,702,704,8046,637
 Sort: MapID_For_Sorting ASC

Report #24: Owner Listing Report
 Fiscal Year 2016

HARWICH MA

Key	Parcel ID	Owner	Location	LCI/CI	Blk-Pg(Cert) /Dt	Mailing Street	Mailing City	ST	Zip Cd/County
8046	5-G1-1-0	SWEENEY NANCY SYMMES TRS ET AL C/O SWEENEY NANCY SYMMES LIFE	263 LOWER COUNTY RD	N 1010	18509/133 4/28/2004	405 GARDEN GATE CT	BOARDMAN	OH	44512
637	5-G1-2-0	WATSON ARTHUR F TR WATSON NOMINEE TRUST	267 LOWER COUNTY RD	N 1010	28202/140 6/13/2014	267 LOWER COUNTY RD	HARWICH PORT	MA	02646
638	5-G1-4-0	DAVIS MATHEW A & DAVIS JENIFER L	67 GINGER PLUM LN	N 1010	23167/93 9/22/2008	67 GINGER PLUM LN	HARWICH PORT	MA	02646
640	5-G1-7-0	WILLIAMSON PAMELA M TR PAMELA M WILLIAMSON REVOCABLE	65 GINGER PLUM LN	N 1010	26954/185 12/17/2012	PO BOX 247	MEDWAY	MA	02053
8047	5-G1-8-0	BLOCK GAYLE A	63 GINGER PLUM LN	N 1010	24618/72 6/15/2010	32 AVEBURY LN	TOLLAND	CT	06084
641	5-G1-9-0	GATES DOUGLAS S & BRYANT-GATES REBECCA	64 GINGER PLUM LN	N 1010	10158/160 4/19/1996	286 COMMONWEALTH AVE	CONCORD	MA	01742
644	5-G1-11-0	TIVNAN BRENDON FRANCIS TRS ET TIVNAN MARY LOUISE TRS	61 GINGER PLUM LN	N 1010	27786/25 10/28/2013	34 TERRENCE AVE	CLINTON	MA	01510
8048	5-G1-13-0	BARRY TERRENCE J & BARRY FRANCES A	60 GINGER PLUM LN	N 1010	5800/252 6/26/1987	60 GINGER PLUM LN	HARWICH PORT	MA	02646
646	5-G1-14-0	SIDOLI CHRISTOPHER J TRS ET AL SIDOLI EUGENIA A TRS	58 GINGER PLUM LN	N 1010	22985/44 6/17/2008	PO BOX 727	HARWICH PORT	MA	02646
647	5-G1-15-0	CONNAUGHTON RICHARD P & CONNAUGHTON RUTH M	59 GINGER PLUM LN	N 1010	2772/95 8/25/1978	59 GINGER PLUM LN	HARWICH PORT	MA	02646
651	5-G1-17-0	DALEY JOSEPH OBRIEN JR	57 GINGER PLUM LN	N 1010	7091/9 5/10/1994	57 GINGER PLUM LN	HARWICH PORT	MA	02646
8050	5-G1-18-0	TAYLOR CHERYL D TR BUSCHY REALTY TRUST	56 GINGER PLUM LN	N 1010	19212/160 11/4/2004	7 PENNY LN	EASTON	MA	02334
653	5-G1-19-0	SPINAZOLA JOSEPH A JR LIFE EST	54 GINGER PLUM LN	N 1010	27319/272 4/25/2013	68 BEAN RD	STERLING	MA	01564
657	5-G1-20-0	DILLON THOMAS J TRS ET AL DILLON MARY T TRS	55 GINGER PLUM LN	N 1010	6412/193 8/26/1988	55 GINGER PLUM LN	HARWICH PORT	MA	02646
659	5-G1-22-0	GEBHARD LEONARD J	52 GINGER PLUM LN	N 1010	18182/325 2/3/2004	110 HOWARD ST	MELROSE	MA	02176
8052	5-G1-23-0	LANDGRAF PRISCILLA T ESTATE OF	42 GINGER PLUM LN	N 1010	3952/212 12/9/1983	C/O MARSHA L SMITH 2111 ST CLAIR AVE	ST PAUL	MN	55105-1192
660	5-G1-25-0	BRESLER GABRIEL E & BRESLER ADRIAN S	36 GINGER PLUM LN	N 1010	25102/172 12/17/2010	239 TAPPAN ST	BROOKLINE	MA	02445
666	5-G1-29-0	BURKE BERNICE M	20 GINGER PLUM LN	N 1010	1532/341 9/24/1971	1970 COMMONWEALTH AVE	BRIGHTON	MA	02135
668	5-G1-30-0	BURKE BERNICE M	16 GINGER PLUM LN	N 1010	1275/489 10/14/1964	1970 COMMONWEALTH AVE	BRIGHTON	MA	02135
670	5-G1-32-0	MCQUADE JOHN B & MCQUADE DEBORAH K	8 GINGER PLUM LN	N 1010	19261/231 11/19/2004	8 GINGER PLUM LN	HARWICH PORT	MA	02646
16030	5-G1-35-0	SAVAGE BETH A TR HIGHLAND TRUST	28 GINGER PLUM LN	N 1010	28389/95 9/17/2014	28 GINGER PLUM LN	HARWICH PORT	MA	02646
693	5-G4-43-0	PUCCIO RICHARD & PUCCIO CARYN	19 GINGER PLUM LN	N 1010	26965/96 12/19/2012	145 TOILS END RD	NORFOLK	MA	02056
695	5-G4-44-0	LAING ANN C TR ANN C LAING TRUST	15 GINGER PLUM LN	N 1010	23220/152 10/20/2008	15 GINGER PLUM LN	HARWICH PORT	MA	02646
8055	5-G4-48-0	FAHLSTROM DAVID J	49 GINGER PLUM LN	N 1010	2531/53 6/20/1977	291 PARK AVE	WORCESTER	MA	01609

