

SELECTMEN'S MEETING AGENDA*

Griffin Room, Town Hall

Regular Meeting 6:30 P.M.

Monday, March 7, 2016

I. **CALL TO ORDER**

II. **PLEDGE OF ALLEGIANCE**

III. **WEEKLY BRIEFING**

IV. **PUBLIC COMMENT/ANNOUNCEMENTS** –

- A. Cape Light Compact's new pilot program – Valerie Bell, CLC Representative
- B. All votes taken tonight will be by roll call due to remote participation

V. **CONSENT AGENDA**

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

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

- A. Public Hearing – All Alcohol Beverages License for MT Group LLC d/b/a Mad Minnow Bar & Kitchen – repeat hearing with abutter notices
- B. Public Hearing – Proposed Sewer Regulations
 - 1. By-Law
 - 2. Associated Regulations

VII. **OLD BUSINESS**

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

VIII. **NEW BUSINESS**

- A. Gift of land to the Town to be used for conservation purposes under the custody of the Conservation Commission – *discussion/review and possible vote to consider this donation to the Town*
- B. Chapter 90 Request - Queen Anne Road Drainage Replacement – *discussion and possible vote*
- C. Budget Amendment #1 – *discussion and possible vote*
- D. Review of Annual Town Meeting Warrant Articles – *discussion and possible vote*
 - 1. Article 57 – Transfer Parcel of Land to the Cemetery Department to develop a Pet Cemetery and Crematory
- E. Annual Town Meeting Warrant – *discussion and possible vote to sign*
- F. Submission of Special Town Meeting Articles – *discussion and possible vote to open*
- G. Wastewater Governance Model – *discussion and possible vote to approve*

IX. **TOWN ADMINISTRATOR'S REPORT**

- A. Plymouth County OPEB Trust (PCOT)
- B. Free Cash Policy

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

Sandra Robinson, Admin. Secretary

Date: March 3, 2016

Harwich Utility and Energy Conservation Commission



March 2, 2016

Harwich Board of Selectmen,

Dear Selectmen,

The U&EC Commission would like to invite the selectmen and town department heads to our next meeting Thursday March 17, 2016 at 7 pm in the town hall. A representative from CLC will be presenting a new pilot program to us. This program allows the town to collect and organize all the data we have on energy usage in the town. CLC will provide training and access to the software package. The town would then be able to have a better understanding of our energy usage. This would allow the town to make more informed decisions about how to save energy in the future.

We hope to see some of you there.

Sincerely,

Valerie Bell

A handwritten signature in blue ink that reads "Valerie Bell". The signature is fluid and cursive.

Harwich Utility and Energy Conservation Commission
Cape Light Compact Representative

**MINUTES
SELECTMEN'S MEETING
GRIFFIN ROOM, TOWN HALL
MONDAY, FEBRUARY 16, 2016
6:30 P.M.**

SELECTMEN PRESENT: Brown, Cebula, Hughes, LaMantia

OTHERS PRESENT: Town Administrator Christopher Clark, Assistant Town Administrator Charleen Greenhalgh, Michael Strangfeld, Michael Lach, Alan Hall, Carl Johnson, Ralph Schwartz, Jeremy Gingras, and others.

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

WEEKLY BRIEFING

Mr. Clark reported on a burst pipe at the Community Center this weekend. He noted that there was an extensive amount of damage and thanked the Fire Department for their quick response as well as Carolyn Carey and Sean Libby who helped in the clean-up effort.

CONSENT AGENDA

- A. Approve Minutes –
 - 1. January 19, 2016 Regular Meeting
 - 2. January 25, 2016 Regular Meeting
 - 3. February 1, 2016 Executive Session
 - 4. February 10, 2016 Executive Session

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. Public Hearing – Application for a Seasonal, Common Victualler, All Alcoholic Beverages License for MT Group LLC d/b/a Mad Minnow Bar & Kitchen

Ms. Brown read the hearing notice into record. Mr. Clark reported that the Police Department has no objections. Mr. Strangfeld stated they are looking to open sometime in May and the establishment will be a higher end bar/food style with Cape Cod cuisine utilizing local farms. He described the patio design and said they would like to install an arbor at the back end, enhance the fence and make it go all the way around the patio. Chairman Hughes asked what his plans are for entertainment and Mr. Strangfeld said they don't plan to be music centered but rather they would have quieter entertainment such as jazz trios, acoustic guitars and things of that nature. Ms. Cebula questioned what time they are expecting to close and Mr. Strangfeld responded that they were hoping for 11:00 p.m. but know that other restaurants in the area are required to close at 10:00 p.m. so they would abide by that. Ralph Schwartz, Operations Director for the Harwich Port Resort Club (an abutter), said he is serving as spokesperson for his Board of Trustees. He

noted that he sent a letter to the Board and Chairman Hughes acknowledged that they received it. He noted that he had sent the same letter when Andale applied for a liquor license at that location and at the time there were specific issues brought up about the type of trees to be put in but most of the trees died. He said their biggest concern is the outside entertainment and service, and that they are moving the service area beyond the dumpsters which is further than the current service area. He said he would like to see more specific information as to the number of seats and closing time. He commented that it was not an enjoyable experience with the last owners. Chairman Hughes responded that there is a sketch of both the inside and outside plan as part of their application and it appears that they would like to stay within the confines of where they are now. Chairman Hughes further described the seating on the plan. He encouraged Mr. Schwartz and Mr. Strangfeld to introduce themselves to each other and communicate any issues that arise. He commented that he believes the applicant is coming to Town with the intent to be good citizens. Mr. Schwartz said the 10:00 closing worked well with Andale. Ms. Cebula encouraged Mr. Schwartz to return to the Board if he does have issues. Jeremy Gingras, Executive Director of the Chamber of Commerce, noted that the applicant had worked on a business plan with them and was receptive to ideas. He stated that he is enthusiastic about the addition of this restaurant to Town. Carl Johnson of Cranberry Jewelers stated that this looks like it is going to be a great addition to the business area and encouraged the Board to approve it. Mr. Clark said the Board could make the closing consistent with other businesses in the area. Chairman Hughes closed the hearing. Ms. Brown moved to accept the application for a Seasonal, Common Victualler, All Alcoholic Beverages License for MT Group LLC d/b/a Mad Minnow Bar & Kitchen. Mr. LaMantia seconded the motion and the motion carried by a unanimous vote.

B. Presentation of Easement Release Donation for Hall Property

Chairman Hughes reported that we recently came to a successful conclusion in the acquisition of the Hall Property to complete our link around the reservoir at Bells Neck. Alan Hall provided an in depth history and map of the property. Chairman Hughes thanked him and his family on behalf of the Town and noted that he is a credit to this community. The Board also thanked Michael Lach of the Harwich Conservation Trust. Mr. Lach stated that this is a significant step forward in the land stewardship of the main Town-owned conservation area surrounding the west reservoir and by donating those rights across the wooden cart paths the Hall Family has created a more scenic and enjoyable experience for everyone.

NEW BUSINESS

A. Annual Town Meeting Warrant Article Review – *discussion and possible vote*

Mr. Clark spoke on how the warrant is organized and briefly referenced some of the articles. No action was taken by the Board.

TOWN ADMINISTRATOR'S REPORT

Mr. Clark reported that Mr. Duncanson has committed to giving us a draft Inter-Municipal Agreement on wastewater with Chatham by the end of next week.

Mr. Clark reported that the Town of Dennis held a workshop with their various Boards and Committees to discuss their Wastewater Management Plan. He stated that this is a good way to get the information out and we should consider doing this as well. He noted that Dave Young will send us the information as to how Dennis did it.

SELECTMEN'S REPORT

The Board agreed to invite CVEC in to discuss the next steps in their budget process and how it will affect Harwich.

ADJOURNMENT

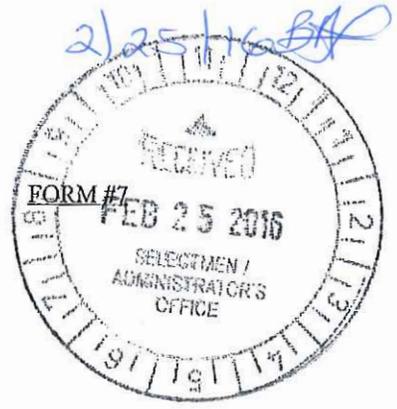
Chairman Hughes adjourned the meeting at 7:33 p.m.

Respectfully submitted,

Ann Steidel
Recording Secretary



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



APPLICATION FOR LICENSE/PERMIT

PLEASE CHECK

 ROAD RACE

 CRAFT FAIR

walk
 OTHER

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

NAME OF BUSINESS Alzheimer's family support ctr PHONE 508-896-5170

BUSINESS ADDRESS of Cape Cod
2095 main street Brewster, Mass. 02631

MAILING ADDRESS _____

PLEASE STATE THE PURPOSE FOR WHICH LICENSE/PERMIT IS REQUESTED Annual
"Remembery Walk-Dave Birtwell Memorial"
for Alzheimers patients and their families

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

DATE Saturday May 7, 2016

TIME walk/events begin at 11:00 A.M.

ROUTE/LOCATION Bike path on Oak street, crosses
over with Harwich police on Bike Rt 39 to Depot
Rd then return to Oak & Brooks park - 6k walk

(please use reverse side if necessary)

Melanie Braverman Signature of Applicant Co-Founder, Alzheimer's Family Support Title
center

Social Security Number of Federal Identification Number

45-5545397
Tax Exempt ID (for non-profit organizations)

Signature of Individual or Corporate Name

By Corporate Officer (if applicable)

*****REGULATORY COMPLIANCE FORM*****

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



Police Department Date 1/23/16



Recreation & Youth Commission Date 1-20-16



Building Commissioner Date



Board of Health Date 1/21/16



Fire Department Date 1/22/16

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

For Office Use Only

FEE _____ CASH _____ CHECK _____

FOR _____

REVIEWED BY _____

DATE LICENSE ISSUED _____

Legals

Legals

NOTICE OF PUBLIC HEARING
TOWN OF HARWICH
BOARD OF SELECTMEN
APPLICATION FOR LIQUOR LICENSE

Notice is hereby given under Chapter 138 of the General Laws as amended that application has been made to this Board for a Seasonal, Common Victualer, All Alcoholic Beverages License for MT Group LLC d/b/a Mad Minnow Bar & Kitchen, Michael Strangfeld, Manager, on the following described premises located at 554 Route 28, Harwich Port. Single story multi-use building, back side first floor to be licensed, 2 rooms (kitchen and dining room including bar area), 2 bathrooms, 2 entrances, 3 exits (2,137 sq. ft.); outdoor patio (1,920 square feet); basement for storage (300 sq. ft.). Total square feet = 4,357 sq. ft.

The Board of Selectmen will hold a hearing upon the application on Monday, March 7, 2016 no earlier than 6:30 p.m. in the Donn B. Griffin Room at Town Hall, 732 Main Street, Harwich, at which time all interested parties will be heard.

Board of Selectmen
Local Licensing Authority

2/21/16

ATTENTION

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MEMO

To: Board of Selectmen
Local Licensing Authority

From: Ann Steidel, Administrative Secretary *Ann Steidel*

Date: February 18, 2016

Subject: Liquor License Application for MT Group LLC d/b/a Mad Minnow Bar & Kitchen

An advertised Public Hearing on the above-referenced liquor license application was held on February 16, 2016 at which time the Board approved the application. As no Return Receipt abutter notification green cards were turned in at the hearing and after determining that the applicant did not send out abutter notices Return Receipt Requested as outlined in the instruction letter to the applicant, a new advertised hearing is scheduled for March 7, 2016.

NOTICE OF PUBLIC HEARING
TOWN OF HARWICH
BOARD OF SELECTMEN
APPLICATION FOR LIQUOR LICENSE

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Board of Selectmen
Local Licensing Authority

Cape Cod Times
February 21, 2016

Cape Cod Chronicle
February 25, 2016



February 18, 2016

Mr. Michael Strangfeld
MT Group LLC
d/b/a Mad Minnow Bar & Kitchen
554 Route 28
Harwich Port, MA 02646

Re: Application for a Seasonal, Common Victualler, All Alcoholic Beverages License for MT
Group LLC d/b/a Mad Minnow Bar & Kitchen

Dear Mr. Strangfeld:

This is to confirm that the Liquor Hearing on the above-referenced application is scheduled for Monday, March 7, 2016 no earlier than 6:30 P.M. in the Donn B. Griffin meeting room at Town Hall, 732 Main Street, Harwich.

Enclosed please find a copy of the Legal Notice to be advertised on Sunday, February 21, 2016 in the Cape Cod Times. You must send a copy of the Legal Notice from the Cape Cod Times to all abutters (list enclosed) by **certified mail, return receipt requested**, within three (3) days of publication. The return receipts must be brought to the hearing along with the "Affidavit of Notice of Mailing to Abutters and Others" form which you must have notarized.

Please feel free to contact this office should you have any questions.

Sincerely,

Ann Steidel
Administrative Secretary

enclosures



TOWN OF HARWICH, MA
 BOARD OF ASSESSORS
 732 Main Street, Harwich, MA 02645

Abutters List Within 100 feet of Parcel 14/T7/0



Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
10550	14-P5-0-E	PILGRIM CONGREGATION	527 ROUTE 28	527 MAIN ST	HARWICH PORT	MA	02646
10557	14-F3-A-0-E	HARWICH TOWN OF - SELECTMEN SCHOOL HOUSE PARKING LOT	1 SCHOOL HOUSE RD	732 MAIN ST	HARWICH	MA	02645
10556	14-F3-0-E	HARWICH TOWN OF - SELECTMEN SCHOOL HOUSE PARKING LOT	0 SCHOOL HOUSE RD	732 MAIN ST	HARWICH	MA	02645
1928	14-T7-0-R	HP PROPERTY INVESTMENT LLC	<i>LOCUS</i> 554 ROUTE 28	15 COPELAND DR	BEDFORD	MA	01730
11696	14-T7-A-0-R	APOSTOL DENISE TR THEODORE APOSTOL 1990 TRUST	19 SCHOOL HOUSE RD	700 ISLAND WAY APT 403	CLEARWATER	FL	33767
20030	14-T6-1-0-E	HARWICHPORT MOTOR INN CORP	558 ROUTE 28	RESORT CONDO TRUST 558 MAIN ST	HARWICH PORT	MA	02646

Send to all 6



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

A handwritten signature in black ink, appearing to read "D.J. Guillemette", is written over the printed name and title.

DATE: January 28, 2016

SUBJECT: Application for seasonal, Common Victualler, All Alcoholic Beverages License for MT Group LLC d/b/a Mad Minnow Bar & Kitchen, Michael Strangfeld, Manager

The Police Department has no objections regarding the Application for a Seasonal, Common Victualler, All Alcoholic Beverages License by Mad Minnow Bar & Kitchen. A background investigation of the proposed individual(s) indicates no liquor code violations or disqualifying history of negative contacts.

If you have any questions or need further clarification, please feel free to contact me at your earliest convenience.

APPLICATION FOR RETAIL ALCOHOLIC BEVERAGE LICENSE

City/Town

Harwich Port

1. LICENSEE INFORMATION:

A. Legal Name/Entity of Applicant:(Corporation, LLC or Individual)

MT Group LLC

B. Business Name (if different) :

Mad Minnow Bar & Kitchen

C. Manager of Record:

Michael Strangfeld

D. ABCC License Number (for existing licenses only) :

E. Address of Licensed Premises:

554 Route 28

City/Town:

Harwich Port

State:

MA

Zip:

02646

F. Business Phone:

G. Cell Phone:

H. Email:

mike@madminnow.com

I. Website:

www.madminnow.com

J. Mailing address (if different from E.):

City/Town:

State:

Zip:

2. TRANSACTION:

- New License
- New Officer/Director
- Transfer of Stock
- Issuance of Stock
- Pledge of Stock
- Transfer of License
- New Stockholder
- Management/Operating Agreement
- Pledge of License

The following transactions must be processed as new licenses:

- Seasonal to Annual
- (6) Day to (7)-Day License
- Wine & Malt to All Alcohol

IMPORTANT ATTACHMENTS (1): The applicant must attach a vote of the entity authorizing all requested transactions, including the appointment of a Manager of Record or principal representative.

3. TYPE OF LICENSE:

- §12 Restaurant
- §12 Hotel
- §12 Club
- §12 Veterans Club
- §12 Continuing Care Retirement Community
- §12 General On-Premises
- §12 Tavern (No Sundays)
- §15 Package Store

4. LICENSE CATEGORY:

- All Alcoholic Beverages
- Wines & Malt Beverages
- Wines
- Malt
- Wine & Malt Beverages with Cordials/Liqueurs Permit

5. LICENSE CLASS:

- Annual
- Seasonal

6. CONTACT PERSON CONCERNING THIS APPLICATION (ATTORNEY IF APPLICABLE)

NAME: Michael Strangfeld
ADDRESS: 36 Hardy Avenue
CITY/TOWN: Watertown STATE: MA ZIP CODE: 02472
CONTACT PHONE NUMBER: (508) 259-1189 FAX NUMBER: (617) 247-4009
EMAIL: mike@madminnow.com

7. DESCRIPTION OF PREMISES:

Please provide a complete description of the premises. Please note that this must be identical to the description on the Form 43. **Your description MUST include: number of floors, number of rooms on each floor, any outdoor areas to be included in licensed area, and total square footage.** i.e.: "Three story building, first floor to be licensed, 3 rooms, 1 entrance 2 exits (3200 sq ft); outdoor patio (1200 sq ft); Basement for storage (1200 sq ft). Total sq ft = 5600."

Single story multi-use building, back side first floor to be licensed, 2 rooms(kitchen and dining room including bar area), 2 bathrooms, 2 entrances, 3 exits (2,137 sq ft); outdoor patio (1920 square feet); basement for storage (300 sq ft). Total square feet = 4357 sq ft.

Total Square Footage: 4357 sq ft Number of Entrances: 2 Number of Exits: 3
Occupancy Number: TBD Seating Capacity: 60

IMPORTANT ATTACHMENTS (2): The applicant must attach a floor plan with dimensions and square footage for each floor & room.

8. OCCUPANCY OF PREMISES:

By what right does the applicant have possession and/or legal occupancy of the premises? Final Lease

IMPORTANT ATTACHMENTS (3): The applicant must submit a copy of the final lease or documents evidencing a legal right to occupy the premises.

Other:

Landlord is a(n): LLC Other:

Name: HP Property Investment LLC Phone: (978) 423-4619

Address: 15 Copeland Drive City/Town: Bedford State: MA Zip: 01730

Initial Lease Term: Beginning Date 2/1/2016 Ending Date 2/1/2021

Renewal Term: 5 year Options/Extensions at: 1/5 Years Each

Rent: 38,466 Per Year Rent: 3,205.5 Per Month

Do the terms of the lease or other arrangement require payments to the Landlord based on a percentage of the alcohol sales?
Yes No

If Yes, Landlord Entity must be listed in Question # 10 of this application.

If the principals of the applicant corporation or LLC have created a separate corporation or LLC to hold the real estate, the applicant must still provide a lease between the two entities.

9. LICENSE STRUCTURE:

The Applicant is a(n):

LLC

Other :

If the applicant is a Corporation or LLC, complete the following:

Date of Incorporation/Organization:

April 7, 2015

State of Incorporation/Organization:

MA

Is the Corporation publicly traded? Yes No

10. INTERESTS IN THIS LICENSE:

List all individuals involved in the entity (e.g. corporate stockholders, directors, officers and LLC members and managers) and any person or entity with a direct or indirect, beneficial or financial interest in this license.

IMPORTANT ATTACHMENTS (4):

A. All individuals or entities listed below are required to complete a Personal Information Form.

B. All shareholders, LLC members or other individuals with any ownership in this license must complete a CORI Release Form (unless they are a landlord entity)

Name	All Titles and Positions	Specific % Owned	Other Beneficial Interest
Margaret J Gullotti	Manager	25	
Anthony Gullotti Jr.	SOC Signatory	25	
Michael Strangfeld	SOC Signatory	25	
Megan Strangfeld	SOC Signatory	25	

*If additional space is needed, please use last page.

11. EXISTING INTEREST IN OTHER LICENSES:

Does any individual listed in §10 have any direct or indirect, beneficial or financial interest in any other license to sell alcoholic beverages? Yes No If yes, list said interest below:

Name	License Type	Licensee Name & Address
Anthony Gullotti Jr.	§12 Restaurant	The Blue Coral Seaside Cuisine and Spirits
Margaret Gullotti	§12 Restaurant	The Blue Coral Seaside Cuisine and Spirits

*If additional space is needed, please use last page.

12. PREVIOUSLY HELD INTERESTS IN OTHER LICENSES:

Has any individual listed in §10 who has a direct or indirect beneficial interest in this license ever held a direct or indirect, beneficial or financial interest in a license to sell alcoholic beverages, which is not presently held? Yes No If yes, list said interest below:

Name	Licensee Name & Address	Date	Reason Terminated
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>

13. DISCLOSURE OF LICENSE DISCIPLINARY ACTION:

Have any of the disclosed licenses to sell alcoholic beverages listed in §11 and/or §12 ever been suspended, revoked or cancelled? Yes No If yes, list said interest below:

Date	License	Reason of Suspension, Revocation or Cancellation

14. CITIZENSHIP AND RESIDENCY REQUIREMENTS FOR A (§15) PACKAGE STORE LICENSE ONLY :

A.) For Individual(s):

- Are you a U.S. Citizen? Yes No
- Are you a Massachusetts Residents? Yes No

B.) For Corporation(s) and LLC(s) :

- Are all Directors/LLC Managers U.S. Citizens? Yes No
- Are a majority of Directors/LLC Managers Massachusetts Residents? Yes No
- Is the License Manager a U.S. Citizen? Yes No

C.) For Individual(s), Shareholder(s), Member(s), Director(s) and Officer(s):

- Are all Individual(s), Shareholders, Members, Directors, LLC Managers and Officers involved at least twenty-one (21) years old? Yes No

15. CITIZENSHIP AND RESIDENCY REQUIREMENTS FOR (§12) RESTAURANT, HOTEL, CLUB, GENERAL ON PREMISE, TAVERN, VETERANS CLUB LICENSE ONLY:

A.) For Individual(s):

- Are you a U.S. Citizen? Yes No

B.) For Corporation(s) and LLC(s) :

- Are a majority of Directors/LLC Managers **NOT** U.S. Citizen(s)? Yes No
- Is the License Manager or Principal Representative a U.S. Citizen? Yes No

C.) For Individual(s), Shareholder(s), Member(s), Director(s) and Officer(s):

- Are all Individual(s), Shareholders, Members, Directors, LLC Managers and Officers involved at least twenty-one (21) years old? Yes No

16. COSTS ASSOCIATED WITH LICENSE TRANSACTION:

A. Purchase Price for Real Property:	n/a
B. Purchase Price for Business Assets:	n/a
C. Costs of Renovations/Construction:	\$25,000
D. Initial Start-Up Costs:	\$25,000
E. Purchase Price for Inventory:	\$10,000
F. Other: (Specify)	\$0
G: TOTAL COST	\$60,000
H. TOTAL CASH	\$60,000
I. TOTAL AMOUNT FINANCED	\$0

IMPORTANT ATTACHMENTS (5): Any individual, LLC, corporate entity, etc. providing funds of \$50,000 or greater towards this transaction, must provide proof of the source of said funds. Proof may consist of three consecutive months of bank statements with a minimum balance of the amount described, a letter from your financial institution stating there are sufficient funds to cover the amount described, loan documentation, or other documentation.

The amounts listed in subsections (H) and (I) must total the amount reflected in (G).

17. PROVIDE A DETAILED EXPLANATION OF THE FORM(S) AND SOURCE(S) OF FUNDING FOR THE COSTS IDENTIFIED ABOVE (INCLUDE LOANS, MORTGAGES, LINES OF CREDIT, NOTES, PERSONAL FUNDS, GIFTS):

100% personal funds

*If additional space is needed, please use last page.

18. LIST EACH LENDER AND LOAN AMOUNT(S) FROM WHICH "TOTAL AMOUNT FINANCED" NOTED IN SUB-SECTIONS 16(I) WILL DERIVE:

Name	Dollar Amount	Type of Financing

*If additional space is needed, please use last page.

B. Does any individual or entity listed in §17 or §18 as a source of financing have a direct or indirect, beneficial or financial interest in this license or any other license(s) granted under Chapter 138? Yes No

If yes, please describe:

n/a

19. PLEDGE: (i.e. COLLATERAL FOR A LOAN)

A.) Is the applicant seeking approval to pledge the license? Yes No

1. If yes, to whom:

2. Amount of Loan: 3. Interest Rate: 4. Length of Note:

5. Terms of Loan:

B.) If a corporation, is the applicant seeking approval to pledge any of the corporate stock? Yes No

1. If yes, to whom:

2. Number of Shares:

C.) Is the applicant pledging the inventory? Yes No

If yes, to whom:

IMPORTANT ATTACHMENTS (6): If you are applying for a pledge, submit the pledge agreement, the promissory note and a vote of the Corporation/LLC approving the pledge.

20. CONSTRUCTION OF PREMISES:

Are the premises being remodeled, redecorated or constructed in any way? If YES, please provide a description of the work being performed on the premises: Yes No

We are: replacing old ceiling tiles, refinishing the flooring, rebuilding the bar top and shelving, painting, constructing an outside dining area/patio, and refurbishing the bar and dining area and the kitchen.

21. ANTICIPATED OPENING DATE:

**IF ALL OF THE INFORMATION AND
ATTACHMENTS ARE NOT COMPLETE
THE APPLICATION WILL BE
RETURNED**

APPLICANT'S STATEMENT

I, Michael Strangfeld the: sole proprietor; partner; corporate principal; LLC/LLP member
Authorized Signatory

of MT Group LLC/Mad Minnow, hereby submit this application for Seasonal Full Liquor License
Name of the Entity/Corporation Transaction(s) you are applying for

(hereinafter the "Application"), to the local licensing authority (the "LLA") and the Alcoholic Beverages Control Commission (the "ABCC" and together with the LLA collectively the "Licensing Authorities") for approval.

I do hereby declare under the pains and penalties of perjury that I have personal knowledge of the information submitted in the Application, and as such affirm that all statement and representations therein are true to the best of my knowledge and belief. I further submit the following to be true and accurate:

- (1) I understand that each representation in this Application is material to the Licensing Authorities' decision on the Application and that the Licensing Authorities will rely on each and every answer in the Application and accompanying documents in reaching its decision;
- (2) I state that the location and description of the proposed licensed premises does not violate any requirement of the ABCC or other state law or local ordinances;
- (3) I understand that while the Application is pending, I must notify the Licensing Authorities of any change in the information submitted therein. I understand that failure to give such notice to the Licensing Authorities may result in disapproval of the Application;
- (4) I understand that upon approval of the Application, I must notify the Licensing Authorities of any change in the Application information as approved by the Licensing Authorities. I understand that failure to give such notice to the Licensing Authorities may result in sanctions including revocation of any license for which this Application is submitted;
- (5) I understand that the licensee will be bound by the statements and representations made in the Application, including, but not limited to the identity of persons with an ownership or financial interest in the license;
- (6) I understand that all statements and representations made become conditions of the license;
- (7) I understand that any physical alterations to or changes to the size of, the area used for the sale, delivery, storage, or consumption of alcoholic beverages, must be reported to the Licensing Authorities and may require the prior approval of the Licensing Authorities;
- (8) I understand that the licensee's failure to operate the licensed premises in accordance with the statements and representations made in the Application may result in sanctions, including the revocation of any license for which the Application was submitted; and
- (9) I understand that any false statement or misrepresentation will constitute cause for disapproval of the Application or sanctions including revocation of any license for which this Application is submitted.

Signature: 

Date: 1/27/16

Title: President

Additional Space

Please note which question you are using this space for.

10. Interests in this License:

Margaret Gullotti: Manager/Treasurer
Anthony Gullotti: SOC Signatory/Manager/Vice President
Megan Strangfeld: SOC Signatory/Manager/Secretary
Michael Strangfeld: SOC Signatory/Manager/President

11. Existing Interest in Other Licenses: The Blue Coral Seaside Cuisine and Spirits is located at 483 Main Street, Chatham MA, 02633.

Manager Application

4. Background Information - D. Prior to Lucca Back Bay - The Blue Coral Seaside Cuisine and Spirits - 483 Main Street, Chatham MA, 02633, Bartender, May 2005 to September 2007

To Whom It May Concern:

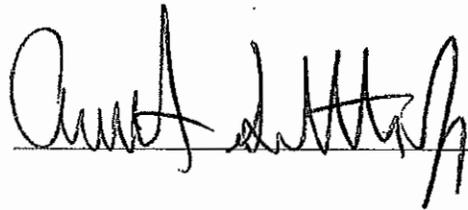
On this day, the 27th of January, in the year 2016, we, the members of MT Group LLC, doing business as Mad Minnow Bar & Kitchen, located at 554 Main Street(Route 28) in Harwich Port, Massachusetts, 02646, vote to apply for a seasonal full liquor license.

We, the members of MT Group LLC, also vote, for purposes of a seasonal full liquor license, to appoint Michael Strangfeld as Manager of Record and principal representative. We, the undersigned, agree in full majority on the previous two votes.

Signed

Date

Anthony Gullotti Jr.



1/27/16

Margaret Gullotti



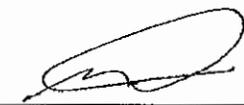
1/27/16

Megan Strangfeld



1/27/2016

Michael Strangfeld



1/27/16



The Commonwealth of Massachusetts
 Alcoholic Beverages Control Commission
 239 Causeway Street
 Boston, MA 02114
 www.mass.gov/abcc

MANAGER APPLICATION

All proposed managers are required to complete a Personal Information Form, and attach a copy of the corporate vote authorizing this action and appointing a manager.

1. LICENSEE INFORMATION:

Legal Name of Licensee: Business Name (dba):

Address:

City/Town: State: Zip Code:

ABCC License Number: (If existing licensee) Phone Number of Premise:

2. MANAGER INFORMATION:

A. Name: B. Cell Phone Number:

C. List the number of hours per week you will spend on the licensed premises:

3. CITIZENSHIP INFORMATION:

A. Are you a U.S. Citizen: Yes No B. Date of Naturalization: C. Court of Naturalization:

(Submit proof of citizenship and/or naturalization such as US Passport, Voter's Certificate, Birth Certificate or Naturalization Papers)

4. BACKGROUND INFORMATION:

A. Do you now, or have you ever, held any direct or indirect, beneficial or financial interest in a license to sell alcoholic beverages? Yes No

If yes, please describe:

B. Have you ever been the Manager of Record of a license to sell alcoholic beverages that has been suspended, revoked or cancelled? Yes No

If yes, please describe:

C. Have you ever been the Manager of Record of a license that was issued by this Commission? Yes No

If yes, please describe:

D. List your employment for the past ten years (Dates, Position, Employer, Address and Telephone):

I hereby swear under the pains and penalties of perjury that the information I have provided in this application is true and accurate:

Signature Date



The Commonwealth of Massachusetts
 Alcoholic Beverages Control Commission
 239 Causeway Street
 Boston, MA 02114
 www.mass.gov/abcc

PERSONAL INFORMATION FORM

Each individual listed in Section 10 of this application must complete this form.

1. LICENSEE INFORMATION:

A. Legal Name of Licensee B. Business Name (dba)

C. Address D. ABCC License Number (If existing licensee)

E. City/Town State Zip Code

F. Phone Number of Premise G. EIN of License

2. PERSONAL INFORMATION:

A. Individual Name B. Home Phone Number

C. Address

D. City/Town State Zip Code

E. Social Security Number F. Date of Birth

G. Place of Employment

3. BACKGROUND INFORMATION:

Have you ever been convicted of a state, federal or military crime? Yes No

If yes, as part of the application process, the individual must attach an affidavit as to any and all convictions. The affidavit must include the city and state where the charges occurred as well as the disposition of the convictions.

4. FINANCIAL INTEREST:

Provide a detailed description of your direct or indirect, beneficial or financial interest in this license.

I hereby swear under the pains and penalties of perjury that the information I have provided in this application is true and accurate:

Signature Date

Title (If Corporation/LLC Representative)



The Commonwealth of Massachusetts
 Alcoholic Beverages Control Commission
 239 Causeway Street
 Boston, MA 02114
 www.mass.gov/abcc

PERSONAL INFORMATION FORM

Each individual listed in Section 10 of this application must complete this form.

1. LICENSEE INFORMATION:

A. Legal Name of Licensee	MT Group, LLC	B. Business Name (dba)	Mad Minnow Bar & Kitchen
C. Address	554 Main Street (Rt. 28)	D. ABCC License Number (If existing licensee)	
E. City/Town	Harwich Port	State	MA Zip Code 02646
F. Phone Number of Premise		G. EIN of License	81-1182562

2. PERSONAL INFORMATION:

A. Individual Name	Margaret Gullotti	B. Home Phone Number	[REDACTED]
C. Address	32 Bullard Street		
D. City/Town	Sharon	State	MA Zip Code 02067
E. Social Security Number	[REDACTED]	F. Date of Birth	[REDACTED]
G. Place of Employment	None		

3. BACKGROUND INFORMATION:

Have you ever been convicted of a state, federal or military crime? Yes No

If yes, as part of the application process, the individual must attach an affidavit as to any and all convictions. The affidavit must include the city and state where the charges occurred as well as the disposition of the convictions.

4. FINANCIAL INTEREST:

Provide a detailed description of your direct or indirect, beneficial or financial interest in this license.

25% Ownership

I hereby swear under the pains and penalties of perjury that the information I have provided in this application is true and accurate:

Signature	Margaret J. Gullotti	Date	1/27/16
Title	TREASURER	(If Corporation/LLC Representative)	



The Commonwealth of Massachusetts
 Alcoholic Beverages Control Commission
 239 Causeway Street
 Boston, MA 02114
 www.mass.gov/abcc

PERSONAL INFORMATION FORM

Each individual listed in Section 10 of this application must complete this form.

1. LICENSEE INFORMATION:

A. Legal Name of Licensee	MT Group LLC	B. Business Name (dba)	Mad Minnow
C. Address	554 Main Street (Route 28)	D. ABCC License Number (If existing licensee)	
E. City/Town	Harwich Port	State	MA Zip Code 02646
F. Phone Number of Premise	(508) 259-1189	G. EIN of License	81-1182562

2. PERSONAL INFORMATION:

A. Individual Name	Megan Strangfeld	B. Home Phone Number	[REDACTED]
C. Address	36 Hardy Avenue		
D. City/Town	Watertown	State	MA Zip Code 02472
E. Social Security Number	[REDACTED]	F. Date of Birth	[REDACTED]
G. Place of Employment	None		

3. BACKGROUND INFORMATION:

Have you ever been convicted of a state, federal or military crime? ? Yes No

If yes, as part of the application process, the individual must attach an affidavit as to any and all convictions. The affidavit must include the city and state where the charges occurred as well as the disposition of the convictions.

4. FINANCIAL INTEREST:

Provide a detailed description of your direct or indirect, beneficial or financial interest in this license.

25% Ownership

I hereby swear under the pains and penalties of perjury that the information I have provided in this application is true and accurate:

Signature Megan Strangfeld Date 1-27-2016
 Title SECRETARY (If Corporation/LLC Representative)



The Commonwealth of Massachusetts
 Alcoholic Beverages Control Commission
 239 Causeway Street
 Boston, MA 02114
 www.mass.gov/abcc

PERSONAL INFORMATION FORM

Each individual listed in Section 10 of this application must complete this form.

1. LICENSEE INFORMATION:

A. Legal Name of Licensee	MT Group LLC	B. Business Name (dba)	Mad Minnow
C. Address	554 Main Street (Route 28)	D. ABCC License Number (If existing licensee)	
E. City/Town	Harwich Port	State	MA Zip Code 02646
F. Phone Number of Premise	(508) 259-1189	G. EIN of License	81-1182562

2. PERSONAL INFORMATION:

A. Individual Name	Michael Strangfeld	B. Home Phone Number	[REDACTED]
C. Address	36 Hardy Avenue		
D. City/Town	Watertown	State	MA Zip Code 02472
E. Social Security Number	[REDACTED]	F. Date of Birth	[REDACTED]
G. Place of Employment	Lucca Back Bay		

3. BACKGROUND INFORMATION:

Have you ever been convicted of a state, federal or military crime?

Yes No

If yes, as part of the application process, the individual must attach an affidavit as to any and all convictions. The affidavit must include the city and state where the charges occurred as well as the disposition of the convictions.

4. FINANCIAL INTEREST:

Provide a detailed description of your direct or indirect, beneficial or financial interest in this license.

