

**MINUTES
SELECTMEN'S MEETING
GRIFFIN ROOM, TOWN HALL
MONDAY, MARCH 28, 2016
6:30 P.M.**

APPROVED

SELECTMEN PRESENT: Brown, Cebula, Hughes, LaMantia (via remote participation), MacAskill

OTHERS PRESENT: Town Administrator Christopher Clark, Assistant Town Administrator Charleen Greenhalgh, Chief Norm Clarke, John Rendon, Amy Usowski, Sally Urbano, Anne Howe, Gary Carreiro, Deb DeCosta, Matt Hart, and others.

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

PUBLIC COMMENT/ANNOUNCEMENTS

Chairman Hughes reported that the Board had just come out of Executive Session where they discussed union and non-union strategies and no votes were taken in that session.

WEEKLY BRIEFING

Chairman Hughes reported that all votes would be taken by roll call tonight.

PUBLIC COMMENT/ANNOUNCEMENTS

Ms. Usowski reported that the reef was installed last Wednesday off of Saquatucket Harbor and she discussed fundraising efforts for educational opportunities and the next deployment of materials.

Ms. Urbano said they have received official notification from the Massachusetts Historical Commission that states that the Captains Row area meets the criteria for listing in the National Register of Historic Places.

CONSENT AGENDA

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

- | | | |
|------------------|---------------------------------|---------------|
| 1. Arthur Bodin | Housing Committee | June 30, 2018 |
| 2. Sharon Pfeger | Wastewater Implementation Comm. | June 30, 2018 |

Ms. Cebula moved approval of the March 7, 2016 Regular Meeting minutes. Mr. MacAskill seconded the motion. The motion carried on a roll call vote of 4-0-1 vote with Ms. Brown abstaining from the vote. Ms. Brown moved approval of the Items B through H. Mr. MacAskill seconded the motion and the motion carried unanimously on a roll call vote.

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

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

Ms. Woods-Hartwell outlined the attached presentation on the plastic bag ban. Ms. Brown moved that the proposed date of June 15, 2016 to phase out single use plastic bags remain in effect. Mr. MacAskill seconded the motion. Ms. Cebula asked Ms. Brown to amend her motion so that small businesses won't take a loss on the bags they currently have and we will let them continue to use them until their stock runs out. Ms. Brown suggested that it apply only if a business has more than 500 bags on hand. Chairman Hughes said we can encourage people who want relief on this to come before us. Mr. Clark said we should leave some of this to the judgement of the Police Officers and the Board of Health to use some common sense. Chairman Hughes suggested we just set the date at this time and revisit if we start to have issues. The motion carried unanimously on a roll call vote.

OLD BUSINESS

A. Approve the Contract Agreement between the Town and the Cape Cod Chronicle for Legal Advertising – *discussion & possible vote*

Mr. MacAskill noted that his opposition was that this was a 43% increase and we should consider asking for one year next time. Ms. DeCosta noted that the costs of doing business has gone way up since the last bid they put in three years ago and it is still more than a 70% of a discount for the Town. Ms. Brown moved that we accept the bid from the Cape Cod Chronicle for the three year rates for legal advertising as proposed. Mr. LaMantia seconded the motion and the motion carried unanimously on a roll call vote.

B. Revise Station Two Rehabilitation Committee membership to appoint Chief Clarke as ad hoc member and Richard Waystack as full member as recommended by Chief Clarke – *discussion & possible vote*

Chief Clark stated that a citizen raised a concern that there may be too many firefighters on the committee and there could be a perception that the deck is stacked. He commented that he doesn't see it that way. Chief Clarke noted that he spoke with the individual and said it would be good idea for him (Chief Clarke) to become an ad hoc member and Mr. Waystack become a full member to address the concerns of this citizen. Chairman Hughes asked Mr. MacAskill and Mr. LaMantia if they feel there is a need to interview Mr. Waystack for this. They both responded that they were comfortable with the Chief's recommendation. Ms. Howe stated that she thinks there is some imbalance with the civilians that are on the committee. Chief Clarke responded that he is