Report: KEY GINGER PLUM LN
 Database: LIVE
 Filter: Key IN
 638,640,8047,641,644,8048,646,647,651,8050,653,657,659,8052,660
 ,666,668,670,16030,693,695,8055,697,699,701,702,704,8046,637
 Sort: MapID_For_Sorting ASC

Report #24: Owner Listing Report
 Fiscal Year 2016

HARWICH MA

Key	Parcel ID	Owner	Location	LC/CJ	Bk-Pg(Cert) /Dt	Mailing Street	Mailing City	ST	Zip-Cd/County
697	5-G4-49-0	DEBAISE MARCUS J TR DEBAISE FAMILY TRUST	35 GINGER PLUM LN	N 1010	27794/275 10/31/2013	99 DEEPWOOD DR	SO WINDSOR	CT	06074
699	5-G4-50-0	SCHWABE STEVEN W TR SCHWABE CHILDREN TRUST AGREEME	29 GINGER PLUM LN	N 1010	27580/203 7/30/2013	20 OAKWOOD DR	S WINDSOR	CT	06074
701	5-G4-51-0	SCHWABE STEVEN W TR SCHWABE CHILDREN TRUST AGREEME	23 GINGER PLUM LN	N 1010	27580/203 7/30/2013	20 OAKWOOD DR	S WINDSOR	CT	06074
702	5-G4-52-0	F D G CORPORATION FRANCIS D GIBBONS	11 GINGER PLUM LN	N 1010	19229/5 11/9/2004	52 HIGHLAND ST	WORCESTER	MA	01613
704	5-G4-53-0	RADLO IRENE R	7 GINGER PLUM LN	N 1010	1396/725 4/8/1968	THE COMMONS 1 HARVEST CIR. UNIT 216	LINCOLN	MA	01773

Total Records 29

DOOR TO DOOR CANVASSING SOLICITATION BY-LAW

ARTICLE 45: To see if the Town will vote to amend the Code of the Town of Harwich under the General By-Laws by adding a new by-law under Chapter 214 – Peace and Good Order as follows, and to act fully thereon. By request of the Chief of Police.

§214.4 - Temporary Transient Business: Door-to-Door Canvassing and Solicitation.

Title.

This by-law shall be known as the “Door-to-Door Canvassing and Solicitation By-law Law of the Town of Harwich.”

Purpose.

This by-law, adopted pursuant to Article 89 of the Amendments to the Constitution of the Commonwealth of Massachusetts, establishes registration requirements and specific operational requirements for persons intending to engage in door-to-door canvassing or solicitation in the Town of Harwich in order to protect its citizens from disruption of the peaceful enjoyment of their residences and from the perpetration of fraud or other crimes; and, to allow for reasonable access to residents in their homes by persons or organizations who wish to communicate either commercial or non-commercial messages.

Definitions.

For the purpose of this By-law, the following definitions shall apply:

“Soliciting” shall mean and include any one or more of the following door-to-door activities:

- a) selling, or seeking to obtain orders for the purchase of goods or services, including advertising in any type of publication, for any kind of consideration whatsoever;
- b) selling, or seeking to obtain prospective customers for application for purchase of insurance of any kind;
- c) selling, or seeking to sell subscriptions to books, magazines, periodicals, newspapers or any other type of publication;
- d) seeking to obtain gifts or contributions of money, or any valuable thing for the support or benefit of any association, organization, corporation or project wholly or in part for commercial purposes or by a professional solicitor or commercial co-venturer for a charitable or other non-commercial organization; and

- e) seeking to obtain information on the background, occupation, economic status, political affiliation, attitudes, viewpoints, or the like of the occupants of a residence for the purpose of selling or using such data, wholly, or in part, for commercial purposes.

“Canvassing” shall mean and include any one or more of the following door-to-door activities:

- a) person-to-person distribution of literature, periodicals, or other printed materials for commercial purposes, but shall not include placing or dropping off printed materials on the premises;
- b) seeking to enlist membership in any organization for commercial purposes; and
- c) seeking to present, in person, organizational information for commercial purposes.

“Residence” shall mean and include every individual dwelling unit occupied for residential purposes by one or more persons.

“Registered solicitor” shall mean any person who has obtained a valid certificate of registration from the Town as required by this Bylaw.

“Charitable Organization,” “Professional Solicitor” and “Commercial Co-venturer” shall be defined as set forth in Chapter 68, Section 18, of the General Laws.

Registration.

Every person or organization intending to engage in soliciting or canvassing door-to-door in the Town of Harwich must apply for a permit with the Chief of Police by filing a registration application form with the Chief of Police. Applications for individual registration shall be filed at least ten business days in advance. Applications for organizational registration shall be filed at least three business days in advance.

Organization application forms shall include the following information:

- a) The name and address of the organization applying for registration, and the names and addresses of the organizations’ principal officers. If the organization is a charitable organization, a certification that the most recent Annual Registration Statement required to be filed with the Attorney General’s Division of Public Charities has been so filed.

If the organization is a Professional Solicitor or a Commercial Co-venturer for a charitable organization, a copy of the contract with the charitable organization must be provided with this application. Failure to include a copy of the contract with the

charitable organization under such circumstances will render the application incomplete and no action will be taken thereon;

- b) The name, title and phone number, IRS or Social Security (optional) number and valid driver's license or other government-issued photo identification of the persons filing the application form;
- c) The names and addresses of the person(s), if any, who will be directly supervising the solicitation or canvassing operation in the Town of Harwich;
- d) A list of the names, addresses, dates of birth of all individuals who will be employed in solicitation or canvassing by the applicant;
- e) Period of time for which certificate of registration is needed (note: no certificate may be granted for longer than a 60-day period);
- f) Names of the last three communities (if any) in which the organization has conducted a solicitation or canvassing operation, complete with the date issued and date expired; and
- g) Insurance information and license, if applicable.