25% Ownership

I hereby swear under the pains and penalties of perjury that the information I have provided in this application is true and accurate:

Signature

Date

1/27/16

Title

PRESIDENT

(If Corporation/LLC Representative)



MASSACHUSETTS DEPARTMENT OF REVENUE
PO BOX 7044
BOSTON, MA 02204
CONTACT CENTER
(617) 887-6367

Letter ID: L0567592960
Notice Date: January 23, 2016
Case ID: 0-000-067-182

CERTIFICATE OF GOOD STANDING AND/OR TAX COMPLIANCE



MT GROUP LLC
554 ROUTE 28
HARWICH PORT MA 02646-1858

Why did you receive this notice?

The Commissioner of Revenue certifies that, as of the date of this certificate, MT GROUP LLC is in compliance with its tax obligations under Chapter 62C of the Massachusetts General Laws.

This certificate doesn't certify that the taxpayer is compliant in taxes such as unemployment insurance administered by agencies other than the Department of Revenue, or taxes under any other provisions of law.

This is not a waiver of lien issued under Chapter 62C, section 52 of the Massachusetts General Laws.

Where can you find additional information?

Visit our website at mass.gov/dor for one-stop access to taxpayer information. You can learn more about state tax laws and DOR policies and procedures, including your Taxpayer Bill of Rights and the appeals process.

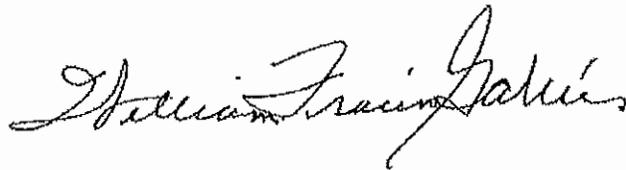
You can file your returns, make payments and manage your account at mass.gov/masstaxconnect. You may also contact us by phone at (617) 887-6367 or toll-free in Massachusetts at (800) 392-6089, Monday through Friday, 9:00 a.m. to 5:00 p.m.

Charlene Hamaford
Acting Deputy Commissioner

THE COMMONWEALTH OF MASSACHUSETTS

I hereby certify that, upon examination of this document, duly submitted to me, it appears that the provisions of the General Laws relative to corporations have been complied with, and I hereby approve said articles; and the filing fee having been paid, said articles are deemed to have been filed with me on:

April 06, 2015 04:10 PM

A handwritten signature in cursive script, reading "William Francis Galvin".

WILLIAM FRANCIS GALVIN

Secretary of the Commonwealth



The Commonwealth of Massachusetts
Secretary of the Commonwealth
State House, Boston, Massachusetts 02133

William Francis Galvin
Secretary of the
Commonwealth

Date: January 11, 2016

To Whom It May Concern :

I hereby certify that a certificate of organization of Limited Liability Company was filed
in this office by

MT GROUP, LLC

in accordance with the provisions of Massachusetts General Laws, Chapter 156C, on
April 06, 2015.

I further certify that said Limited Liability Company has not filed a Certificate of Cancellation;
that said Limited Liability Company has not been administratively dissolved; and that, so far as
appears of record, said Limited Liability Company has legal existence.



In testimony of which,
I have hereunto affixed the
Great Seal of the Commonwealth
on the date first above written.

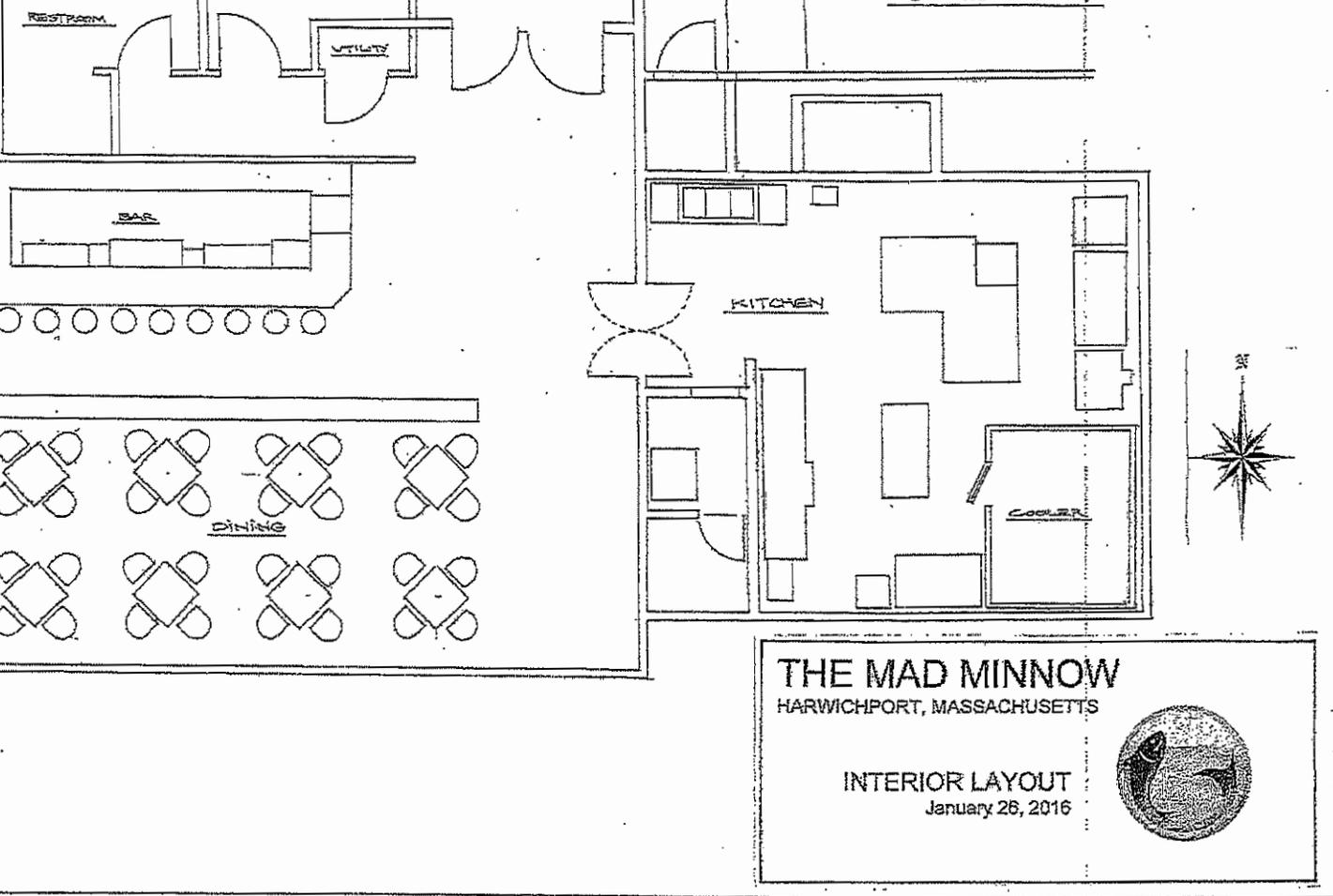
William Francis Galvin

Secretary of the Commonwealth

Certificate Number: 16017248520

Verify this Certificate at: <http://corp.sec.state.ma.us/CorpWeb/Certificates/Verify.aspx>

Processed by: Kta



THE MAD MINNOW
HARWICHPORT, MASSACHUSETTS

INTERIOR LAYOUT
January 26, 2016

.L714181 3.7.1. 5.704222.1.

**TOWN OF HARWICH
PUBLIC HEARING
PROPOSED SEWER REGULATIONS
MARCH 7, 2016**

The Board of Selectmen will hold a Public Hearing on Monday, March 7, 2016, no earlier than 6:30 p.m. in the Donn B. Griffin Room at Town Hall, 732 Main St., Harwich, for the purpose of reviewing proposed sewer regulations. Copies of the draft regulations are available at the Selectmen's Office, 732 Main St., Harwich, or on the Town website: www.harwich-ma.gov. All members of the public having an interest in this topic are cordially invited to attend the Public Hearing and provide information and testimony relevant to these proposals.

HARWICH BOARD OF SELECTMEN

The Cape Cod Chronicle
Feb. 18, 2016

TOWN OF HARWICH
PUBLIC HEARING
PROPOSED SEWER REGULATIONS
March 7, 2016

The Board of Selectmen will hold a Public Hearing on Monday, March 7, 2016, no earlier than 6:30 p.m. in the Donn B. Griffin Room at Town Hall, 732 Main St., Harwich, for the purpose of reviewing proposed sewer regulations. Copies of the draft regulations are available at the Selectmen's Office, 732 Main St., Harwich, or on the Town website: www.harwich-ma.gov . All members of the public having an interest in this topic are cordially invited to attend the Public Hearing and provide information and testimony relevant to these proposals.

HARWICH BOARD OF SELECTMEN

Cape Cod Chronicle
February 18, 2016

Town of Harwich, Massachusetts
Sewer Use Bylaw - March, 2016

The Town of Harwich hereby establishes the following sewer use bylaw (Bylaw) governing the use of the wastewater collection system in Harwich, County of Barnstable, Commonwealth of Massachusetts.

While this Bylaw will apply to the wastewater collection system throughout the town it has been specifically developed herein for the wastewater collection system to be implemented in the Pleasant Bay Watershed area of Harwich. Wastewater collected in this area will be conveyed to the Town of Chatham wastewater treatment facility. As part of this Bylaw, the sewer governance board shall establish Rules and Regulations and from time to time modify said Rules and Regulations as required by Massachusetts General Laws Chapter 83, Section 10.

Purpose: The purpose of this Bylaw, and the subsequent Rules and Regulations, is:

- 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, pumping 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 conditions;
- c) To prevent new sources of inflow and infiltration (I/I) and eliminate private source inflow;
- d) To provide for equitable distribution to all uses 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 Harwich and its people and resources while discharging wastewater in the Chatham Sewer System.

The established Rules and Regulations will be part of the contract with every person who discharges wastewater into the Town of Chatham Sewer System from the East Harwich area, and governs the relationship between the Town of Harwich 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.

**PART I** ADMINISTRATION OF THE GOVERNMENT**TITLE XIV** PUBLIC WAYS AND WORKS**CHAPTER 83** SEWERS, DRAINS AND SIDEWALKS**Section 10** Rules and regulations regarding use and connections

Section 10. A city, town or sewer district may, from time to time, prescribe rules and regulations regarding the use of common sewers to prevent the entrance or discharge therein of any substance which may tend to interfere with the flow of sewage or the proper operation of the sewerage system and the treatment and disposal works, for the connection of estates and buildings with sewers, for the construction, alteration, and use of all connections entering into such sewers, and for the inspection of all materials used therein; and may prescribe civil penalties, not exceeding five thousand dollars for each day of violation of any such rule or regulation. A city, town, sewer district, or a district established for the purpose of managing stormwater, pursuant to section 1A of chapter 40, may from time to time prescribe rules and regulations for the use of main drains and the management of stormwater to prevent the discharge of sediment and pollutants therein which may tend to degrade wetlands, streams, other surface water bodies, and groundwater and to inspect the facilities for the collection and infiltration of stormwater in order to reduce flooding and improve the quality of and decrease the quantity of stormwater runoff; for the connection of estates and buildings with main drains; for the construction, alteration, and use of all connections entering into such main drains; and for the inspection of all materials used therein; and may prescribe civil penalties, not exceeding \$5,000 for each day of violation of a rule or regulation. Such rules and regulations shall be published once in a newspaper published in the city or town, if there be any, and if not, then in a newspaper published in the county, and shall include a notice that said rules and regulations shall be available for inspection by the public, and shall not take effect until such publication has been made.

Town Of Harwich, Massachusetts
SEWER USE RULES AND REGULATIONS
December, 2015

Pursuant to provisions of Massachusetts General Laws Chapter 83, Section 10, the Town of Harwich hereby establishes the following sewer use rules and regulations (Regulations) governing the use of the wastewater collection system in Harwich, County of Barnstable, Commonwealth of Massachusetts.

While these Regulations will apply to the wastewater collection system throughout the town they have been specifically developed herein for the wastewater collection system to be implemented in the Pleasant Bay Watershed area of Harwich. Wastewater collected in this area will be conveyed to the Town of Chatham wastewater treatment facility. It is anticipated that these Regulations will be modified accordingly for systems to be implemented in other watersheds.

Purpose

The purpose of these Rules and Regulations 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, pumping 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 (I/I) 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 Harwich and its people and resources while discharging wastewater into the Chatham Sewer System.

The following rules and regulations are a part of the contract with every person who discharges wastewater into the Town of Chatham Sewer System from the East Harwich area, and governs the relationship between the Town of Harwich 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.

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

For items contained in the Appendix, modifications will be authorized by actions of the Harwich Wastewater Commissioners.

**TOWN OF HARWICH
SEWER USE RULES AND REGULATIONS**

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ARTICLE I DEFINITIONS

Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:

Section 1. “Act” or “the “Act” shall mean the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251, et seq, and the regulations promulgated thereunder, as amended from time to time.

Section 2. “Board” shall mean the Board of Wastewater Commissioners of the Town of Harwich.

Section 3. “BOD” (Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures in five (5) days at 20 degrees centigrade, expressed in milligrams per liter (mg/l).

Section 4. “Building Drain” shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer. The building drain ends at the building sewer which begins five (5) feet or (1.5) meters outside the inner face of the building’s wall.

Section 5. “Building Sewer” shall mean the extension from the building drain, five feet (5’) or one and one half (1.5) meters outside the inner face of the building’s wall, to the public sewer or other place of disposal.

Section 6. “Combined Sewer” shall mean a sewer receiving both surface runoff water and sanitary sewage.

Section 7. “Department of Environmental Protection”, or “DEP” shall mean the Massachusetts Department of Environmental Protection, established pursuant to M.G.L. Chapter 21, Section 26 or, where appropriate, the Administrator, Director or other duly authorized official of said agency.

Section 8. “Director” (or Superintendent) shall mean the person appointed by the Town of Harwich as the Superintendent of the Wastewater (or Sewer) Department of the Town of Harwich, who is vested with the authority and responsibility for the implementation and enforcement of these rules and regulations or his authorized deputy, agent, or representative.

Section 9. “Environmental Protection Agency”, or “EPA” shall mean the United States Environmental Protection Agency, or, where appropriate, the Administrator or other duly authorized official of said Agency.

Section 10. “Garbage” shall mean solid wastes from the domestic or commercial handling, storage, preparation, cooking, and dispensing or sale of produce.

Section 11. “Industrial Wastes” shall mean any water carried or liquid wastes resulting from any process or industrial manufacturing processes, trade, business, or activity listed in 310 CMR 15.004.

Section 12. “Licensed Utility Installer” or “L.U.I.” shall mean a person, as defined in Section 15, who upon submitting a License and Permit Bond, Certificate of Insurance, and pays the Utility Installer’s License fee, all of which are approved by the Director of the Sewer Department, is permitted to perform the installation of sanitary sewers or building sewers.

Section 13. “Natural Outlet” shall mean any outlet into a watercourse, pond, lake, or other body of surface ground water.

Section 14. “NPDES” shall mean National Pollutant Discharge Elimination System.

Section 15. “Person” shall mean any individual, partnership, co-partnership, firm, company, corporation, association, joint venture, joint stock company, trust, estate, governmental entity, or their legal representatives, agents or assigns. The masculine gender shall include the feminine, the singular shall include the plural where indicated by the context.

Section 16. “pH” shall mean the logarithm (base 10) of the reciprocal of the concentration of hydrogen ions expressed in grams per liter of solution.

Section 17. “Private Wastewater Collection, Treatment, and Disposal Facilities” shall mean any system, not owned and/or controlled by a municipal (town) sewer department, used for the collection, treatment, and disposal of wastewater from one or more properties.

Section 18. “Properly Shredded Garbage” shall mean the wastes from the preparation, cooking, and dispensing and sale of food that has been shredded to such a degree that all particles will be carried freely under the conditions normally prevailing in public sewers, with no particle greater than one-half (1/2) inch (1.27 centimeters) in any dimension.

Section 19. “Public property” shall mean land, right-of way, or easement owned or controlled by the Town, or other Town, the Commonwealth of Massachusetts, United States government, or any department, political subdivision, or governmental entity.

Section 20. “Public Sewer” shall mean a sewer in which all owners of abutting properties have equal rights and is controlled by a municipal sewer department.

Section 21. “Sanitary Sewer” shall mean a sewer which carries wastewater from residential dwellings or commercial facilities without industrial waters or waste and to which stormwaters, surface waters, and groundwaters are not intentionally admitted.

Section 22. “Sewage” shall mean a combination of the water-carrying wastes from residences, business buildings, institutions, and industrial establishments, together with such materials, surface waters, and storm waters as may be present. The preferred term is wastewater.

Section 23. “Sewage Treatment Facility” shall mean any arrangement of devices and structures used for treating wastewater. The preferred phrase is wastewater treatment facility.

Section 24. “Sewage Works” shall mean all facilities for collecting, pumping, treating, and disposing of wastewater. The preferred phrase is wastewater facilities.

Section 25. “Sewer” shall mean a pipe or conduit for carrying wastewater.

Section 26. “Sewer Department” shall mean the Town of Harwich’s wastewater collection, treatment, and disposal system(s) owned and operated by the Town of Harwich.

Section 27. “Shall” is mandatory; “May” is permissive.

Section 28. “Slug” shall mean any discharge of water, sewage, or industrial waste which in concentration of any given constituent or in quantity of flow exceeds, for any period of duration, longer than fifteen (15) minutes, more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation.

Section 29. “Storm Drain” (sometimes termed “Storm Sewer”) shall mean a sewer which carries storm, surface, and drainage waters, but excludes wastewater and industrial wastes, other than unpolluted cooling water.

Section 30. “Suspended Solids” shall mean solids that either float on the surface of, or are in suspension in water, wastewater, or other liquids, and which are removable by laboratory filtering.

Section 31. “Town” shall mean the Town of Harwich, Massachusetts or its legal representative, agent, or assign.

Section 32. “Town Administrator” shall mean the Town of Harwich Board of Selectmen’s appointed Town Administrator.

Section 33. “Watercourse” shall mean a channel in which a flow of water occurs, either continuously or intermittently.

Section 34. “Wastewater” shall mean the liquid and water-carried industrial, non-domestic or domestic wastes, including sewage, industrial wastes, other wastes, or any combination thereof,

from dwellings, commercial buildings, industrial facilities, and institutions, together with any groundwater, surface water and stormwater that may be present.

Section 34. Abbreviations:

ANSI	American National Standards Institute
ASTM	American Society for testing and Materials
AWWA	American Water Works Association
BOD	Biochemical Oxygen Demand
CFR	Code of Federal Regulations
COD	Carbonaceous Oxygen Demand
EPA	Environmental Protection Agency
TSS	Total Suspended Solids

**ARTICLE II
REGULATION OF SEWER FLOW**

Section 1. Existing Structures.

Any structure in existence on July 1, 2016, regardless of its flow, may maintain that flow. No person shall modify an existing structure or change its use so as to increase its wastewater flow. Design criteria contained in 310 CMR 15.203, and any Board of Health Regulation modifying such, shall be used to determine whether a proposed modification or change in use shall constitute an increase in wastewater flow. Expansion or modification of existing structures, which may result in increased flow, shall not be allowed unless the increase is in compliance with the Board of Health's Regulations in effect on July 1, 2016.

Section 2. Determination of Present Wastewater Flow.

Wastewater flow to the municipal sewer shall be determined using provisions set forth in 310 CMR 15.203: System Sewage Flow Design Criteria, and any local Board of Health Regulation modifying such in effect on July 1, 2016. The owner of any property shall, upon reasonable notice and request, allow an inspection of a property for a determination of flow by an agent of the Board of Health, except that in lieu of this inspection, the owner of the property may submit a floor plan with sufficient detail to account for all outside structure dimensions. This floor plan must bear the signature of approval of a Certified Septic System Inspector.

Section 3. Undeveloped Parcels.

For the purpose of determining wastewater flow, any existing lot, otherwise qualified, may be permitted for that wastewater flow as determined under the Board of Health's Regulations in effect on July 1, 2016, or 310 CMR 15,000 et. Seq, whichever is less.

Section 4. Rebuilding because of fire, flood, storm or other acts of nature.

A property owner may rebuild a structure destroyed by fire, flood, storm or other acts of nature as a matter of right provided that the new structure does not exceed the wastewater flow of the structure being replaced.

Section 5. Variances.

In the case of unusual and substantial hardship, not the result of acts or omissions of the landowner, the Board of Wastewater Commissioners, after a public hearing of which notice has been given by publication and posting for a minimum of two weeks, may grant a variance to this part of the regulation, provided that sufficient capacity exists and such relief may be granted without substantially derogating from the intent or purpose of this regulation or the latest version of the Town of Harwich Comprehensive Wastewater Management Plan (CWMP).

**ARTICLE III
BUILDING SEWERS AND CONNECTIONS**

Section 1. No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Superintendent. Any person proposing a new discharge into the system or a substantial change in the volume or character of pollutants that are being discharged into the /system shall notify the Superintendent in writing, and receive the Superintendents' written approval at least ninety (90) days prior to the proposed change in discharge or sewer connection.

No person shall construct, uncover, make any connections with or opening into, use, alter or disturb any public wastewater collection, treatment, and disposal facilities or appurtenance thereof without first obtaining a written permit from the Superintendent working on behalf of the Wastewater Commission.

Section 2. There shall be two (2) classes of building sewer permits for: (a) residential and commercial service and (b) service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on a special form furnished by the Town of Harwich. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Superintendent and Director of the Health Department. A permit and inspection fees connection charges, and inspection fee shall be paid at the time the application is filed.

Section 3. All costs and expenses incident to the installation and connection of the building sewer to the sewer works shall be borne by the owner. The owner shall indemnify the Town from any loss or damage that may occur either directly or indirectly or occasioned by the installation or repair of the building sewer. Construction of all building sewers shall be performed only by a Licensed Utility Installer.

Section 4. A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private or public sewer is available or can be constructed to the rear building through either: an adjoining alley,

courtyard, driveway, or easement. If these conditions exist, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

Section 5. Old building sewers may be used to connect new buildings only when they are found, on examination and test, to meet all requirements of these rules and regulations and are approved by the Superintendent.

Properties with building sewers that will be connected to the sewer system from a septic system, a portion of the existing pipe may be used as part of the building lateral to a public sewer or to a pumping system only if it meets the requirements in the previous paragraph.

Section 6. A property that is generating wastewater, where a common sewer is available for connection, shall be connected to the common sewer, within one year (365) days of written notification from the Board of Health, unless the Board determines a different connection schedule following a public hearing. For new construction, connection to the common sewer, where a common sewer is available for connection, shall be completed prior to the issuance of a Certificate of Occupancy.

In the case of construction of new common sewers, or extensions of existing common sewers, said Board of Health written notification shall follow notice from the Board of Water & Sewer Commissioners that said common sewer(s) are complete.

ARTICLE IV USE OF THE PUBLIC SEWER

Section 1. No person shall discharge or cause to be discharged any stormwater, surface water, ground water, roof runoff water, subsurface drainage water, uncontaminated cooling water or unpolluted industrial waters to any sanitary sewer.

Section 2. Stormwater and all other unpolluted drainage waters shall be discharged to such systems as are specifically designated as storm sewers or to a natural outlet as approved by the Town Conservation Commission, Town Surveyor of Highways (or equivalent), and/or the Commonwealth of Massachusetts DEP or EPA. Any such discharge may be subject also to an NPDES permit. It shall be the responsibility of the originator of the discharge to obtain all required permits.

Section 3. Cleaning, maintaining, and repairing of building sewers, from the building to the property line at the street, shall be done at the expense of the owner, provided there is a manhole or cleanout at the property line. If there is no manhole or cleanout at the property line, the owner shall be responsible for the building sewer from the building to the public sewer.

Section 4. No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer or wastewater works.

- A. Any liquids, solids or gases which, by reason of their nature or quantity, are or may

be sufficient, either alone or by interaction with other substances, to cause fire or an explosion or be injurious, in any way to the sewage works, or to the operation of the sewage works, or to the safety and welfare of the workers and the public at large shall be prohibited from discharge to the wastewater works. Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, carbides, hydrides, and sulfides, and any other substance which the Director, the Town of Chatham (for Harwich wastewater collected and treated in Chatham), the State, or EPA has determined to be a fire hazard to the sewer works.

B. Any waters or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage collection or treatment process, constitute a hazard to humans or animals and/or create a public hazard in the receiving waters of the sewage treatment facility.

C. Any water or wastes having a pH less than 5.5 or greater than 9.5 or having any other corrosive property capable of causing damage or hazard to structure, equipment, and/or personnel of the sewage works.

D. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works, such as, but not limited to: fish scales, fish gurry, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, diapers, feathers, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails, and paper dishes, towels, cups, milk containers, and etc. .

E. Due to the special nature and environmental needs of the Town and the surface and groundwaters of the Town, no person shall discharge or cause to be discharged wastewater containing nitrogen and/or phosphorus compounds in a concentration greater than 50mg/L. Any non-domestic discharges having concentration greater than 50mg/L shall require a special permit from the Director. Said permit may include sampling, flow measurement, pretreatment, and/or special fees as a condition of permit issuance.

Any non-domestic discharge having a BOD or TSS concentration greater than 300 mg/L shall require a special permit from the Director. Said permit may include sampling, flow measurement, pretreatment, and/or special fees as a condition of permit issuance.

F. Any wastewater which will cause interference or pass through.

Section 5. No person shall discharge or cause to be discharged the following described substances, materials, water, or waste if it appears likely in the opinion of the **Director** that such waste can harm the wastewater treatment process, or equipment, have an adverse effect on the receiving stream or can otherwise endanger life, limb, public or private property or cause a nuisance.

Informing his opinion as to the acceptability of these substances, the Director will give consideration to such factors as: the quantities of subject substance in relation to flows and

velocities in the sewers; material use in the construction of the wastewater collection and treatment facilities; nature of the wastewater treatment process; capacity of the wastewater collection and treatment facilities; and other factors which in his judgment are pertinent.

The limitations on wastewater strength or mass discharge contained herein may be supplemented with more stringent limitations when, in the opinion of the Director they are warranted:

- (1) The limitations in this set of regulations are not sufficient to protect the POTW and the sewage works;
- (2) The limitations herein are not sufficient to enable the POTW to comply with applicable water quality standards, the effluent limitations specified in the POTW's groundwater discharge permit, or effluent reuse;
- (3) The POTW sludge or other residuals will be rendered unacceptable for disposal or reuse at the Town of Chatham treatment facility desires as the result of discharge of wastewaters at the above prescribed limitations;
- (4) Municipal employees or the public will be endangered or otherwise affected by nuisance conditions;or
- (5) Air or ground water impacts will be caused.

The restricted substances are as follows:

A. Any solid, liquid, vapor, or gas having temperature higher than 65 degrees C (150)degrees F): however, such materials shall not cause the POTW influent temperature to be greater than 40 degrees C (104 degrees F). The Director reserves the right to prohibit or limit the discharge of wastes whose maximum temperatures are lower than 65 degrees C.

B. Any water or waste containing fats, wax, grease or oils, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which may solidify or become viscous at temperatures between thirty two (32) and one hundred and four (104) degrees F (0 and 40 degrees C).

C. Any garbage that has not been properly shredded to a maximum of one half of an inch (1/2"), 1.27 centimeters, in any dimension. The installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the Director.

D. Any waters or wastes containing strong acid iron pickling wastes, or concentrated plating solutions whether neutralized or not.

E. Any waters or wastes containing iron chromium, copper, zinc, and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage works exceeds any limits established by EPA or DEP for such material.

F. Any waters or wastes containing phenols or other taste or odor producing substances in concentration exceeding limits, established by the Director, as necessary, after treatment of the composite sewage to meet the requirements of the State, Federal, or other public agencies having jurisdiction over sewage treatment facilities' discharge to receiving waters.

G. Any radioactive wastes or isotopes of such half-life or in concentration as may exceed limits, established by the Director and not in compliance with applicable State or Federal regulations.

H. Any water or wastes having a ph in excess of 9.5.

I. Materials which exert or cause:

1. Unusual concentrations of inert suspended solids, such as, but not limited to: fullers earth, lime slurries, and lime residues or of dissolved solids, such as, but not limited to: sodium chloride and sodium sulphate.
2. Excessive discoloration (such as, but not limited to: dye wastes and vegetable-tanning solutions).
3. Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage works.
4. Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein under Article 1, Definitions.

J. Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment facilities' effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

K. Concentration and/or mass-based limits-No person shall discharge, directly or indirectly, into the sewer works, wastewater containing any of the following substances in concentrations exceeding those specified below on either a daily basis or an instantaneous basis, except by permit. Limits are applicable at the point of exit from a property to the public sewer.

POLLUTANT	CONCENTRATION: PARTS PER MILLION (mg/L)
Arsenic as As	0.05
Barium as Ba	5.0
Boron as B	5.0
Cyanides as Cn (amenable)	0.1
Fluoroide as F	20
Chromium (total)	1.0

Chromium (Cr+6)	0.1
Magnesium as Mg	100
Manganese as Mn	5.0
Copper as Cu	1.0
Zinc as Zn	1.0
Cadmium	0.07
Lead	0.1
Tin	2.0
Silver	0.1
Mercury	0.01
Nickel	1.0

Note: All metals are to be measured as total metals.

Section 6. If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which contain the substances or possess the characteristics enumerated in Section 5 of this Article, and which in the judgment of the Director may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters or which otherwise create a hazard to life or constitute a public nuisance, the Director may:

- A. Reject the wastes.
- B. Require pretreatment to an acceptable condition before discharge to the public sewers.
- C. Require control over the quantities and rates of discharge and/or
- D. Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges.

If the Director permits the pretreatment or equalization of waste flows, the design and installation of the pretreatment facility and equipment shall be subject to the review and approval of the Director and subject to the requirements of all applicable codes, ordinances, and laws.

Section 7. Grease, oil, and sand interceptors shall be provided when, in the opinion of the Director they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients; Except such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of the type and capacity approved by the Director, and shall be located as to be readily and easily accessible for cleaning and inspection. MDC Grease Interceptors shall be installed in the building sewer serving restaurants or hotels, boarding houses that prepare and serve food or business of a similar nature. Maintenance, operation, and repair of all installed interceptors shall be at the expense of the owner and subject to the inspection by the Director or his authorized representative.

1. Grease traps shall be inspected monthly, for the months in use, by a duly appointed representative of the Town and shall be cleaned by a licensed septage

hauler whenever the level of grease is 25% of the effective depth of the trap or at least every three months whichever is sooner. Facility owners/operators shall be responsible for notifying the Wastewater Department of extended periods of time (one [1] month or more) when the grease trap is not in use (i.e. the facility will be closed) to avoid being inspected and billed for those months.

2. Following pumping of a grease trap the grease trap shall be filled with treated water from the WPCF to a point above the discharge pipe.

Section 8. The owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances, as determined by the Director, in the building sewer to facilitate observation, sampling, and measurement of wastes. Such manhole shall be accessible and safely located, and shall be constructed in accordance with plans approved by the Director. The manhole shall be installed by the owner at the owner's expense and shall be maintained by owner so as to be safe and accessible at all times.

Section 9. All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this ordinance shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association and 40CFR, Part 136, and shall be determined from suitable samples taken at the control manholes provided. In the event that no special manhole has been provided, the control manhole shall be determined by the Director. (Normally the control manhole will be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected). Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewer works and to determine the existence of hazards to life, limb, and property. (The particular analyses involved will determine whether a twenty-four (24) hour composite of all outfalls of a premise is appropriate or whether a grab sample for samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from 24 hour composites of all outfalls, whereas pH's are determined from periodic grab samples or continuous monitors).

Section 10. No statement contained in this Article shall be construed as preventing any special agreement or arrangement between the Town and any industrial concern whereby any waste of unusual strength or character may be accepted by the Town for treatment, subject to payment therefore, provided that such agreements do not contravene any requirements of existing federal, state, or local laws and are compatible with any user charge and industrial cost recovery system in effect.

ARTICLE V PROTECTION FROM DAMAGE

Section 1. No person shall maliciously, willfully or negligently break damage, destroy, uncover, deface, or tamper with any structure, appurtenance or equipment which is a part of the

sewage works. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

ARTICLE VI POWER AND AUTHORITY OF INSPECTION

Section 1. The Director and other duly authorized employees of the Town of Harwich Wastewater Department, bearing proper credentials and identification, shall be permitted to enter all properties for the purpose of inspection, observation, measuring, sampling, and testing in accordance with the provisions of this ordinance. The Director, or his representatives, shall have no authority to inquire into any processes including metallurgical, chemical, oil refining, ceramic, paper, or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for wastes treatment.

Section 2. While performing the necessary work on private properties, referred to in Article VII, Section 1., above, the Director, or duly authorized representative of the Director shall observe all safety rules applicable to the premises established by the owner or occupant person and the owner and/or occupant person shall be held harmless for injury or death to the Director's representative and the Town shall indemnify the owner and/or occupant person against loss or damage to its property by Director's representatives and against liability claims and demands for personal injury or property damage asserted against the and owner /or occupant person and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the owner and/or occupant person to maintain safe conditions as required in Article V Section 9.

Section 3. The Director, and other duly authorized representative of the Wastewater Department, bearing proper credentials and identification shall be permitted to enter all private properties through which the Town holds a duly negotiated easement for the purpose of, but not limited to: operation, inspection, observation, measuring, sampling, repairing, and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any in said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

ARTICLE VII PENALTIES

Section 1. Any person found to be violating any provisions of these Rules and Regulations except Article IV shall be served by the Town with written notice stating the nature of violation and the offender shall permanently cease all violations. The Director may immediately halt or prevent any discharge of pollutants which reasonably appears to present an imminent endangerment to the health or welfare of persons. In the event that the Director determines that a discharge of pollutants reasonably appears to present an imminent endangerment to the health or

welfare of persons, the Director may provide informal (oral or written) notice of such determination to the discharger. The offender shall, within the period of time stated in such notice, permanently cease all violations by immediately stopping or eliminating such discharge and shall submit written proof of the elimination of the discharge to the Director within forty-eight (48) hours of receipt of notice of the Director's determination. If said person fails to voluntarily halt such discharge, the Director will take such actions as deems necessary to prevent or minimize endangerment to the health or welfare of persons. Such actions may include, but are not limited to: seeking temporary injunctive relief, entry onto private property to halt such discharge, severance of the sewer connection, suspension of wastewater disposal service, suspension or revocation of a discharge permit, and/or implementation of legal action. After such discharge has been halted, the Director may take such other and further actions as may be necessary to ensure elimination of said discharge and to ensure compliance with the terms of these Rules and Regulation and any discharge permits issued hereunder.

Section 2. Any person who shall continue any violation beyond the time limit provided for in Article VIII, Section 1 shall be guilty of a misdemeanor, and on conviction thereof, shall be fined an amount not exceeding five thousand dollars (\$5,000) for each day for each violation of any provisions of these Rules and Regulations. Each day in which any such violation shall continue shall be deemed a separate offense. These penalties are stated in the Massachusetts General Laws, Chapter 83, as amended by Chapter 174 of the Acts of 1987. Enforcement action shall be considered to begin immediately upon discovery of the violation for the purpose of calculating penalties, etc.

Section 3. Any person violating any of the provisions of this ordinance shall become liable to the Town for any expense, loss or damage occasioned by the Town by reason of such violation.

Section 4. Neither the Town nor any of its employees shall be liable for damages arising out of a malfunction of the system including, but not limited to, backups.

ARTICLE VIII VALIDITY

Section 1. All ordinances or parts of ordinances in conflict with these Rules and Regulations of the Sewer Department are hereby repealed.

Section 2. The invalidity of any section, clause, sentence, or provision of this ordinance shall not affect the validity determined by the Board as to which of any other part of this ordinance which can be given effect without such invalid part or parts.

ARTICLE IX COLLECTION OF SEWER AND SERVICE CHARGES:

Sewer bills are due payable within thirty (30) days from the date of issuance. All sewer bills that are outstanding after 30 days will be mailed a demand notice which shall be due within fourteen (14) days. The demand notice shall include a demand charge and interest on the outstanding balance. Interest shall accrue at the statutory rate applicable to property taxes as stated in Massachusetts General Law Chapter 59, Section 57. If the charges are still unpaid after the due date of the demand notice, a hand delivered notice will be posted on the premises being served one week before sewer service is turned off or plugged. In order to turn off or plug a sewer service without causing a health problem the water service shall also be turned off. If the water service shall be turned off for non-payment of the sewer service charges, the water service will not be turned on until all past charges are paid in full, including all expenses associated with collection of such sewer charges and the shut off of water service. Such shut off of water charges shall be as approved by the Water Commissioners as water rates and charges of the Water Department.