available for anyone who wants to come see him or email him with concerns. Ms. Brown stated that all of our committee members are interviewed so if this is going to be a regular committee, it's not going by the same process. Chief Clarke pointed out that because of the scope of the project this was developed as a working group and his recommendation was to move on from working group to committee. Ms. Brown questioned if we should at least go through the process of interviewing them. Chairman Hughes responded that they were all appointed last week except for Mr. Waystack. Ms. Cebula questioned if the meetings will be posted so citizens can attend and Mr. Clark responded that they would. Ms. Cebula moved that we appoint Chief Clarke as an ad hoc member and Richard Waystack as a full member to the Station 2 Rehabilitation Committee. Mr. MacAskill seconded the motion and asked what the mechanism is for Ms. Howe to express her concerns and Chairman Hughes recommended starting with the Interview Committee. The motion carried unanimously on a roll call vote.

C. Route 6 Exit Sign Replacement Letter to MassDOT – *discussion & possible vote*

Mr. MacAskill moved that we approve and sign and send the letter expressing our concern on the Route 6 Exit Sign Replacement Letter to MassDOT. Ms. Brown seconded the motion and the motion carried by unanimously on a roll call vote.

NEW BUSINESS

A. Saquatucket Financing for Waterside Construction Project – *discussion & possible vote*

Mr. Hart discussed Article 16, Reconstruction of Saquatucket Harbor Marina, as well as the Harbor's contribution to free cash and beach nourishment. He further discussed the two ways to finance this and noted that with the self-funding option everybody wins and it doesn't cost the taxpayers anything. He requested that we look at a way to make this proposal self-funded and added that this option was voted unanimously by the Waterways Committee. Mr. Clark stated that by accepting the proposal as presented, we would have to find \$200,000 somewhere else in the budget that is currently used for other items. He explained that he put together a proposal based on the Saquatucket and Wychmere models. He noted that we were able to fund Wychmere in total out of the Waterways Improvement and Maintenance Fund and we were able to fund one third of the Saquatucket design from mooring fees. He noted that he and Mr. Rendon discussed where we would get the additional funds that we could put toward this additional debt that the Town would incur and under the plan that was submitted, the Board can go to the taxpayers and say that 75% of the project will be funded from the Waterways Fund. He stated that the Board needs to vote to put the debt exclusion on the ballot tonight and if we take as much as we can out of mooring and waterways fees to offset this and by doing a general obligation bond, that gives us the flexibility to accomplish this. He noted that the proposal includes the concept of level debt payments and if you do the traditional declining debt than the total overall repayment plus interest is \$300,000 less over the 20 year cycle. He explained that this means that the first year it would be a 43% offset year and by year 8 it would be 76% and eventually goes even higher. He noted that there are positives to doing the declining debt and also he can see the logic in doing the level debt service. He stated that he thinks a debt exclusion is necessary to give us the flexibility to be able to cover this if the revenues don't materialize the way we would like. He said the Board needs to decide between declining debt or level debt and commented that he could live with either choice. Mr. Hart said that the committee has some issues with some of the numbers and they want to meet

with Mr. Clark and Mr. Gould. Mr. LaMantia stated that if we go with the declining debt method the taxpayers spend \$450,000 more in the first 8 years then the level funding and the Harbor can't really cover that. He said we should spread it out and have the Harbor cover as much as they can. He added that there are some policy issues that we need to get on the agenda. It was discussed that there be a one page explanation for the taxpayers from both the Waterways Committee and the Board of Selectmen.

B. Annual Election Ballot – *discussion & vote to approve and sign*

The Board agreed to focus on the version of the ballot without the Chatham IMA. Ms. Cebula moved to adopt the Annual Election Ballot that excludes the IMA, has 2 ballot questions and the non-binding question. Mr. MacAskill seconded the motion and the motion carried unanimously on a roll call vote.

C. Special Town Meeting Warrant – *discussion & vote to approve and sign*

Ms. Cebula moved that we include in the Special Town Meeting and we sign this warrant for Articles 1, 2, 3 and 4 as listed. Mr. MacAskill seconded the motion and the motion carried unanimously on a roll call vote.