Individual registration forms shall be required for all individuals, including those who are affiliated with an organization registered hereof. Individual registration forms shall contain the following information:

- a) Name and address of the present place of residence and length of residence at that address; if less than three years residence at present address, the address of residence(s) during the past three years;
- b) Date of birth;
- c) Name, address and telephone number of the person or organizations whom the applicant represents and the length of time the applicant has been associated with or employed by that person or organization. If the individual is a professional solicitor or a commercial co-venturer for a charitable organization, a copy of the contract, if any, with the charitable organization must be provided with this application. Failure to include a copy of the contract with the charitable organization under such circumstances will render the application incomplete and no action will be taken thereon;
- d) Period of time for which certificate of registration is needed (note: no certificate may be granted for longer than a 60-day period);
- e) Name of the last three communities (if any) in which the applicant has solicited or canvassed door-to-door, complete with the date of issue and expiration date;

- f) Valid driver's license or other government issued photo identification; and
- g) Make, model and registration number of any vehicle to be used by the applicant while soliciting or canvassing.

Registration Fee.

The registration fee shall be established and adjusted from time to time by the Board of Selectmen, as necessary. The registration fee shall accompany each application required by this By-law.

Registration Cards.

The Chief of Police, after a review, but in no event more than ten (10) business days after receipt of a fully-completed application, shall furnish each person with a registration card which shall contain the following information:

- (a) The name of the person;
- (b) A recent photograph of the person;
- (c) The name of the organization (if any) which the person represents;
- (d) A statement that the individual has been registered with the Town of Harwich Police Department but that registration is not an endorsement of any individual or organization; and
- (e) Specific dates or period of time covered by the registration.

Persons engaged in solicitation or canvassing as defined in this By-law must display their Town issued registration card on the outermost portion of their clothing at all times while soliciting or canvassing and show such card to any person solicited or upon the request of any police officer.

Registration cards are valid only for the specific dates or time period specified thereon and in no case for longer than 60 days.

The Police Chief shall routinely grant registrations without further inquiry but shall refuse registration to an organization or an individual whose registration has been revoked for violation of this Bylaw within the previous two-year period or who has been convicted of murder/manslaughter, rape, robbery, arson, burglary/breaking and entering, felony assault, or larceny over \$250, as such persons pose a substantial degree of dangerousness to minors and other persons vulnerable to becoming victims of the violent crimes so listed. The Police Chief shall also refuse to register a person who is a sex offender required to register with the Sex Offenders Registry Board and who is finally classified as Level 2 or Level 3

Sex Offender, as such persons have been found to have a moderate to high risk of re-offense and pose a substantial degree of dangerousness to minors and other persons vulnerable to becoming victims of sex crimes.

Exceptions.

Registration shall not be required for officers or employees of the Town, County, State or Federal governments when on official business.

Individual registration shall not be required for minors under the age of 18, except in connection with canvassing or soliciting on behalf of a profit organization, newspaper carriers excepted.

Nothing in this By-law shall be construed to impose any registration requirement or otherwise restrict or in any way regulate any activity for religious, political, newspaper distribution or public policy purposes or other non-commercial purposes, regardless of whether such activity includes acts that would otherwise constitute soliciting or canvassing.

No Solicitation List.

A No Solicitation List shall be established and maintained by the Harwich Police Department. Residents may submit their property for inclusion on the list without charge.

Upon approval and issuance of a Town of Harwich registration card required under this By-law, each registered entity or individual shall be provided with a copy of the No Solicitation List and may not solicit or canvass at such premises.

Duties of Persons Going Door-to-Door.

Upon going into any residential premises in the Town of Harwich, every solicitor, canvasser or other person must first examine any notice that may be posted prohibiting solicitation or other activities. If such a notice is posted, the solicitor, canvasser or other person shall immediately and peacefully depart from the premises.

Any solicitor, canvasser or other person who has gained entrance to any residence, whether invited or not, shall immediately and peacefully depart from the premises when requested to do so by the occupant.

Immediately upon gaining entrance to any residence, each Solicitor or Canvasser as defined in this Bylaw must do the following:

- (a) Present his registration card for inspection by the occupant;
- (b) Request that the occupant read the registration card; and

- (c) Inform the occupant in clear language of the nature and purpose of his business and, if he is representing an organization, the name and nature of that organization.

Restrictions on Methods of Solicitation, Canvassing, or Other Door-to-Door Activities

It shall be unlawful for a solicitor, canvasser or other person to do any of the following:

- (a) Falsely represent, directly or by implication, that the solicitation, canvassing or other activity is being done on behalf of a governmental organization, or on behalf of any municipal employee or elected official;
- (b) Solicit, canvass or conduct any other activity at any residence where there is a posted sign prohibiting the same, without express prior permission of an occupant;
- (c) Solicit, canvass or conduct any other activity at any residence without express prior permission of an occupant, before 9:00 a.m. or after 9:00 p.m. where there is no sign posted otherwise limiting solicitation or the hours of solicitation or such other activities;
- (d) Utilize any form of endorsement from any department head currently employed or serving the Town of Harwich; and
- (e) Solicit, canvass or conduct any other activity at any residence in a threatening, abusive or illegal fashion.

Penalty.