ARTICLE X GRIEVANCE AND VARIANCE PROCEDURE:

A person who seeks a variance or feels aggravated due to the interpretation of these Rules and Regulations as it affects them shall have recourse, without prejudice or retribution, to seek a response to the alleged situation, condition, problem or misunderstanding in the following manner:

Step 1. The person shall present the issue to the Director in writing using the forms available at the Wastewater Departments' office, documenting the time and/or dates of the circumstances and reasons for a variance request or said grievance. The person may expect a reply to the request for variance or grievance within thirty (30) days from the date of filing with the Director.

Step 2. Should the issue not be resolved with the response from the Director or not received within thirty (30) days, the person may take the issue to the Wastewater Commission. Such submission shall include copies of all written documentation of the variance request or said grievance, with all sequence of actions or inactions taken to date.

The Wastewater Commission will use its best effort to hold a hearing within forty-five (45) days of receipt of an application for a abatement, variance or grievance request, and shall render a decision within forty-five (45) days after holding such hearing on the application for a abatement, variance or grievance request.

Step 3. Should the issue not be resolved with the response from the Wastewater Commission or not received within forty-five (45) days after the Wastewater Commission closes the hearing on a person's application for abatement, variance or grievance request, the person may take the issue to the Board of Selectmen. Such submission shall include copies of all written documentation of the variance request or said grievance, with all sequence of actions or inactions taken to date. The Board of Selectmen will use their best effort to hold a hearing within sixty (60) days of receipt of an application for an abatement, variance or grievance request and shall render a decision within forty-five (45) days from date of the hearing.

**ARTICLE XI
ORDINANCE IN FORCE**

Section 1. This ordinance shall be in full force and effect from and after its passage, approval, recording, and publication as provided by law.

APPENDICES

Appendix A: Design of Sewers

Appendix B: Construction Technical Specifications

**APPENDIX A
DESIGN OF SEWERS**

Section 1. General

Wastewater collection systems shall be designed separately from stormwater systems. Wastewater collection systems shall not allow for the introduction of rain water, noncontract cooling water, and groundwater from foundation drains, sump pumps, surface drainage or any other source of inflow. Overflows from wastewater collection systems shall also not be permitted.

New sanitary sewers and all extensions to sanitary sewers owned and operated by the Town of Harwich shall be either gravity sewers or low pressure sewers in accordance with the Town's approved wastewater treatment facility plan, and shall be designed by a professional engineer licensed to practice in the Commonwealth of Massachusetts, in accordance with the Guides for the Design of Wastewater Treatment Works (TR-16), and in strict accordance with appropriate Massachusetts codes and the Town of Chatham Rules and Regulations of the Sewer Department. Plans and specifications shall be submitted to and approved by the Director before initiating any construction. The design shall anticipate and allow for flows from all possible future extensions or development within the immediate drainage area in conformance with Town planning documents.

Section 2. Building sewers shall be constructed of such materials and shall be a minimum four (4") inch diameter pipe for single family residential connections and six (6") inch diameter pipe for multi-family, commercial or industrial connections or as the Superintendent may determine. Sewer pipe shall be made from: ductile iron with the outside coated with extra heavy bituminous coating approved for buried utilities and the inside cement lined, minimum schedule 35 P.V.C. or acceptable substitute approved by the Superintendent. The building sewer shall be laid straight in line and grade.

Single family residential building sewers must have watertight wye cleanouts, with H-20 rated valve frame and cover box, with the word "SEWER" in raised lettering, at all locations where pipe size, slope or direction changes and at the property line. Additional cleanouts may be required for runs of 100 feet or more, or at the discretion of the Director. The cleanout shall be brought to within four (4") inches below final grade, except for paved surfaces, (bituminous concrete, concrete, paving blocks, etc.) the cover shall be flush with the finished surface. Cleanouts in pressure sewers shall be located and constructed per the manufacturer's recommendation.

For multi-family, commercial or industrial sewer connections manholes shall be used at all locations where pipe size, slope or directions changes. Commercial or industrial sewer connections shall include a sampling station, to be used for discharge sampling, located in the road layout at the property line. The sampling station shall consist of a precast manhole with approved frame & cover.

Pressure Sewer Laterals:

If building is to be connected to a low pressure sewer or requires a pump to lift sewage to a gravity sewer, the gravity portion of the installation shall meet the requirements of the previous paragraph. The pressure pipe shall be minimum 1-1/4 inch diameter if a grinder pump is used and 2-inch diameter if a grinder pump is not used or other such larger size if the sewage flow and characteristics differ from a single-family residence.

Materials

Polyethylene for 1-1/4 -inch pipe through 4 inch pressure pipe with material conforming to ASTM D3350, Type PE-4710 HDPE pressure Class PC 200, SDR-11. Fittings for use with polyethylene pipe and tubing shall be manufactured and furnished by the pipe supplier and in conformance with AWWA C901 requirements. Joints for polyethylene pipe shall be jointed by the butt fusion method in a manner recommended by the pipe manufacturer.

Polyvinyl Chloride (PVC) Pipe- ASTM D2241 PVC pressure pipe material conforming to ASTM D1784, minimum class SDR 21 for pipe 1-1/4-inch through 4-inch, push-on joint conforming to ASTM D3139 with flexible elastomeric gaskets conforming to ASTM F477.

A ball valve with curb stop and check valve shall be installed on all low pressure and force mains, as close as feasible to a property line. Ball valves for low pressure sewers shall be true union type constructed from PVC Type I cell classification with EPDM O-rings. All valve components shall be replaceable. Ball valves 2 inch and smaller shall be pressure rated to 235 psi, while valves larger than 2 inches shall be rated to 150 psi. Ball valves shall have a Safe-T-Block seal carrier to stop flow in either direction, allowing safe removal of the downstream union nut for system service or modification. Ball valves shall be true union ball valves as manufactured by Spears Manufacturing Company, or equal. Check valves for low pressure sewer laterals shall be made of stainless steel or fabric-reinforced synthetic elastomer to allow for a positive seal with minimum backpressure. Check valves shall be true union ball check valves.

Curb stop valves shall be of brass or bronze construction and two rubberized O-ring seals to provide pressure-tight seal. Curb stop valves shall be figure H-15204 as manufactured by Mueller-Oriseal, B22 as manufactured by Ford Meter Box Company, Hayes, Nueseal, or equal. Curb boxes shall be 2-1/2 inch shaft size two-piece screw type. They shall be adjustable from 48-inch to 72-inch. Curb boxes shall be constructed of cast iron and thoroughly coated with two coats of asphaltum varnish. Curb box shall be stainless steel supplied with a hole in the "U" portion for the insertion of a stainless steel pin. Pins shall be supplied and shall be made of stainless steel. Curb boxes shall be as manufactured by Ford Meter Box Company, Mueller Company, or equal.

Gravity or low pressure pipe shall have magnetic marking tape 2 inches wide with the words "SANITARY SEWER BELOW," installed not more than two (2') feet below finished grade on all mainline and service laterals.

Section 3. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. All buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer or public sanitary sewer, as specified by the Director.

Low Pressure Grinder Pumps or Lift Pumps:

Each property serviced by a low pressure sewer shall have a dedicated pre-manufactured pump station suitable for the flow, pressure and other conditions defined by the property and the public sanitary sewer. The station shall include an in-ground self contained unit with submersible motor, level controls, sensors, alarms, and an emergency generator pulg-in connection. Properties whose sewage quantities and characteristics are equivalent to four or more families shall install a duplex pump. Refer to further requirements in Article IV-Design of Sewers, Section 11- Grinder Pump Systems.

Section 4. No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or ground water to a building sewer or building drain which is connected directly or indirectly to a public sanitary sewer.

Section 5. Exhaust from engines, blowoff from boilers, drainage of gasoline or any explosive liquor, liquids, or other flammable substances shall not be permitted to be discharged into any building sewer which is connected directly or indirectly to a public sanitary sewer. At the time a connection is made to the Town's sanitary sewer system, the interior plumbing shall be inspected to ensure that no connections to roof drains, yard drains, foundation drains, sump pumps, or other sources of drainage water is connected to the sanitary sewer.

Section 6. The connection of the building drain into the building sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Town.

Section 7. The Licensed Utility Installer, listed on the approved sewer connection permit, shall notify the Water and Sewer Departments, a minimum of 72 hours, before the building sewer will be ready for connection to the public sewer. The Director will schedule the time and date when he or his representative will be available to perform an inspection of the building sewer's connection to the public sewer, connection shall be made only under the supervision of the Director or his representative.

Section 8. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property and/or private property disturbed in the course of the work shall be restored in a manner satisfactory to the Director.

Section 9a. Plumbers and private contractors, of established reputation and experience, who have paid the required filing fees, as stated in Section 13b, and have provided the required license and permit bonds, as stated in Section 13c, and have submitted a Certificate of Insurance with required coverage, as stated in Section 13d, may be approved by the Director as a Licensed Utility Installer (L.U.I.).

Applicants for licenses for installing sewer main and sewer services shall attend a training seminar on the installation of low pressure pumps that is conducted by the manufacturer, and the applicant shall show evidence of course completion.

Note: The installation of grinder pumps may require other permits such as, but not limited to: electrical and plumbing.

Section 9b. Applicants for licenses as sewer main and sewer service installers (Licensed Utility Installer) are required to pay a filing fee. As set by the Board (see rates and fees schedule).

Section 9c. Applicants for licenses as sanitary sewer and building sewer installers (Licensed Utility Installer) shall obtain a License and Permit Bond in the amount of Five Thousand (\$5,000.00) Dollars or an amount equal to 100% of the construction cost of any proposed sewer connection located within or on public property or an amount approved by the Director, whichever is greater. Said license and permit bond shall remain in full force and effect for a period of one (1) year from date of acceptance by the Town of the L.U.I.'s last sewer connection. This bond will guarantee that the Licensed Utility Installers (L.U.I.) will comply with the statutes, regulations, or ordinances of the Town of Chatham. The license and permit bond shall be duly executed by the Principal of the L.U.I. and by a Surety Company qualified to do business under the laws of the Commonwealth of Massachusetts and satisfactory to the Director.

Section 9d. Before any Licensed Utility Installer performs any work in, on, under or around streets, sidewalks and property belonging to the Town of Chatham, it will be necessary for him to furnish, simultaneously with the submittal of the License and Permit Bond, a Certificate of Insurance showing that the contractor has the following coverage:

- | | | | |
|----|---|------------------------------------|----------------------------------|
| 1. | General Liability - | \$500,000
\$500,000-\$1,000,000 | Property Damage
Bodily Injury |
| 2. | Automotive Liability- | \$500,000
\$500,000-\$1,000,000 | Property Damage
Bodily Injury |
| 3. | Workmen's Compensation and Employer's Liability as required under Massachusetts General Laws. | | |
| 4. | Insurance shall include coverage for collapse of underground structures. | | |
| 5. | Insurance shall include coverage for projects completed operations. | | |

All above insurance coverage shall remain in full force and effect for a period of at least one (1) year from the date of acceptance by the Town of the last sewer connection installed by the L.U.I. The L.U.I. shall take all responsibility for the work, and take all precaution for preventing injuries to persons and property in or about the work.

Section 9e. The L.U.I. shall pay all debts for labor and materials contracted for or by him on account of the work and shall assume the defense of and indemnify and save harmless the Town of Chatham and its Officers and Agents from all claims relating to labor and or alleged infringement of inventions, patents, or from injuries to any person or corporation caused by the acts of negligence of the L.U.I. any of his agents or employees, or any subcontractor, in doing the work or in consequence of any improper materials, implements, or labor used therein.

Section 9f. Before the L.U.I.'s License and Permit Bond or any coverage listed in the L.U.I.'s Certificate of Insurance expires, the L.U.I.'s shall send a revised License and Permit Bond or Certificate of Insurance to the Water and Sewer Department showing that the bond or insurance coverage, is still in place. The Licensed Utility Installer shall NOT perform any work in, on, under or around streets, sidewalks and property belonging to the Town of Chatham or any other public property if their License and Permit Bond or any coverage listed in their Certificate of Insurance has elapsed.

Section 9g. Approved Licensed Utility Installers will renew their Utility Installers Licenses by submitting a revised License and Permit Bond, Certificate of Insurance, and License Fee by January 1st of each year. All Utility Installers' Licenses expire at Midnight, December 31st of each year.

Section 10. All sanitary sewer extensions shall require inspection by a qualified inspector or the Director may determine that a building sewer installation or repair will require full time inspection by a qualified inspector. In either case the Director will designate a private inspector as Town Inspector who shall represent the interest of the Town of Chatham during construction of any sanitary sewer extension or building sewer installation or repair, and will monitor and inspect the ongoing progress of the work, full-time observation is required. The costs for the

services performed by said Town Inspector shall be paid by the developer or owner, through the Water and Sewer Departments. Flows will not be permitted to be discharged from any service connection until a Certificate of Compliance is submitted by the Town Inspector and the report is approved by the Director.

Section 11. After the completion of any building sewer's repairs or connection to the municipal sewer, the L.U.I. shall fill out a sewer connection tie card, on the forms provided at the Water and Sewer Departments' office, for each building sewer the L.U.I. has performed work on. The tie-card shall be completed before the inspection of the L.U.I.'s work, and before the L.U.I. backfills the building sewer and connection to the municipal sewer.

Section 12. After completion and before the final inspection of any sanitary sewer connection or building sewer connection for residential dwellings with four (4) or more dwelling units, industrial connections, commercial connections with five (5) or more water closets, commercial connection with industrial water or waste, connections of private sewer system or whenever the Director requires, the Licensed Utility Installer, developer or owner will furnish a reproducible mylar "as-built" drawing (1" = 20') to the Director. The as-built drawing(s) shall contain a plot plan(s) with building(s) and highway layouts, sewer layouts with profiles, force mains, force main gates, pump station(s), pump station(s) details, and descriptions of each building sewer showing the depth of all connections, pipes, and manholes, using buildings or other permanent markers as reference points. The as-built drawing (s) shall contain any other information deemed necessary by the Director.

Section 13. Alternative Sewer Collection Systems:

Sewer collection systems not stated in these Rules and Regulations of the Sewer Department shall only be permitted with the Director's conditional approval.

Section 14. Design Capacity and Design Flow

Design Factors:

- Peak hourly sewage flow
- Additional peak flows of industrial and commercial wastes
- Maximum groundwater infiltration
- Topography of the immediate area
- Difficulty of installation

Design Period:

Sewage collection systems shall be designed for a life span

of 50 years, and interceptor sewers shall be designed to handle the maximum capacity of uses in the drainage area as determined by the Director.

Design Flow:

Submit a detailed description of the procedures used for calculating sewer design flow to the Director.

The Massachusetts 310 CMR 15.000, the State Environmental Code, Title 5, shall be used for calculating the design flow for sewers. If the Massachusetts 310 CMR 15.000, the State Environmental Code, Title 5, does not have a flow rate for the proposed use, the following methods may be used with the approval of the Director:

Flow Related to Water Consumption;

When available, use existing sewage flow and/or consumption data as a basis for sewer design. If such data are not available, using flow data from a similar community or users;

Per Capita Flow;

Where actual flow data cannot be obtained, base residential flows from new collection systems on an average daily per capita flow of not less than 70 gallons per day (0.27 m³/day). Add an appropriate allowance for infiltration to this flow;

In all cases, add a minimum allowance of 250-500 gpd/in. diam/mile of sewer (0.24-0.48 m³/cm of pipe diam/km/day) for infiltration to the water consumption, per capita flow or any other calculation method required by the Director.

Section 15. Details of Gravity Sewer Pipe Design and Construction

Minimum Sewer Pipe Size:

No gravity sewer shall be less than 8 inches in diameter (20 cm).

Depth:

In general, sewers shall be deep enough to drain basement fixtures and to prevent freezing. Water tight insulation shall be provided for sewers that cannot be placed deep enough to prevent freezing. For house connections chimneys (vertical pipe) preformed block units shall be used when the sewer main is greater than or equal to 12 feet deep.

Buoyancy:

Where high groundwater conditions are anticipated, the buoyancy of sewers shall be considered, and the floatation of pipe shall be prevented with appropriate design and construction of the sewer.

Slope:

Minimum Slopes:

All sewers shall be designed and constructed to give a velocity (when flowing full) of not less than 2.0 feet per second (0.61 m/s) based on Manning’s formula using an “n” value of 0.013. The Director may permit the use of other “n” values if deemed justified on the basis of research or field data. The following minimum slopes shall only be used if absolutely necessary because of grade restrictions; however, greater slopes are desirable.

<u>Sewer Size</u>	<u>Minimum Slope in Feet per 100 Feet (m/100m)</u>
8 inches (203 mm)	0.40
10 inches (254 mm)	0.28
12 inches (305 mm)	0.22
14 inches (356 mm)	0.17
15 inches (381 mm)	0.15
16 inches (406 mm)	0.14
18 inches (457 mm)	0.12
21 inches (533 mm)	0.10
24 inches (610 mm)	0.08
27 inches (686 mm)	0.067
30 inches (762 mm)	0.058
36 inches (914 mm)	0.046
42 inches (1067 mm)	0.037

The use of oversized sewers in order to justify flatter slopes is not permitted.

Slope Between Manholes:

Sewers shall be laid out with uniform slope between manholes.

High Velocity Protection:

Velocities greater than 12 feet per second (3.7 m/s) shall not be permitted under any flow conditions, unless the Director approves special provisions that will protect against pipe erosion and impact.

Steep Slope Protection:

Securely anchor sewers on 15 percent slopes, or greater, to prevent displacement.

Impervious Dams:

Impervious dams shall be installed every 300 feet to control the flow of groundwater within the pipe bedding material, when:

- The surrounding native material is considerably less impervious than the pipe bedding material;
- The pipe bedding could produce a hydraulic head of 25 feet on the pipe gaskets and joints during periods of high groundwater flow; and/or
- The sewer is constructed downstream of a waterway or wetland crossings.

Alignment:

Sewers shall be laid out in a straight line and alignment, and shall be checked with a laser beam.

Sewer Pipe Material:

Sewer pipe material shall be as specified in Article V, Construction Technical Specifications, Section 12:

Sewer Pipe Inspection and Testing:

The specifications shall include deflection and leakage testing of sewer pipes, as stated in Article V, Construction Technical Specifications, Sections 17. and 18

Section 15. Details of Sewer Manhole and Cleanout Design and Construction

Manholes and cleanouts shall be as specified in Article V, Construction, Technical Specifications, Section 13:

Manhole Inspection And Testing:

The specifications shall include a requirement for the inspection and testing of manholes for leaks or damage as specified in Article V, Construction Technical Specifications, Section 21.

Section 16. Inverted Siphons (Depressed Sewers)

Inverted siphons shall only be allowed if there is no other option and it is approved by the Director. Depressed sewers shall have no less than two barrels with a minimum pipe size of 6 inches (15 cm) and shall be provided with necessary appurtenances for convenient flushing and maintenance. Manholes shall have adequate clearances for cleaning equipment and for inspection and flushing. The design shall provide for sufficient heads and pipe sizes to secure velocities of at least 3.0 feet per second (0.92 m/s) for average flows under initial conditions. The inlet and outlet details shall be arranged so that the normal flow is diverted to one barrel and so that either barrel may be taken out of service for maintenance. A hose connection shall be provided to the siphon for flushing purposes.

Section 17. Aerial Crossings

Aerial crossings shall only be allowed if there is no other option, and it is approved by the Director. All aerial crossings shall provide appropriate support for all joints and pipes used for aerial crossing. The supports shall withstand frost heaves as well as overturning, settlement, flooding, thermal expansion, vibrations, and other loads that may act against the piping. Precautions against freezing shall be provided (e.g., insulation and increased slope). Expansion joints between above-ground and below-ground sewers shall be provided. Where buried sewers change to aerial sewers, special construction techniques to minimize damage from frost heaves shall be used. Ductile iron pipe with restrained mechanical joints are required. The bottom of the pipe shall be no lower than one (1') foot above the 100 year flood elevation level.

Section 18. Location of Sewers in Streams

Sewers shall be designed to minimize the number of stream crossings.

Cover Depth:

The top of all sewers entering or crossing a stream shall be sufficiently below the natural bottom of the stream bed to protect the sewer line. The following cover requirements shall be met:

- 1 foot (305 mm) of cover where the sewer is located in rock.
- 3 feet (914 mm) of cover in other material. In major streams, more than 3 feet (914 mm) of cover shall be required.
- In paved stream channels, the top of the sewer line shall be at least 1 foot (305 mm) below the channel pavement.

Horizontal Location:

Sewers located along streams shall be located sufficiently outside of the stream bed to allow for stream widening in the future and for the prevention of siltation during construction.

Structures:

Locate sewer manholes or other structures outside of streams whenever possible. Where structures must be located in a stream, they shall not interfere with the free discharge of flood flows or navigation in the stream. The manholes' covers shall be no lower than one (1') above the 100 year flood elevation level.

Alignment:

Sewers shall cross streams perpendicular to the flow without a change in grade.

Materials:

Sewers entering or crossing streams shall be watertight and free from changes in alignment or grade. Joints shall be restrained in order to prevent movement from stream forces. Ball-and-socket or restrained joints designed for hard service applications shall be provided.

Backfill materials shall be stone, coarse aggregate, washed gravel, or other materials that will not readily erode, cause siltation, damage pipe during backfill, or corrode the pipe and shall be approved by the Director. In large stream crossings, where required by the Director, place riprap over the sewer pipe for stability and to prevent erosion.

Siltation and Erosion:

The design engineer or L.U.I. shall include construction methods that will minimize siltation and erosion in the project specifications the construction methods for sewers in or near streams. Such methods shall control siltation and erosion by limiting unnecessary excavation, including disturbing or uprooting of trees and vegetation, dumping of soil or debris, or pumping silt-laden water into the stream. Specifications shall require cleanup, grading, planting, and restoration of all work areas to begin immediately.

Section 19. Protection of Water Supplies

Cross Connections:

No physical connection shall exist between a public or private potable water supply system and a sewer or any appurtenance that would permit the passage of wastewater or polluted water into the potable supply. No sewer shall come into contact with a water pipe and no water pipe shall pass through any part of a sewer manhole or any part of the sewer system.

Relation To Water Works Structures:

Sewers shall be located as far as possible from public water supply wells or other potable water supply sources and structures.

Engineering plans shall show all existing waterworks units, such as treatment facilities, basins, pipes, wells, or other waterworks units that are within 50 feet of the proposed sewer or to within the minimum distances required by the Director.

Water Mains' Relation:

Horizontal Separation:

Whenever possible, lay out sewers at least 10 feet (3.0 m) from any existing or proposed water main. If local conditions prevent a lateral Separation of 10 feet, the Director may make an exception on a case-by-case basis when supported by data from the design engineer. Such an exception may allow the sewer to be installed closer than 10 feet to a water main, provided that it is laid out in a separate trench with the top (crown) of the sewer at least 18 inches (46 cm) below the bottom (invert) of the water main or is encased in a water tight sleeve.

Vertical Separation:

Whenever sewers must cross water mains, lay out the sewer so that the top of the sewer is at least 18 inches (46 cm) below the bottom of the water main. The sewer joints should be equidistant and located as far away as possible from the water main joints. When the sewer cannot meet the above requirements, relocate the water main to provide for this separation or reconstruct it with mechanical-joint pipe for a distance of 10 feet (3.0 m) on each side of the sewer. One full-length (twenty feet) water main pipe shall be centered over the sewer so that both joints will be as far from the sewer as possible.

Where a water main crosses under a sewer, adequate structural support shall be provided for the sewer to maintain line and grade.

When it is impossible to achieve horizontal and/or vertical separation as stipulated above, both the water main and sewer shall be constructed of mechanical-joint cement-lined ductile iron pipe or another equivalent that is watertight and structurally sound. Both pipes shall be pressure tested to 150 psi to ensure that they are watertight, and one of the pipes shall be installed in a water tight sleeve for a horizontal perpendicular distance of 10 feet (3.0) on each side of the other pipe. Any joints in the watertight sleeve shall be as far as possible from the water main's intersection with the sewer.

Section 20. Details of Low Pressure Sewer Design and Construction

Layout: The branched configuration of a pressure sewer is required. Looped piping shall not be permitted. Pipe routing shall include long radius sweeps no less than those recommended by the pipe manufacturer.

Pressure pipes shall be designed and installed so that a minimum of five (5) feet of cover material exists over the crown of the pipe at all times. Appurtenances such as isolation valves, air release valves, and clean-outs shall be provided as required by the Director.

Pipe Size: The diameter of the pressure sewer shall be calculated so that it provides a cleansing velocity based on the average daily flow of the system. Force Mains shall have a minimum velocity of three feet per second, 3ft/sec.

Minimum low pressure sewer pipe sizes shall be as follows (unless there is a significant change in grade):

NUMBER OF HOMES OR EQUIVALENT	MINIMUM PIPE SIZE
1-3	1.5
4-9	2
10-18	2.5
19-30	3 (model recommended)
>30	Must be modeled

Isolation Valves:

Isolation valves shall be required to allow isolation of individual girder units, system expansion, and at key locations such as at the property line.

Ball valves for low pressure sewer manholes shall be true union type constructed from PVC Type I cell CLASSIFICATION WITH EPDM O-RINGS. All valve components shall be replaceable. Ball valves 2 inches and smaller shall be pressure rated to 235 psi, while valves larger than 2 inches shall be rated to 150 psi. Ball valves shall have a Safe-T-Block seal carrier to stop flow in either direction, allowing safe removal of the downstream union nut for system service or modification. Ball valve ends shall be as needed to connect to Schedule 430 PVC pipe in low pressure sewer manholes. Ball valves shall be true union ball valves as manufactured by Spears Manufacturing.

Curb Stop Valve:

Curb stop valves shall be located at the property line of the street or easement of the sewer main. Curb stop valves shall be of brass or bronze construction and two rubberized O-ring seals to provide pressure-tight seal. Curb stop valves shall be figure H-15204 as manufactured by Mueller-Oriseal, B22 as manufactured by Ford Meter Box Company, Hayes, Nuseal, or equal. Curb boxes shall be 2-1/2-inch shaft size two-piece screw type. They shall be adjustable from 48-inch to 72-inch. Curb boxes shall be constructed of cast iron and thoroughly coated with two coats of asphaltum varnish. Curb box rods shall be stainless steel supplied with a hole in the “U” portion for the insertion of a stainless steel pin. Pins shall be supplied and shall be made of stainless steel. Curb boxes shall be as manufactured by Ford Meter Box Company, Mueller Company, or equal.

Air Release Valves:

Air and vacuum valves shall be installed on low pressure mains. The air and vacuum valves shall be designed to release air from the main when the main is being filled and/or air becomes entrapped in the main, and to admit air into the sewer main when pumps are stopped and the main is being drained by gravity. The body and cover of air and vacuum valve shall be cast iron, floats of stainless steel, protective hood of steel, seats of Buna-N, and miscellaneous internal parts of stainless steel, Manufacturer-Crispin, or equal. Air and vacuum valves shall be located in a manhole or structure with a diameter of 60 inches to allow access for repairs and maintenance.

Cleanout Connections:

Cleanouts shall be installed on the pressure mains at sags and other locations where debris can accumulate and clog the lines, and proper valving to conduct required maintenance shall be provided.

Miscellaneous.

Magnetic marking tape two (2) inches wide with the words "SANITARY SEWER BELOW," shall be installed not more than 2 feet below finished grade on all mainline and service laterals.

Section 21. Force Mains

Minimum Size:

Force mains shall have a minimum velocity of three feet per second, 3ft/sec.

Force Main Pipe Material:

Force main pipe material shall as specified in Article IV, Construction Technical Specification, Section 14:

Velocity:

At design average flow, velocity in excess of 3 feet per second (0.91m/s) shall be maintained.

When the daily average design detention time, in the force main, exceeds 20 minutes, the manhole and sewer line receiving the force main discharge or the sewage shall be treated so that corrosion of the manhole and the exiting line are prevented. The corrosion is caused by sulfuric acid biochemically produced from hydrogen sulfide anaerobically produced in the force main.

Variable Terrain:

As far as possible, the alignment and depth of a force main should provide a constant upgrade profile. All force mains shall be designed and installed so that a minimum of five (5') feet of cover material is over the crown (top) of the pipe at all times.

Air Relief Valve:

An automatic air relief valve shall be placed at all relative high points in the force main and at 400 feet intervals on level force main runs. All air relief valves shall be protected from freezing.

Drain Valves:

Drain valves at all relative low points in the force main shall be provided. These valves shall be connected to gravity sewers or provided with connections for vacuum pumper trucks. All drain valves shall be protected from freezing.

Termination:

Force mains shall enter the gravity sewer at a point not more than 2 feet (0.61 m) above the flow line of the receiving manhole.

Testing:

Leakage Testing shall be as specified in Article V, Construction Technical Specifications, Sections 17 and 18:

Section 22. Grinder Pump Systems:

Pumping equipment shall include an integral grinder capable of handling a reasonable quantity of foreign objects that may find their way into a building's sewerage system. The grinder pump shall be capable of processing foreign objects without jamming, stalling, or overloading, and without making undue noise. The grinder shall provide a positive flow of solids into the grinding zone. Grinder pump stations shall be of the wetwell type.

A list of suitable manufacturers will be available from the Director. Properties whose sewage quantities and characteristics are equivalent to four or more dwelling units shall install a duplex pump.

Design of Pump Station:

Access: Outside installation shall be designed with the service manhole constructed of the same material, and at least as thick as the tank. The manhole shall have an opening at the surface with a minimum inside diameter of 30 inches (76 cm); its cover shall be securely lockable. The size of the manhole shall allow for the performance of maintenance and repair functions.

Tank: Construct each tank of concrete or custom-molded, fiberglass reinforced polyester resin using a filament wound process, layup and spray technique, or other approved process that will ensure a smooth and resin rich interior surface that is designed for two times the maximum loading.

The basin shall be concrete, fiberglass-reinforced polyester resin, or other material meeting the minimum strength specifications herein. The basin shall be furnished with one PVC closet flange or one flexible inlet flange suitable for connection to the household gravity line. At a minimum, the basin wall and bottom shall withstand two times the anticipated maximum pressure exerted on the basin, either from soil loadings or buoyancy forces. All station components must function normally when exposed to these loadings. All seals and joints shall pass factory tests to ensure that they are water tight.

Electrical Equipment: Wiring and electrical connections shall be NEMA rated for the environment in which they are to be placed. System shall include an emergency generator plug-in connection.

Pumps:

Pump Removal: The grinder pump shall be readily removable without the need for manual disconnection of piping.

Grinder: The grinder shall be positioned immediately below the pumping elements, securely fastened to the pump motor shaft, and driven directly by the same motor. The grinder shall be a rotating type with a stationary hardened and ground stainless steel shredding ring that carries stainless steel cutter bars. This assembly shall be dynamically balanced and run without objectionable noises or vibrations over the entire range of recommended operating pressures.

Pump Opening: The grinder shall be capable of reducing all components in normal domestic sewage or the sewage to be discharged from the building drain, including a reasonable amount of foreign objects (e.g., paper, wood, plastic, glass, and rubber). Objects shall be reduced to finely divided particles that will pass through the passages of the pump and a minimum 1.25 inch (3.2 cm) diameter discharging pipe.

Intake: The grinder shall be positioned so that solids are fed into it from the bottom in an upward flow, reducing the possibility of overloading or jamming. In addition, sufficient turbulence shall be created to keep the tank bottom free of permanent deposits or sludge banks.

Check Valve:

The grinder pump shall be equipped with a check valve that is installed in a horizontal position on the discharge pipe. This valve shall provide a full-ported passageway when open.

Ventilation:

Adequate ventilation shall be provided in accordance with local and national codes.

Controls:

Sensing devices to detect wastewater levels for initiating pump operation and to detect high water levels shall be installed. Level sensing devices shall only be used and shall not be located near flows entering the well.

Section 23. Pumping Station:

Design Capacity:

A sewage pumping station shall handle the projected peak sewage flows of its tributary sewer collection system. As recommended by TR-16, Guides for the Design of Wastewater Treatment Works (Technical Report #16) and the Hydraulic Institute's Recommended Standards for Pumping Stations. This information may be included in the Comprehensive Management Plan or other engineering report and any applicable updates or amendments. Pumping stations shall accommodate future expansion, when in the opinion of the Director it is appropriate.

Site Layout:

Stations shall be readily accessible to personnel and service vehicles during all weather conditions.

Flood Protection:

Wastewater pumping stations shall be protected from physical damage by the 100-year flood elevation and shall remain fully operational and accessible during the 100-year flood. All entrances and/or unsealable openings of the station shall be a minimum of one (1') foot above the 100-year flood elevation. These flood elevations shall be determined from the Federal Emergency Management Agency, and U.S. Army Corps of Engineers, and from the local regulations and ordinances.

Environmental Considerations:

Wastewater pumping stations shall be sensitive to the environmental conditions of the site. Visual impacts, architectural style, security, noise levels, odor control, and landscaping shall be considered carefully in station design and shall be reviewed and approved by the Director.

Types of Stations:

Wastewater pumping stations fall into three categories: wetwell/drywell, submersible, or suction lift. The preferred type of station is the Suction Lift type. The Director may approve other types under certain circumstances.

Structural Design:

Earthquake Loads and Uplift Forces:

Stations shall withstand earthquake loads and uplift forces from high groundwater conditions.

Separation:

Wet and drywells, including their superstructure, shall be completely separated. Common walls shall be sealed against gas leaks.

Equipment Removal;

Provisions shall be made for removing all equipment (i.e., pumps, motors, mechanical screens, motor control centers, etc.) from the station. Access openings, hatches, and/or skylights shall be sized accordingly. Permanent hoisting devices shall be provided as necessary.

Substructure:

Station substructures shall be constructed of reinforced concrete, either cast-inplace or precast. Small, prefabricated stations may be constructed of steel plate or fiberglass with the approval of the Director.

Access:

The designer shall minimize the confined spaces and shall indicate which spaces meet the definition of confined space on the drawings. Suitable, safe, and separate means of access shall be provided for dry and wetwells. Stairways and/or steps are required for drywells and wetwells containing either bar screens or mechanical equipment that requires inspection or maintenance. A landing with railings shall be provided for stairways or ladders for every 10 vertical feet. Local, state and federal safety codes shall govern in all cases.

Pumps:

Number of Pumps:

As a minimum, two pumps shall be provided, with each pump being capable of handling peak design flows. Where three or more pumps are provided, the overall station capacity shall be capable of handling peak design flow when any one pump is out of service.

Design:

Pumps shall be designed specifically for wastewater use and shall be non-clogging and as allowed by the Director.

Incoming Wastewater and Rate Discharge:

Pumping stations shall balance the rate of incoming wastewater with the rate discharged.

Each pump shall have an individual intake valve.

Pump suction and discharge openings shall be a minimum of 4 inches in diameter.

Centrifugal Pumps:

Centrifugal pumps shall be used in the drywell/wetwell pumping stations. The pump casing and suction elbow shall be provided with a clean-out access port. Impellers shall be enclosed or semi-open. To ensure primed pump conditions, the wetwell level shall not drop below the centerline of the pump impeller under normal operating conditions.

Submersible Pumps:

Submersible pumping stations may be used when, in the opinion of the Director, circumstances warrant. It shall be possible to remove and replace the submersible pumps without dewatering the wetwell or disconnecting the piping. Pumps shall be of the pull-up design, using a lifting cable and guides for pump removal. The pump shall be connected to the fixed discharge piping with a self-locking coupling. Shaft seal failure or potential seal failure detection alarms shall be provided. Submersible pumps may also be used in a wetwell/drywell configuration, with the Director's approval.

Suction Lift Pumps:

Suction pumps shall be self- or vacuum-priming.

Location: The pump equipment compartment shall be above grade or offset, and shall be isolated from the wetwell to prevent humid and corrosive sewer atmospheres from entering the equipment compartment. Access to the wetwell shall not be located in the equipment compartment. Valves shall not be located in the wetwell.

Self-priming Pumps: Self-priming pumps shall be capable of rapid priming at the lead pump-on elevation. Such self-priming and repriming shall be accomplished automatically under design operating conditions. Suction piping shall not exceed the size of the pump suction and shall not exceed 25 feet (7.6 meters) in total length. Priming lift at the lead pump on elevation shall include a safety factor of at least 4 feet (1.2 meters) from the maximum allowable priming lift for the specific equipment at design operating conditions. The combined total of dynamic suction lift at the pump-off elevation and

required net positive suction head at design operating conditions shall not exceed 22 feet (6.7meters).

Vacuum-priming Pumps: Vacuum-priming pump stations shall be equipped with dual vacuum pumps capable of automatically removing all air from the suction lift pump. The vacuum pumps shall be adequately protected from sewage damage. The combined total of dynamic suction lift at the pump-off elevation and required net positive suction head at design operating conditions shall not exceed 22 feet (6.7 meters).

Wetwells:

Divided Wells:

The wetwell shall be divided into two sections that are properly interconnected and gated to facilitate repair and cleaning.