D. Chatham/Harwich Wastewater Inter-Municipal Agreement – *discussion & possible vote*

Chairman Hughes noted that there is no update on the agreement and it needs a lot of work. He suggested the subcommittee go back to Chatham and tell them we are still interested in doing this, we need more detail and look forward to further discussions. The Board was in agreement with Chairman Hughes.

E. Town Administrator Performance Review Process – *discussion & possible vote*

Chairman Hughes stated that the Town Administrator's evaluation is due in April and suggested the Board use the same form as last year. He asked the Town Administrator to provide an update on where he is with his goals. He asked the Board to submit their input by April 15 and noted that Mr. LaMantia would be collecting and consolidating the information. He said he would have it in the Board's packet for the last Monday in April.

TOWN ADMINISTRATOR'S REPORT

A. Update on Warrant One-Liners

Mr. Clark outlined votes from Finance Committee. No action was taken by the Board.

SELECTMEN'S REPORT

A. April 7, 2016 Wastewater Summit

Chairman Hughes announced that there will be a Wastewater Summit at the Community Center on April 7, 2016.

ADJOURNMENT

Chairman Hughes adjourned the meeting at 8:16 p.m.

Respectfully submitted,

Ann Steidel
Recording Secretary



The Commonwealth of Massachusetts
William Francis Galvin, Secretary of the Commonwealth
Massachusetts Historical Commission

March 24, 2016

Greg Winston
Harwich Historical Commission
732 Main Street
Harwich, MA 02645

Re: National Register of Historic Places

Dear Mr. Winston:

Staff at the Massachusetts Historical Commission have reviewed materials that have been submitted pertaining to the potential eligibility of the West Harwich area for the National Register of Historic Places. Based upon these submissions, and a site visit conducted on March 3, 2016, it is MHC's opinion that the section of Route 28 between the Herring River west to the Chase Library area meets the criteria for listing in the National Register, fulfilling Criteria A and C for its historic and architectural significance. Final boundaries remain to be determined, and side streets may also prove to be eligible upon the submission of more information.

Route 28 in West Harwich is primarily a collection of 18th and 19th century houses, many of which are associated with Harwich's maritime history, its early agricultural history, and its development into a summer residence colony. Although there are several noncontributing properties concentrated in the middle of the half-mile long district, there is a sufficient amount of Greek Revival, Italianate, and Queen Anne houses to create a valid district. The West Harwich Baptist Church and cemetery, West Harwich School, and Ocean Hall/Junior Theater on Division Street are public buildings that should be included. The Chase Library has already been listed individually, but could also be included in a West Harwich district. The period of significance for the district would likely extend from the date of the earliest standing structure to the 50-year cutoff for National Register purposes. At least one motel within this Route 28 corridor could potentially fall within this period and thus contribute to the district's significance. The Pine Grove Cemetery is sufficiently removed from the district so as not to be feasible to include; it is possible that it may be eligible for individual listing.

There are several side streets running off of Route 28 that appear to include houses that would likely contribute to a larger district, one that would augment the linear Route 28 district currently approved. These include certain houses along Bell's Neck Road and Mansion Street to the north, and Belmont Road, Riverside Drive, and Silver Street to the south. Additionally there are potential houses along Willow Street between Silver and Belmont that might also be included. Documentation in the form of inventory (B) forms (including dates, 2016 photos, building descriptions, and historic information) would need to be submitted to MHC in order for us to evaluate these properties. Although you may proceed with a nomination for a district centered only on Route 28, we strongly encourage that additional survey work be

220 Morrissey Boulevard, Boston, Massachusetts 02125

(617) 727-8470 • Fax: (617) 727-5128

www.sec.state.ma.us/mhc

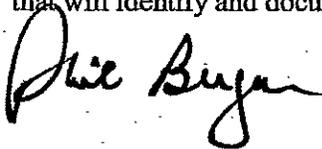
undertaken so that a larger, more complete, district could be prepared. The additional forms would be added to the Inventory for the Historic and Archaeological Assets of the Commonwealth and would be available online through MHC's MACRIS database. Other areas of West Harwich, to the south, might be considered in the future, likely as a separate district.