Any person or organization who shall violate any of the provisions of this Bylaw or any applicable state or federal laws governing soliciting or canvassing, including, but not limited to Chapter 68 of the General Laws, shall be subject to a fine not to exceed \$300.00 for each offense. When enforced through the non criminal disposition procedures pursuant to Chapter 40, section 21D of the General Laws, the penalty shall be \$100 for the first offense, \$200 for the second offense, and \$300 for the third offense and each subsequent offense. Each day that a violation continues shall be considered a separate offense.

Any person or organization who for himself, herself, itself, or through its agents, servants or employees is found after investigation by a police officer to have:

- (a) violated any provision of this Bylaw, or any applicable state or federal laws governing soliciting or canvassing, including but not limited to Chapter 68 of the General Laws; or
- (b) knowingly provided false information on the registration application shall have his, her or its registration revoked by the Chief of Police by written notice delivered to the holder of the registration in person, or sent to the holder by certified mail at the address set forth in the application.

Appeals.

Any person or organization who is denied registration or whose registration has been revoked may appeal by filing a written notice of appeal with the Board of Selectmen. Such appeal must be filed within 5 days after receipt of the notice of denial or revocation. The Board of Selectmen shall hear the appeal at its next scheduled meeting after the filing of the written notice of appeal, provided, however, that if the Board of Selectmen fails to make a determination within 30 days after the filing of the appeal, the registration shall be deemed granted or reinstated as the case may be.

Severability.

Invalidity of any individual provision of this Bylaw shall not affect the validity of the Bylaw as a whole.

Section 100B Indemnification of retired police officers and fire fighters

Section 100B. Any city operating under a Plan D or Plan E charter which accepts this section by the affirmative vote of two thirds of all the members of its city council, and any other city which accepts this section by a majority vote of its city council with the approval of its mayor, and any town which accepts this section by a majority vote of its inhabitants at an annual town meeting or a special town meeting, may, upon written application by any of its police officers or fire fighters retired either before or after the acceptance of this section under a general or special law specifically relating to retirement for accidental disability, except a special law applicable to one person, or in the event of the death of any such police officer or fire fighter, upon written application by his widow or, if he leaves no widow, by his next of kin, indemnify, out of any funds appropriated for the purposes of this section, such police officer or fire fighter or, in the event of his death, his widow, or if he leaves no widow, his next of kin, for all reasonable hospital, medical and surgical, chiropractic, nursing, pharmaceutical, prosthetic and related expenses and reasonable charges for podiatry incurred by such police officer or fire fighter after his retirement; provided, however, that no person shall be indemnified under this section unless a majority of the members of a panel consisting of (a) the chairman of the retirement board of the city or town, (b) the city solicitor, town counsel or other officer having similar duties or a person designated in writing by such solicitor, counselor officer to act for him, and (c) such physician as the city or town manager or, if there is none, the mayor or selectmen in writing appoint shall, upon receipt from the applicant of due proof, certify: (1) that the expenses for which indemnification is sought were the natural and proximate result of the disability for which the police officer or fire fighter was retired; (2) that such expenses were incurred after the acceptance of this section; (3) that the hospital, medical and surgical,

chiropractic, nursing, pharmaceutical, prosthetic and related expenses and reasonable charges for podiatry to which such expenses relate were rendered within six months before the filing of the application; (4) that such expenses were in no ways attributable to the use by the police officer or fire fighter of any intoxicating liquor or drug or to his being gainfully employed after retirement or to any other willful act or conduct on his part; and (5) that such expenses are reasonable under all the circumstances.

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

 **DRAFT**

BARNSTABLE, ss:

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

Greetings:

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of said Town qualified to vote in elections and Town affairs to meet in the Community Center Gymnasium, 100 Oak Street in said Town on Tuesday, May 3, 2016 at 8:00 P.M., then and there to act on the following articles:

ARTICLES

FUND THE SNOW AND ICE DEFICIT

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

FUND THE REPAIRS TO THE COMMUNITY CENTER DUE TO WATER LEAK

ARTICLE 2: To see if the Town will vote to appropriate the sum of \$20,000 more or less from the Insurance Account pursuant to General Laws Chapter 44, Section 53 to pay for the repairs at the Harwich Community Center as a result of a water leak; and to act fully thereon. By Request of the Town Accountant. Estimated cost: \$20,000

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

ARTICLE 3: To see if the Town will vote to rescind actions taken under Article 9 of the May 2011 Special Town Meeting in the amount of \$50,000, and return such sum of funds appropriated in said Article to the Harwich Community Preservation Act Fund – Undesignated Fund Balance, and to act fully thereon. These funds were intended, to be used for professional/legal services related to the potential acquisition of specific properties that are in tax title or owners unknown, which would qualify for CPA funding, and that the Community Preservation Committee has made a finding that the specific properties qualify for a CPA purpose. This objective will now be funded from the funds appropriated by Article YY of the May 2016 Special Town Meeting. By request of the Community Preservation Committee. Estimated amount returned: \$50,000

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

ARTICLE 4: To see if the Town will vote to appropriate from Community Preservation Fund-Undesignated Reserve, \$50,000 for administrative costs of the Community Preservation Committee, to be used for professional/legal services related to the potential acquisition of specific properties that are in tax title or owners unknown and/or other related disputes, which would qualify for CPA funding, and that the Community Preservation Committee has made a finding that the specific properties qualify for a CPA purpose, and to act fully thereon. By request of the Community Preservation Committee.
Estimated Cost: \$50,000

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

 **DRAFT**

BARNSTABLE, ss:

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

Greetings:

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of said Town qualified to vote in elections and Town affairs to meet in the Community Center Gymnasium, 100 Oak Street, in said Town on Tuesday, May 17, 2016, then and there to act on the following ballot:

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

To choose on one (1) ballot the following Town Officers and Committees: two (2) Selectman for three (3) years; one (1) Housing Authority Member for five (5) years; one (1) Housing Authority Member to fill a four (4) year unexpired term; one (1) Town Clerk for three (3) years; one (1) Monomoy Regional School Committee Member for three (3) years; two (2) Library Trustees for three (3) years; one (1) Water Commissioner for three (3) years.