Storage Capacity:

The effective storage capacity of the wetwell shall be based upon the recommended number of pump starts per hour and the design filling time. The effective volume of the wetwell shall be based on a filling time of 30 minutes under design average-daily-flow rates. To determine the frequency of starts used for design, refer to the pump manufacturer's warranty.

Where tributary wastewater flows are anticipated to be significantly less than the design average flow, provisions should be made so that the filling time under initial conditions does not exceed 30 minutes (i.e., providing a divided wetwell or shortening the wetwell operation range) and the duration of storage in the pump station and force main does not result in septic conditions in the system or the release of objectionable odors to the environment.

Pump Protection:

Pumps shall be protected from large solids by readily accessible mechanically cleaned bar racks (screen) or combination device located at the wetwell influent. Bar racks should have clear opening not exceeding 1.25 inches (3.1 cm) unless pneumatic ejectors are used or special devices are installed to protect the pumps from clogging or damage.

Floor Slope:

The wetwell floor shall have a minimum slope of 1-to-1 to the hopper bottom. The horizontal area of the hopper bottom shall be no greater than is needed for proper installation and function of the wetwell inlet.

Vortexes:

The wetwell and suction inlets of dry-pit pumps shall eliminate the possibility of vortexes. The required submergence of the intake valves shall be determined for the day-pit pump's location. Intake valves should be flared, with the inlet opening facing down. Every effort shall be made to minimize flow rotation in the wetwell.

Sewage Channels:

Sewage channels located in wetwells shall be covered with nonskid, corrosion-resistant grating. They shall be installed flush with a floor, and capable of supporting anticipated loads. All channels shall be drained when not in use. Where the side meets the floor of the channel, fillets shall be provided.

Inlet Sewers:

Sewer piping entering the wetwell shall not have air in the pump suction line.

Drywells:

Automatic heating and dehumidification equipment shall be provided in all drywells. The electrical requirements shall meet those outlined in subsequent paragraphs of this section.

A sump pump shall be provided in the drywell to remove extraneous water. The discharge pipe of the sump pump shall be equipped with dual check valves and shall be pumped from the drywell into the wetwell above the high water level. Water ejectors connected to a potable water supply shall not be permitted. All floor and walkway surfaces shall slope to a point of drainage. Pump seal leakage shall be piped or channeled directly to the sump.

Valves:

Suitable shutoff valves shall be placed on the suction lines and on the discharge lines of each pump (except on submersible and vacuum-primed pumps). A suitable check valve shall be placed on a horizontal section of each discharge line between the shutoff valve and the pump.

Unless adequate space is available in a dry pit pump room, valves on the discharge piping (including flow meters, if required) shall be in a separate underground precast concrete vault.;

Every pump station shall include appropriate valves and quick disconnects to allow the Town to bypass the existing pumping equipment and valves. The piping shall allow the Town to install temporary piping into the wet well, and discharge to a location downstream of the check and shutoff valves.

Valves shall not be located in wetwells.

Section 24. Controls:

All pump stations, grinder pump stations, vacuum sewer stations, and other sewer handling facilities required by the Director shall be connected to the Water and Sewer Departments' Supervisory Control and Data Acquisition (SCADA) System.

All sensing, alarm, and SCADA system devices shall be of the same type, configuration, and function as that used by the Water and Sewer Departments. Each pumping station shall have its own screen display, processor logic controller (PLC), and communications equipment for the SCADA system and shall also display the required monitoring controls and alarm on the all SCADA system screens of the water and/or sewer systems.

Level Sensing Devices:

Level sensing devices shall not be affected by flows entering the wetwell or by the suction of the pumps. All wall penetrations between the wet and drywells shall withstand gas leaks and be located as high as possible to prevent overflow from the wetwell to the drywell. The pumps shall be automatically alternated. Running-time meters shall be installed at all pumping stations for each pump.

Alarm Systems:

Alarm systems shall be provided for all pumping stations. At a minimum, the alarm system shall be activated in any one of the following cases:

- * High water in the wetwell;
- * Low water in the wetwell;
- * Loss of one or more phases of power supply;
- * High water level in the pump room sump;
- * Loss of the alarm transmission or communications;
- * Loss of air pressure in the bubbler tube system/level sensing trouble or failure;
- * Standby power failure or malfunction of the pump;
- * Flooding of building or drywell;

- * Smoke/fire alarms;
- * Low temperature;
- * Surge suppressor failure;
- * PLC processor failed;
- * PLC low battery;
- * Intrusion; and
- * Three spare connections

Section 25. Pump Station Ventilation

General:

Adequate ventilation shall be provided for all pumping stations. Where the pump pit is below the ground surface, mechanical ventilation is required, especially when screens or mechanical equipment requiring maintenance or inspection are located in the wetwell. The wet and dry well ventilation systems shall not be connected. In pits more than 15 feet (4.6 m) deep, multiple inlets and outlets shall be installed. Switches for the operation of ventilation equipment shall be marked and located conveniently. If odors are a problem, an odor control system shall be installed.

Wetwells:

Ventilation may be either continuous or intermittent. For continuous ventilation, at least 12 air changes per hour shall be provided. For intermittent ventilation, at least 30 air changed per hour shall be provided. Heating shall be installed where needed.

Drywells:

Ventilation shall be continuous. Heating and dehumidification is required. At least 6 complete air changes per hour shall be provided.

Section 26. Flow Measurement:

Suitable devices, as approved by the director, for measuring wastewater flow and power consumption shall be installed in all pump stations.

Section 27. Pump Station Water Supply:

Water under pressure shall be provided for cleanup at the pumping station. If a public water supply is used, a Reduced Pressure Zone (RPZ) backflow preventer or other approved device shall be installed on the water service entering the station. No other potable water supply and other piping systems or fixtures shall be connected to the systems supplied by the public water supply.

Section 28. Electrical:

Electric Equipment

Electrical systems shall be designed and installed in strict conformance with the latest edition of the National Electrical Code. Electrical equipment in enclosed places where gas may accumulate shall be noncorrosive and in compliance with the National Electrical Code requirements for Class I Group D, Division I locations.

Submersible Pump Motors

Electrical supply and control circuits shall allow disconnection at a junction box located at or accessible from outside the wetwell. Terminals and connectors shall have watertight seals located outside of the wetwell and shall be protected by separate strain relief.

The motor control center shall be located outside of the wetwell and protected by a conduit seal or other appropriate sealing method meeting the requirements of the National Electrical Code for Class 1, Division 2 locations.

The pump motor shall meet the requirements of the National Electrical Code for Class 1, Division 2 locations.

Submersible pump motors that are totally submerged during the pumping cycle are not required to protect against explosions.

Power cords for pump motor shall be flexible and serviceable under conditions of extra hard use. Ground fault interruption protection shall deenergize the circuit in the event of any failure in the electrical integrity of the cable.

Power cord terminal fittings shall be provided with strain relief appurtenances, and shall facilitate field connecting.

Section 29. Emergency Operations:

When the Director deems it is necessary, an independent natural gas or propane engine-generator type source of electric power shall be provided for electrically driven pumps. This source shall be automatically activated when or if any phase of the power supply fails or upon any fluctuation in voltage. Installation shall comply with all applicable requirements of the National Electrical Code.

Small Pumping Stations: When the Director agrees that a small pump station does not require a permanent alternative power supply, electrical connections for portable standby generator or pneumatic connection for portable air compressor shall be installed as approved by the Director.

Controls:

Provisions shall be made for automatic and manual startup and cut-in. The controls shall be such that upon automatic startup under emergency conditions, shutdown can be accomplished only manually, except in conditions that would damage the generator or engine.

Size:

Unit size shall be sufficient to start up and run all pumps needed to handle peak flows as well as lighting, ventilation, pump controls, and the sump pump.

Exerciser:

The engine controls shall be equipped with an automatic exerciser that may be set on any selected schedule to start the generator, to run it under no-load conditions, and to shut it off without activating the alarm system.

Noise Attenuation:

Noise attenuation components must be incorporated in the design to produce no more than 60 decibels (db) of noise at the property line.

Section 30. Safety

Adequate provisions shall be made to protect the operator and visitors from hazards. The design and construction of pumping stations shall meet all prescribed local, state, and federal safety laws and codes. Safety provisions shall include the following:

- Handrails at openings, stairways, and other hazardous areas;
- Guards around the belt drives, gears, rotating shafts, and moving equipment;
- Warning signs as appropriate;
- Provisions for power lockout controls at all pumps and equipment;
- Eye wash stations where chemicals are used;
- Adequate lighting in all areas of the pumping station;

- Provisions for confined space entry in accordance with OSHA and regulatory agency requirements;
- First aid equipment; and
- Fire extinguisher.

Section 31. Overflows and Bypasses

Overflows and bypasses shall not be allowed on pumping stations serving sanitary sewage collection systems.

Section 32. Site Protection and Aesthetics:

The Director will review the design and location of the pump stations and may determine that fencing, aesthetics vegetation plantings, intrusion alarms, and aesthetics superstructures style or any other site conditions may warrant site protection and/or aesthetics.

Section 33. Odor Control:

Odor control equipment may be required by the Director, depending on the siting of the pumping station and force main discharge point.

Appendix B CONSTRUCTION TECHNICAL SPECIFICATIONS

The owner of the property, the developer, and/or Licensed Utility Installer, shall construct and install all sanitary sewers and all building sewers in accordance with the following rules and regulations:

Section 1. The owner, developer, or LUI shall submit to the Director (for his approval) plans and profiles of the proposed public sewer extensions and/or building sewer connections.

Section 2. The owner, developer or L.U.I. of a subdivision shall submit to the Director, a subdivision plan approved by the Chatham Planning Board along with the plans and profiles of the proposed public sewer extension.

Section 3. The Contractor doing all the work shall be approved by the Director as a Licensed Utility Installer (L.U.I.) as described in Article II-Building Sewers and Connections, Sections 13a through 13g.

Section 4. All materials, including pipe and manhole structures, shall be of the same make and quality used by the Chatham Sewer Department and approved by the Director.

Section 5. Public sewers and building sewers shall be laid using a transit or laser level. All sewer pipes shall be laid on a bed of crushed stone of at least six inches (6") in depth under the pipe and crushed stone shall extend at least halfway up the side of the pipe. Approved gravel, with no stones larger than two inches (2") in any dimension, shall be used to cover pipe to one foot above pipe. The rest of the backfill material must be approved by the Director, Massachusetts Highway Department or Town of Chatham Surveyor of Highways. The approved backfill material shall be placed in mechanically compacted lifts of no more than six inches (6") deep or as specified by the Chatham Surveyor of Highways, Massachusetts Highway Department, or other specifications more stringent than the above. The approved backfill material above the gravel shall contain no stones greater than 6 inches in any dimension.

Section 6. Impervious dams shall be considered every 300 feet to control the flow of groundwater within the pipe bedding material when:

- The surrounding native material is considerably less impervious than the pipe bedding material;
- The pipe bedding could produce a hydraulic head of 25 feet on the pipe gaskets and joints during periods of high groundwater flow; and/or
- The sewer being constructed is downstream of any waterway and wetland crossings.

Section 7. Sewers may be deep enough to drain basement fixtures, and shall be deep enough to prevent freezing. Watertight insulation shall be provided for sewers that cannot be placed deep enough to prevent freezing.

House connections chimneys (vertical pipe) preformed block shall be used when the sewer main is greater than or equal to 12 feet deep.

Section 8. Where high groundwater conditions are anticipated, the buoyancy of sewers shall be considered, and the floatation pipe of pipe shall be prevented with appropriate design and construction of the sewer.

Section 9. No mud, gravel or debris shall be allowed to enter the sewer pipes at any time. All pipes shall be capped at end of day's laying and water shall be pumped out of excavation prior to removing the cap.

Section 10. Building sewer connection to the public sewer shall have a wye branch fitting, as approved by the Director, made of the same type of materials as the sewer main being tapped.

Section 11. Minimum size of gravity public sewer pipe diameter shall be eight (8") inches and building sewer pipes shall not be less than four (4") inches in diameter. Minimum sizes of low pressure sewer mains shall be in accordance with Article IV-Design of Sewers, Section 9. Details of Low Pressure Sewer Design and Construction.

Section 12. Sewer pipe and building sewer pipe material shall be:

(a) Reinforced Concrete Pipe shall meet the following specification:

Portland cement shall conform to ASTM C-150 Type II;
 The pipe and its appurtenances shall conform to ASTM Specification C-76;
 The reinforcing wire cage shall conform to ASTM Specification A 15, A 82, or A 185, as appropriate;
 Entrained air shall be 5.0% to 9.0% by ASTM C-890;
 Water absorption and three-edge bearing tests shall conform to ASTM Specification C-497; and
 Gaskets shall conform to Sections 3.3 and 3.4 of AWWA Specification C-302.

Note: non-reinforced concrete pipe shall not be used.

(b) Extra Heavy Cast Iron Pipe shall meet the following specifications:

Pipe, fittings, and appurtenances shall conform to the requirements of ASTM Specification A-74 or ANSI A-21.11 and gaskets shall conform to ASTM Specification C-564.

(c) Heavy Wall Polyvinyl Chloride (PVC) Pipe shall meet the following specifications:

Pipe shall be made from Class 12454-B materials or better in accordance with ANSI/ASTM Specification D-1784, and shall ultraviolet light (UV) protected.

The pipe and accessories shall conform to the requirements of the following, with a minimum pipe stiffness of 46 PSI at a maximum deflection of five percent (5%):

ANSI/ASTM	D 3034	(4" – 15")
ASTM	F 679 Type I	(18" – 27").

(d) Ductile Iron Pipe shall meet the following specifications:

Pipe, fittings, and appurtenances shall be manufactured in accordance with ASTM Specification A-746;
 Pipe shall have a minimum thickness of Class 50;
 Fittings shall conform to ANSI Specification A-21.11 and have a minimum pressure class rating of 150 PSI;

All pipe and fittings shall be cement mortar lined in accordance with ANSI Specification A-21.4 at twice the specified thickness, and have an internal and

external bituminous seal coating and closure pieces shall be jointed by means of a mechanical coupling of the cast sleeve type.

- (e) Extra Strength Vitrified Clay Pipe shall meet the following specifications:

Pipe shall conform to the current requirements of NCPI Specification ER 3300 – 67 and meet the requirements of ASTM Specification C 700.

Note: standard strength vitrified clay pipe shall not be used).

- (f) Acrylonitrile – Butadiene – Styrene (ABS) Pipe shall meet the following specifications:

Pipe and fittings shall conform to the requirements of ASTM Specification D 2661.

- (g) Plastic Pipe, sizes 4 inches through 12 inches, shall be ANSI/ASTM D3034, SDR-35 Type PSM Poly (Vinyl Chloride) (PVC) material; minimum pipe stiffness (F/Y) is 46 psi; bell and spigot style and rubber gasket conforming to ASTM F477.

- (h) Low Pressure Mains and Services for 1-1/4-inch pipe through 4-inch pressure pipe shall be polyethylene pipe with material conforming to ASTM D3350, Type PE-3408 pressure Class PC 160, SDR-11. Fittings for use with polyethylene pipe and tubing shall be manufactured and furnished by the pipe supplier and in conformance with AWWA C901 requirements. Joints for polyethylene pipe shall be jointed by the butt fusion method in a manner recommended by the pipe manufacturer.

Pipe sizes 1-1/4 inches through 4 inches shall be Polyvinyl Chloride (PVC) pipe ASTM D2241 PVC pressure pipe material conforming to ASTM D1784, minimum class SDR 21 for pipe 1-1/4-inch, push-on joint conforming to ASTM D3139 with flexible elastomeric gaskets conforming to ASTM F477.

Fittings for use on PVC pressure pipe of 4-inch nominal inside diameter or greater shall be ductile iron with mechanical joints as described in ANSI 21.10/AWWAC110. The coatings and linings of the fittings shall be as specified for ductile iron pipe.

- (i) Other pipe materials:

Other pipe materials shall require prior written approval of the Director before being installed.

Materials for sewer construction shall be appropriate for local conditions, including the character of industrial wastes, septicity, soil characteristics, external loadings, and problems such as abrasion and corrosion.

All sewers shall be able to withstand damage from superimposed loads. Proper allowances for soil and potential groundwater conditions, as well as the width and depth of the trench shall be used. Where necessary, special bedding, haunching and initial backfill, concrete cradles, or other special construction elements shall be used.

The minimum internal pipe diameter shall be eight (8) inches for gravity sewers.

Joints for the selected pipe shall be designed and manufactured such that "O" ring gaskets of the "snap-on" type are used.

Gaskets shall be continuous, solid, natural or synthetic rubber, and shall provide a positive compression seal in the assembled joint.

Joint preparation and assembly shall be in accordance with the manufacturer's recommendations.

Wye branch fittings, as approved by the Director, shall be installed for connection of laterals.

Bedding, Haunching, and Initial Backfill:

Based on the bedding support of the type of soil and potential groundwater conditions, use the following for the anticipated loads:

- Bedding classes A, B, and C, or crushed stone as described in the American Society of Testing Materials standard ASTM C 12, should be used for all rigid pipe, or
- Materials for bedding, haunching, and initial backfill, or classes I, II, or III as described in ASTM D 2321, should be used for all flexible pipe.

Safety and Load Factors:

Selection of pipe class shall be predicated on the following criteria:

Safety factor	-	1.5
Load factor	-	1.7
Weight of soil	-	120 lbs/cu.ft.
Wheel loading	-	H-20

Section 13. Manholes and Cleanouts:

Manhole and Cleanout Size:

Cleanouts. Cleanouts shall be constructed of the same material as the building sewer. The size of the cleanout shall be the same size as the building sewer up to six (6") inches in diameter, for building sewers larger than six (6") inches in diameter manholes shall be used. Cleanouts shall be sealed with removable, re-useable threaded screw-in plug or screw-on cap.

Manholes. Manholes shall be minimum of four (4') feet in diameter with a minimum access diameter of 30 inches (76 cm). Larger diameter manholes may be required by the Director. A minimum drop of 0.10 foot shall be used between entrance and exit inverts.

Location:

Manholes and cleanouts shall be installed at the end of each line; at all changes in grade, size, or alignment; and at all intersections. Distances shall not be greater than 300 feet for sewers measuring 15 inches (38 cm) or less in diameter, or 400 feet for sewers 18-30 inches (46-76 cm) in diameter. Greater distances may be permitted for larger sewers or for those carrying a settled effluent, but only with prior approval of the Director. The top of the manhole cover shall be no lower than one (1') foot above the 100 year flood elevation level. Junction manholes on low pressure sewers shall be installed at all intersections

Drop Type:

A drop pipe for a sewer pipe with an invert entering a manhole of more than 24 inches (61 cm) above the manhole invert shall be provided. Where the difference in elevation between the incoming sewer and the manhole invert is less than 24 inches (61 cm), the invert shall be filleted to prevent solids deposition.

Drop manholes shall be constructed with an outside drop connection. Outside drop connections shall be encased in concrete, and shall provide access for cleaning as the sewer enters the manhole at the top of the drop connection.

Inside drop connections may be used provided the manhole has the area to facilitate safe access into the manhole with the inside drop in place, and shall be approved by the Director. The inside drop connection shall be secured to the interior wall of the manhole, and shall provide access for cleaning as it enters the manhole at the top. Internal drop pipes and fittings shall be PVC plastic sewer pipe in compliance with ASTM D2241. Corrosion resistant anchors shall be used to attach the drop pipe to the inside surface of the manhole barrel.

Structural Base:

Manhole bases shall be constructed or placed on a minimum of twelve (12) inches of crusher run with a maximum stone diameter in all directions of one half ½ inch and free of organic materials.

Diameter:

The manhole’s minimum diameter shall be 48 inches (122 cm) for standard manholes and 60 inches (153 cm) for inside drop manholes. A minimum access diameter of 30 inches (76 cm) shall be provided. Larger openings shall be provided for manholes that house equipment, as specified by the Director.

Materials:

Manholes shall be precast concrete with barrel sections, cones, and bases, manufactured in compliance with ASTM C 478, and shall have an O-ring or bituminous-based gasketed joints. “Precast concrete walls shall be made up using straight, circular barrel sections and eccentric cone sections if manhole steps are required, and concentric cone sections where no steps are require. Manholes can also be poured-in-place concrete. Other types are allowed subject to the approval of the Director.

All tongue-and-groove (or male and female joints in the precast wall, including the joint at the top of the base, shall be made up using the “Snap-On” type O-ring gasket, and shall conform to ASTM C443; except that joint taper shall not exceed 3-1/2 degrees. The precast sections shall be provided with a special groove (cast into the male end) to receive and hold the gasket in position during joint assembly. After joint assembly, the gap between sections shall be packed on the inside and outside with Anti-Hydro “Azpandretes,” Masterflow 713 by Master Builders; or Five Star Grout by U.S. Grout Corp., and shall be troweled smooth so that no projections remain on the inside.

Manhole bases shall be constructed of 4,000 psi (28 day) concrete 8 inches thick, or shall be precast bases properly bedded in the excavation. Field constructed bases shall be monolithic, properly reinforced, and extend at least 6 inches beyond the outside walls of lower manhole sections. Precast manhole bases shall extend at least 6 inches beyond the outside walls of lower manhole sections.

Manholes shall be constructed using minimum 4 foot diameter, precast concrete manhole barrel sections, and an eccentric top section, conforming to ASTM Specification C-478, with the following exceptions on wall thickness:

Manhole Diameter	Wall Thickness
Feet	Inches
4	5
5	6
6	7
6-1/2	7-1/2
7.	8
8.	9

All Sections shall be cast solid, without lifting holes. Flat top slabs shall be a minimum of 8 inches thick and shall be capable of supporting a H-20 wheel loading.

All joints between sections shall be sealed with "O" ring rubber gasket, meeting the same specifications as pipe joint gaskets, or butyl joint sealant completely filling the joint.

All joints shall be sealed against infiltration. All metal parts shall be thickly coated with bitumastic or elastomeric compound to prevent corrosion.

No holes shall be cut into the manhole sections closer than 6 inches from joint surfaces.

Manholes which extend above grade shall not have an eccentric top section. The top plate shall be large enough to accommodate the cover lifting device and the cover.

Manhole Covers:

The elevation of the top section shall be such that the cover frame top elevation is one (1) foot above the 100-year flood elevation (in a field), 0.5 foot above a lawn elevation, or at finished road or sidewalk grade.

When located in a traveled area (road or sidewalk), the manhole frame and cover shall be heavy duty cast iron. When located in a lawn or in a field, the manhole frame and cover may be light duty cast iron. The cover shall provide a minimum access diameter of 30 inches (76 cm). The mating surfaces shall be machined, and painted with tar pitch varnish. The cover shall not rock in the frame. Infiltration between the cover and frame shall be prevented by proper design and construction. Covers shall have "Sewer" cast into them. Covers shall be designed so that infiltration is prevented.

Manhole frames, installed at grade, shall be set in a full bed of mortar with no less than two nor more than four courses of brick underneath to allow for later elevation adjustment. In lieu of brick, grade rings may be used for elevation adjustment. Grade rings shall not exceed 6 inches in depth. The total number of grade rings shall not exceed 12 inches in height, however, in no event shall more than 3 grade rings be used.

Manholes which extend above grade, shall have the frames cast into the manhole top plate. The top plate shall be securely anchored to the manhole barrel, by a minimum of six, ½ inch diameter, corrosion resistant anchor bolts, to prevent overturning when the cover is removed. The anchor bolts shall be electrically isolated from the manhole frame and cover.

Ladders:

Manhole steps are to be provided in manholes. Steps are to be cast in or grouted solid into the precast units at intervals of 12 inches. Steps shall be in conformance with OSHA requirements having drop front or equivalent. Bolted-on type is not acceptable. Manhole steps to be M.A. Industries, Inc. copolymer polypropylene reinforced with ½-inch steel rod or equal.

Flow Channel or Invert:

The flow channel through the manholes shall conform in shape and slope to that of the sewers entering and leaving the manholes. Construct the top of the flow channel so that the flow will remain in the channel under peak conditions. Form or shape the channel walls to the full height of the crown of the outlet sewer and so as not to obstruct maintenance, inspection, or flow in the sewers. When curved flow channels are required, including branch inlets, increase minimum slopes to maintain acceptable velocities. Provide a minimum 0.1-foot drop through the manhole.

Bench or Shelf:

Provide a bench on each side of every manhole channel. The bench should have a slope of no less than 0.1 inch per foot or no greater than 0.5 inch per foot. No lateral sewer, service connection, or drop manhole pipe should discharge onto the surface of the bench.

Manhole Inverts:

Manhole inverts shall be constructed by laying sewer bricks on their long side with their water structured face up, in straight line or sweeping arch to from the bottom of the invert, from pipe to pipe. Additional sewer bricks will fan out with their water structure facing towards the center of the invert from the invert brick. The invert's width will be the same diameter of the effluent pipe of the manhole. The minimum height of the shelf shall be equal to the crown of the manhole's effluent pipe and it shall be constructed from sewer brick with their water structured face up.

Buoyancy:

Where high groundwater conditions are anticipated, the manholes shall be designed and constructed to prevent floatation.

Watertightness:

Solid or watertight manhole covers shall be used in areas subject to flooding. All manhole lift holes and grade adjustment rings shall be sealed with a nonshrinking mortar or other material approved by the Director. A bituminous coating shall also be used on the exterior. Inlet and outlet pipes shall be joined to the manhole with a gasketed, flexible watertight connection or with another watertight connection arrangement that allows for differential settlement of the pipe and the manhole.

The Contractor shall furnish manholes waterproofed over the entire exterior surface that will be below finished grade. The water proofing shall not mar or interfere with the specified exterior finish for these structures. Waterproofing shall be accomplished prior to structure installation for precast sections, and shall be applied to dry surfaces under proper weather conditions.

Waterproofing shall consist of a two-coat application of coal tar compound as manufactured by Koppers Bitumastic Super Service Black; Tnemec Heavy Duty Black 46-449; Preco Nitroproof

600; or equal, and shall be applied according to manufacturer's specification. Total thickness of the two-coat application shall no be less than 16 mils.

Pipe Connections:

Pipes being connected to new manholes shall be connected to the manhole with cast-in-place rubber boot with clamp around gasket. Pipes being connected to existing manholes shall be core drill opening and seal with link seal water stop between pipe and manhole wall.

Section 14. Force main pipe shall be either:

(a) Ductile Iron Pipe:

Pipe shall conform to ANSI A21.51;
The minimum wall thickness shall be Class 52 (ANSI A21.50);
The pipe shall be clearly marked with either "D" or "DUCTILE";
Fittings shall conform to ANSI A21.10;
Pipe shall be furnished with push-on joints and fittings shall be furnished with mechanical joints. Both conforming to ANSI A21.11; and
Pipe and fittings shall be cement mortar lined and have an internal and external bituminous seal coating.

(b) Polyvinyl Chloride (PVC) Plastic Pipe:

Pipe shall conform to ASTM D2241;
Materials used in the manufacturer of PVC pipe shall meet ASTM C1784; and be ultraviolet light (UV) protected;
The minimum wall thickness shall be SDR-21;
Fittings shall conform to ASTM D2241; and
Joints and gaskets shall conform to ASTM D2241, D1869, and F477.

(c) Other pipe materials:

Other pipe materials shall require prior written approval of the Director before being installed.

Trenching, bedding, and backfilling shall be as approved by the authority having jurisdiction over the property, such as but not limited to: the Massachusetts Highway Department, Town of Chatham Surveyor of Highways or Harwich Wastewater Superintendent.

Joint preparation and assembly shall be in accordance with the manufacturer's written instructions.

Anchorage, concrete blocking, and/or mechanical restraint shall be provided when there is a change of direction of 7-1/2 degrees or greater.

When the daily average design detention time, in the force main, exceeds 20 minutes, the manhole and sewer line receiving the force main discharge or the sewage shall be treated so that corrosion of the manhole and the exiting line are prevented. The corrosion is caused by sulfuric acid biochemically produced from hydrogen sulfide anaerobically produced in the force main.

The force main shall terminate, in the receiving manhole, at a PVC plastic sewer pipe "T". The vertical arms of the "T" shall be twice the diameter of the force main. The upper arm shall be at least 4 feet long; the lower arm shall terminate in a PVC plastic sewer pipe 90 degree elbow in a flow channel directed to the manhole exit pipe. The "T" and its arms shall be securely fastened to the inside surface of the manhole wall using corrosion resistant anchors.

Force mains shall have a minimum velocity of three feet per second, 3ft/Sec.

Section 15. No sanitary sewer pipe shall be left open into an unfinished house or cellar hole. All pipes must be capped to prevent the flow of surface water or debris from entering the sanitary sewer.

Section 16. All sewer works located in the flood plain district area, established under the zoning by-law, shall require that new and replacement sewer works be designed and constructed to minimize or eliminate infiltration of flood waters into the system or discharge sewerage from the system into the floodwater.

Section 17. Sewer Pipe Testing:

A. General

The L.U.I. shall test the first section of pipeline as soon as it is installed to demonstrate that the work conforms to these specifications. The initial section shall not be less than five hundred (500) feet and not more than one thousand (1000) feet of pipeline. Testing of pipe shall closely follow pipe laying.

For all sewer pipe tests, the L.U.I. shall furnish an air or water test pump, an air or water meter, and suitable pressure gauge. The L.U.I. shall also furnish all labor and materials required to install suitable temporary testing plugs or caps for the pipeline and perform the test. The meter and gauge shall be installed by the L.U.I. in such a manner that all air or water entering the section under the test will be measured and the pressure in the section indicated and they shall be kept in use throughout all tests.

The scheduling of deflection and pressure and leakage tests shall be as approved and attended by the Town of Chatham's Sewer Department or Town Inspector.

Before accepting any sewer segment, the L.U.I. shall provide a television tape of the entire sewer including point of connection an existing sewer or pumping station. Television inspection shall be performed by a firm specializing in this work and shall produce the following information:

2. A continuous videotape recording of the entire length of pipe being inspected. The tape shall include location of each section, direction of camera travel, a commentary of the pipe's condition, and various irregularities found and lateral connections.
3. The section of pipe being televised shall be identified at least once every 50 ft.
4. Documentation on television logs and voice recorded on tape shall consist of the following information:
 - a. Distance from the numbered manhole point of beginning on each sewer section to the location of the specific condition being inspected.
 - b. Angular orientation of all above conditions inside pipe (i.e., leak at 10:00, service connection at 3:00).
 - c. Sewer size, material, and joint spacing.

B. Deflection

Deflection tests shall be performed on all flexible pipes. The tests shall be conducted after the final backfill has been in place at least 30 days to permit stabilization of the pipe system.

No pipe shall exceed a deflection of 5 percent. If deflection exceeds 5 percent, the pipe shall be replaced.

The rigid ball or mandrel used for the deflection test shall have a diameter of not less than 95 percent of the base inside diameter or the average inside diameter of the pipe as specified by ASTM D 2122 Standard Test Method of Determining Dimensions of Thermoplastic Pipe and Fittings. The tests shall be performed without mechanical pulling devices.

C. Air Testing:

The Town requires air testing in lieu of the exfiltration or infiltration tests. The L.U.I. shall submit his proposed method of air testing to the Director for approval. All air testing shall be performed in accordance with the procedures described in ASTM C828-86 for Clay Pipe or ASTM C924 for Concrete Pipe or those procedures approved by the Director, and shall be specifically designed and manufactured for testing pipelines with low-pressure air and shall be provided with an air regulator valve or air safety valve set to prevent the air pressure in the pipeline from exceeding ten (10) psi. If the results of the air test are unsatisfactory, the L.U.I. shall repair the sewer pipe and perform the air tests until the sewer pipe passes the air test. If site conditions are not conducive to air test, as determined by the Director, the L.U.I. will be required to perform an exfiltration and/or an infiltration test as outlined below.

Low pressure air tests shall conform to ASTM Specification C 828. All sections to be tested shall be cleaned and flushed, and shall have been backfilled, prior to testing.

Air shall be added until the internal pressure of the test section is raised to approximately 4.0 PSIG. The air pressure test shall be based on the time, measured in seconds, for the air pressure to drop from 3.5 PSIG. Acceptance is based on limits tabulated in the "Specification Time Required for a 1.0 PSIG Pressure Drop" in the Uni-Bell PVC Pipe Association "Recommended Practice For Low-Pressure Air Testing of Installed Sewer Pipe".

Before pressure is applied to the line all connections shall be firmly plugged. Before the test period starts, the air shall be given sufficient time to cool to ambient temperature in the test section.

If the test section is below groundwater, the test pressure shall be increased by an amount sufficient to compensate for groundwater hydrostatic pressure, however, the test pressure shall not exceed 10 PSI.

The pressure test gauge shall have been recently calibrated, and a copy of the calibration results shall be made available to the Director prior to testing.

Exfiltration Test:

If for any reason, approved by the Director, air testing cannot be performed, the Director shall require exfiltration testing. Leakage tests by exfiltration shall be made before or after backfilling at the discretion and under the supervision of the Town Inspector. The length of pipe to be tested shall not exceed 1,000 feet and be such that the head over the crown at the upstream pipe is not less than two (2) feet and the head over the downstream pipe crown is not more than six (6) feet. The pipe shall be plugged, by pneumatic bags or mechanical plugs, in such a manner that the air can be released from the pipe while it is being filled with water. Before any measurements are made, the pipe shall be kept full of water long enough to allow absorption of water and the escape of any trapped air. Following this, a test period of at least two hours shall begin. Provisions shall be made for measuring the amount of water required to maintain the water at a constant level during the minimum two (2) hours test period. If any joint shows an appreciable amount of leakage, the joining material shall be removed and replaced. If the water required to maintain a constant level in the pipe does not exceed twenty-five (25) gallons per nominal diameter, in inches, per 24 hours per mile of pipe and if all leakage is not confined to a few joints, workmanship shall be considered satisfactory. If the amount of leakage indicates defective joints or broken pipes, they shall be corrected or replaced.

Infiltration Test:

If for any reason, approved by the Director, air testing and exfiltration testing cannot be performed, the Director shall require infiltration testing be performed. Pipe shall be tested for infiltration after backfill has been placed and the ground water allowed to return to normal elevation. Infiltration tests shall be made only under the supervision of the Town Inspector, and the length of line to be tested shall be not less

than the length between adjacent manholes and not more than the total length of each size pipe and shall not exceed 1000 feet. The allowable infiltration shall be twenty-five (25) gallons per nominal diameter, in inches, per 24 hours per mile of pipe in each section tested as determined by means of V-Notch weirs, pipe spigots, or by plugs in the end of the pipe to be furnished and installed by the L.U.I., in an approved manner, and at such times and locations as may be directed by the Town Inspector.

There shall be no gushing or spurting leaks. If an inspection of the completed sewer or any part thereof shows pipes or joints which allow noticeable infiltration of water, the defective work or material shall be replaced or repaired.

Section 18. Sewer Force Main Testing:

The sewer force main pipe shall be given pressure and leakage tests in sections of approved length as approved by the Director. For these tests, the L.U.I. shall furnish a water test pump, water meter, and a pressure gauge. The L.U.I. shall also furnish all labor and equipment to install suitable temporary testing plugs or caps for the pipeline and to perform the tests. The meter and gauge shall be installed by the L.U.I. in such a manner that all water entering the section under the test will be measured and the pressure in the section indicated and they shall be kept in use throughout all tests.

The scheduling of pressure and leakage tests shall be as approved and attended by the Town Inspector.

The section of pipe to be tested shall be filled with water by pumping water into it and opening the air release valves and expelling all air from the pipe. If air release assemblies are not available at high points for releasing air, the L.U.I. shall perform: all excavation(s); make the necessary tap(s) at such highpoint(s); plug said holes of the tapping saddles after completion of the test with brass or bronze plug(s); and backfill the excavation(s).

The L.U.I. shall make a leakage test by metering the flow of water into the pipe while maintaining (in the section being tested) a pressure equal to 1.5 times the highest pressure to which the pipe will be subjected under normal conditions of service or 150 psi, whichever is greater. This shall be done by placing the section under pressure by pumping.

The lengths of joint to be used in determining the allowable leakage shall be based on the nominal diameter of the pipe. The allowable leakage shall be less than 11.65 gallons per inch diameter per day per mile of force main tested, maintaining a pressure within 5 psi for a minimum of two (2) hours duration. If the section shall fail to pass the pressure test, the L.U.I. shall locate and repair or replace the defective pipe, fitting, or joint, at the L.U.I.'s own expense.

If, in the judgment of the Director, it is impracticable to follow the foregoing procedure exactly, modifications in the procedures may be made if approved by the Director, but in any event the L.U.I. shall be responsible for the ultimate tightness of the line within the above leakage requirements with no allowances for leakage from valves.