We are impressed with the work that has already been accomplished by West Harwich residents using modern techniques and media, as well as having group meetings. Your YouTube travelogue, using drone coverage, is a first for us!

A National Register nomination based upon the Route 28 linear district could commence; however, we strongly recommend that B forms for historic properties on the side streets, described above, be completed and forwarded to MHC for evaluation, so that a more thorough district nomination could be prepared. MHC also suggests that a public informational meeting be held in Harwich at which a MHC staff member could present information about the National Register so that property owners are informed about the process. Given that many owners are summer residents, it would be advantageous to hold it then.

MHC also strongly suggests that a preservation consultant with National Register experience be engaged to research and write the actual nomination. We have found that such nominations take less time to prepare, and consultants are better attuned to what constitutes a successful nomination. West Harwich has a number of residents who would be well equipped to assist in the research and writing.

I appreciate the hospitality shown me on my recent visit, and hope that a successful nomination can result that will identify and document this interesting Cape Cod area.



Philip Bergen
Preservation Planner

cc: Jeanne Steiner, Eileen Brady, Harwich Historical Commission
Sarah Korjeff, Cape Cod Commission
✓ Sally and Lou Urbano, 152 Riverside Drive

SAQ Harbor Funding

Although the following comments are being made using specific information relating to the planned activities at SAQ, I view the issue being examined as a significant policy situation. A situation that may require a change in one BOS policy [the holding of 10% of fee revenues to determine if planned amount will be achieved] and the automatic pay back of loans with a significant focus on paying back a major amount quickly rather than the even paybacks used, for example, in home loans. FYI Chris has indicated that paying back on an "even" basis has been allowed for towns from approximately 2010. This approach may significantly benefit the Town's taxpayers and help to achieve the BOS goal of having departments that have an opportunity to generate significant funds through fees to cover many or all of their expenses.

A. BOS vote versus Town Meeting Vote

In addition, we probably need to discuss, the situation where the BOS votes for a specific source of funds for use in debt service but that source is not presented at Town Meeting in either the article or motion made for that article. Thus, it is not voted on by Town Meeting. Does following the vote of the BOS violate the Town Charter? I bring this up because if the vote of the BOS does not have to be enforced there are additional funds available from harbor fees to pay for the rebuilding of SAQ harbor. Also, we can now use this method to simplify funding articles the BOS brings to Town meeting.

If you refer to the first page of Chris's March 24th letter contained in the drop box, you will learn that before the May 2015 Town Meeting all information about a significant share of harbor fee money to be used to repay the debt was removed from the article at the direction of the Town's attorney. Later it was not included in the motion at the meeting. FYI this information had been included in other harbor articles for which harbor funds are now being used to pay down this debt. Also you will learn that in April, the BOS had voted that the harbor should pay its share.

If the money taken out of harbor revenue can be used to help cover the debt for the harbor reconstruction, it will be a help in reducing the taxes that will be required. The simple question is does the BOS vote supersede what was voted at Town meeting.

B Debt Service Heavy up Front versus "Even"

The comparison of the two different methods that can be used to repay the debt is interesting and all comes down to the concept of the net present value of money. Net present value is a difficult concept to understand unless you look at the payment method for winners of state lotteries. If you win \$1,000,000, you can collect the whole million if you get paid over 20 years. If you want the money now, you get about half...because the current money is more valuable than that from 20 years from now. Chris has indicated that the Town would pay \$300,000 more if we payed evenly over 20 years, he did not indicate that the Town would have to pay \$450,000 more over the first 8 years. The Town's taxpayers would be substantially better off paying of the debt slowly over the 20 year period. In addition, the Harbor's through their fees could pay a greater percentage of the total costs. Further the docks will be available for use over the 20 year [and hopefully longer] time period. If we spread out the costs, more and different taxpayers would get a chance to support this project. Current taxpayers

would get a break. We need to examine the pay back approach used for each loan we generate and set a policy of what is most beneficial to the taxpayers rather than the companies/people making the loans.