BALLOT QUESTIONS

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

YES _____ NO _____

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

YES _____ NO _____

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

YES _____ NO _____

NON-BINDING ADVISORY BALLOT QUESTION REGARDING THE HARWICH MIDDLE SCHOOL

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

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

OFFICE OF THE TOWN ADMINISTRATOR

Phone (508) 430-7513

Fax (508) 432-5039



Christopher Clark, *Town Administrator*
Charleen Greenhalgh, *Assistant Town Administrator*

732 MAIN STREET, HARWICH, MA

To: Board of Selectmen

From: Christopher Clark, Town Administrator

Re: Administrator/Board of Selectmen Communications

Date: March 11, 2016

I have been in conversation with the Chair regarding the importance of improving the communications between individual Board members, the Board and myself as Town Administrator. Fundamentally, the communications model is a two-way street and I developed this memo with the intent of trying to improve follow-up regarding requests for information from individual Board members as well as the Board itself. I would like to address specific areas of communications as a means to enhance the discussion on this topic.

Individualized communications: I do receive on a daily basis individual requests for information regarding the Town's operations. This does vary significantly as some members of the Board do not make requests often where as other members of the Board make them on a more frequent basis. I fully understand that Board members have varying degrees of interest on a variety of topics. I have attempted to respond to the individual member with feedback to not only the individual member of the Board but also the Chair. **To enhance the communications flow I will respond to individual Board members with responses to all members of the Board.** I do believe there are times when individual requests should be brought before the entire Board for discussion and consideration of a vote. I am fully amenable to a task list being generated of Board votes regarding information requests and follow-up. The Chair has drafted a **Town Administrator Action Item Register** format which I completely agree will be a useful and effective tool to focus our attention on tasks, actions and deadlines. Please see attached. I believe this log will facilitate the understanding between the Board and administration for items that require follow-up.

Correspondence: it has been brought to my attention that the Board does not believe it sees **legal opinions** in a timely manner. It has been my understanding since I have arrived that written correspondence received by this office is scanned and sent to the Board of Selectmen members. We need to make sure that the correspondence file is scanned and posted to your drop boxes in a timely manner. Both Charleen and I review the same correspondence packages that are received. This is exactly the same material that is provided to the Board. If I receive email correspondence of legal updates of individual legal matters, I currently request such items requiring action to be placed on an agenda at our Wednesday morning agenda meeting with the Chair. If the Board would like to see all email correspondence regarding legal matters we can establish a

Informational updates: I do believe, in general, that I have a fairly good memory and can provide updates on various topics on the spot. I have tried to during to my monthly Administrator spots shown on our local cable channel tried to cover topics of interest to inform the community at large. I also try to provide information during the Town Administrators report at the Board of Selectmen's meeting. Usually if the meeting runs long, I will try to keep my comments brief. In my past experience, I would have individual Board members call or inform my staff that they would like an update on a certain topic. Ann, Sandy and Charleen are very efficient at keeping track of various requests, simply informing one of them to include on the Town Administrator's update a status report will help to trigger adding that to my Town Administrator updates and/or the monthly administrator spots.

I do wish to specifically point out that I use on a consistent basis the Town Charter for how I respond to various requests. Pursuant to Chapter 3, Section 2, Subsection 3 which reads "the Board of Selectmen shall serve as the chief policymaking agency of the Town and, as such, shall not normally administer the day-to-day affairs of the Town..." When individual Board members contact individual staff or direct consultants without first coordinating with administration this leads to various and sometimes conflicting directives being received by the individual or consultant. The Town charter under chapter 4 Town Administrator specifically calls for "the Town Administrator shall be the chief administrative officer of the Town and shall be responsible for administering and coordinating all employees' activities and departments..." I believe this language exists to allow for the coordinated efforts of town agencies and consultants to be directed through one source. I have heard concerns about why individual budget items were or were not included in the budget. Chapter 9 of the Town Charter specifically places the requirement that "the Town Administrator shall submit to the Board of Selectmen a comprehensive budget for all town functions for the ensuing fiscal year..." I take this responsibility very seriously and produce a budget that is professionally done and balanced. I do listen to the Selectmen's thoughts and try to incorporate those into each budget. Once the budget is submitted to the Board, the Board can and should make adjustments. As Town Administrator, having a voice but not a vote at meetings I will comment on the viability and responsibility of such actions. The Board of Selectmen votes on the budget as a whole.

I very much appreciate the need for timely and accurate information flow. I am committed to working with the Board to improve communications and look forward to satisfying the needs of the Board as we move forward.

OFFICE OF THE TOWN ADMINISTRATOR

Phone (508) 430-7513

Fax (508) 432-5039

Christopher Clark, *Town Administrator*

Charleen Greenhalgh, *Assistant Town Administrator*

732 MAIN STREET, HARWICH, MA



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From: Christopher Clark, Town Administrator

Re: Administrator/Board of Selectmen Communications

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Individualized communications: I do receive on a daily basis individual requests for information regarding the Town's operations. This does vary significantly as some members of the Board do not make requests often where as other members of the Board make them on a more frequent basis. I fully understand that Board members have varying degrees of interest on a variety of topics. I have attempted to respond to the individual member with feedback to not only the individual member of the Board but also the Chair. **To enhance the communications flow I will respond to individual Board members with responses to all members of the Board.** I do believe there are times when individual requests should be brought before the entire Board for discussion and consideration of a vote. I am fully amenable to a task list being generated of Board votes regarding information requests and follow-up. The Chair has drafted a **Town Administrator Action Item Register** format which I completely agree will be a useful and effective tool to focus our attention on tasks, actions and deadlines. Please see attached. I believe this log will facilitate the understanding between the Board and administration for items that require follow-up.