Section 19. Low Pressure Sewer Testing:

The sewer low pressure pipe shall be given pressure and leakage tests in sections of approved length as approved by the Director. For these tests, the L.U.I. shall furnish a water test pump, water meter, and suitable pressure gage. The L.U.I. shall also furnish all labor and equipment required to install suitable temporary testing plugs or caps for the pipeline and perform the test. The meter and gage shall be installed by the L.U.I. in such a manner that all water entering the section under the test will be measured and the pressure in the section indicated and they shall be kept in use throughout all tests.

The scheduling of pressure and leakage tests shall be as approved and attended by the Town Inspector.

The section of pipe to be tested shall be filled with water by pumping water into it and opening the air release valves and expelling all air from the pipe. If air release assemblies are not available at high points for releasing air, the L.U.I. shall perform: all excavation(s); make necessary tap(s) at such highpoint(s); plug said holes of the tapping saddles after completion of the test with brass or bronze plug(s); and backfill the excavation(s).

The L.U.I. shall make a leakage test by metering the flow of water into the pipe while maintaining (in the section being tested) a pressure equal to 1.5 times the highest pressure to which the pipe will be subjected under normal conditions of service or 150 psi whichever is greater. This shall be done by placing the section under pressure by pumping.

The lengths of joint to be used in determining the allowable leakage shall be based on the nominal diameter of the pipe. The allowable leakage shall be less than 11.65 gallons per inch diameter per day per mile of pipe tested, maintaining a pressure within 5 psi for a minimum of two (2) hours duration. If the section shall fail to pass the pressure test, the L.U.I. shall locate and repair or replace the defective pipe, fitting, or joint at the L.U.I.'s own expense.

If, in the judgment of the Director, it is impracticable to follow the foregoing procedure exactly, modifications in the procedures may be made if approved by the Director, but in any event the L.U.I. shall be responsible for the ultimate tightness of the line within the above leakage requirements with no allowances for leakage from valves.

Section 20. Cleaning Sewer Lines:

At the conclusion of the work, the L.U.I. shall thoroughly clean all pipelines by washing with water or other means to remove all dirt, stones, pieces of wood, or other material which may have entered the pipes during the construction period. Debris cleaned from the lines shall be removed from the low end of the pipeline by installing a screening device that will prevent any debris from entering the public sewer system or a section of the sewer works already approved. If after this cleaning, obstructions remain, they shall be removed. After the pipelines are cleaned and if the groundwater level is above the pipe or following a heavy rain, the Town Inspector will examine the pipes for leaks. If any defective pipes or joints are discovered, they shall be repaired or replaced as directed by the Town Inspector.

Section 21. Sewer Manhole Leakage Tests:

Leakage tests shall be made and observed by the Town Inspector on each manhole. The test shall be the exfiltration test or vacuum test as described below:

For these tests, the L.U.I. shall furnish an air or water test pump, an air or water meter, and suitable pressure gage. The L.U.I. shall also furnish all labor and materials required to install suitable temporary testing plugs or caps for the pipeline, and perform the test. The meter and gage shall be installed by the L.U.I. in such a manner that all air or water entering the manhole under the test will be measured and the pressure in the manhole indicated and they shall be kept in use throughout all tests.

After the manhole has been assembled in place, all lifting holes and exterior joints surface shall be filled and pointed with an approved non-shrinking mortar. The test shall be made prior to placing the shelf and invert and before filling and pointing the interior horizontal joints. If the groundwater table has been allowed to rise above the bottom of the manhole, it shall be lowered for the duration of the test. All pipes and other openings into the manhole shall be suitable plugged and the plugs braced to prevent blow out.

Exfiltration Testing:

The manhole shall then be filled with water to the top of the cone section. If the excavation has not been backfilled and observation indicates no visible leakage that is, no water visible moving down the outside surface of the manhole, the manhole may be considered to be satisfactory water-tight. If the test, as described is unsatisfactory, as determined by the Town Inspector or if the manhole excavation has been backfilled, the test shall be continued. A period of time may be permitted, if the Contractor so wishes, to allow for absorption. At the end of this period the manhole shall be refilled to the top of the cone and the measuring time of at least two (2) hours shall begin. This amount shall be extrapolated to a 24 hour rate and the leakage determined on the basis of depth. The leakage for each manhole shall not exceed one (1) gallon per vertical foot per day, a twenty-four (24) hour period shall equal one day. If the manhole fails this requirement, but the leakage does not exceed three (3) gallons per vertical foot per day, repairs by approved methods may be directed by the Town Inspector to bring the leakage within the allowable rate of one (1) gallon per foot per day. Leakage due to a defective section or joint or exceeding the three (3) gallon vertical foot per day, shall be the cause for the rejection of the manhole. It shall be the L.U.I.'s responsibility to uncover the manhole, as necessary, and to disassemble, reconstruct, or replace it as directed by the Town Inspector. The manhole shall then be retested and, if satisfactory, interior joints shall be filled and pointed and the invert constructed.

No adjustment in the leakage allowance will be made for unknown causes such as leaking plugs, absorptions, etc., it will be assumed that all loss of water during the test is a result of leaks through the joints or through the concrete. Furthermore, the L.U.I. shall take any steps necessary to assure the Town Inspector that the water table is below the bottom of the manhole throughout the test.

If the groundwater table is above the highest joint in the manhole, and there is no leakage into the manhole, as determined by the Town Inspector, such a test can be used to evaluate the water-tightness of the manhole. However, if the Town Inspector is not satisfied, the Contractor shall lower the water table and carry out the test as described hereinbefore.

Vacuum Testing:

The vacuum test shall be based on the time, measured in seconds, for the vacuum to decrease from 10 inches of mercury to 9 inches of mercury for manholes.

Acceptance of manholes is based on the following:

<u>Manhole</u>	<u>Manhole Diameter</u>	<u>Time to Drop 1" Hg (10" to 9")</u>
10 ft or less	4 ft	120 seconds
10 ft to 15 ft	4 ft	150 seconds
15 ft to 25 ft	4 ft	180 seconds

NOTE: For 5 ft diameter manholes, add 30 seconds to the times above.
For 6ft diameter manholes, add 60 seconds to the times above.

The vacuum test gauge shall have been recently calibrated, and a copy of the calibration results shall be made available to the Director prior to testing.

If the test on the manhole fails (the allowable gallons or the time is less than that tabulated above), necessary repairs shall be made and the vacuum test repeated, until the manhole passes the test.

Section 22. Manhole Cleaning

All new manholes shall be thoroughly cleaned of all silt, debris and foreign matter of any kind, prior to final inspection.

Sandy Robinson

From: Ann Steidel
Sent: Tuesday, March 01, 2016 11:59 AM
To: James M. Norcross
Cc: Sandy Robinson; Katherine Green
Subject: RE: Forest Street Subdivision

Hi Jamie,

This item is tentatively on the Board of Selectmen's agenda for March 7th. The agenda is set tomorrow morning.

*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*

From: James M. Norcross [mailto:jmnorcross@rileyandnorcross.com]
Sent: Tuesday, March 01, 2016 11:07 AM
To: Ann Steidel <asteidel@town.harwich.ma.us>
Subject: Forest Street Subdivision

Good morning Ann,

I hope you're well. I'm representing a client who has a proposed subdivision off of Forest Street in Harwich. We've been in front of the Conservation Commission and Real Estate/Open Space Committee regarding a donation of one of the Lots in the subdivision. The committees have referred it to the Bd of Selectmen. I wondering if you happen to know if this has been placed on an agenda yet for the Selectmen and if so, what date?

Thanks very much.

Jamie Norcross

James M. Norcross, Esq.
Riley & Norcross
156 Crowell Rd. – P.O. Box 707
Chatham, MA 02633
Tel: (508) 945-5400
Fax: (508) 945-4110
Cell: (508) 776-4281
jmnorcross@rileyandnorcross.com

Ann Steidel

From: John Giorgio <JGiorgio@k-plaw.com>
Sent: Wednesday, February 24, 2016 12:20 PM
To: Ann Steidel
Cc: Katherine Green; peter hughes; Amy Usowski; Christopher Clark; Charleen Greenhalgh; Shirin Everett
Subject: RE: Donation of Land to Town

Hi Ann:

As long as the land will be acquired by gift for conservation purposes under the custody of the Conservation Commission, no town meeting vote is required but the Board of Selectmen will have to approve the acquisition pursuant to G.L. c. 40, s. 8C. Shirin Everett in my office can assist with this acquisition.

John

John W. Giorgio, Esq.
KOPELMAN AND PAIGE, P.C.
101 Arch Street, 12th Floor
Boston, MA 02110
O: (617) 556 0007
D: (617) 654 1705
F: (617) 654 1735
C: (617) 785 0725
jgiorgio@k-plaw.com
www.k-plaw.com

This message and the documents attached to it, if any, are intended only for the use of the addressee and may contain information that is PRIVILEGED and CONFIDENTIAL and/or may contain ATTORNEY WORK PRODUCT. If you are not the intended recipient, you are hereby notified that any dissemination of this communication is strictly prohibited. If you have received this communication in error, please delete all electronic copies of this message and attachments thereto, if any, and destroy any hard copies you may have created and notify me immediately.

From: Ann Steidel [<mailto:asteidel@town.harwich.ma.us>]
Sent: Wednesday, February 24, 2016 9:39 AM
To: John Giorgio
Cc: Katherine Green; peter hughes; Amy Usowski; Christopher Clark; Charleen Greenhalgh
Subject: Donation of Land to Town

John,

Chris asked me to forward to you the attached recommendation to the Board of Selectmen from the Real Estate and Open Space Committee to accept a donation of land to the Town as Conservation Land. The Conservation Commission is in agreement.

Chris would like to know if this would require an article at Town Meeting or could the Board of Selectmen vote to accept.

Ann Steidel
Administrative Secretary
Board of Selectmen/Town Administrator's Office
Town of Harwich

Sandy Robinson

From: Katherine Green <ksgr58@gmail.com>
Sent: Monday, February 22, 2016 10:28 PM
To: Sandy Robinson
Cc: Amy Usowski; James M. Norcross; Peter Donovan
Subject: Agenda item for next BOS meeting
Attachments: SissonForest Rd sub-division.pdf

To: Peter Hughes, Chairman, BOS

From: Real Estate & Open Space Committee

Mr. Hughes:

The REOS Committee has unanimously voted in favor of recommending to the BOS - the acceptance of a donation of land - referred to as Lot 8 - located in a proposed sub-division between Sisson and Forest Roads. Mr. Peter Donovan, the proposed developer, has approached the REOS Committee and the Conservation Commission with regard to the donation of Lot 8 - part of a proposed 7 lot sub-division, located on Map 31, Parcels D3 and D4, bordered by Sisson and Forest Roads. Lot 8 is bordered on the South with land owned by the Harwich Conservation Trust; and across Forest Road towards the East - town-owned land bordering Grassy Pond.

We recommend acceptance of this donation. The Conservation Commission has voted in agreement.

Sincerely,

Katherine S. Green
REOS Chair

LAW OFFICES
RILEY AND NORCROSS

166 CROWELL ROAD - POST OFFICE BOX 707
CHATHAM, MASSACHUSETTS 02633
508-945-5400
508-945-4110 FAX
Info@rileyandnorcross.com

WILLIAM F. RILEY
JAMES M. NORCROSS

PLEASE REFER TO
FILE NO.

Via Electronic Mail Only (ausowski@town.harwich.ma.us)

December 22, 2015

Amy Usowski, Conservation Agent
732 Main Street
Harwich, Massachusetts 02645

RE: Sisson Road and Forest Road, Harwich

Dear Ms. Usowski:

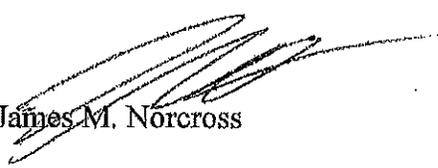
Thank you for taking the time to meet with me on Monday. As we discussed, I represent Peter Donovan who has filed applications with the Harwich Planning Board, Conservation Commission and Board of Health for the approval of a subdivision between Sisson Road and Forest Road. I have attached a copy of the plan that was recently filed with the Planning Board.

As part of the subdivision, my client plans to create Lot 8, which is the open space for the subdivision. Mr. Donovan is considering donating this lot to the town as conservation land (to be overseen by the Conservation Commission) and was wondering if the town would be interested in a donation.

I understand that you will need to review this with the Real Estate & Open Space Committee, so please let me know if you need any additional information at this time.

Thank you for your assistance and please contact me with any questions.

Very truly yours,



James M. Norcross



TOWN OF HARWICH

DEPARTMENT OF PUBLIC WORKS

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

Telephone (508) 430-7555

Fax (508) 430-7598

MEMORANDUM

TO: Board of Selectmen

FROM: Lincoln S. Hooper, Director 

DATE: March 2, 2016

RE: Chapter 90 Project Request



Attached for your review and signatures is a Chapter 90 Project Request to install drainage systems on Queen Anne Road in anticipation of National Grid's gas main replacement project. The total of this project request is \$525,926 with all work being conducted under our drainage contract with the Robert B. Our Company. Currently, we have \$1,297,386 available in Chapter 90 funds, which includes the FY 16 apportionment of \$688,771.

As you may know, National Grid has a gas main replacement plan with 7 miles occurring in Harwich and 4.5 miles on Queen Anne Road. National Grid has agreed to provide a curb to curb overlay on all Harwich roads included in their project. Given that most of the drainage systems on Queen Anne Road are antiquated block built and/or direct leach style systems that do not meet current storm water standards, we feel it is prudent to take this opportunity and replace them before the road is repaved. It has been our standing practice to upgrade all drainage systems ahead of resurfacing projects to avoid having to cut the road later.

We feel this project can be funded without compromising our current road maintenance plan as we are surveying and designing the Lower County Road project in-house, saving approximately \$200k, and we received an additional \$345k in Chapter 90 in FY 15.

Please sign all three copies of each request and return them to me so that I may submit them for State approval.

Thank you for your consideration in this matter.

Cc: Chris Clark, Town Administrator

Attachments: Chapter 90 Project Request Forms

CHAPTER 90 PROJECT REQUEST

CONTRACT ID # **50829**

PROJECT # _____

CLASSIFICATION: ___ Primary Road ___ Local Road

COPY

CITY/TOWN HARWICH

PROJECT: QUEEN ANNE ROAD DRAINAGE

LOCATION: QUEEN ANNE ROAD

LENGTH _____ WIDTH: _____

PROJECT TYPE: ___ Construction ___ Reconstruction ___ Resurfacing ___ Improvement

Other: DRAINAGE REPLACEMENT

TYPICAL SECTION DETAILS: State depths, special treatments, etc...

Include sketch for Construction/Improvement Projects and Resurfacing/Rehabilitation Schedule

Surface:

Base Course:

Foundation:

Shoulders/Sidewalks:

Scope of Work: (Attach additional sheets if necessary to completely describe project)

TO REPLACE AND UPGRADE ALL DRAINAGE SYSTEMS ON QUEEN ANNE ROAD TO MITIGATE ROAD FLOODING AND IN PREPARATION FOR PAVING. (INCLUDES POLICE DETAILS)

Work to be done: Force Account ___ Advertised Contract ___ Other: TOWN BID

Estimated Cost (Attach estimate and list funding sources) \$ 525,926.08

CERTIFICATION

The design, engineering, construction, and future performance of the project, including maintenance, is the responsibility of the Municipality. The proposed work will conform to recognized engineering practices and construction methods.

I/We certify to the following: that the project is on a public way, and has a recorded layout; that all materials will comply with approved established specifications; that all weights and quantities will be accurate; that equipment rental rates are those established by the M.H.D. or the advertised low bid; that all documentation for expenditures will be for items incorporated into this project; that the documentation will be checked for accuracy, and will be endorsed in accordance with municipal procedures for accountability.

Prepared by: 
(Highway Official)

Signed: _____

(Duly Authorized Municipal Official(s))

Reviewed by: _____
(State Aid Engineer)

Approved by: _____
(District Highway Director)

Approved for: _____ @ _____

Date: _____

CHAPTER 90 ENVIRONMENTAL PUNCH LIST

COPY

City/Town HARWICH
MassHighway District # 5

Proposed Work Construction Resurfacing Improvement Other: DRAINAGE INSTALL

NOTE: ALL ENVIRONMENTAL PERMITS / APPROVALS MUST BE OBTAINED PRIOR TO CONSTRUCTION.

- 1. Will the pavement width increase 4 ft. or more for an aggregate length of 1000 ft. or more? Yes No ✓
- 2. Will the bank or terrain (other than alteration required for installation of equipment or structures) be altered at a distance exceeding 10 ft. from the pavement? Yes No ✓
- 3. Will the removal of 5 or more trees with diameters of 14 inches or more be required? Yes No ✓
- 4. Will more than 300 ft. of stone wall be removed or altered? Yes No ✓
- 5. Will the project involve construction of a parking lot with capacity of 50 cars or more? Yes No ✓
- 6. Are any other MEPA review thresholds exceeded (see 301 CMR 11.00)? Yes No ✓
If your answer is YES to any of questions 1-6, you must file an Environmental Notification Form (ENF).*
- 7. Will the project be on a "Scenic Road" (Acts of 1973, C. 67)? Yes No ✓
If your answer is YES, your Planning Board or Selectmen / City Council must give written consent for cutting / removal of trees or changes to stone walls.
- 8. Have all necessary takings, easements, rights of entry, etc. been completed? Yes ✓ No
If a County Hearing is required, it must be held prior to starting work.
- 9. Are archaeological, anthropological, historical, etc. problems / impacts anticipated? Yes No ✓
- 10. Is any work proposed in or within 100 ft. of a wetland (stream, pond, swamp, etc.)? Yes No ✓
If your answer is YES, you must file the project with your local Conservation Commission prior to starting work.
- 11. If work is proposed in a wetland or water resource, a permit may be required from the Department of Environmental Protection, Corps of Engineers, etc.. Verify with agencies.* Yes No ✓

* See Appendix K for a List of Environmental Agencies.

Validation

It is recognized that the purpose of this information is to assist the MassDOT in approving the Chapter 90 Project Request Form (of which this is a part). Accordingly, the information provided here is intended to be complete and correct with no intentional errors or material omissions. Any action taken by Mass. Highway on the basis of this information shall not legally or financially obligate Mass. Highway to support or defend the municipality, and the municipality shall save harmless MassDOT for any action.

Prepared by: 
(Highway Official)

Signed: _____

Date: 3/2/16

(Duly Authorized Municipal Official(s))

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 1, 2016

To: Board of Selectmen
Cc: Finance Committee
From: Christopher Clark, Town Administrator
RE: FY 17 Budget Amendment #1

Following Saturday's budget hearing Andy Gould, Charleen Greenhalgh and myself reviewed the many comments and suggestions made by the Board of Selectmen and the Finance Committee. The attached spreadsheet presents the changes that have been made to nine (9) departments within the proposed balanced FY17 Operating Budget. Staff did not rely on Local Receipts as a way of covering the additions to the budget. The Board of Selectmen has a policy to keep a 10%-15% margin of error from the previous year's actual overall revenue (in this case FY15) with the projected year's revenue (FY17). Currently Harwich is at a less than 10% margin of error overall.

Included on the spreadsheet are additional changes to both the Annual Town Meeting Warrant and the Special Town Meeting Warrant.

CHANGES TO THE BUDGET AND THE WARRANT - 2/29/16

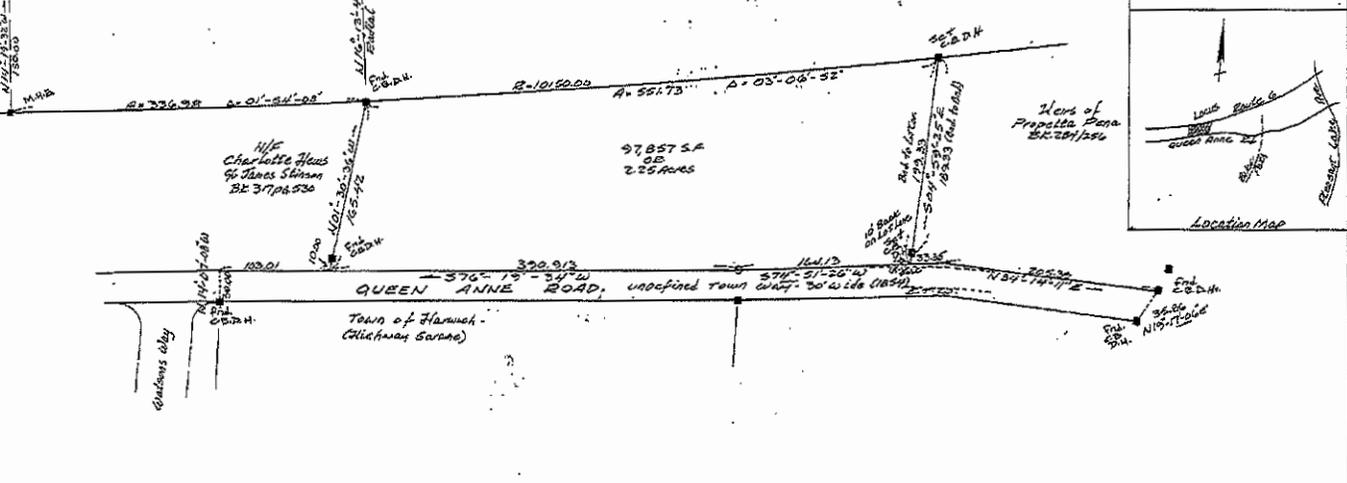
<u>Dept. (Org Code)</u>	<u>Action</u>		<u>Amount</u>	<u>Line Item</u>
POLICE (210)	Reductions as a result of FY16 Reserve Fund Transfers:	Pistols	\$ (6,000.00)	558000
		Software	\$ (6,200.00)	524200
Youth Counselor (542)	Sick-Buyback SEIU Contract increase		\$ 25.00	515007
Natural Resources (296)	Sick-Buyback SEIU Contract increase		\$ 25.00	515007
	Boot Allowance SEIU Contract increase		\$ 250.00	517900
	Shellfish Lab will be funded by existing grant monies available		\$ (20,000.00)	543000
IT Dept (155)	Reductions as a result of FY16 Reserve Fund Transfer for new server		\$ (12,000.00)	542013
Street Lights (424)	Reduction based on new LED fixtures		\$ (20,000.00)	521100
CVEC (199)	Reduction based on tax assessment for facility		\$ (27,100.00)	521100
Conservation (171)	Addition of Part-time Conservation Agent		\$ 24,000.00	511800
COA (541)	Addition to Adult Day-Care line item		\$ 2,000.00	534200
Harbor (633)	Addition of Dredging funds		\$ 65,000.00	586000
		Decrease of	\$ 91,000.00	
		Increase of	\$ 91,000.00	

Warrant Changes:

- Article 12 - Dredging reduced to \$85,000
- Snow & Ice Article moved to Special
- Community Center Insurance moved to Special
- CPC Tax Title Article (HELD) moved to Special

APPROVE THE TRANSFER OF TOWN PARCEL TO CEMETERY DEPARTMENT
TO DEVELOP A PET CEMETERY AND PET CREMATORY

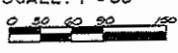
ARTICLE 57: To see if the Town will vote to transfer the care, custody, management and control of 2.25 acres +/- of land located at 276 Queen Anne Road (Map 69, Parcel M1; recorded in the Barnstable Registry of Deeds Book 11666, Pages 103-105), acquired by the Town by eminent domain at the Annual Town Meeting in May, 1997 for open space or other municipal purposes, from the Board of Selectmen to the Cemetery Department for development of a pet crematory and pet scattering grounds, and to act fully thereon. By request of the Cemetery Commission.



Reference:
2 p. 10
References:
1 p. 100
Commonwealth Properties
October 22, 1985
2 p. 21
2 p. 25

PLAN OF LAND IN HARWICH, MASS.

FOR: HEIRS OF LOT G. ELLIS - 1/2 Miriam Carpenter
941 Main Street - S. Harwich, Mass. 02661
PLAN BY: Moran Engineering Inc.
2000 N. Conference Dr.
Eoca, Eoca Florida 32016
SCALE: 1" = 60' FEBRUARY 6, 1989



I hereby certify that the property lines shown on this plan are the lines dividing existing ownerships and the lines of streets and ways shown are those of public or private streets or ways already established and that no new lines for division of ownerships or for new ways are shown.

Dennis C. Moran
Professional Land Surveyor

I certify that this plan has been prepared in conformity with the rules and regulations of the BARNSTABLE COUNTY Registers of Deeds.

Dennis C. Moran
Professional Land Surveyor

Zoning Class I-L
Assessors Map 69-Parcel M-1

#58-33

REC-1218
File 10 1 22 78 89
Sheet 2 of 2

I hereby certify that this plan has been prepared in conformity with the rules and regulations of the BARNSTABLE COUNTY Registers of Deeds.

07 ktf agt Tve 07

BB-r+(3 *

Zev, 004 Co"asa
4' .ee 14 e9

e-33

I hereby certify that the property lines shown on this plan are the lines dividing existing ownerships and the lines of streets and ways shown are those of public or private streets or ways already established and that no new lines for division of ownerships or for new ways are shown.

ProaZner

**ANNUAL TOWN MEETING
WARRANT**



MAY 2, 2016



**SPECIAL TOWN MEETING
WARRANT**



MAY 3, 2016

**with
RECOMMENDATIONS**

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SPECIAL TOWN MEETING

May 3, 2016

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VOTING PROCEDURES

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

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

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

THE CHART BELOW SHOWS THE AMOUNT OF MONEY REQUIRED TO CHANGE THE
FY 2016 TAX RATE.

TAX RATE CHANGE IN \$/1000	DOLLARS REQUIRED
\$ 0.01	\$48,140
\$ 0.05	\$240,700
\$ 0.10	\$481,401
\$ 0.15	\$722,101
\$ 0.20	\$962,802
\$ 0.25	\$1,203,502
\$ 0.30	\$1,444,203
\$ 0.35	\$1,684,903
\$ 0.40	\$1,925,604
\$ 0.45	\$2,166,304
\$ 0.50	\$2,407,005
\$ 0.55	\$2,647,705
\$ 0.60	\$2,888,405
\$ 0.65	\$3,129,106
\$ 0.70	\$3,369,806
\$ 0.75	\$3,610,507
\$ 0.80	\$3,851,207
\$ 0.85	\$4,091,908
\$ 0.90	\$4,332,608
\$ 0.95	\$4,573,309
\$ 1.00	\$4,814,009

MUNICIPAL FINANCE TERMS

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

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

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

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

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

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

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

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

PROPOSITION 2 ½ TERMS

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

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

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

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

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

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

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

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

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

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

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

**COMMONWEALTH OF MASSACHUSETTS
TOWN OF HARWICH
ANNUAL TOWN MEETING
May 2, 2016**

BARNSTABLE, ss:

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

Greetings:

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of said Town qualified to vote in elections and Town affairs to meet in the Community Center Gymnasium, 100 Oak Street in said Town on May 2, 2016 at 7:00 P.M., then and there to act on the following articles:

ARTICLES

TOWN OFFICERS AND COMMITTEES

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

REPORTS OF TOWN OFFICERS AND COMMITTEES

ARTICLE 2 To hear reports of all Town Officers and Committees for the year 2016.
Customary Article

ELECTED OFFICIALS SALARIES

ARTICLE 3 To see if the Town will vote to fix the salaries of the elected officials of the Town for fiscal year commencing July 1, 2016 and ending June 30, 2017 as follows and to act fully thereon. Estimated cost: \$84,696.80

Selectmen (5)	\$1,500 (each)
Moderator.....	\$300
Town Clerk	\$75,396.80
Water Commissioners (3)	\$500 (each)

TOWN OPERATING BUDGET

ARTICLE 4 To see if the Town will vote to raise and appropriate and/or transfer from available funds such sums of money as may be required to defray Town charges for Fiscal Year 2017, and to act fully thereon. (BUDGET – SEE APPENDIX B). Estimated cost: \$_____.

MONOMOY REGIONAL SCHOOL DISTRICT BUDGET

ARTICLE 5: To see if the Town will vote to raise and appropriate and/or transfer from available funds such sums of money as may be required to pay for the Monomoy Regional School District Assessment for Fiscal Year 2017, and to act fully thereon. By request of the Monomoy Regional School Committee and Superintendent. Estimated cost: \$24,058,302

CAPE COD REGIONAL TECHNICAL SCHOOL DISTRICT BUDGET

ARTICLE 6: To see if the Town will vote to raise and appropriate and/or transfer from available funds a sufficient sum of money as may be required to pay for the Cape Cod Regional Technical High School District Assessment for Fiscal Year 2017, and to act fully thereon. By request of the Cape Cod Regional Technical High School District. Estimated cost: \$1,437,053

WATER BUDGET

ARTICLE 7: To see if the Town will vote to raise and appropriate and/or transfer from available funds such sums of money as may be required to defray Water Department Operating Budget for Fiscal Year 2017, and to act fully thereon. By request of the Water Commissioners and Superintendent. Estimated cost: \$3,939,879

ADOPT THE CAPITAL PLAN

ARTICLE 8: To see if the Town will vote to adopt the Capital Plan for the ensuing seven year period as adopted last year by the Town Meeting with new fiscal year 2023 as proposed by the Board of Selectmen and set forth below or as amended by vote of the Town Meeting, and to act fully thereon. By request of the Board of Selectmen.

TOWN OF HARWICH CAPITAL BUDGET REQUEST SUMMARY (FY 17 TO 23)

Department	Project	TA Rec	COC Rec	FY 17	FY 18	FY 19	FY 20	FY 21	FY 22	FY 23
ADMIN										
Admin	Harwich Center Initiative - StreetScape Only				\$ 50,000	\$ 500,000				
Admin	Reuse or Demolition Harbormasters Building on Bank Street	\$ -		\$ -		TBD				
Admin	Renovation of West Harwich School on Bells Neck (Retail Numbers)	\$ -		\$ 349,200	\$ 145,700	\$ 220,100				
Admin	Reuse or Demolition of Middle School Building on Sisson					TBD				
Admin	Queen Anne Road Pedestrian Crossing Lights (Bikeways)			\$ 29,700						
ADMIN SUB-TOTAL		\$ -	\$ -	\$ 378,900	\$ 195,700	\$ 720,100	\$ -	\$ -	\$ -	\$ -
COMMUNITY CENTER										
Comm Ctr.	Roof Replacement						\$ 240,000	\$ -		
Comm Ctr.	Carpet Replacement					\$ 72,500	\$ -	\$ -		
Comm Ctr.	Gym Floor Resurface				\$ 56,223					
Comm Ctr.	HVAC Repair and Updates				\$ 105,000	\$ -				
Comm Ctr.	Generator Installation								\$ 105,000	\$ -
Comm Ctr.	Basement Constructions of Public Records Storage					\$ 62,028				
COMMUNITY CENTER SUB-TOTAL		\$ -	\$ -	\$ -	\$ 161,223	\$ 134,528	\$ 240,000	\$ -	\$ 105,000	\$ -
CONSERVATION										
Conservation	Harwich Artificial Reef (CPC Portion)			\$ 70,000		\$ -				
	Harwich Artificial Reef (Town Portion)	\$ -		\$ 30,000						
	Harwich Artificial Reef (Grant/Donations Portion)	\$ 250,000	\$ 250,000	\$ 250,000						
Conservation	Dog Fencing Area at Thompson's Field			\$ 52,000						
CONSERVATION SUB-TOTAL		\$ 250,000	\$ 250,000	\$ 402,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
FIRE										
Fire/Police/Other	Public Safety Radios for Police (\$554,968 of which 90% Grant)	\$ -		\$ -	\$ 499,471					
	Public Safety Radios for Police (\$55,497 of which 10% Match)			\$ -	\$ 55,497					
Fire	Public Safety Radios for Fire (Via Grant Town \$437,000)	\$ -		\$ -	\$ 393,300					
Fire	Public Safety Radios for Fire (Via Grant Town match \$43,700)			\$ -	\$ 43,700					
	Other Safety Radios (Water, DPW, Recreation and Emer. Mgmt)					\$ 300,000				
Fire	Ambulance (Scheduled Replacement)	\$ 290,000	\$ 290,000	\$ 290,000						
Fire	New Chief's Vehicle	\$ 42,000	Below \$50K	\$ 42,000						
Fire	Auto Chest Compression System for CPR (Total \$59,000 Grant 90%)	\$ 53,100	\$ 53,100	\$ 53,100						
Fire	Auto Chest Compression System for CPR (Total \$59,000 Match 10%)	\$ 5,900	\$ 5,900	\$ 5,900						
Fire	Pumper Truck Replacement				\$ 425,000	\$ -				
Fire	Ambulance Replacement					\$ 320,000				
Fire	Pumper Truck Replacement						\$ 650,000			
Fire	Ambulance Replacement							\$ 353,000		
Fire	Ladder Truck Replacement								\$ 1,080,000	
Fire	Ambulance Replacement									\$ 390,000
Fire	Forestry Truck Replacement			\$ -						TBD
Fire	Station 1 Upgrade of Carpet, Tile and Floor covering	\$ 50,000	\$ 50,000	\$ 50,000						
Fire	Station 2 Air Conditioning Replacement			\$ 26,000						
Fire	Station One Boiler/Mechanical Room Equipment/HVAC	\$ 130,000	\$ 130,000	\$ 130,000						
Fire	Station One Carpet Replacement			\$ -	\$ 23,300					
Fire	Station One Air Compressor	\$ 12,000	Below \$50K	\$ 12,000	\$ -					
Fire	Replace Plymo Vent Exhaust System Stations 1 & 2				\$ 103,000	\$ -				
Fire	Replace Overhead Door Apparatus Stations 1 & 2					\$ 83,000	\$ -			
Fire	Station 2 Building Upgrade (Planning and Design)				\$ 50,000	\$ -				
Fire	Station 2 Building Upgrade (Construction)						\$ 4,000,000			
FIRE SUB-TOTAL		\$ 583,000	\$ 529,000	\$ 609,000	\$ 1,593,268	\$ 703,000	\$ 4,650,000	\$ 353,000	\$ 1,080,000	\$ 390,000

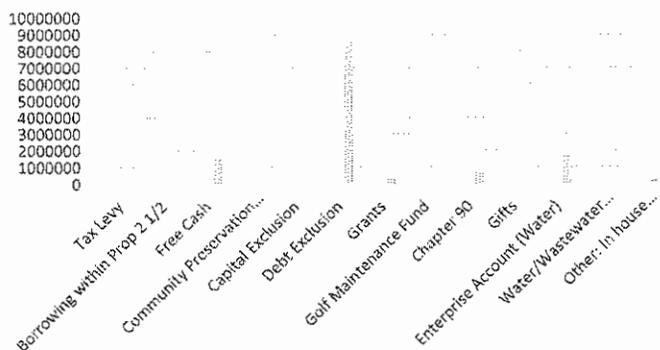
Department	Project	TA Rec	COC Rec	FY 17	FY 18	FY 19	FY 20	FY 21	FY 22	FY 23
GOLF										
Golf	New Golf Cart Building and Parking Lot Improvements			\$ -	\$ 1,200,000	\$ -				
GOLF SUB-TOTAL		\$ -	\$ -	\$ -	\$ 1,200,000	\$ -	\$ -	\$ -	\$ -	\$ -
HARBORMASTER										
Harbor	Saquatucket Harbor Waterside Construction	\$ 6,000,000	\$ 7,000,000	\$ 7,000,000	\$ -	\$ -				
	Saquatucket Harbor Waterside Construction	\$ 1,000,000								
Harbor	Saquatucket Harbor Landside Design and Construction	\$ 250,000	\$ 250,000	\$ 250,000	\$ 2,500,000	\$ -	\$ -			
Harbor	Project Round Cove Ramp Replacement and Bulkhead					\$ 187,000				
Harbor	Study Allen Harbor Jetty Reconstruction					\$ 50,000				
Harbor	Wychmere Public Bathrooms	\$ -	\$ -	\$ -			\$ 75,000			
Harbor	Herring River Ramp Replacement						\$ 65,000			
Harbor	Wychmere Outer Harbor Dredging							\$ 500,000		
Harbor	Allen Harbor Jetty Reconstruction Study and Construction						\$ 180,000	\$ 1,820,000		
Harbor	Wychmere Outer Harbor Jetty Study and Construction							\$ -	\$ 75,000	
Harbor	SAQ Harbor East Bulkhead (Offloading Area)						\$ -			\$ 300,000
HARBORMASTER SUB-TOTAL		\$ 7,250,000	\$ 7,250,000	\$ 7,250,000	\$ 2,500,000	\$ 237,000	\$ 140,000	\$ 680,000	\$ 1,820,000	\$ 375,000
LIBRARY										
Library	Preservation/Restoration of Historic Portions of Brooks Lib Bldg. Paint			\$ 670,000		\$ -				
Library	Preservation/Restoration of Historic Portions of Brooks Lib Streetscape				\$ 130,000					
Library	Replacement of Smoke, Heat and Duct Detectors	\$ 29,000	Below \$50K	\$ 29,000			\$ -			
Library	Library Interior Modifications/Renovations	\$ -	\$ -	\$ -	\$ 100,000					
Library	Brooks Library Generator and Installation					\$ 110,000				
Library	Library Roof Replacement				\$ -		\$ 135,000			
LIBRARY SUB-TOTAL		\$ 29,000	\$ -	\$ 699,000	\$ 230,000	\$ 110,000	\$ 135,000	\$ -	\$ -	\$ -
NATURAL RESOURCES										
Nat Res.	Shellfish Lab at Wychmere Harbor	\$ 20,000	Below \$50K	\$ 20,000						
NATURAL RESOURCES SUB-TOTAL		\$ 20,000	\$ -	\$ 20,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
PLANNING										
Planning	Exterior Historic Renovations - Albro House	\$ -	\$ -	\$ 30,000						
Planning	Interior Renovations - Albro House	\$ -	\$ -	\$ 85,000						
Planning	Walkway Reconstruction Bank Street Center to Rte 28		\$ -	\$ 231,000						
Planning	Walkway Reconstruction Rte 28 SAQ to Harwichport		\$ -	\$ -	\$ 292,200					
Planning	Connection of rear TD Bank lot to Municipal Lot Harwichport	\$ 30,000	Below \$50K	\$ 30,000						
PLANNING SUB-TOTAL		\$ 30,000	\$ -	\$ 376,000	\$ 292,200	\$ -	\$ -	\$ -	\$ -	\$ -
POLICE										
Police	Carpets for Building	\$ 29,000	Below \$50K	\$ 29,000	\$ -					
Police	Painting various areas of Building			TBD						
POLICE SUB-TOTAL		\$ 29,000	\$ -	\$ 29,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
DPW										
Public Works	5 Year Road Maintenance Plan	\$ 700,000	\$ 700,000	\$ 1,495,167	\$ 1,432,957	\$ 1,359,396	\$ 1,471,881	\$ 1,500,000	TBD	TBD
		\$ 700,000	\$ 700,000							