C The setting aside of 10 % of the fee estimate

A number of years go the BOS established a sound policy of setting aside an amount of money[[like 10%] of anticipated fee collections. This was done as a measure to protect the Town from various issues if the total amount of the anticipated fees were not raised. It is an excellent policy. However, a single change of policy change may be needed. Currently, the sum of money put aside either becomes free cash or is used to cover overages towards the end of the year. I would propose that the money that is generated as part of "10 %" be placed in an account for the individual department/committee generating the funds to be used towards paying off capital projects. The BOS would have to vote on this transfer only if there was a need to cover overages. Otherwise, the funds would transfer automatically.

Unfortunately, I currently do not have access to the state's regulations in this area but, I bet that there would be a method to allow this to happen.

2016 SEASONAL LIQUOR LICENSE RENEWALS

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

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

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

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

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

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

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

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

March 28, 2016

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

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

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

2016 SEASONAL GENERAL LICENSE RENEWALS

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

Barnaby Inn
36 Route 28, West Harwich
Lodging House

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

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

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

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

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

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

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

Noise level not to exceed licensed premises.

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

Common Victualler

Lodging House

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

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

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

Common Victualler

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

Common Victualler

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

Common Victualler

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

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

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

Innholder

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

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

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

Common Victualler

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

Common Victualler

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

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

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

Miniature Golf

March 28, 2016

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

PRM Foods, Inc. d/b/a Harwich Port Dairy Queen

441 Main St., Harwich Port

Common Victualler

Trampoline Center, Inc. d/b/a Trampoline Center

296 Route 28, West Harwich

Sunday Entertainment – *9:00 a.m. – 12:00 a.m.*

Trampolines

Grey Gull

547 Route 28, Harwich Port

Lodging House

Scribano's Inc.

d/b/a Scribano's Italian Market & Deli

302 Route 28, Harwich Port

Common Victualler

Sea Street Productions

d/b/a Salt Block Food Truck

31 Sea St., Harwich Port

Weekday Entertainment

Recorded or live music

10:30 a.m. – 12:00 a.m.

Hawkers & Peddlers

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

DRAFT
HARWICH SINGLE-USE PLASTIC BAG PROHIBITION SUMMARY

PURPOSE AND INTENT

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

DEFINITIONS

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

USE REGULATIONS

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

ADMINISTRATION AND ENFORCEMENT

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

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

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

WHAT THE BAG BAN DOES NOT DO

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

HARWICH IS A LEADER!

WHAT OTHER MASSACHUSETTS TOWNS HAVE PLASTIC BAG BANS?

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

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

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

EXISTING POLYSTYRENE BANS

Amherst
Brookline
Great Barrington
Marblehead
Somerville
Nantucket
Pittsfield
South Hadley
Williamstown

DRAFT/INTERNAL
Timeline and Opportunities

January 2016

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

February 2016

Develop Presentation & Training Workshop for Volunteers:

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

March 2016

Meet with Key Officials & Leaders:

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

Implement Presentations:

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

Schedule and Start PR:

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

April 2016

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

May 2016 & June 2016

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

Related Documents - 3/28/16 BOS Meeting

- 01 Agenda.pdf
- 02 Minutes March 7, 2016.pdf
- 03 Wychmere Restroom Contract.pdf
- 04 Gas & Diesel Contract.pdf
- 05 Seasonal General License Renewals.pdf
- 06 Seasonal Liquor License Renewals.pdf
- 07 Gift to Youth Services.pdf
- 08 Letter of Support for Nantucket.pdf
- 09 Committee Appointments.pdf
- 10 Plastic Bag Ban.pdf
- 11 Legal Advertising.pdf
- 12 Station 2 Committee.pdf
- 13 Route 6 MassDOT Letter.pdf
- 14 Saquatucket Financing 1.pdf
- 15 Saquatucket Financing 2.pdf
- 16 Annual Election Ballot with IMA.pdf
- 17 Annual Election Ballot without IMA.pdf
- 18 STM Warrant.pdf
- 19 Wastewater IMA.pdf
- 20 TA Performance Review Form.pdf
- 21 One Liners.pdf
- 22 Wastewater Summit.pdf