Correspondence: it has been brought to my attention that the Board does not believe it sees **legal opinions** in a timely manner. It has been my understanding since I have arrived that written correspondence received by this office is scanned and sent to the Board of Selectmen members. We need to make sure that the correspondence file is scanned and posted to your drop boxes in a timely manner. Both Charleen and I review the same correspondence packages that are received. This is exactly the same material that is provided to the Board. If I receive email correspondence of legal updates of individual legal matters, I currently request such items requiring action to be placed on an agenda at our Wednesday morning agenda meeting with the Chair. If the Board would like to see all email correspondence regarding legal matters we can establish a

process. I am concerned that caution is necessary as the free distribution of confidential material could lead to unintended releases. I do believe that a once a year update from the town attorney is also not sufficient. I do try to monitor legal costs by presenting information to the Board in a timely fashion for decisions to be made.

It is a practice of the press to come in on a periodic basis, usually at least once a week on Fridays, to look over the correspondence package (minus any legal or confidential materials) and to generate their own stories based upon the correspondence. I do not have any control over which items the press decides to write about. However, the press will come in and inquire on a very frequent basis about any potential stories that I may have as the administrator or simply asked me to respond to requests for information that they were provided through other sources for me to comment. I have not been diligent about alerting the Board prior to the story being written. *I will, moving forward, send an email to the entire Board after my conversations with the press to alert as to items that I'm aware of that the press may be writing in stories.*

Emails: I do receive numerous emails in the course of any day. I have been trying to prioritize my emails so I make a concerted effort to respond to individual Board members as the highest priority. It is not uncommon for me to have full day schedules of meetings that limits my ability to respond to emails in a timely fashion. I have been attempting to be better at responding but it is important to know that I am not a very skilled typist and therefore it is a time-consuming process for me. I also realize that I need to read my responses prior to hitting the "send" button so as to improve the accuracy of the information.

I strongly encourage individual Board members having questions or concerns to contact me during daylight hours. I will make every effort to return phone calls and answer those questions as my schedule allows or while driving. I do not text and drive but do have Bluetooth in my vehicle and conduct a fair amount of Town business this way. ***My personal cell phone number is 774. 437. 2054*** and I would encourage Board members to use this number to improve my response time. Lincoln Hooper has an excellent system in which he will email me first on an urgent matter and then follow up with either a quick text message or phone call. I like this approach and find that I am much more responsive to Mr. Hooper using this approach. I am given a heads up as to the topic and better prepared for the follow on communication.

Drop Ins: Over the last year I have made a much more concerted effort to keep my door open while I am doing paperwork. I have found during this time that I receive a lot more drop-in visits to which I make every effort to accommodate. I certainly would also be open to having blocks of time set aside in my schedule where I will only be doing paperwork and therefore not be available for drop ins. I can certainly make these more specific if desired. For example I do generally get into the office around 8 o'clock in the morning and officially the building doesn't open until 8:30 AM. I usually try to tackle emails in the mornings and around lunch time and before I leave depending upon my meeting schedule.

Informational updates: I do believe, in general, that I have a fairly good memory and can provide updates on various topics on the spot. I have tried to during to my monthly Administrator spots shown on our local cable channel tried to cover topics of interest to inform the community at large. I also try to provide information during the Town Administrators report at the Board of Selectmen's meeting. Usually if the meeting runs long, I will try to keep my comments brief. In my past experience, I would have individual Board members call or inform my staff that they would like an update on a certain topic. Ann, Sandy and Charleen are very efficient at keeping track of various requests, simply informing one of them to include on the Town Administrator's update a status report will help to trigger adding that to my Town Administrator updates and/or the monthly administrator spots.

I do wish to specifically point out that I use on a consistent basis the Town Charter for how I respond to various requests. Pursuant to Chapter 3, Section 2, Subsection 3 which reads "the Board of Selectmen shall serve as the chief policymaking agency of the Town and, as such, shall not normally administer the day-to-day affairs of the Town..." When individual Board members contact individual staff or direct consultants without first coordinating with administration this leads to various and sometimes conflicting directives being received by the individual or consultant. The Town charter under chapter 4 Town Administrator specifically calls for "the Town Administrator shall be the chief administrative officer of the Town and shall be responsible for administering and coordinating all employees' activities and departments..." I believe this language exists to allow for the coordinated efforts of town agencies and consultants to be directed through one source. I have heard concerns about why individual budget items were or were not included in the budget. Chapter 9 of the Town Charter specifically places the requirement that "the Town Administrator shall submit to the Board of Selectmen a comprehensive budget for all town functions for the ensuing fiscal year..." I take this responsibility very seriously and produce a budget that is professionally done and balanced. I do listen to the Selectmen's thoughts and try to incorporate those into each budget. Once the budget is submitted to the Board, the Board can and should make adjustments. As Town Administrator, having a voice but not a vote at meetings I will comment on the viability and responsibility of such actions. The Board of Selectmen votes on the budget as a whole.

I very much appreciate the need for timely and accurate information flow. I am committed to working with the Board to improve communications and look forward to satisfying the needs of the Board as we move forward.