<u>Department</u>	<u>Project</u>	<u>TA Rec</u>	<u>COC Rec</u>	<u>FY 17</u>	<u>FY 18</u>	<u>FY 19</u>	<u>FY 20</u>	<u>FY 21</u>	<u>FY 22</u>	<u>FY 23</u>
Public Works	Lower County Road	\$ 200,000	\$ 200,000	\$ 200,000	\$ 3,500,000					
Public Works	Transfer Station Roof, Siding and Gutters	\$ 122,000	\$ 122,000	\$ 122,000						
Public Works	Certifies Used Articulating Lift	\$ 80,000	\$ 80,000	\$ 80,000						
Public Works	High Track Skid Steer Loader	\$ 65,000	\$ 65,000	\$ 65,000						
Public Works	MSW (Trash) Trailer	\$ 70,000	\$ 70,000	\$ 70,000						
Public Works	Mack Tractor	\$ 150,000	\$ 150,000	\$ 150,000						
Public Works	Barber Surf Rake	\$ 31,500	Below \$50K	\$ 45,000						
Public Works	One Ton Dump Truck	\$ 65,000	\$ 65,000	\$ 65,000						
Public Works	Vehicle Listing (FY 18 to 21) Summary			\$ -	\$ 365,000	\$ 250,000	\$ 340,000	\$ 260,000	TBD	TBD
Public Works	Replacement of 1999 Gator	\$ 20,234	Below \$50K	\$ 20,234						
Public Works	Replacement of 2007 48 inch Walker Mower plus two mowers	\$ 22,974	Below \$50K	\$ 22,974						
PUBLIC WORKS SUB-TOTAL		\$ 2,226,708	\$ 2,152,000	\$ 2,312,401	\$ 5,297,957	\$ 1,609,396	\$ 1,811,881	\$ 1,760,000	\$ -	\$ -
REC & YOUTH										
Rec & Youth	Whitehouse Field Fencing Project	\$ -	\$ -	\$ 57,128						
Rec & Youth	Red River Beach Parking Lot Paving/Overlay	\$ -	\$ -	\$ -	\$ 224,374					
Rec & Youth	Bank Street Beach parking Lot Paving /Overlay					\$ 97,099				
Rec & Youth	Pleasant Road Beach Parking Lot Paving/Overlay						\$ 111,359			
Rec & Youth	Red River Beach Restroom Renovation							\$ 100,000		
Rec & Youth	Brooks Park Expansion/Improvement Phase 3			\$ 188,000						
RECREATION AND YOUTH SUB-TOTAL		\$ -	\$ -	\$ 57,128	\$ 224,374	\$ 97,099	\$ 111,359	\$ 100,000	\$ -	\$ -
WASTEWATER										
Wastewater	IMA with Chatham Purchase Capacity (See Note#)	\$ 900,000	\$ 900,000	\$ 900,000				\$ 2,100,000		
Wastewater	Evaluation of East Harwich Sites for viability	\$ -	\$ -	\$ 95,000						
Wastewater	Purchase Property in E Harwich for Recharge	\$ -	\$ -	\$ -						TBD
Wastewater	Pleasant Bay Watershed Collection System Design and Construct.	\$ -	\$ -	\$ 2,500,000		\$ 19,800,000	\$ -	\$ 810,000		
Wastewater	Cold Brook Natural Attenuation Design and Construction				\$ 200,000	\$ 1,800,000				
Wastewater	Restoration of Hinckey's Pond	\$ -	\$ -	\$ -	\$ 500,000					
Wastewater	Harwich share of Chatham Pumping Station and Force Mains					\$ 3,000,000				
Wastewater	Evaluate Phosphorus issues in Seymour Pond & Action							\$ 350,000		
Wastewater	Muddy Creek Supplemental Funding Regulatory Changes	\$ -	\$ -	\$ -						
WASTEWATER SUB-TOTAL		\$ 900,000	\$ 900,000	\$ 3,495,000	\$ 700,000	\$ 24,600,000	\$ -	\$ 3,260,000	\$ -	\$ -
WATER										
Water	Lothrop Ave Water Tank Replacement Construction			\$ 3,680,000						
Water	SCADA Upgrade	\$ 1,400,000	\$ 1,400,000							
Water	Pleasant Lake Avenue Tank Rehabilitation	\$ 300,000	\$ 300,000	\$ 300,000			\$ 1,500,000	\$ -		
Water	Engineering for Asbestos Pipe Project							\$ 250,000	\$ -	
Water	Construction/Renovation Asbestos Pipe Project								TBD	TBD
Water	Vehicle Replacements (Excavator FY18 and Equipment in FY 23)	\$ -	\$ -	\$ -		\$ 120,000				\$ 75,000
WATER SUB-TOTAL		\$ 1,700,000	\$ 1,700,000	\$ 3,980,000	\$ -	\$ 120,000	\$ 1,500,000	\$ 250,000	\$ -	\$ 75,000
GRAND TOTALS		\$ 13,017,708	\$ 12,781,000	\$ 19,608,429	\$ 12,394,722	\$ 28,331,123	\$ 8,588,240	\$ 6,403,000	\$ 3,005,000	\$ 840,000
Excludes Items under \$50K										

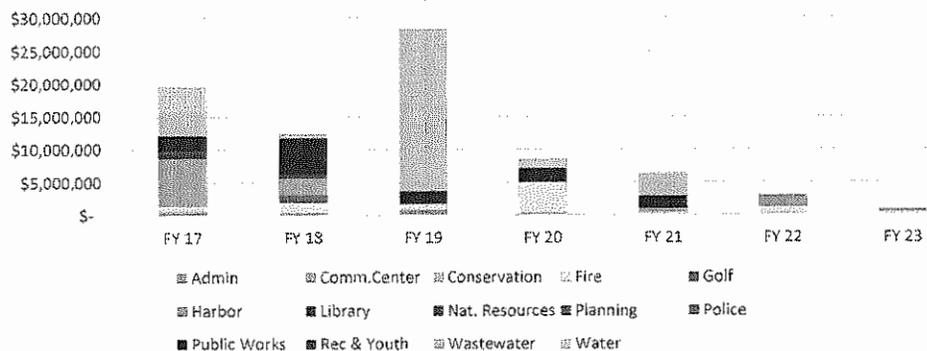
NOTE: # Total for Chatham IMA \$9,000,000 paid in 5 payments over multiple years

Funding Summary		FY 17	FY 18	FY 19	FY 20	FY 21	FY 22	FY 23
Tax Levy	\$ -	\$ 378,900	\$ 195,700	\$ 720,100	\$ -	\$ -	\$ -	\$ -
Borrowing within Prop 2 1/2	\$ -	\$ -	\$ 161,223	\$ 134,528	\$ 240,000	\$ -	\$ 105,000	\$ -
Free Cash	\$ 1,494,608	\$ 402,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Community Preservation Funds	\$ -	\$ 609,000	\$ 1,593,268	\$ 703,000	\$ 4,650,000	\$ 353,000	\$ 1,080,000	\$ 390,000
Capital Exclusion	\$ -	\$ -	\$ 1,200,000	\$ -	\$ -	\$ -	\$ -	\$ -
Debt Exclusion	\$ 8,600,000	\$ 7,250,000	\$ 2,500,000	\$ 237,000	\$ 140,000	\$ 680,000	\$ 1,820,000	\$ 375,000
Grants	\$ 303,100	\$ 699,000	\$ 230,000	\$ 110,000	\$ 135,000	\$ -	\$ -	\$ -
Golf Maintenance Fund	\$ -	\$ 20,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Chapter 90	\$ 700,000	\$ 375,000	\$ 292,200	\$ -	\$ -	\$ -	\$ -	\$ -
Gifts	\$ -	\$ 29,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Enterprise Account (Water)	\$ 1,700,000	\$ 2,298,901	\$ 5,297,957	\$ 1,609,396	\$ 1,811,881	\$ 1,760,000	\$ -	\$ -
Water/Wastewater Infrastructure Funds (Potential)	\$ -	\$ 57,128	\$ 224,374	\$ 97,099	\$ 111,359	\$ 100,000	\$ -	\$ -
Other: In house Engineering/Funded by another appropriation	\$ 220,000	\$ 3,495,000	\$ 700,000	\$ 24,600,000	\$ -	\$ 3,260,000	\$ -	\$ -
Confirmation Total	\$ 13,017,708	\$ 3,980,000	\$ -	\$ 120,000	\$ 1,500,000	\$ 250,000	\$ -	\$ 75,000
	\$ -	\$ 19,594,929	\$ 12,394,722	\$ 28,331,123	\$ 8,588,240	\$ 6,403,000	\$ 3,005,000	\$ 840,000

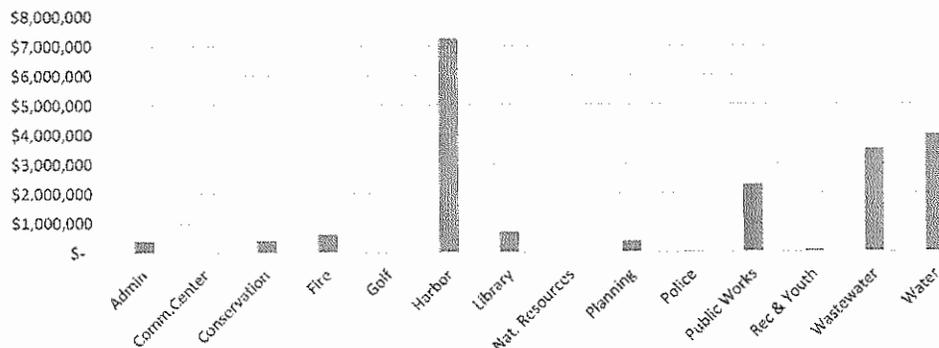
CAPITAL FUNDING FOR FY17 BY SOURCE



CAPITAL REQUEST BY DEPARTMENT FY17 TO FY 23



FY 17 CAPITAL BUDGET REQUEST BY DEPARTMENT



Town of Harwich, MA - Community Preservation Fund			Funding Sources						
			Undesignated Fund Balance	Open Space	Historic Preservation	Community Housing	Total		
Fund Balances per General Ledger 6/30/15			2,216,917.00	376,964.00	292,850.00	524,348.00	3,411,078.00		
FY2016 Land Bank Debt Service			(662,275.00)				(662,275.00)		
Projects for MAY 2015 ATM			(350,000.00)	(350,000.00)	(25,000.00)	(300,000.00)	1,025,000.00		
Total Available Prior to May 2016 Articles			1,204,642.00	26,964.00	267,850.00	224,348.00	3,773,803.00		
Articles for MAY 2016 ATM			Undesignated Fund Balance	Open Space	Historic Presv.	Community Housing	Total		
Reserve for Future Appropriation Amounts from FY16 Community Preservation Fund Estimated Annual Revenues			CPC	1,157,531.00	165,362.00	165,362.00	165,362.00	1,653,616.00	
Fund Land Bank Debt Service - FY2017			CPC/Town	633,400	(633,400.00)			(633,400.00)	
Restoration of the Chase Library Fireplace Hearth and Base			Chase Library	3,100		(3,100.00)		(3,100.00)	
Restoration of Harwich Historical Society Artifacts			HHS	14,000		(11,000.00)		(11,000.00)	
Restoration of Appearance Albro House and Accessibility Modifications			HDHC	20,000		(18,700.00)		(18,700.00)	
Update of Town Historic Property Inventory			HDHC	20,000		(20,000.00)		(20,000.00)	
West Harwich Schoolhouse Preservation and Rehabilitation			Town	203,500		(203,500.00)		(203,500.00)	
Historic Restoration and Preservation of Burial Crypts			Cemetery	25,000		(25,000.00)		(25,000.00)	
South Harwich Meeting House Restoration and Preservation			Friends of SHMH	100,000		(100,000.00)		(100,000.00)	
Whitehouse Field Fencing Replacement			Rec & Youth	57,128	(57,128.00)			(57,128.00)	
Quenn Anne Road Biketrail Crossing Lights			Bikeways	29,700	(29,700.00)			(29,700.00)	
Brooks Park Expansion/Improvement Phase 3			Rec & Youth	188,000	(188,000.00)			(188,000.00)	
Purchase of Land for Open Space Purposes - Acquire Marini Property at Muddy Creek Headwaters			Open Space		(350,000.00)	(150,000.00)		(500,000.00)	
Historic Brooks Free Library Restoration			Brooks Library	800,000	(540,000.00)	-		(540,000.00)	
Repeal of Article 42 of May 2007 ATM - Fund Renovations at old Recreation Building and West Harwich School			CPC	32,760		32,760.00		32,760.00	
Total				2,126,588	(640,697.00)	15,362.00	(183,178.00)	165,362.00	(643,152.00)
Balance					563,945.00	42,325.00	84,671.00	389,710.00	3,130,651.00
Unexpended balances of prior year articles					(340,812.02)				
Balance to carry forward- estimated					223,132.74	42,325.20	84,671.38	389,709.83	739,839.00

AMEND THE PERSONNEL BY-LAW

ARTICLE 9: To see if the Town will vote to amend the Personnel By-Law by adding new language as follows:

Part 4 – Compensation and Classification Plans – ADD NEW SECTION TO COMPENSATION:

First Increment for New Employees - Employees entering the service of the Town shall be employed at the first step in the appropriate salary grade. If the Town Administrator and his/her designee consider that the applicant's education, training, and/or experience justifies a higher entry level, the new employee may be assigned to a higher step.

Part 8 Vacations - ADD NEW PARAGRAPH TO SECTION (c):

If the Town Administrator and/or appointing authority consider that the applicant's education, training, and/or experience warrant it, and/or that recruitment of a well-qualified candidate warrants it, the new employee, at the discretion of the Town Administrator and his/her designee, may be considered to have advanced time in service for purposes of placement on the vacation schedule. This provision shall be retroactive to July 1, 2015.

And by deleting the following language in Part 9 – “Sick Leave”,

- i) An employee who uses 5 days or less of sick leave in a fiscal year will receive a bonus of \$325 in the following year.

And replacing it with the following language: (effective July 1, 2017)

- i) An employee who uses 5 days or less of sick leave in a fiscal year will receive a bonus of \$350 in the following year.*

And to act fully thereon. By Request of the Town Administrator

CAPITAL ITEMS FUNDED FROM FREE CASH – ITEMS UNDER \$50,000

ARTICLE 10: To see if the Town will vote to raise and appropriate and/or transfer from available funds a sufficient sum of money to fund the items in the table below, and further to authorize the Selectmen to accept grant monies for chest compression system* and to act fully thereon. By request of the Board of Selectmen. Estimated cost: \$89,900

1. Fire Chief's Vehicle	42,000	
2. Chest Compression System	5,900	Match \$53,100 grant*
3. Fire Air Compressor	12,000	
4. Harwich Port Parking Lot	30,000	

FACILITY MAINTENANCE AND REPAIR FUND

ARTICLE 11: To see if the Town will vote to raise and appropriate and/or transfer from available funds a sufficient sum of money as may be required to defray costs related to Facility Maintenance and Repair for FY 17, and to act fully thereon. By request of the Board of Selectmen. Estimated cost \$561,000.

1.	Middle School Maintenance	125,000
2.	Fire Station Flooring	50,000
3.	Fire Boiler	130,000
4.	Library Smoke/Heat Detectors	29,000
5.	Transfer Station Roof	122,000
6.	Dredging	85,000
7.	Library Fire Sprinkler	15,000
8.	Library Painting (Inter./Ext.)	5,000

FUND ADDITIONAL FIRE DEPARTMENT AMBULANCE

ARTICLE 12: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sufficient sum of money to purchase or lease one ambulance for the Fire Department, and to act fully thereon. By request of the Fire Chief. Estimated cost: \$290,000

SUPPLEMENT LANDSCAPE RECLAMATION FROM GOLF CAPITAL IMPROVEMENT FUND

ARTICLE 13: To see if the Town will vote to approve of the distribution of a sum of money from the Golf Capital Improvement Fund to supplement the ongoing landscape reclamation (restoration of areas adjacent to primary turf with necessary tree removal at Cranberry Valley Golf Course as outlined in the USGA 2015 report to the Town and the Golf Committee, and to act fully thereon. By request of the Golf Director and Golf Committee. Estimated cost: \$35,000.

Explanation: The distribution of these monies corresponds to revenue already collected for like projects collected from golf membership fees not at the expense of the general taxpaying public.

APPROVE USE OF THE GOLF IMPROVEMENT FUND TO CONSTRUCT NEW TEES

ARTICLE 14: To see if the Town will vote to approve the distribution of a sufficient sum of money from the Golf Improvement Fund to construct five new “Forward Tees” in conjunction with the USGA initiative known as “playing it forward”, and to act fully thereon. By request of the Golf Director and the Golf Committee. Estimated cost: \$30,000.

Explanation: The distribution of these monies corresponds to revenue already collected for like projects collected from golf membership fees not at the expense of the general taxpaying public.

ESTABLISH NEW CAPITAL INFRASTRUCTURE REVITALIZATION FUND AT
CRANBERRY VALLEY GOLF COURSE

ARTICLE 15: To see if the Town will vote to establish a new Capital Fund to be known as the “*Capital Infrastructure Revitalization Fund*” at Cranberry Valley Golf Course pursuant to the provisions of Massachusetts General Laws Chapter 40, 5F, to be funded by a new surcharge on all green fees collected in the amount of \$2 and a \$1 surcharge on all cart fees starting in 2016 golf season, and to act fully thereon. By request of the Golf Director and the Golf Committee

Explanation: Expenditures from the fund can be used for Infrastructure improvements (CVGC infrastructure as listed: Club House facilities, Maintenance facilities, and everything else that supports revenue generation. This includes water resources, energy resources, mechanicals, septic, property boundary strategies, our car park, and maintenance of roads throughout the property), including future debt payments along with design, planning and construction phases as they present themselves.

There is no secret to staying ahead of the competition in today’s ever competitive Municipal golf market. The HGC is meeting the challenge and is dedicated not only to recognizing immediate needs, but also in long range strategies that look to the future. How to pay for these projects without creating hardship on the entire Town, keeping balance with goals of the Town, and being good stewards of this valuable resource demand good planning.

Currently the golf operation uses two funds: The Golf Improvement Fund (Chapter 40, 5F) - dedicated to projects that directly address needs associated with on course improvements (major tree removal, tee box renovation etc.) in correlation with USGA recommendations, and a Pro Shop Revolving Fund designed to address needs associated with the operation of the Pro Shop business.

There is no direct funding mechanism to address Infrastructure improvements. Therefore, the committee will seek to establish this new fund. The estimated revenue collected will generate roughly \$50,000 dedicated for these purposes. Expenditures from this fund shall be subject to the joint approval of the Harwich Golf Committee and the Director of Golf and the Town Administrator

RECONSTRUCTION OF SAQUATUCKET MUNICIPAL MARINA

ARTICLE 16: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sufficient sum of money 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, and to act fully thereon. The appropriation authorized by this vote shall not take effect until the Town votes to exempt from the limitation on total taxes

imposed by M.G.L. Chapter 59, Section 21C (Proposition 2 ½) the amounts required to pay the principal of any interest on any borrowing authorized under this article, and further authorize the Board of Selectmen to accept any State, Federal or private grant monies available for this purpose. By request of the Harbormaster. Estimated cost: \$7,000,000.

Explanation: The current docks at Saquatucket Harbor are over 30 years old and are well beyond their useful life. The wood decking and framing is worn & splintered, the connecting hardware is rusted, bent and failing, and the foam flotation is saturated and deteriorated. The current docks are extremely unstable and pose a safety concern for the hundreds of patrons that transit the docks on a daily basis; of particular concern are the large groups of people that walk the docks to go to and from the large passenger boats that operate out of Saquatucket Harbor. In addition, the existing fire suppression piping system is not functional, the antiquated bubbler system is ineffective, the aging plumbing system requires constant repair, and the main electrical lines that bring power to the slip pedestals are brittle and worn, posing a fire hazard.

SAQUATUCKET HARBOR LANDSIDE RENOVATIONS – ENGINEERING DESIGN

ARTICLE 17: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sufficient sum of money to fund the engineering design and associated permitting for Saquatucket Harbor landside renovations, to include the old Downey Property, per the approved site plan proposed by the Saquatucket Harbor Development Committee, and to act fully thereon. By request of the Harbormaster. Estimated cost: \$250,000.

Explanation: The main objectives of the plan are to improve the safety of public access, improve the efficiency of harbor operations, and enhance the character, beauty, and attractiveness of the harbor for boaters and non-boaters alike. The plan includes a new Harbormaster Office, a leased waterfront Café restaurant, leased seasonal vendor shacks, and a boardwalk with seating areas that overlook the marina. In addition, on the former Downey Property the plan calls for creative landscaping to enhance the appearance of the area and a sidewalk leading from town. A new multi-purpose building will be located on the property that will serve as a consolidated ticketing office for the four Passenger Boat owners, a Harbormaster Department maintenance facility, and leased office space. Much needed increase of vehicle parking spaces (approx. 80) will be available during the summer boating season, and the same area will be utilized for winter boat storage in the off-season.

ROAD MAINTENANCE PROGRAM

ARTICLE 18: To see if the Town will vote to raise and appropriate and/or transfer from available funds in accordance with Ch.44 of the M.G.L., or any other authorizing authority, the sum of \$700,000 to fund the Road Maintenance Program as requested in the Capital Plan for FY17. The appropriation authorized by this vote shall not take effect until the Town votes to exempt from the limitation on total taxes imposed by M.G.L. c.59 § 21c (Proposition 2 ½) the amounts required to pay the

principal of and the interest on any borrowing authorized under this article, and to act fully thereon. By request of the DPW Director. Estimated cost: \$700,000.

Explanation: The capital request for road maintenance is for \$700k for FY 17, which we anticipate being augmented by approximately \$700k in Chapter 90 funds. The capital project request form lists 5 years of our road maintenance plan with cash flows of approximately \$1.4M each year and has our 5 year Road Maintenance Plan attached.

PURCHASE AND EQUIP VEHICLES FOR THE DPW

ARTICLE 19: To see if the Town will vote to raise and appropriate a sufficient sum of money to purchase and equip the following vehicles:

One Ton Dump Truck (Highway)	\$ 65,000.00
Mack Tractor (Disposal)	\$ 150,000.00
MSW (Trash) Trailer (Disposal)	\$ 70,000.00
Barber Surf Rake (Beaches)	\$ 31,500.00

and to further to authorize the trade-in or sale of the following old vehicles toward the purchase price, where the Board of Selectmen find that the vehicles cannot be utilized elsewhere in Town:

- 1999 Ford F-350 Dump Truck
- 1998 Mack Ch613 Tractor
- 2006 Barber Surf Rake

and to act fully thereon. By request of the DPW Director. Estimated cost: \$316,500.

Explanation: One Ton Dump Truck - The current 1999 Ford dump truck has approximately 136,000 miles on it, is in poor condition, and is a front line vehicle used for snow removal and moving personnel and equipment.

Mack Tractor - The current 1998 Mack CH613 tractor has over a half million miles on it and is an extremely important piece of equipment, as it hauls all of the Town's MSW (trash) and C&D off Cape on a daily basis.

MSW (Trash) Trailer - The request for a new MSW trailer is to augment the three existing trailers and improve operational efficiency. A fourth MSW trailer would eliminate the need to haul a full trailer immediately and allow more flexibility in managing the Town's MSW.

Barber Surf Rake - The current 10 year old unit broke at the beginning of the season and was not worth repairing. Barber leased us a new Surf Rake for \$13,500 for the season and has agreed to apply those fees towards the purchase price of a new one.

PURCHASE AND EQUIP NEW EQUIPMENT FOR THE DPW

ARTICLE 20: To see if the Town will vote to raise and appropriate a sufficient sum of money to purchase and equip the following:

Gator Turf Utility Vehicle (Park)	\$ 20,235.00
Walker Mower (Park)	\$ 13,300.00
(2) John Deere Mowers (Highway)	\$ 9,674.00
Hi-Track Skid Steer Loader	\$ 65,000.00
Certified Articulating Lift	\$ 80,000.00

and to act fully thereon. By request of the DPW Director. Estimated cost: \$188,209.

Explanation: Gator Turf Utility Vehicle - The current 1999 Gator is in extremely tough shape and is used daily between April and October to move materials (infield mix, stone dust, loam, etc.) needed to maintain the ball fields, as well as for maintenance on the bike path.

Walker Mower – The current 2007 48” Walker mower is used to maintain town buildings, parks (excluding ball fields), and memorial squares. It is used daily while grass is growing and is requiring a fair amount of repairs (\$1,988 over the past 2 years) to keep it going.

(2) John Deere Mowers – The roadsides throughout Town are a tough environment on the two 2008 John Deere units currently being used for roadside mowing. They are no longer worth spending money on for repairs and maintenance.

Hi-Track Skid Steer Loader – This request is to augment our existing hi-track, which is utilized constantly. Maintenance and other projects always end up waiting for it to become available. It is used by every division within the DPW and the Water Department for everything from grading and loading to stump grinding, brush cutting and snow removal. There is nothing wrong with the existing unit, but the demand for its use far exceeds its availability.

Certified Articulating Lift - With the Town’s desire to allocate more resources towards facility maintenance, it has become evident that we should consider purchasing a certified articulating lift. I make this assertion for several reasons including the servicing of buildings lights, gutters and exhaust systems, the repair of anything on buildings where a ladder is not a safe approach, and other DPW maintenance functions. Renting a lift is an expensive proposition at approximately \$700 per day and often takes weeks to line up, while repairs wait. Although spending approximately \$80k on a used piece of equipment appears to be expensive, it would increase efficiency and dramatically improve safety for our employees.

PURCHASE NEW EXCAVATOR FOR THE WATER DEPARTMENT

ARTICLE 21: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sufficient sum of money to purchase a John Deere 2016 85G Excavator, and to act fully thereon. By request of the Water Commissioners and Superintendent. Estimated cost: \$125,000.

Explanation: This new machine will lift a much heavier payload. Allowing us the versatility to do water main projects as well as water service installations. This piece of equipment will be paid for by the Enterprise Fund.

REHABILITATE THE LOTHROP AVENUE WATER STORAGE TANK

ARTICLE 22: To see if the Town will vote to reauthorize the remaining \$1.4M May 2013 Special Town Meeting appropriation/article to rehabilitate the Lothrop Avenue water storage tank and vote to appropriate \$1.6M for tank replacement and for the payment of all other costs incidental and related thereto, and to determine whether this amount shall be raised by taxation, transfer from available funds, or borrowing or otherwise provided, and to act fully thereon. By request of the Water Commissioners and Superintendent. Estimated cost: \$1,600,000.

Explanation: The Lothrop tank was constructed in 1986. The most recent tank inspection on July 13, 2013 indicated serious corrosion activity. The vicinity of this tank to seawater increases the corrosion rate. The lowest qualified bid for water tank rehabilitation, received February 6, 2014, came in at \$2.211M. Replacement of this tank with a new pumped storage system is estimated to cost \$1.6M. Replacement vs. rehabilitation at this time is more cost effective.

REPLACEMENT OF EXISTING SUPERVISORY CONTROL AND DATA ACQUISITION (SCADA) SYSTEM

ARTICLE 23: To see if the Town will vote to raise and appropriate or transfer from available funds a sufficient sum of money to fund the replacement of the existing Supervisory Control and Data Acquisition (SCADA) System, and to act fully thereon. By request of the Water Commissioners and Superintendent. Estimated cost: \$300,000.

Explanation: The SCADA system is comprised of the computer program and hardware that is used to control and monitor the entire water system. The existing SCADA system was developed approximately 15 years ago and most of the infrastructure is original. The typical life span of the equipment in place is between 10-15 years, and the existing software that was utilized to program the system is no longer supported by the manufacturer. The appropriation will fund the development of a new interface program and replace all hardware that has come to the end of its useful life.

INTERMUNICIPAL AGREEMENT WITH THE TOWN OF CHATHAM

ARTICLE 24: To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow the sum of \$9,000,000, or any other sum, to pay the entrance fee costs that the Town will be required to make 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 intermunicipal agreement between the Towns of Harwich and Chatham, to be entered into by the Board of Selectmen pursuant to General Laws Chapter 40, Section 4A; provided that any borrowing authorized hereunder shall be contingent on the passage of a Proposition 2 ½ debt exclusion vote, and provided further that the payment of said amount and the issuance of debt therefor shall be in accordance with the schedule of payments anticipated to be set forth in the intermunicipal agreement, a copy of which will be on file with the Office of the Town Clerk prior to Town Meeting; and to act fully thereon. By request of the Board of Selectmen. Estimated cost: \$9,000,000.

Explanation:

The Town's Comprehensive Wastewater Management Plan originally called for the locating of two treatment facilities in Town. One is to be located at the former landfill and current site of the Department of Public Works. The second was contemplated to be located in East Harwich. Upon review of this material, CDM the Town's wastewater consultant recommended a secondary option of utilizing some potential capacity that may exist in the Chatham wastewater treatment facility. This plan was considered the most favorable for the Town and was actively pursued by the Board of Selectmen. The two Towns have been working on in Inter-Municipal Agreement (IMA) that would allow for wastewater generated in the East Harwich area to be transported to the Chatham wastewater treatment facility to be processed. The IMA works out the details of the amount of flow Harwich can send into the facility and the net portion of the original cost to construct the Chatham facility. It is anticipated the amount of flow would be up to 300,000 gallons per day and cost would be up to \$9 million payable over multiple installments. Funding for the IMA would be done through a debt exclusion in which authorization will be given for up to the \$9 million with partial payments given over time based upon flow.

ENACT A SEWER USE GENERAL BYLAW

ARTICLE 25: To see if the Town will vote to enact a Sewer Use General By-law, governing the establishment, construction and operation of a wastewater collection and treatment system, a copy of which will be on file with the Office of the Town Clerk prior to Town Meeting; and to act fully thereon. By request of _____

Explanation:

The Town's Inter-Municipal Agreement with Chatham calls for Harwich to promulgate and utilize sewer use General By-laws that are compatible with the regulations in place in the Town of Chatham. The Massachusetts Department of Environmental Protection calls for these regulations to be in place as part of the functioning of the wastewater treatment facility. The Sewer Use By-laws are designed to be dynamic in the sense that general

elements will be included in the By-law with discretion given to the governing body to create regulations on more specific detailed interconnection activities such as pipe size and design elements to facilitate compatibility with the existing technology of the current Chatham facility.

RESERVE FOR FUTURE APPROPRIATION AMOUNTS FROM FY 2016
COMMUNITY PRESERVATION FUND ESTIMATED ANNUAL REVENUES

ARTICLE 26: To see if the Town will vote to reserve for future appropriations amounts from the FY 2016 Community Preservation Act Fund estimated annual revenues as recommended by the Community Preservation Committee as follows:

- A sum of money for the acquisition, creation and preservation of open space;
- A sum of money for the acquisition, preservation, restoration and rehabilitation of historic resources;
- A sum of money for the acquisition, creation, preservation and support of community housing; and
- A sum of money for the Community Preservation Act Fund FY 2016 Undesignated Reserve; and to act fully thereon. By request of the Community Preservation Committee.

FUND LAND BANK DEBT SERVICE

ARTICLE 27: To see if the Town will vote to appropriate from Community Preservation Act Funds-Undesignated Fund Balance, \$633,400 to fund the Debt Service on the outstanding Land Bank Debt. Any funds left unspent from this Article are to be returned to the Community Preservation Act Funds-Undesignated Fund Balance, and to act fully thereon. By request of the Community Preservation Committee and the Town Administrator. Estimated Cost: \$633,400

RESTORATION OF THE CHASE LIBRARY FIREPLACE HEARTH AND BASE

ARTICLE 28: To see if the Town will vote to appropriate from Community Preservation Act Funds-Historic Reserve, \$3,100 to fund the restoration of the original fireplace hearth, firebox base and foundation at the Chase Library and to authorize the Board of Selectmen to enter into a grant agreement with the Chase Library. Any funds left unspent from this Article are to be returned to the Community Preservation Act Funds-Historic Reserve, and to act fully thereon. By request of the Community Preservation Committee and the Chase Library Trustees. Estimated Cost: \$3,100

RESTORATION OF HARWICH HISTORICAL SOCIETY ARTIFACTS

ARTICLE 29: To see if the Town will vote to appropriate from Community Preservation Act Funds-Historic Reserve, \$11,000 to fund the restoration of an 18th Century Cannon and a 19th Century Millstone maintained by the Harwich Historical Society and to authorize the Board of Selectmen to enter into a grant agreement with the Harwich Historical Society.

Any funds left unspent from this Article are to be returned to the Community Preservation Act Funds-Historic Reserve, and to act fully thereon. By request of the Community Preservation Committee and the Harwich Historical Society. Estimated Cost: \$11,000.

RESTORATION OF APPEARANCE OF THE ALBRO HOUSE AND ACCESSIBILITY MODIFICATIONS

ARTICLE 30: To see if the Town will vote to appropriate from Community Preservation Act Funds-Historic Reserve, \$18,700 to fund the restoration of elements of the front porch, addition of a rear porch and access ramp and modifications to four (4) doors of the Town owned Albro House. Any funds left unspent from this Article are to be returned to the Community Preservation Act Funds-Historic Reserve, and to act fully thereon. By request of the Community Preservation Committee and the Historic District/Historical Commission. Estimated Cost: \$18,700.

UPDATE OF TOWN HISTORICAL PROPERTY INVENTORY

ARTICLE 31: To see if the Town will vote to appropriate from Community Preservation Act Funds-Historic Reserve, \$20,000 to fund continuing work on the inventory of structures in Harwich that are at least 99 years old, specifically adding 60 parcels to the Massachusetts Cultural Resource Information System (MACRIS) and performing more detailed work on a cluster of properties within the inventory. Any funds left unspent from this Article are to be returned to the Community Preservation Act Funds-Historic Reserve, and to act fully thereon. By request of the Community Preservation Committee and the Historic District/Historical Commission. Estimated Cost: \$20,000.

WEST HARWICH SCHOOLHOUSE PRESERVATION AND REHABILITATION

ARTICLE 32: To see if the Town will vote to appropriate from Community Preservation Act Funds-Historic Reserve, \$203,500 to have certain specific work performed on the interior and exterior of the West Harwich Schoolhouse. Any funds left unspent from this Article are to be returned to the Community Preservation Act Funds-Historic Reserve, and to act fully thereon. By request of the Community Preservation Committee and Town Administration and Planning Department. Estimated Cost: \$203,500.