Harwich BOS / TA Action Item Report

Item Number	Action Item	Criticality (1,2 or 3)	Lead Responsibility	Date Assigned	Due Date	Status	Comments
16-001							
16-002							
16-003							
16-004							
16-005							
16-006							
16-007							
16-008							
16-009							
16-010							
16-011							
16-012							
16-013							
16-014							
16-015							

Christopher Clark

From: Christopher Clark
Sent: Monday, March 14, 2016 8:56 AM
To: 'peter hughes'; Angelo LaMantia; 'Linda Cebula'; Michael MacAskill; 'Jannell Brown'
Cc: Charleen Greenhalgh; 'pdaley@capecodcommission.org'; 'james.a.kersten@state.ma.us.'; Link Hooper
Subject: FW: Route 6 Exits
Attachments: 160204_MassDOT Route 6 Sign Replacement Project CCC Notes (003).docx; 160204_mutcd_09r1r2edition_selectpages.pdf; 160204_ROUTE 6 GUIDE SIGN REPLACEMENT_25PCT.pdf

To all,

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

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

Chris

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

Hello Town Managers and Administrators,

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

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

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

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

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

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

Best Regards,

Patty

Patty Daley

Deputy Director, Cape Cod Commission

Direct Line: 508-744-1212

Office: 508-362-3828

OFFICE OF THE TOWN ADMINISTRATOR

Phone (508) 430-7513

Fax (508) 432-5039



Christopher Clark, *Town Administrator*
Charleen L. Greenhalgh, *Assistant Town Administrator*

732 MAIN STREET, HARWICH, MA 02645

March 15, 2016

To: Christopher Clark, Town Administrator
From: Charleen Greenhalgh, Assistant Town Administrator *CG*
Re: Recommendation for Process to Update the Affordable Housing Production Plan

First, I think it is important to know what a Housing Production Plan is and why it should be produced.

According to the Guidelines established by the Department of Housing and Community Development (DHCD), a Housing Production Plan (HPP) pursuant to 760 CMR 56.03(4) (the regulatory authority) is a *“proactive strategy for planning and developing affordable housing. It should be developed with opportunities for community residents to become informed of the planning process and the plan, and to provide input. The HPP will assist communities to plan for low and moderate income residents by providing a diverse housing supply. The community should:*

(1) Develop a strategy which will be used to meet its affordable housing needs in a manner consistent with the Chapter 40B statute and implementation regulations; and

(2) Produce housing units in accordance with its HPP.

The HPP identifies the housing needs of a community and the strategies it will use to make progress in facilitating the development of affordable housing. The HPP must be consistent with the regulation and these Guidelines.”

Why should a community produce such a plan? Again, according to the (DHCD) Guidelines, *“By taking a proactive approach in the adoption of a HPP, cities and towns are much more likely to achieve both their affordable housing and community planning goals. HPPs give communities that are under the 10% threshold of Chapter 40B, but are making steady progress in producing affordable housing on an annual basis, more control over comprehensive permit applications for a specified period of time.”*

The Harwich Affordable Housing Production Plan has expired and is in need of updating. Town Planner David Spitz contacted the original consultant, Karen Sunnarborg, who indicated that an update would cost an estimated \$5,000. Mr. Spitz attended the March 10th Community Preservation Committee meeting where the funds were approved using Administrative funds. She would not be available to begin the update until after July 1st.

The previous plan was prepared by the Harwich Housing Plan Working Group. At this time it would be my recommendation that a similar group be established to work on the update: the Assistant Town Administrator, a member from: Housing Authority; Housing Committee; Planning Board; CPC. Attached please find the original members and others who participated in the plan.

TOWN OF HARWICH, MASSACHUSETTS HOUSING PRODUCTION PLAN

Prepared by the Harwich Housing Plan Work Group

Nan Balmer, Assistant Town Administrator
Valerie Foster, Harwich Housing Authority
Gerry Loftus, Harwich Housing Committee
Jack Brown, Harwich Community Preservation Committee
Matt McCafferty, Harwich Planning Board
David Purdy, Harwich Community Preservation Committee

The Consultant and Harwich Housing Plan Work Group wish to acknowledge the help of particular individuals who provided important input into this project including:

- Chris Coy, Realty Executives
- Barbara Anne Foley, Harwich Council on Aging
- Vicki Goldsmith, Habitat for Humanity of Cape Cod
- Emily Loomis, former staff person from the Community Development Partnership
- John Mahan, Team Waystack Realty
- Laura Shufelt, Consultant
- Tammy Taylor, Harwich Assessing Department
- Richard Waystack, Team Waystack Realty
- Paul Widegren, Realty Executives
- Susan Leven, Former Harwich Town Planner
- David Spitz, Harwich Town Planner
- Anita Ducette, Harwich Town Clerk
- Caroline Broderick, Harwich Public Schools

Finally, thanks to those members of Harwich boards, commissions and staff as well as the many residents who attended the public hearing held during the planning process.



March 14, 2016

Dear Committee Member:

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

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

Best,

Peter de Bakker
Chair, Wastewater Implementation Committee

Peter Hughes,
Chair, Board of Selectmen



BECOME INVOLVED

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



Above: Allen Harbor
Algae Bloom

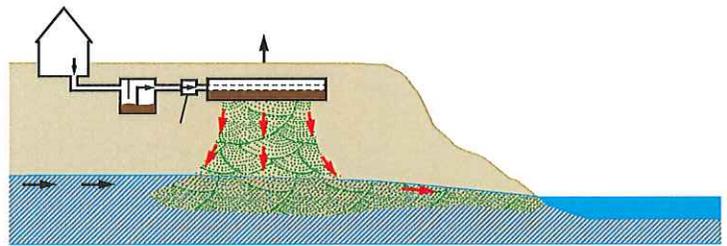
WHAT IS THE PROBLEM?

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

Nitrogen from septic systems is our biggest issue.

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

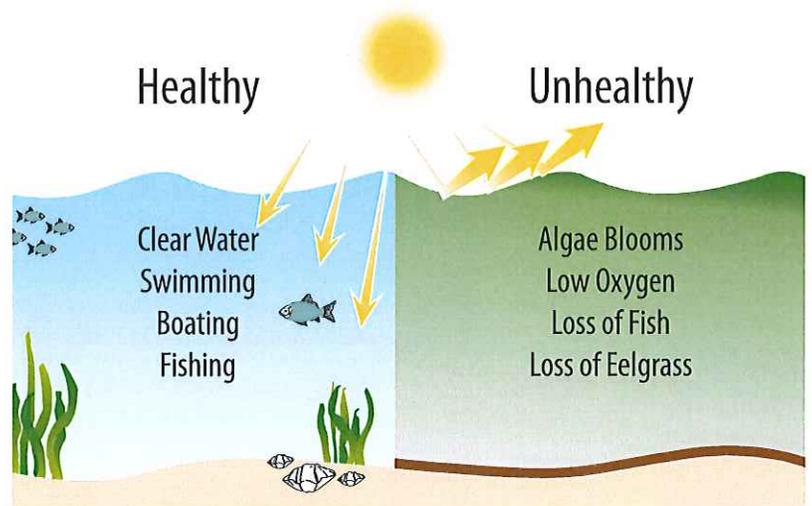
This impacts all Harwich homeowners.



Nitrogen from Title 5 septic systems infiltrates groundwater.

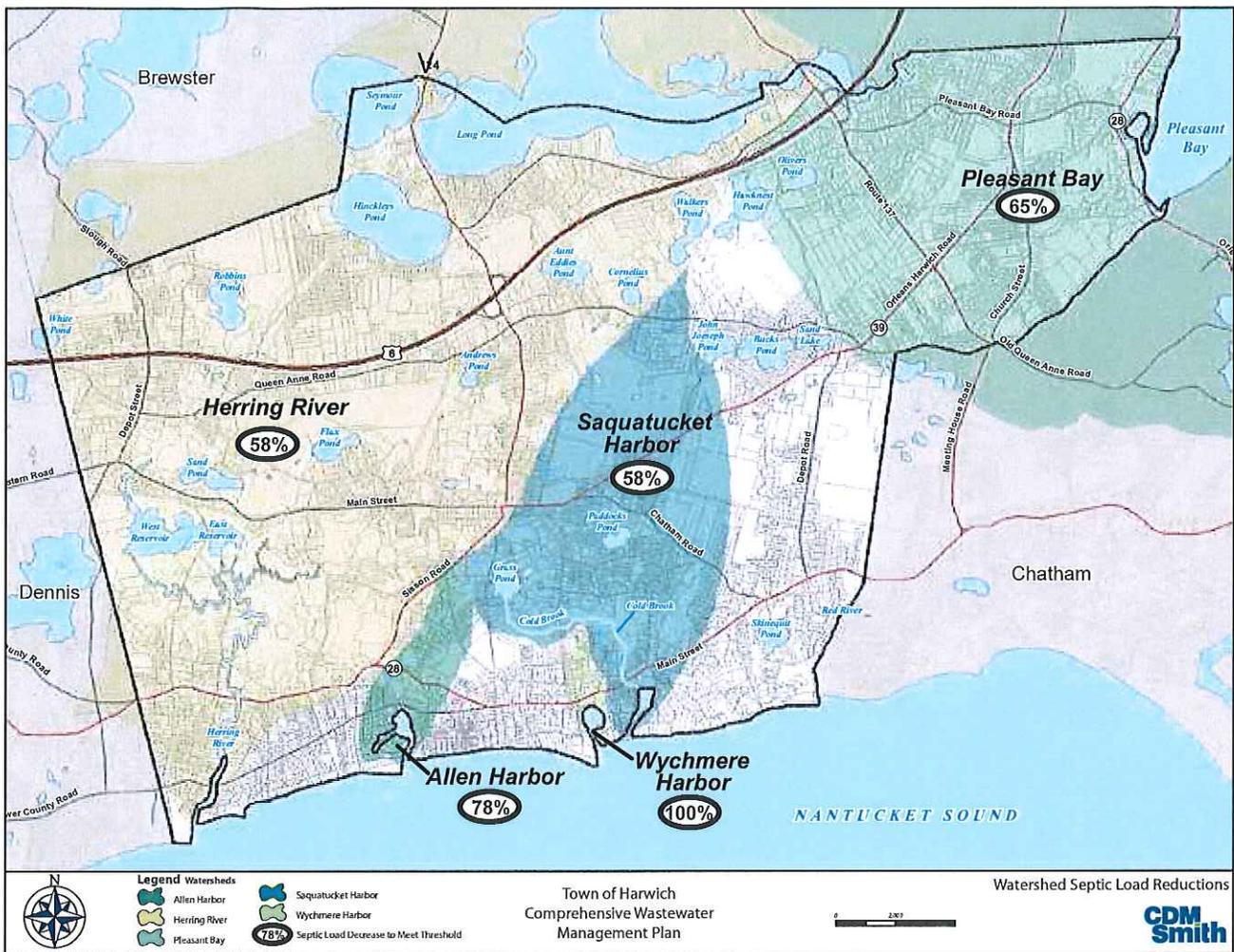
Beaches, rivers and harbors are severely impacted by nitrogen pollution.

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



Nitrogen destroys water quality and marine life.





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

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



LEARN MORE!

Online

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

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

Contacts

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

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