HISTORIC RESTORATION AND PRESERVATION OF BURIAL CRYPTS

ARTICLE 33: To see if the Town will vote to appropriate from Community Preservation Act Funds-Historic Reserve, \$25,000 to repair and restore four (4) burial crypts in Mount Pleasant and Island Pond Cemeteries. Any funds left unspent from this Article are to be returned to the Community Preservation Act Funds-Historic Reserve, and to act fully thereon. By request of the Community Preservation Committee and the Harwich Cemetery Commission. Estimated Cost: \$25,000.

SOUTH HARWICH MEETINGHOUSE RESTORATION AND PRESERVATION

ARTICLE 34: To see if the Town will vote to appropriate from Community Preservation Act Funds-Historic Reserve, \$100,000 to fund the final work of restoring the South Harwich Meetinghouse and to authorize the Board of Selectmen to enter into a grant agreement with the Friends of the South Harwich Meetinghouse, Inc. Any funds left unspent from this Article are to be returned to the Community Preservation Act Funds-Historic Reserve, and to act fully thereon. By request of the Community Preservation Committee and Friends of the South Harwich Meetinghouse, Inc.
Estimated Cost: \$100,000.

WHITEHOUSE FIELD FENCING REPLACEMENT

ARTICLE 35: To see if the Town will vote to appropriate from Community Preservation Act Funds-Undesignated Fund Balance, \$57,128 to replace the fencing around Whitehouse Field. Any funds left unspent from this Article are to be returned to the Community Preservation Act Funds-Undesignated Fund Balance, and to act fully thereon. By request of the Community Preservation Committee and the Harwich Recreation and Youth Commission. Estimated Cost: \$57,128.

QUEEN ANNE ROAD BIKE TRAIL CROSSING LIGHTS

ARTICLE 36: To see if the Town will vote to appropriate from Community Preservation Act Funds-Undesignated Fund Balance, \$29,700 to install a solar powered traffic light system where the Cape Cod Rail Trail crosses Queen Anne Road. Any funds left unspent from this Article are to be returned to the Community Preservation Act Funds-Undesignated Fund Balance, and to act fully thereon. By request of the Community Preservation Committee and the Harwich Bikeways Committee. Estimated Cost: \$29,700.

BROOKS PARK EXPANSION/IMPROVEMENT PHASE 3

ARTICLE 37: To see if the Town will vote to appropriate from Community Preservation Act Funds-Undesignated Fund Balance, \$188,000 to resurface 4 tennis courts, half basketball court, tennis practice wall, picnic pavilion, ADA footpath and 20-30 t-base parking spaces at Brooks Park . Any funds left unspent from this Article are to be returned to the Community Preservation Act Funds-Undesignated Fund Balance, and to act fully thereon. By request of the Community Preservation Committee and the Harwich Recreation and youth Commission. Estimated Cost: \$188,000.

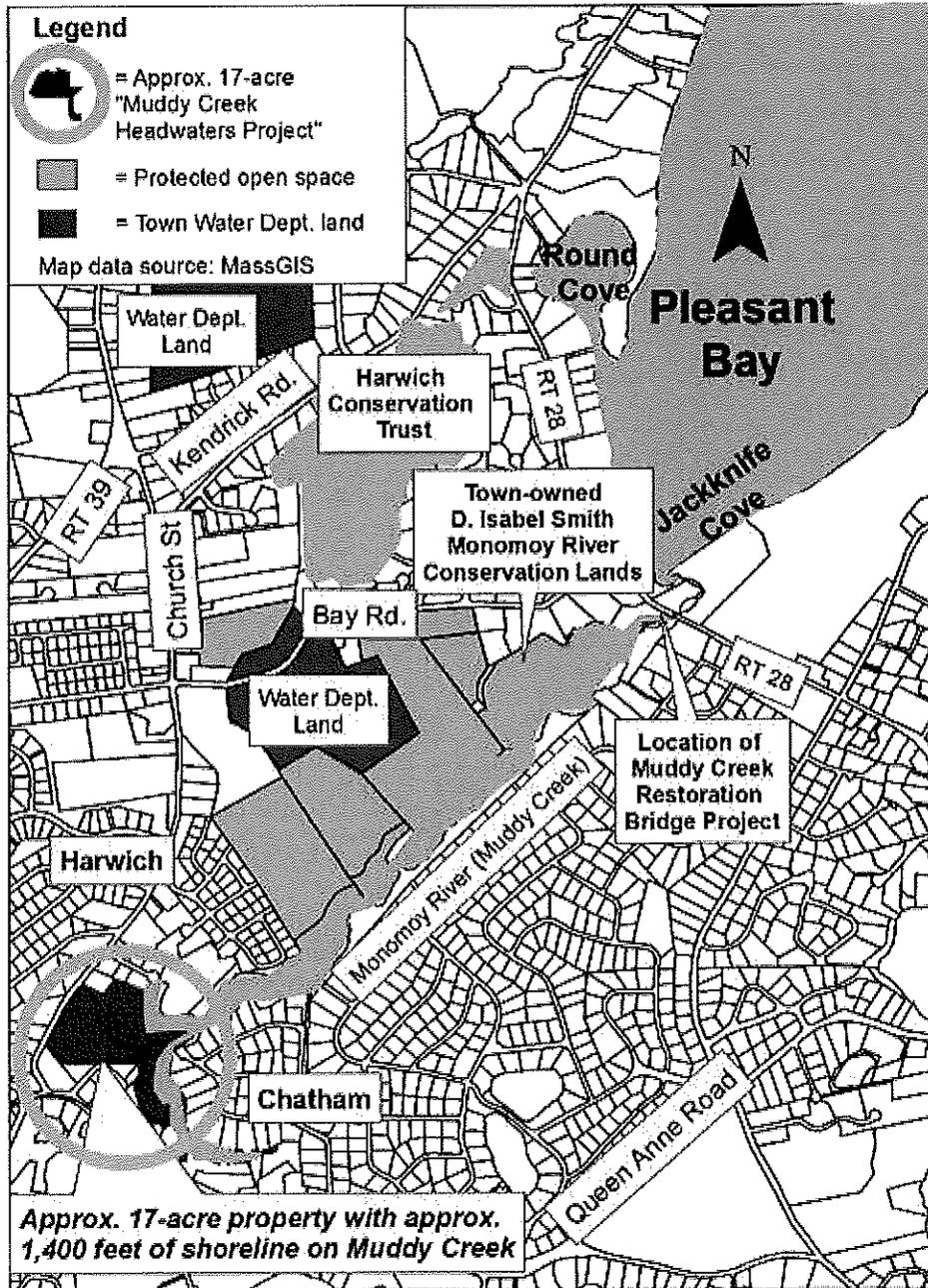
PURCHASE OF LAND FOR OPEN SPACE PURPOSES – ACQUIRE MARINI
PROPERTY AT MUDDY CREEK HEADWATERS

ARTICLE 38: To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase or gift a perpetual conservation restriction pursuant to the provisions of M.G.L. Ch.184, §31-33, for open space purposes under the provisions of M.G.L. Ch. 40, §8C, on a parcel of land approximately 17 acres in size, said land situated on Church

Street, East Harwich and Chatham, shown as Lot 1, Lot 2, Lot 3, and Parcel 4 in Barnstable County Registry of Deeds Plan Book 614, Page 7, and further described in Barnstable County Registry of Deeds Book 19792, Page 85, with the care, custody, control and management of such conservation restriction to be vested with the Conservation Commission; and, further, to appropriate from the Community Preservation Act Funds-Open Space Reserve, the Community Preservation Act Funds-Undesignated Reserve, and/or a receipts pursuant to the provisions of Ch.149, §298 of the Acts of 2004, as amended by Ch. 352, §§129-133 of the Acts of 2004, the so-called Community Preservation Act, a sum of money for the foregoing acquisition and costs incidental or related thereto, including, without limitation, costs of appraisals and closing costs; to authorize the Board of Selectmen and the Conservation Commission to apply for, accept and expend any funds which may be provided by the Commonwealth or other public sources to defray all or a portion of the costs of acquiring said parcel, including, but not limited to, funding under the Self-Help Act, General Laws, ch.132A, §11, and/or the Federal Land & Water Conservation Fund, P.L. 88-568, 78 Stat 897, provided that any such grant funds shall be returned upon receipt to the fund from which said sum was appropriated, after first reimbursing the Harwich Conservation Trust **for its contribution towards the grant funds' required local match; and to authorize the Board of Selectmen and/or Conservation Commission to enter into all agreements and execute any and all instruments as may be necessary or convenient to effectuate the foregoing purposes, provided further that no funds appropriated hereunder shall be expended until the Board of Selectmen has determined that the Town has received a transfer towards the grant funds' required local match from the Harwich Conservation Trust in the amount of \$300,000 to supplement the Town's \$500,000 in Community Preservation Act Funds described herein and be applied toward the Town's purchase of said conservation restriction.**

And to act fully thereon. By request of the Community Preservation Committee and the Real Estate and Open Space Committee. Estimated cost: \$800,000

17-acre Muddy Creek Headwaters Project



HISTORIC BROOKS FREE LIBRARY RESTORATION

ARTICLE 39: To see if the Town will vote to appropriate from Community Preservation Act Funds-Undesignated Fund Balance, \$540,000 to have certain specific work, including architectural services, paint stripping and painting, column and selective wood repairs, to be performed on the historic portion of the Brooks Free Library building (the so-called Brooks Block and Bank Building). Any funds left unspent from this Article are to be returned to the Community Preservation Act Funds-Undesignated Fund Balance, and to act fully thereon. By request of the Community Preservation Committee and Brooks Free Library Trustees. Estimated Cost: \$540,000.

REPEAL OF ARTICLE 42 OF MAY, 2007 ANNUAL TOWN MEETING - FUND RENOVATIONS AT OLD RECREATION BUILDING AND WEST HARWICH SCHOOL

ARTICLE 40: To see if the Town will vote to rescind actions taken under Article 42 of the May 2007 Annual Town Meeting in the amount of \$32,760, and return such sum of funds appropriated in said Article to the Harwich Community Preservation Act Fund – Historic Reserve, and to act fully thereon. These funds were intended for restoration of the windows at the West Harwich School which will now be done from the funds appropriated by Article XX of the May 2016 Annual Town Meeting. By request of the Community Preservation Committee. Estimated turnback: \$32,760

ACCEPTANCE OF GENERAL LAWS CHAPTER 111, §26G

ARTICLE 41: To see if the Town will vote to accept the provisions of Massachusetts General Laws Chapter 111, Section 26G, to allow a member of the Board of Health who is also a septic system installer to work in the Town in their trained profession, provided that they do not act as the inspector for such work and further that such work is inspected by an inspector from another municipality or a special inspector appointed by the Board of Selectmen as specified in the statute, and to act fully thereon. By request of the Board of Selectmen.

ADOPT M.G.L., CHAPTER 59, §5, CLAUSE 56 – PERSONAL PROPERTY TAX ABATEMENT FOR NATIONAL GUARD AND RESERVISTS

ARTICLE 42: To see if the Town will vote to adopt MGL Chapter 59, §5, Clause 56. Upon acceptance of this section by the Town, the Board of Assessors may grant, real and personal property tax abatement up to 100% of the total tax assessed to members of the Massachusetts National Guard and to Reservists on active duty in foreign countries for the fiscal year they performed such service subject to eligibility criteria to be established by the Board of Assessors. The authority to grant abatements under this section shall expire after 2 years of acceptance unless extended by a vote of the city or town. Said change to take effect FY 2017 and act fully thereon. By request of the Harwich Veteran's Agent and Board of Assessors

Explanation: This local option for the National Guard and Reservists must be renewed every two (2) years.

AMEND M.G.L. CHAPTER 59, §5, Clause 41C – SENIOR EXEMPTION

ARTICLE 43: To see if the Town will vote to support the Harwich Board of Selectmen’s request to the State Legislator to pass a bill amending the Senior Exemption (as provided in Chapter 59, §5 Clause 41C) amount from a maximum of \$1000.00 to a maximum of \$1,500.00 as a local option for all cities and towns and/or as a home rule petition for the Town of Harwich, and to act fully thereon. By request of the Harwich Board of Assessors.

Explanation:

The Board of Assessors would like advocate for most vulnerable citizens of the Commonwealth. We feel that the senior citizens of our community and all others in the Commonwealth are struggling. We would like for this article be approved by the Legislation. This article is for our most vulnerable residents over 65 who have income and assets not exceeding:

	<u>Income</u>	<u>Assets</u>
Single	\$24,849	\$40,652
Married	\$37,274	\$55.897

CREATE SUPPLEMENTAL SENIOR EXEMPTION

ARTICLE 44: To see if the Town will vote to raise and appropriate or transfer from available funds to provide a sufficient sum of money to grant an additional \$500.00 exemption to each Senior Exemption granted by the Board of Assessors to a maximum of \$1,500.00, and to act fully thereon. (Subject to funding). By request of the Harwich Board of Assessors. Estimated cost: \$40,000 requested (FY15 80 exemptions granted).

Explanation:

The Board of Assessors would like advocate for the most vulnerable citizens of the Town of Harwich, our senior citizens of our community are struggling. This article is to provide real estate tax relief for residents over 65 who have income and assets not exceeding:

	<u>Income</u>	<u>Assets</u>
Single	\$24,849	\$40,652
Married	\$37,274	\$55.897

DOOR TO DOOR SOLICITATION BY-LAW

ARTICLE 45: To see if the Town will vote to amend the Town General By-Laws by adding new by-law as follows, and to act fully thereon. By request of the Chief of Police.

Title.

This article shall be known as the “Door to Door Solicitation Law of the Town of Harwich”

Finding and intent.

Many residents complain to the Police Department each year about door-to-door solicitation. Some indicate that being the target of solicitation in their homes is annoying, intrusive, and unpleasant. Others are concerned at having strangers approaching their homes uninvited. Many seek assurance that the solicitors are known to Town officials and properly licensed. Senior citizens and retirees constitute a substantial portion of our population. This group is particularly vulnerable to crime, particularly fraud, identity theft, and larceny.

This article is intended to regulate door-to-door sales by licensing sales agents; establishing a No Solicitation List; and promulgating reasonable time and manner restrictions on door-to-door solicitation, including enforcement of the No Solicitation List.

Definitions.

The following words and phrases shall have the following meanings:

DOOR-TO-DOOR SALES

The in-person solicitation of sales of goods or services for present or future delivery by entry upon residential property, including multifamily or duplex residential property, or by soliciting persons located on residential property from a street, sidewalk or other adjacent property, without the prior invitation of the person to be solicited.

DOOR-TO-DOOR SALES PERMIT

A permit issued to a sales agent to engage in door-to-door sales in accordance with this article.

NO SOLICITATION LIST

A list of residential addresses in the Town, organized alphabetically by street name, indicating those residential properties placed on the list at the request of the owner or occupant indicating that he or she does not want sales agents to enter his or her property.

SALES ORGANIZATION

Any entity engaged in the supervision, recruitment, retention or employment of a salesperson or salespersons, including any person or representative thereof.

SALESPERSON

Any person engaged in door-to-door sales of goods or services for present or future delivery.

SALES SUPERVISOR

Any person who directs or supervises a salesperson or salespersons engaged in door-to-door sales.

Administration.

The Town of Harwich door-to-door sales permit process shall be administered by the Harwich Police Department.

Application requirements.

- A. Each salesperson must apply individually to the Harwich Police Department during posted administrative hours by submitting a completed application, which shall require:
 - (1) Government-issued photographic identification.
 - (2) Date of birth.
 - (3) Social security number.
 - (4) Permanent residential address.
 - (5) Home telephone number.
 - (6) Temporary local address.
 - (7) Current cell phone number.
 - (8) Sales organization information.
 - (9) Sales supervisor identity.
 - (10) Make, model, color, and registration number of any vehicle(s) used to transport the sales agent, his/her supervisor, or sales materials.
 - (11) Such other verifying information as may be reasonably required.
- B. An application fee to be established and adjusted from time to time by the Board of Selectmen shall accompany each Town of Harwich door-to-door sales permit application.

Background check.

Subject to the provisions of the Massachusetts Criminal Records Offender Statute, MGL c. 6, § 167 et seq., and regulations promulgated thereunder, the Harwich Police Department shall conduct a criminal records check of each applicant for a Town of Harwich door-to-door sales permit to determine the applicant's fitness and suitability to conduct door-to-door sales.

No Solicitation List.

- A. The 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.
- B. Upon approval and issuance of a Town of Harwich door-to-door sales permit, each salesperson shall be provided with a copy of the No Solicitation List.

Door-to-door sales regulations.

- A. No salesperson shall engage in door-to-door sales without first having applied for and received a Town of Harwich door-to-door sales permit.
- B. No sales organization shall allow any salesperson to engage in door-to-door sales who has not applied for and received a Town of Harwich door-to-door sales permit.

- C. No sales supervisor shall direct or supervise, direct, or allow any salesperson to engage in door-to-door sales who has not applied for and received a Town of Harwich door-to-door sales permit.
- D. No salesperson shall enter within the perimeter of any residential property included on the No Solicitation List. In addition to the fine(s) established below, inclusion of a residential property on the No Solicitation List shall constitute notice prohibiting trespass under MGL c. 266, § 120.
- E. No salesperson shall solicit sales from a person situated within a residential property included on the No Solicitation List from a street, sidewalk or other adjacent property.
- F. Each salesperson shall carry the Town of Harwich door-to-door sales permit at all times while engaged in door-to-door sales and shall display said permit upon request by any police officer, town official or any person present at a residential property where door-to-door sales are solicited.
- G. No salesperson or supervisor shall use any vehicle to transport persons or materials for door-to-door sales unless said vehicle is identified in the Town of Harwich door-to-door sales permit application and the exterior of said vehicle is marked with the name of the sales organization and the words "door-to-door sales." All required information shall be in letters a minimum of four inches in height on both sides of the vehicle.
- H. Door-to-door sales shall not be conducted except during the hours between 9:00 a.m. and 7:00 p.m.

Violations and penalties.

- A. Each violation of any provision of this article shall be punished by a fine not to exceed \$300.
- B. Upon the occurrence of a second violation of this article by any salesperson, the Issuing authority may revoke that salesperson's Town of Harwich door-to-door sales permit.

Severability.

The invalidity of any portion or portions of this article shall not invalidate any other portion, provision or section thereof.

BUILDING/STRUCTURE HEIGHT IN FLOOD HAZARD AREAS

ARTICLE 46: To see if the Town will vote to amend the Code of the Town of Harwich, Chapter 325 Zoning by adding the bold and underlined language as set forth below and to act fully thereon. By request of the Building Commissioner and Planning Board.

325-2 Word usage and definitions.

BUILDING/STRUCTURE HEIGHT - The height of a building or structure shall be calculated by averaging the distance between the lowest pre-existing grade point at the base of the building/structure and the top of said structure, and the distance between the highest pre-existing grade point at the base of the structure and the top of said structure. A

structure shall include such elements as a rooftop deck, fence, railing, widow's walk, or other rooftop structure, parapet, or other attached structure. A cupola not larger than four (4) feet in width and chimneys shall be exempt from the above requirements if they do not extend more than four (4) feet in height above the roof. For developed lots, pre-existing grade shall be determined by calculating the average of existing high and low grade points at the base of the existing/original building or structure and top of said structure, where the highest point is at a minimum of eight (8) inches below the top of foundation.

[NEW] For a building or structure located in the special flood hazard area, height shall be measured from the Base Flood Elevation in AE Zones rather than from pre-existing grade. In the AO or VE Zones, height shall be measured from the Base Flood Elevation in the closest AE Zone rather than from pre-existing grade.

Explanation: New FEMA flood maps were adopted in 2014 expanding boundaries of the flood hazard area and raising the base flood elevation for many properties. Homes may continue to exist in flood hazard areas, but renovations or reconstruction require flood proofing measures including raising the first floor above the base flood elevation. The proposed by-law amendment follows similar language in such coastal towns as Dennis, Sandwich and Scituate. Without the amendment, many homes in flood hazard areas would have to be reduced in height to meet base flood elevation requirements combined with the requirement to measure height from pre-existing grade. Approximately 1000 homes in the AE flood zone in Harwich are impacted by the building height requirement. Far fewer homes exist in AO and VE zones. The AO zone does not include measurements for base flood elevation. The VE or velocity zone has a much higher sensitivity to flooding, and new construction in that zone is not encouraged.

PROPOSED ZONING BY-LAW AMENDMENTS

ARTICLE 47: To see if the Town will vote to amend the Code of the Town of Harwich, Chapter 325 Zoning by striking out language and by adding bold and underlined language as set forth below and to act fully thereon. By request of the Building Commissioner and Planning Board.

(A) CONSTRUCTION SIGNS

325-29 Additional requirements for specific signage.

G. [NEW] Construction Signs. One (1) temporary wall or ground sign not more than eight (8) square feet indicating the construction, remodeling or rebuilding of a certain structure for a permitted use shall be allowed on the parcel on which the structure is located. The sign shall not be illuminated and shall be removed immediately upon final inspection.

(B) TWO-FAMILY DWELLINGS IN THE CH-1 DISTRICT

325-7 C. Existing lots in a CH-1 District which complied at the time of layout with applicable provisions of zoning bylaws, if any, may be used for single-family residential purposes as set forth above and may be used for *[NEW]* **two-family residential purposes** **and** nonresidential purposes as established in the Table of Use Regulations provided that:

- (1) Said lots have 100 feet of frontage and 10,000 square feet of area;
- (2) The buildings to be located thereon are set back at least 10 feet from side and rear lot lines and at least 25 feet from street lot lines and the buildings to be constructed on said lot will not exceed the maximum site coverage restrictions of the zoning bylaw in effect when the lot was created or, if no such restrictions applied, coverage of buildings shall not exceed 35% of said lot for lots between 10,000 square feet and 15,000 square feet and 25% for lots over 15,000 square feet;
- (3) Said lots are buildable under other applicable provisions of the lot ...

Table 2 Area Regulations

District	Use	Lot Area	Lot Frontage	Front	Side	Rear
CH-1	Single-family dwelling	40,000	150	25	20	20
	<i>[NEW]</i> Two-family dwelling	40,000	150	25	20	20
	Any other permitted use	20,000	100	25	10	10

(C) GUESTHOUSES

325-2. Word usage and definitions.

~~GUESTHOUSE. A building in which living space, with or without common cooking facilities, is let for compensation to four or fewer persons, but not including a hotel or motel.~~

325-39. Off-street parking schedule.

Residential Uses

Lodging house, hotel, motel, inn, guest house, bed and breakfast 1.25 per guest room or suite

Table 1, Use Regulations

Paragraph I – Residential Uses							
		RM	RH-1	RH-2	CV	CH-1	WR
5	Guest houses	S	P	P	P	P	S

Table 2, Area Regulations

District	Use	Lot Area (square feet)	Lot Frontage (contiguous feet)	Front (feet)	Side (feet)	Rear (feet)
RM	Guest house	40,000 plus 2,000 per rental unit	150	25	20	20
RH-1	Guest house	40,000 plus 2,000 per rental unit	150	25	20	20
RH-2	Guest house	40,000 plus 2,000 per rental unit	150	25	20	20
CV	Guest house	40,000 plus 2,000 per rental unit	150	25	10	10
CH-1	Guest house	40,000 plus 2,000 per rental unit	150	25	20	20

Explanation: Proposed amendments include (A) construction signs, (B) two-family dwellings in the CH-1 District, and (C) guesthouses.

- (A) Sign amendments in 2009 removed any reference to construction signs, and the current Code of the Town of Harwich does not permit construction signs. The proposed by-law will re-establish language from an earlier version of the Zoning By-Law.
- (B) Although two-family dwellings are allowed in the Commercial Highway 1 (CH-1) District by Special Permit (S), two other pertinent sections of the Zoning By-Law omit any reference to them. In Table 2, minimum lot area for single-family dwellings in the CH-1 District is 40,000 sq. ft. while minimum lot area for “any other permitted use” is only 20,000 sq. ft. Typically “any other permitted use” refers to non-residential uses. The proposed by-law amendment will treat two-family dwellings the same as single-family dwellings rather than as non-residential uses. A similar by-law amendment for Section 325-7 C will allow existing lots to be used for two-family dwellings along with other permitted single-family and non-residential uses.
- (C) In most residential districts, the Zoning By-Law allows one single-family dwelling per 40,000 square feet. Current options for additional residential use of a property include an “accessory building, residential – with bedrooms” or a “single-family dwelling with accessory apartment”, both requiring a special permit. The current definition of “guesthouse” appears to allow another residential option for “a building in which living space, with or without common cooking facilities, is let for compensation to four fewer or fewer persons, but not including a hotel or motel.” There does not appear to be a current restriction on the number of guesthouses that may be built per lot. The proposed by-law amendment closes that apparent loophole by removing “guesthouse” from the list of uses. Buildings to be let for compensation still include lodging house, bed-and-breakfast, inn, motel and hotel.

PROPOSED AMENDMENTS TO THE HARWICH HOME RULE CHARTER

ARTICLE 48: To see if the Town will vote to propose the following amendments to the Harwich Home Rule Charter, to be approved by the voters at the next annual Town election as follows (Deletions shown in strike through and new text shown as underlined):

1. **Amend Chapter 3 section 6, Powers of Appointments, by adding a new sentence to the end of Section 3-6-2 as follows:**

All appointments made shall be for the full term of that position (or, in the case of a position vacated prior to the end of a term, for the full remainder of the unexpired term).

2. **Amend Chapter 4 as follows:**

Amend two subsections of Section 4-3-2 relating to the powers of the Town Administrator as follows:

4-3-2 The town administrator shall devote full working time to the duties of that office, shall not become a candidate for, or hold, any elective office during the term of appointment; and shall not engage in any business activity during the term, except with the written consent of the board of selectmen. The town administrator shall:

(i) Be responsible for the purchasing of services, supplies, materials and equipment for all town divisions, departments, and offices, excepting those for ~~the school department, the water department and the Brooks Free Library.~~ The Town Administrator shall execute all contracts for goods and services on behalf of the divisions and departments under the jurisdiction of the Town Administrator, subject to the approval of the Board of Selectmen. The Board of Selectmen may delegate its approval authority to the Town Administrator for certain classes of contracts.

(k) Develop, keep, and annually update a full and complete inventory of all property of the town, ~~except school property,~~ both real and personal.

Amend Section 4, Responsibilities for Appointments, by adding a new subsection:

4-4-3 The town administrator shall appoint the harbormaster and any assistant harbormasters.

3. **Amend Chapter 5 as follows:**

Amend Section 5-3-1 as follows:

Division of Highways and Maintenance Public Works

5-3-1 A division of ~~highways and maintenance~~ public works shall be established under the direction of an appointed officer, to be known as the director of public works ~~highways and maintenance~~.

Amend Section 5-5-1 as follows:

Fire Department

5-5-1 A fire department shall be established under a fire chief, who shall be appointed by the board of selectmen. The fire department shall be organized and operated as a so-called strong chief department under the provisions of section 42 of chapter 48 of the General Laws.

4. **Amend Chapter 10 Section 10-3-1 Definitions as follows:**

(f) Committee. The word “committee” shall mean any town agency which has been charged with performing a specified function on behalf of the town but without statutory authority, except for the ~~the school committee, finance committee and capital outlay committee,~~ which function under statutory authority;

And to act fully thereon. By request of the By-Law and Charter Review Committee.

AMEND THE HARWICH HOME RULE CHARTER CHAPTER 3, SECTION 6

ARTICLE 49: 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 as follows (Deletions shown in strike through and new text shown as underlined)

Refer to Chapter 3, Section 6 and add the following text to 3-6-2:

The board of selectmen shall also have the power to appoint members and up to two alternates (to the extent permissible by general law) of policy-making town agencies enumerated in chapter 7 and other agencies that are in existence on the effective date of this charter and for whom no other method of appointment is provided in this charter. Unless otherwise provided, the board shall also appoint members and up to two alternates (to the extent permissible by general law) of other agencies as may be hereafter established by general law, charter, by-law, vote of the town meeting or vote of the Board of Selectmen.

And to act fully thereon. By request of the By-Law and Charter Review Committee.

AMEND THE HARWICH HOME RULE CHARTER – CHAPTER 7, SECTION 7-14-2

ARTICLE 50: To see if the Town will vote to amend the Town of Harwich Home Rule Charter, Chapter 7 APPOINTED TOWN AGENCIES, Section 7-14-2 by adding “*water dependent structure*” as set forth below:

7-14-2 The waterways committee shall be responsible for the development of regulations for all waterways and **water dependent structures** including marine ramps, docks, piers, moorings, and aquaculture.

and to act fully thereon. By Request of the Harwich Waterways Committee

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.

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

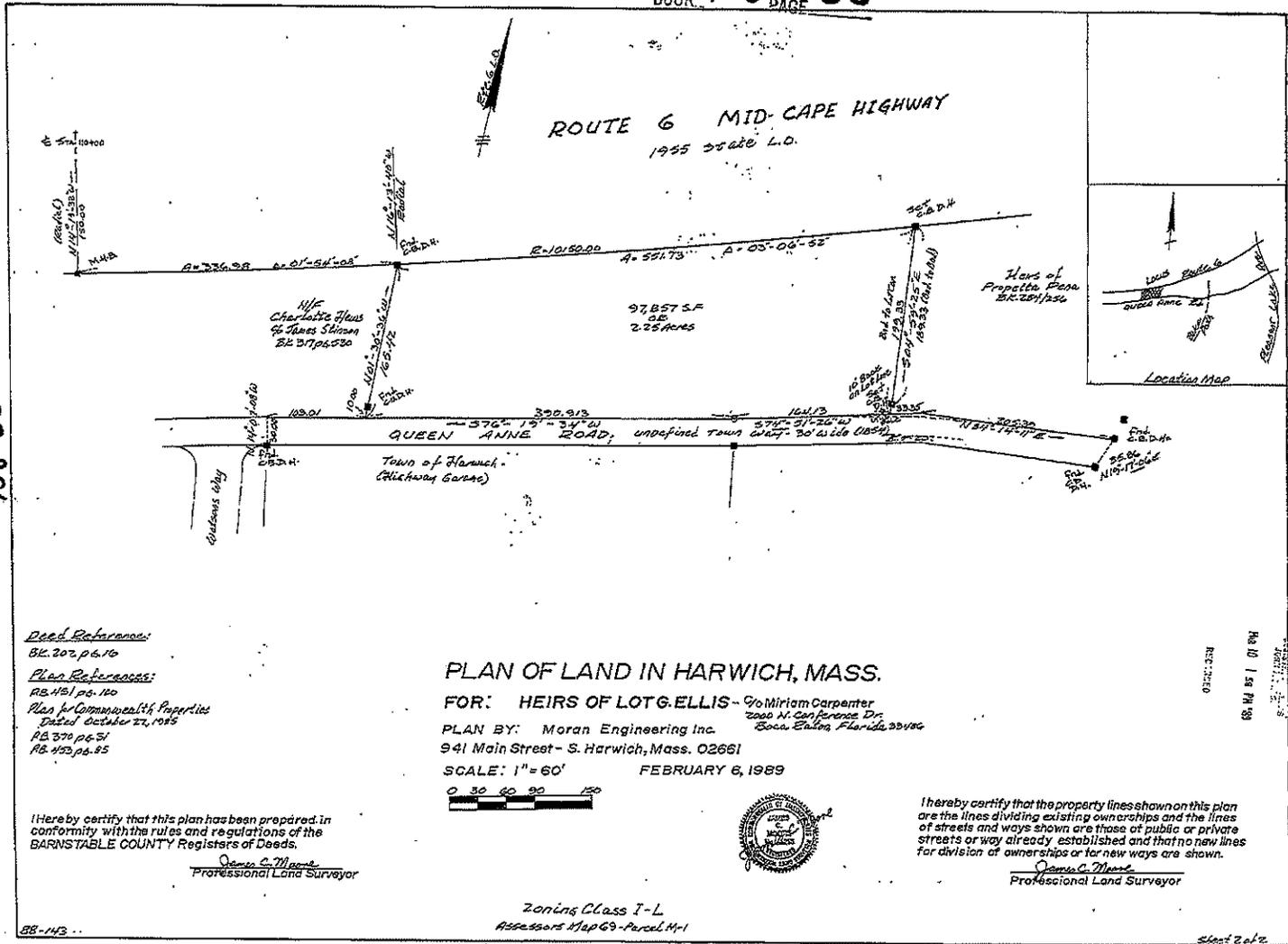
ARTICLE 56: To see if the Town will vote to enact a General By-Law as follows:

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.

APPROVE THE TRANSFER OF TOWN PARCEL TO CEMETERY DEPARTMENT
TO DEVELOP A PET CEMETERY AND PET CREMATORY

ARTICLE 57: To see if the Town will vote to transfer the care, custody, management and control of 2.25 acres +/- of land located at 276 Queen Anne Road (Map 69, Parcel M1; recorded in the Barnstable Registry of Deeds Book 11666, Pages 103-105), acquired by the Town by eminent domain at the Annual Town Meeting in May, 1997 for open space or other municipal purposes, from the Board of Selectmen to the Cemetery Department for development of a pet crematory and pet scattering grounds, and to act fully thereon. By request of the Cemetery Commission.



Deed References:
 Bk. 207, p. 6, 7b
Plan References:
 Bk. 1151, p. 110
 Plan for Commonwealth Properties
 Dated October 27, 1985
 Bk. 376, p. 51
 Bk. 152, p. 85

PLAN OF LAND IN HARWICH, MASS.

FOR: HEIRS OF LOT G. ELLIS - 1/2 Miriam Carpenter
 2000 N. Conference Dr.
 Boca Raton, Florida 33408
 PLAN BY: Moran Engineering Inc.
 941 Main Street - S. Harwich, Mass. 02661
 SCALE: 1" = 60'
 FEBRUARY 6, 1989



I hereby certify that this plan has been prepared in conformity with the rules and regulations of the BARNSTABLE COUNTY Registers of Deeds.
 James C. Moran
 Professional Land Surveyor

I hereby certify that the property lines shown on this plan are the lines dividing existing ownerships and the lines of streets and ways shown are those of public or private streets or way already established and that no new lines for division of ownerships or for new ways are shown.
 James C. Moran
 Professional Land Surveyor

Zoning Class I-L
 Assessors Map 69 - Parcel M-1

458-33

43

DEPARTMENTAL REVOLVING FUNDS AUTHORIZATION

ARTICLE 58: To see if the Town will vote to authorize revolving funds for certain town departments under M.G.L. Ch. 44, § 53E ½ for the Fiscal Year beginning July 1, 2016; and to act fully thereon. By request of the Board of Selectmen

<u>Revolving Fund</u>	<u>Authorize to Spend Fund</u>	<u>Revenue Source</u>	<u>Use of Fund</u>	<u>FY 16 Spending Limit</u>	<u>Disposition of FY16 Fund balance</u>
Golf	Director, Golf Committee & ATA	Golf Lessons and Pro Shop Sales	Pro Shop expenses, clubhouse and kitchen maintenance, modernization, and lessons instructor	\$200,000	Available for expenditure
Council on Aging	Director & Council on Aging	Fees from health, recreation, nutrition and education programs	Health, recreation, nutrition and education programs	\$125,000	Available for expenditure
Cemetery	Administrator & Cemetery Commission	90% of Lot Sales, 100 % of all Cemetery Services and Fees	Maintenance of town cemeteries	\$50,000	Available for expenditure
Community Center	Director & Facilities Committee	Fees from use of the weight room	Weight Room Equipment (and repair)	\$50,000	Available for expenditure
Recreation	Director & Rec & Youth Commission	Fees from recreation and youth programs	Recreation and youth programs	\$120,000	Available for expenditure
Albro House	Town Planner & Historic District/Hist. Commission	Fees from receipts of lease or fees for short term rooms use and rental	Restorations, maintenance, care and support of town-owned property	\$10,000	Available for expenditure
ADA	Town Administrator	Receipts of parking penalty fees	Interpreter services or accommodations required under ADA	\$2,500	Available for expenditure

ESTABLISH A WETLANDS REVOLVING FUND

ARTICLE 59: To see if the Town will vote to establish a revolving fund, effective FY 2017 under M.G.L. Chapter 44, Section 53E ½ for the purpose of upholding the interests of the Massachusetts Wetlands Protection Act and the Harwich Wetlands Protection Bylaw, such as for consultants and wetland and buffer zone management and restoration projects, with monies generated by the Town portion of the Notice of Intent filing fees credited to the revolving fund, expenditures approved by the Conservation Administrator and the Conservation Commission in the amount not to exceed six thousand dollars, and to act fully thereon. By request of the Conservation Commission.

Explanation: This revolving fund was never properly established under M.G.L. Chapter 44, Section 53E ½.

STABILIZATION FUND

ARTICLE 60: To see if the Town will vote to raise and appropriate or transfer from surplus revenue or available funds a sufficient sum of money to be added to the Stabilization Fund, and act fully thereon. By the request of the Board of Selectmen. Estimated cost: \$ _____

OPEB TRUST FUND

ARTICLE 61: To see if the Town will vote to transfer the balance of funds in the multi-use stabilization fund into the **Other Post Employment Benefits Trust Fund**, and to act fully thereon. By request of the Board of Selectmen. Estimated cost: \$ _____

FUND PRIOR YEAR'S UNPAID BILLS

ARTICLE 62: To see if the Town will vote to raise and appropriate or transfer from available funds a sufficient sum of money to pay unpaid bills of prior years as provided for in M.G.L. Ch. 44, Section 64, and to act fully thereon. By request of the Finance Director/Accountant. Estimated cost: \$25,000

COMPENSATING BALANCE AGREEMENT

ARTICLE 63: To see if the Town will vote to authorize its Treasurer to enter into a compensating balance agreement or agreements with banking institutions for Fiscal Year 2017 pursuant to Chapter 44, § 53F of the General Laws and to act fully thereon. Customary Article.

LIABILITY TIDAL/NON-TIDAL RIVERS

ARTICLE 64: To see if the Town will assume the liability in the manner provided by § 29 of Chapter 91 of the General Laws as amended by Chapter 516 and 524, Acts of 1950, for all damages that may be incurred by work to be performed by the Department of Public Works of Massachusetts, for improvement, development, maintenance and protection of tidal and non-tidal rivers, streams, harbors, tide waters, foreshore and shores along a public beach outside of Boston Harbor, including the Merrimack and Connecticut Rivers in accordance with § 11 of Chapter 91 of the General Laws and to authorize the Selectmen to execute and deliver a bond of indemnity to the Commonwealth and to act fully thereon. Customary Article.

HERRING FISHERIES

ARTICLE 65: To see what action the Town will take in regard to the Herring Fisheries and to act fully thereon. Customary Article.

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

BOS VOTE	FINCOM VOTE	ART#	Oneliners ATM May 2, 2016				BOS Recom.	FinCom Recom	Tax levy	Free Cash	CPC	Water Ent.	Capital Excl.	Debt Exclusion	Local Receipts	Other	ART#
			Petitioner	Request	TA Recom.	Request											
Incl		58	Dept Revolving Funds Authorization	BOS												60	
Incl		59	Est. Wetland Revolving Fund	Cons Comm												61	
Incl		60	Stabilization Fund	BOS	\$ 1,328,500				\$ 1,328,500							62	
Incl		61	OPEB Fund	BOS	\$ 300,000				\$ 300,000							63	
Incl		62	Fund Prior Yrs Bills	FinCom	\$ 25,000				\$ 25,000							64	
Incl		63	Compensating Bal Agree	Customary												65	
Incl		64	Liability Tidal/Non-Tidal Rivers	Customary												66	
Incl		65	Herring Fisheries	Customary												67	
			Total ATM May 2016														
			Balances						\$ 29,295,207	\$ 3,661,833	\$ 2,629,528	\$ 2,025,000		\$ 15,700,000		\$ 1,321,410	
NOTE:			Articles 40 - Return of CPC Funds														
NOTE:			Articles 13 and 14 - From Golf Fund														
NOTE:			Article 16 - \$1,000,000 in Grants														
NOTE:			Article 51 Betterment														
			Special Town Meeting Articles 5/2/2016														
		1	Snow & Ice Deficit		\$250,000				\$ 250,000							5	
		2	Repairs to Com Ctr - Insurance Reimburse													2	
Hold		3	CPC - Admin Cost - Acq of Tax Title	CPC	\$ 50,000										\$ 50,000	27	
		4														4	
		5														5	
		6														6	
					\$ -				\$ -		\$ -		\$ -		\$ -		
			Sub Total		\$ 300,000				\$ 250,000		\$ -		\$ -		\$ 50,000		
			2016		\$ 300,000		0		\$ 250,000		\$ -		\$ -		\$ 50,000		
			Totals Used	Total Appropriated		300,000			\$ 250,000		\$ -		\$ -		\$ 50,000		
			Tax Levy Balance & other balance								\$ -		\$ -		\$ -		
			Tax Rate Recap								\$ -		\$ -		\$ -		
			Court Orders														
			Debt & Interest														
			Snow & Ice	Prior Year													
			Cherry Sheet Assessments														
			OverlayFY2016														
			Cherry Sheet Offsets														
			Total Recap						\$ -		\$ -		\$ -		\$ -		
			Balance					\$ 43,756,019	\$ 109,167		\$ -		\$ -		\$ -		

MEMO

TO: Board of Selectmen
FROM: Sandy Robinson
RE: Timeline for Submission of Special Town Meeting Articles
DATE: March 7, 2016

The 2016 Annual Town Meeting will be held on Monday, May 2, 2016. The Special Town Meeting (STM) will be held on Tuesday, May 3, 2016. All STM Articles must be received no later than **40 days** prior to the Special, which is **March 23rd** this year.

- Proposed date to vote to open the STM: Monday, March 14th
 - Proposed date to open the STM: Tuesday, March 15th at 8:30 a.m.
 - Proposed date to close the STM: Friday, March 18th at Noon
-
- Proposed date to sign the STM Warrant: Monday, March 21st
 - Proposed date to sign the Ballot: Monday, March 21st

Sandy Robinson

From: peter hughes <phughes41@comcast.net>
Sent: Monday, February 29, 2016 3:50 PM
To: Sandy Robinson; Ann Steidel
Subject: FW: Governance
Attachments: governance.docx

Please agenda for March 7 BOS .

Peter

--

From: Michael MacAskill <michael.d.macaskill@gmail.com>
Date: Sunday, February 28, 2016 at 7:57 PM
To: peter hughes <phughes41@comcast.net>
Subject: Governance

In reading through my notes after Saturdays meeting I discovered I was suppose to get our concept on paper for the Board to approve and have sent to John Georgio for wording and comments. Attached is a word document with the Governance model we discussed at our Tuesday January 19th meeting.

I am sending to you to add to the next agenda for Board vote or for you to send to Chris and John Georgio .

I am also going to cut and paste below a response I got from David Young of CDM Smith in regards to the effluent discharge language for the CWMP.

Hi Michael,

Regarding wording for effluent recharge sites.....there are several places where this issue is addressed in the CWMP.....so per your and BOS guidance we are revising to state all potential effluent recharge sites in East Harwich are still under consideration and will be evaluated by the town when and if the site is needed. During the site screening chapter the other sites recently considered have been added but no site selected. So I have developed a single paragraph but have been incorporating that guidance throughout. Hope that works. Later this week I'll be drafting a revised Executive Summary and will forward that to you for comments (likely early next week).

Regarding Chatham agreement, Chris Clark and I met with Bob Duncanson and their engineer to discuss the agreement/ IMA in general and Bob's request to list maximum day and peak hour flows. I just last Friday got the flow tables Chatham has been suing and will develop those flows for Harwich for the average day flow capacity of 300,000 gpd. Will copy you when I send to Bob. Bob said he would have a draft full IMA to Harwich this week I believe (flows shouldn't hold that up).

Hope this helps.
Dave

Best,

Michael

Structure and Governance

After careful consideration of all recommendations made to the BOS regarding the governance of wastewater, It has been decided that control should remain under the BOS throughout the design and construction phases, and then be turned over in full or in part to the Water Commissioners. This change in governance would take place once the project is complete, and the flow starts to Chatham. The BOS will continue to communicate and work closely with the Water Superintendent and the Water Commissioners throughout the entire project, but control should stay with the BOS until its completion.



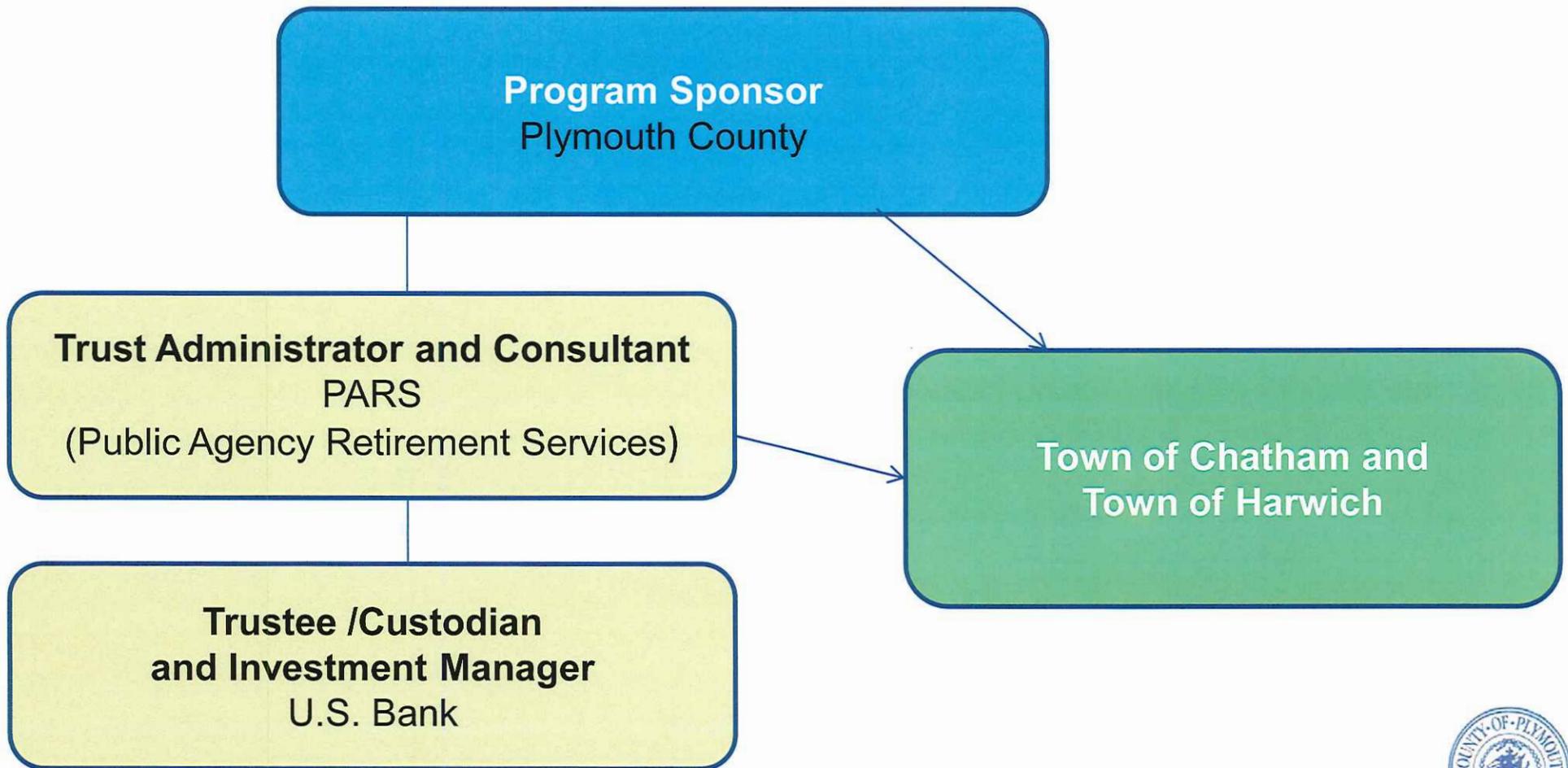
Introduction to the Plymouth County OPEB Trust (PCOT)

Town of Chatham & Town of Harwich

February 29, 2016



WHAT IS PCOT?



WHO IS A MEMBER OF PCOT?

As of January 2016, PARS administers OPEB trust services to over **197 public agency clients** across the nation. PCOT client agencies include:

- ✓ *Plymouth County*
- ✓ *Town of Carver*
- ✓ *Town of Eastham*
- ✓ *Town of Plainville*
- ✓ *Town of Plympton*
- ✓ *Town of Wareham*
- ✓ *Quincy College*

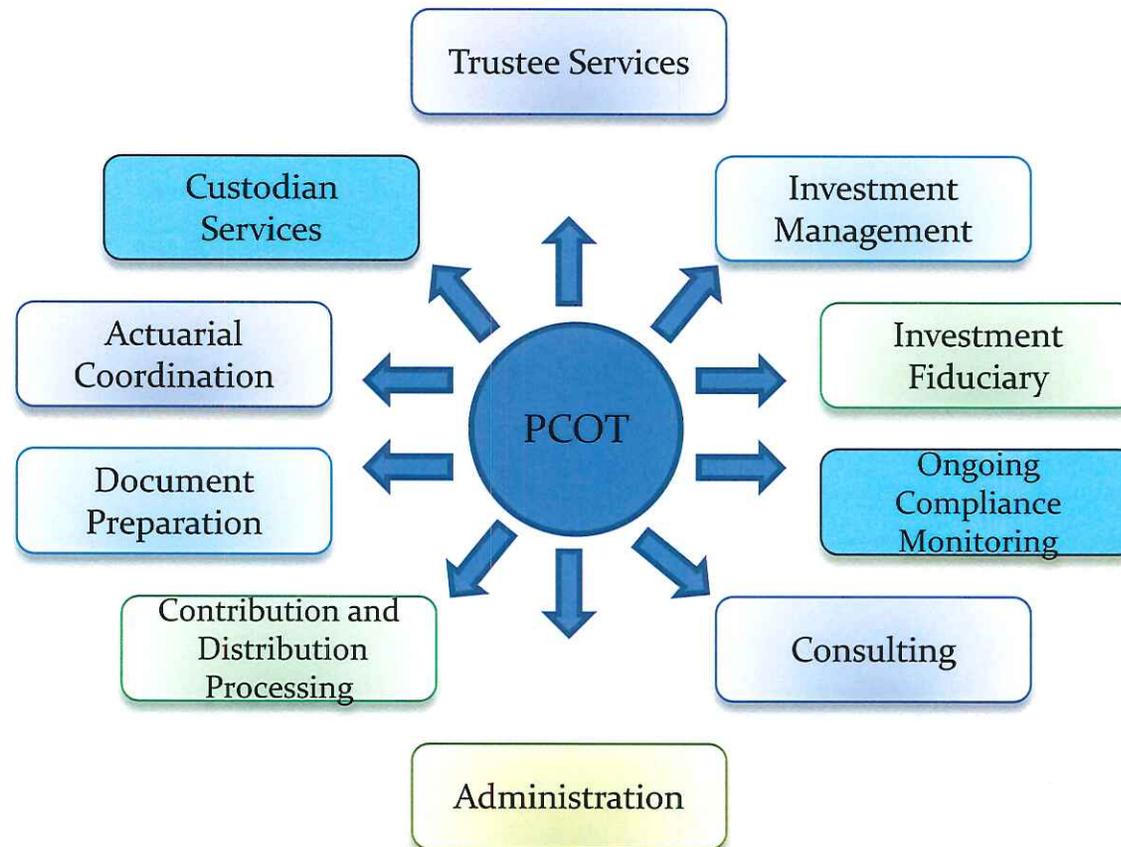


- ✓ *Cape Cod Regional THSD*
- ✓ *Dennis-Yarmouth RSD*
- ✓ *Monomoy RSD*
- ✓ *Whitman-Hanson RSD*
- ✓ *Upper Cape Cod RTVSD*
- ✓ *Cotuit Fire District*
- ✓ *Wareham Fire District*
- ✓ *West Barnstable Fire District*



WHAT DOES PCOT PROVIDE?

PCOT is a "one-stop shop" for OPEB prefunding that includes the following comprehensive services:



HOW IS PCOT SET UP?

The trust program was established to be a legally compliant funding vehicle:

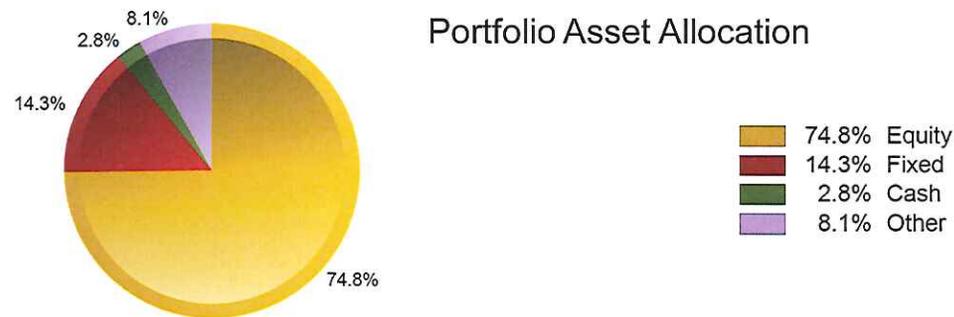
- **GASB 45 compliant** – Under GASB 45, for a contribution to be considered an asset and offset a liability, requirements must be met:
 - Contributions be ***irrevocable***
 - Be for ***retiree healthcare benefits only*** such as medical, dental, vision, etc. (OPEB)
 - ***Not be accessible*** by creditors
- **IRS compliant** – Trust has received an IRS Private Letter Ruling meaning that it complies with the requirements of Section 115 of the Internal Revenue Code; thus participating members can be assured the income earned on the trust is exempt from federal income taxes.
- **MA compliant law** – The trust is compliant with M.G.L. Section 32B 20 and has been vetted by Massachusetts attorneys, Murphy, Hesse, Toomey & Lehane.



HOW ARE FUNDS INVESTED?

Member agencies invest their assets in the customized **PCOT investment pool** which has been designed specifically for OPEB Trust funding:

- U.S. Bank provides active investment management services
- Designed in conjunction with PCOT's investment policy statement (*target equity: 72%, equity range: 60-80%*)



- Member agencies delegate the oversight of investments to PCOT's Investment Committee
- PCOT's Investment Committee works directly with Senior Portfolio Manager from U.S. Bank to select and monitor investment pool
- Assets are pooled for economies of scale but there is no cross sharing of earning or liabilities



WHO IS THE PCOT TRUST ADMINISTRATOR?

PARS (Public Agency Retirement Services)

- **30 years experience** specializing exclusively in governmental retirement plan consulting and administration
- Focus and **experience with all types of local governments**: cities, towns, counties, school districts, and special districts
- Developed **first multiple employer Section 115 OPEB trust program** for use in multiple states -- currently over 190 clients and \$1 billion in assets
- Administers **6** large scale post-retirement health care trust programs
- Administers over **1,400** retirement plans across **9 different states**
- More than **760** client agencies with over **375,000** plan participants
- Approved as OPEB trust administrator for RI Interlocal Risk Management Trust -- available to all public entities in RI



WHO IS THE PCOT TRUSTEE?

U.S. Bank

- Town Treasurer delegates to PCOT custodial and trustee services for its OPEB assets, per M.G.L. 32b 20
- Trustee ensures that trust is administered in accordance with trust agreement
- Trustee must ensure trust operates for the exclusive benefit of retirees, employees, and beneficiaries (much like with pension trust)
- U.S. Bank is a discretionary trustee which serves as an investment fiduciary and manages investment pool
- U.S. Bank, fifth largest bank and one of the highest rated, most stable in nation
- Largest trustee of OPEB assets in country
- Trustee and paying agent for bond proceeds for 80% of MA municipalities



WHY JOIN PCOT?

- **Ready-to-use, simply organized** irrevocable multiple employer trust and investment program
- **No start up costs**
- Significant savings from **economies of scale by joining with other members in** Southeastern Massachusetts
- **IRS-approved** trust that complies with the requirements of Section 115 of the Internal Revenue Code, which assures PCOT members that the trust's income is exempt from federal income taxes
- **Simple, diversified investment approach designed specifically for OPEB pre-funding**
- **“Turn-key” comprehensive services** provided so costs and burdens are not shifted to the Town and its staff
- **Oversight by Plymouth County** in the best interests of public entity members
- **Individualized attention** from a PARS Consultant and Client Services Coordinator



WHY JOIN PCOT?

- ***Streamlined implementation process*** that can be completed quickly
- Regular reporting that includes ***monthly statements and periodic onsite reviews***
- ***No red tape*** to enter or leave the trust in addition to no cost 30 day termination option
- ***Local support*** from Plymouth County and Massachusetts-based service team
- ***Local control*** that allows each member in PCOT to determine its own assumptions, methods, and valuation timing
- ***No minimum contribution*** and no set level or frequency of funding
- ***Signature ready implementation documents*** that have been vetted by Murphy, Hesse, Toomey & Lehane



WHY PRE-FUND WITH PCOT?

- Investing assets can result in a **greater rate of return** which then leads to lower liabilities
- Contributions into the trust are **assets** that offset liabilities on financial statements
- Credit rating companies **look more favorably** on agencies who adopt an irrevocable trust and pre-fund
- GASB 75 **will require liabilities to be on balance sheets** from 2017 onwards (much like GASB 68 with pensions)
- Pre-funding now means **future taxpayers and employees may not bear a disproportionate burden of the costs**
- Assets can be used as a **budget stabilization tool** so that in future years, rising OPEB costs will not impact key public services



WHAT ARE STEPS TO JOIN?

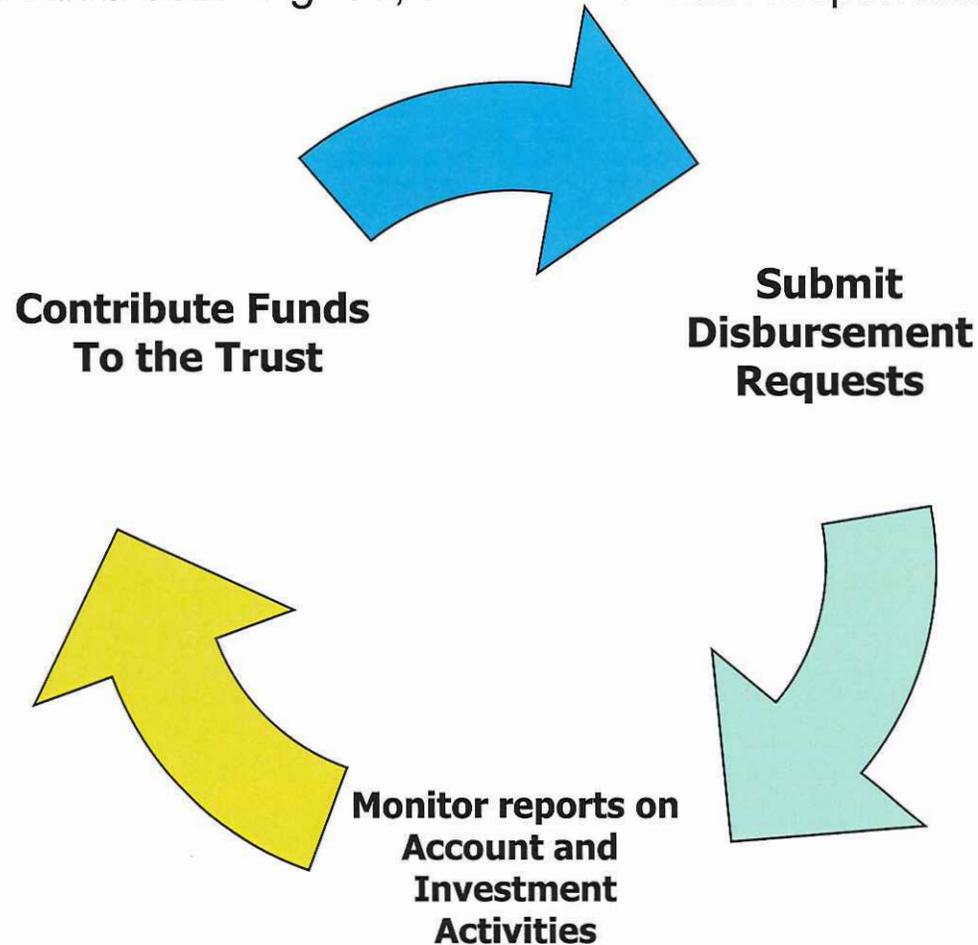
PCOT has been set up for *simple and straightforward* implementation.

- 1 • Trust documents are provided for review
- 2 • The Board of Selectmen formally approves joining the Trust
- 3 • Signature-ready documents are sent to the Town
- 4 • Plan Administrator appointed by the Town signs the required documents
- 5 • The Town's account is set up 48-72 hours after receiving fully executed documents
- 6 • Once ready, the Town can begin funding into the Trust



WHAT IS THE TOWN'S ROLE?

After plan documents have been signed, the Town's main responsibilities are:



WHAT IS THE IMPACT OF PRE-FUNDING?

Town of Harwich Actuarial Results

Valuation: June 30, 2014	Partially Funded Discount Rate: 5.75%	% Change	Pre-funding Discount Rate: 7.50%
Actuarial Accrued Liability	\$42,724,608	↓ 19.55%	\$34,370,006
Actuarial Value of Assets	\$303,073	-	\$303,073
Unfunded Actuarial Accrued Liability (UAAL)	\$42,421,535	↓ 19.69%	\$34,066,933
Annual Required Contribution 2014-15 (ARC)	\$2,818,966	↓ 10.29%	\$2,528,898
Benefit Payments 2014-15	\$1,876,475		\$1,876,475

Rule of Thumb: For every 1% increase in discount rate, liabilities are lowered by about 10-15%.



HOW CAN THE TRUST BE FUNDED?

Put in
anything

Put in
difference
between
ARC and
PAYGO

Put in full
ARC, then
reimburse
PAYGO at
the end of
the year

Put in full
ARC

Something is always better than nothing!



WHAT ARE THE FEES?

OPEB TRUST ADMINISTRATION / CONSULTING FEES

COMPANY NAME	PLAN SET UP FEE	ONGOING
PARS	None	0.20% for assets \$0-\$10 million 0.16% for assets \$10-15 million 0.12% for assets \$15-50 million 0.08% for assets over \$50 million

* PARS does not receive any compensation from the investments or any commissions, back-end loads, or any other forms of compensation

TRUSTEE/INVESTMENT MANAGEMENT FEES

COMPANY NAME	TRUSTEE/CUSTODIAL FEES	INVESTMENT MANAGEMENT FEE
U.S. Bank	Discretionary – waived	0.315% for assets under \$5 million 0.225% for assets \$5-\$10 million 0.18% for assets \$10-\$15 million 0.135% for assets \$15-50 million 0.09% for assets over \$50 million



CONTACTS

- Thomas O'Brien, County Treasurer
 - tobrien@plymouthcounty-ma.org
 - 508-830-9130
- Maureen Toal, Senior Vice President
 - mtoal@pars.org
 - 844-540-OPEB (6732)
- Kathryn Cannie, Senior Consultant
 - kcannie@pars.org
 - 617-549-6555



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Mary Ellen Sowyrda
David A. DeLuca
Donald L. Graham
Andrew J. Waugh
Geoffrey P. Wernuth
Robert S. Mangiaratti
Kathryn M. Murphy
Alisia St. Florian

Doris R. MacKenzie Ehrens
Lorna M. Hebert
Clifford R. Rhodes, Jr.
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Thomas W. Colomb
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Brandon H. Moss
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Kathleen Y. Ciampoli
Brian P. Fox
Lauren C. Galvin
Tami L. Fay
Kier B. Wachterhauser
Sarah A. Catignani

Ann M. O'Neill, Sr. Counsel

Please respond to Quincy

August 20, 2014

Ms. Maureen Toal
Senior Vice President
Public Agency Retirement Services
38 Washington Square
Newport, RI 02840

Re: PARS Section 115 Multiple Employer OPEB Trust in Massachusetts

Dear Ms. Toal:

Public Agency Retirement Services ("PARS") has requested that we provide an opinion with regard to four questions: (1) whether Massachusetts law permits local governmental entities to establish a trust for the purpose of funding so-called "other post-employment benefits" ("OPEB"), (2) if so, whether Massachusetts local governmental entities may utilize the PARS Section 115 Multiple Employer Trust ("PARS Trust") for their OPEB trust assets; (3) whether the documents used by the PARS Trust must be modified for use in Massachusetts; and (4) whether OPEB trusts for Massachusetts local governmental entities are subject to investment restrictions.

FACTS PRESENTED:

The following facts have been presented to us by you and we rely on them in rendering this opinion.

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possible that the indemnification provided for in that section would be interpreted as being in accordance with the indemnification provision of Section 6.4.

Participating employers are also required to sign an Agreement for Administrative Services with PARS. This agreement provides that the applicable law for the agreement will be the law of the state of the employer. The agreement has a confidentiality provision requiring the employer not to disclose information relating to the trust without prior written consent of PARS except as required by applicable law. The indemnification provision requires the employer and PARS to indemnify each other for acts, errors or omissions with respect to the performance of duties under the agreement. There is no limiting "to the extent allowable by applicable law" language in this indemnification provision. The agreement has a 3 year term and may be terminated by either party with 90 days written notice.

DISCUSSION

1. Does Massachusetts law permit local governmental entities to establish a trust for the purposes of funding retiree healthcare or OPEB?

Yes. M.G.L. c. 32B, § 20, is a local option that may be adopted by a "city, town, district [including a regional school district], county or municipal lighting plant."¹ Adopting the local option allows the governmental entity to establish an OPEB trust fund and appropriate monies into the fund. The assets of the fund are to be separated from other assets of the governmental entity and not subject to claims of any creditor of the entity. § 20 provides that the custodian of the fund will be the treasurer of the governmental entity (or a designee of a municipal lighting plant) or the board of trustees of the Massachusetts Health Care Security Trust ("HCST"). The governmental entity has discretion in making this choice, although the HCST trustees have set a minimum of \$250,000 in order to participate in the HCST. The custodian may employ an outside custodial service to hold the assets of the fund.

20(c) provides the process by which different governmental entities may adopt § 20 and establish an OPEB trust:

(c) This section may be accepted in a city having a Plan D or Plan E charter, by vote of the city council; in any other city, by vote of the city council and approval of the mayor; in a town, by vote of the town at a town meeting; in a district, by

¹ M.G.L. c. 32B, § 20 does not apply to educational collaboratives. Collaboratives may establish OPEB trust funds without adopting the local option, by a vote of their Board of Directors. The Massachusetts health Care Security Trust has accepted OPEB funds from educational collaboratives.

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Section 3. (a) A trustee shall invest and manage trust assets as a prudent investor would, considering the purposes, terms, and other circumstances of the trust, including those set forth in subsection (c). In satisfying this standard, the trustee shall exercise reasonable care, skill, and caution.

(b) A trustee's investment and management decisions respecting individual assets shall be considered in the context of the trust portfolio as a part of an overall investment strategy reasonably suited to the trust.

(c) Among circumstances that a trustee shall consider in investing and managing trust assets are such of the following as are relevant to the trust or its beneficiaries:

- (1) general economic conditions;
- (2) the possible effect of inflation or deflation;
- (3) the expected tax consequences of investment decisions or strategies;
- (4) the role that each investment or course of action plays within the overall trust portfolio;
- (5) the expected total return from income and the appreciation of capital;
- (6) other resources of the beneficiaries;
- (7) needs for liquidity, regularity of income, and preservation or appreciation of capital; and
- (8) an asset's special relationship or special value, if any, to the purposes of the trust or to one of the beneficiaries.

(d) A trustee shall make a reasonable effort to verify facts relevant to the investment and management of trust assets.

(e) A trustee may invest in any kind of property or type of investment consistent with the standards of this chapter.

(f) A trustee who has special skills or expertise, or is named trustee in reliance upon the trustee's representation that the trustee has such special skills or expertise, shall have a duty to use such special skills or expertise.

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3. Are modification of the PARS Trust's documents required for use in Massachusetts?³

Having reviewed the PARS Trust Agreement, Adoption Agreement, and Agreement for Administrative Services, it does not appear that Massachusetts law would require modification of the current PARS Trust documents to allow Massachusetts local governmental entities to participate in the PARS Trust. The authorizing statutes, charters or bylaws of the individual governmental entities may, however, include provisions that would require changes before the entity could participate. Such local rules are beyond the scope of this opinion letter. Each local governmental entity should consult with its own legal counsel and advisors to determine if changes to the PARS documents would be required to allow the entity to participate in the PARS Trust.

4. Are Massachusetts OPEB Trusts subject to investment restrictions?

Massachusetts governmental entities which establish OPEB trusts are required to comply with the Chapter 203C Prudent Investor Rule in investing trust assets. This requirement provides greater flexibility in investing OPEB assets than governmental entities have in investing the assets of other types of trusts or other municipal monies. Other types of municipal trusts must comply with M.G.L. c. 44, § 54, which limits the types of investments that can be made. This statute does not appear to apply to the investment of OPEB trust assets. Prior to the adoption of the current § 20, the Massachusetts Department of Revenue has recognized that the Prudent Investor Rule allows local governmental entities to invest more aggressively in order to generate more substantial returns on the investment. In drafting the current § 20, which became effective July 1, 2011, the Legislature specifically provided that OPEB trust investments be invested under the Prudent Investor Rule.

Under the Prudent Investor Rule, there are no restrictions on types of investment as long as they are prudent given the facts and circumstances and consistent with the duty to diversify assets. Under M.G.L. c. 32, § 23, Massachusetts public retirement systems face restrictions on investing in tobacco companies, and certain investments in Northern Ireland and South Africa. Retirement Systems also may not invest directly in mortgages and collateral loans. The HCST is prohibited from investing in tobacco companies by its authorizing statute. (M.G.L. c. 29D, §

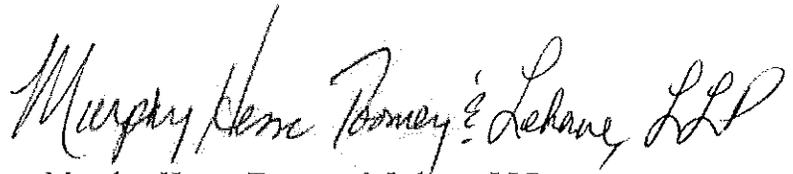
³ These documents were reviewed with a view to whether they were compliant with Massachusetts law and not to whether each provision is in the best interest of the public entity looking to participate in the PARS Trust or whether joining the PARS Trust is prudent for any individual governmental entity. These decisions must be made by the entity considering participation in the PARS Trust.

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charters, bylaws, or ordinances on the ability of local governmental entities or other Massachusetts political subdivisions to join the PARS Trust, nor do we express any opinion with regard to any other state or other governmental entity outside of Massachusetts. Each governmental entity considering joining the PARS Trust should consult with its own legal counsel in deciding whether such participation is allowable. This opinion letter does not opine or offer advice on any other matter, without limitation, this letter does not address any tax, accounting, bankruptcy, or other matters that may be related to the trust.

This opinion letter is provided solely for the benefit of PARS and the PARS Trust and may not be quoted or relied upon by any other person for any reason whatsoever. In drafting this opinion letter, we have relied on the accuracy and completeness of information given to us and representations made to us by PARS and its representatives. This opinion letter is valid only as of the date of this letter. We are under no obligation to advise you of any changes in law or facts that may occur or which may come to our attention after the date of this letter nor is any opinion expressed or to be implied as to the effect of future laws, regulations, administrative or court guidance, rulings or decisions. We offer no opinion on any matter except what is explicitly stated in this letter. Neither this opinion letter nor any extract therefrom nor reference to it may be published or delivered to any person without our express written consent.



Murphy, Hesse, Toomey & Lehane, LLP

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FREE CASH POLICY

The Town must have the ability to react and respond to emergencies. Circumstances ranging from natural disasters to economic downturns can put significant strains on finances. Reserves, including free cash and the stabilization fund, are an important indicator of our readiness to deal with the unexpected. The Board will attempt to maintain total certified free cash and stabilization at no less than 7% - 8% of general fund expenditures, as of June 30 of each year.

Sources of Free Cash

Free cash is certified at end of fiscal year operations, as of June 30, each year. Free cash is generated in many ways, but there are three principal sources. They are 1) the actual local receipts over those estimated when the tax rate is set each year; 2) unused budget and Article appropriations returned to the general fund at year end; and 3) real estate and personal property taxes from a prior fiscal year. Actual local receipts over estimate are the single largest source of free cash. The Board of selectmen shall attempt to maintain a 10%-15% margin between estimated and actual local receipts when developing a revenue plan for each coming year.

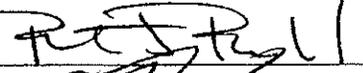
Uses of Free Cash

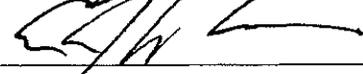
Free cash should only be used for non-recurring expenditures, and is an inappropriate source of funds to support the operating budget of the Town. It is the Town's goal that the total annual appropriation of free cash for non-recurring expenditures should leave a balance, which when added to the stabilization funds will equal 5% of the general fund expenditure. The board should evaluate projected future year local receipts when setting a level for free cash spending each year.

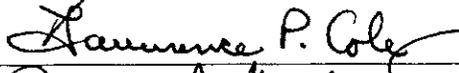
First Reading: October 4, 2005
Second Reading: November 14, 2005
Third Reading: November 21, 2005
Fourth December 5, 2005
Fifth Reading: July 24, 2006

HARWICH BOARD OF SELECTMEN











ADOPTED: July 31, 2006

AMENDED: N/A