

SELECTMEN’S MEETING AGENDA*

*Griffin Room, Town Hall
732 Main Street, Harwich, MA
Executive Session 6:15 P.M.
Regular Meeting 6:30 P.M.
Monday, May 15, 2017*

I. CALL TO ORDER

II. EXECUTIVE SESSION - Pursuant to MGL c.30A, §21(2) to conduct strategy sessions in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions or contract negotiations with non-union personnel – Fire Chief contract

III. PLEDGE OF ALLEGIANCE

IV. WEEKLY BRIEFING

V. PUBLIC COMMENT/ANNOUNCEMENTS

VI. CONSENT AGENDA

- A. Approve Minutes
 - 1. April 24, 2017 Regular Session
 - 2. April 24, 2017 Executive Session
- B. Vote to remove William Griswold from Community Center Facilities Committee due to lack of attendance
- C. Accept gifts to the Council on Aging Gift Account totaling \$390.00
- D. Approve appointment of Robert Aron to the Council on Aging for a term to expire June 30, 2020
- E. Accept resignation of Jeremy Gingras from Wastewater Implementation Committee, Brooks Academy Museum and Saquatucket Harbor Development Committee

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

- A. VisiGov presentation – Harwich 2.0

VIII. OLD BUSINESS

- A. Town Administrator’s Performance Evaluation
- B. Action Item Register

IX. NEW BUSINESS

- A. Fire Chief contract extension
- B. Joint meeting of Board of Selectmen and Housing Authority to consider appointment of Robert MacCready to the Housing Authority – discussion & possible vote
- C. Round Cove funding scrivener’s error – Town Meeting follow-up
- D. Marijuana next steps
- E. Follow-up on letter of support to Senator Cyr and Representative Peake regarding Saquatucket Landside Grant

X. TOWN ADMINISTRATOR’S REPORT

- A. Public Notice – U.S. Army Corps of Engineers – Responses by June 2, 2017
- B. Brooks Library Painting – Rebid Process
- C. Tax Lien Auction – Advertisement May 18, 2017 / Auction June 6, 2017
- D. Letter from Earl Beardsley regarding use of Harwich Middle School

XI. SELECTMEN’S REPORT

XII. ADJOURNMENT

**Per the Attorney General’s Office: The Board of Selectmen may hold an open session for topics not reasonably anticipated by the Chair 48 hours in advance of the meeting following “New Business.” If you are deaf or hard of hearing or a person with a disability who requires an accommodation contact the Selectmen’s Office at 508-430-7513.*

Authorized Posting Officer:

Posted by: _____
Town Clerk

Ann Steidel, Admin. Secretary

Date: _____
May 11, 2017

**MINUTES
SELECTMEN'S MEETING
GRIFFIN ROOM, TOWN HALL
MONDAY, APRIL 24, 2017
6:30 P.M.**

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

OTHERS PRESENT: Town Administrator Christopher Clark, Assistant Town Administrator Charleen Greenhalgh, Deputy Chief David LeBlanc, Aly Sabatino, Amy Usowski, Chris Joyce, Cyndi Williams, Barbara Hageman, Audrey Greenway, Richard Waystack, Bob Thomas, Craig Chadwick, Linda Cebula, and others.

Chairman MacAskill called the meeting to order at 6:30 p.m. He reported that the Board had just come out of Executive Session where they discussed the HMEA Union contract and potential litigation for Beach Road and no action was taken.

WEEKLY BRIEFING

Ms. Joyce reported that the Voter Information Committee is hosting a debate of the Selectmen candidates on May 9th at 1:00 p.m. which will be moderated by the League of Women Voters.

Ms. Goodwin reported that Channel 18 will be broadcasting informational pieces relating to Town Meeting articles this week.

Ms. Hageman provided a document entitled "WIC Project Financial Impact on Households" and discussed concerns that financing options for hook ups have not been addressed. She asked for a preliminary financing project plan as quickly as possible. Chairman MacAskill stated that this has already been brought forward by two Selectmen and the Town Administrator is working on it.

Ms. Williams outlined upcoming Chamber of Commerce events.

Deputy Chief LeBlanc and Lt. Tyldesley reported on the department's response to a house fire on Standish Woods Circle and noted that as a result they are receiving a Compassionate Fire Department Award from PETA for rescuing the family dog.

Ms. Greenway of 69 Lovers Lane discussed the ongoing issues at the farm at 35 Chatham Road including environmental concerns particularly regarding the manure pile which is going directly into the bog. Mr. Clark responded that he sent a letter to the Farm Bureau that they are in violation of local Conservation Commission rules and regulations and the Department of Environmental Protection is aware of it. He noted that they were issued a stop work permit. He added that he asked all enforcement agencies to look at the issues including the Building Department and Board of Health and a lot of enforcement action is being taken.

Mr. Chadwick, representing the Harwich Fire Station 2 Committee, reported that the committee is hosting an open house this Saturday from 10:00 to 12:00 noon and they will be available to answer questions and conceptual plans will be displayed.

Chairman MacAskill took the Wastewater Financing item out of order (see Town Administrator Report). Mr. Clark outlined the legal opinion from Mr. Giorgio (see attached). He stated that once the design is done we can hone in on what the costs will be. The Board took comments from Ms. Hageman and Mr. Thomas.

CONSENT AGENDA

- A. Approve Minutes
 - 1. April 3, 2017 Regular Session
- B. Approve Chapter 90 Project request for guardrail replacement
- C. Authorize Town Administrator as signatory on Chapter 90 contract documents
- D. Approve 2017 Junk Dealer License renewals
- E. Approve HMEA Union Contract
- F. Approve Memorandum of Understanding with Elder Services of Cape Cod
- G. Approve application for Common Victualler License for Ten Yen
- H. Accept resignation of Amy Harris from Housing Committee

Ms. Kavanagh moved approval of the Consent Agenda with the exception of Item E. Mr. Hughes seconded the motion and the motion carried by a unanimous vote.

OLD BUSINESS

- A. Potential disbanding of Architectural Advisory Committee

Ms. Brown moved to disband the Architectural Advisory Committee until further notice. Ms. Kavanagh seconded the motion. Ms. Brown stated that the Committee was created by Town Meeting on October 2, 1984. Mr. Clark stated that if it was created by the Board then the Board has the authority to dissolve it but if it was created by Town Meeting then Town Meeting would have to dissolve it. He stated that the Board can take the step of ruling that it is inert and not in operation until the paperwork can be done to nullify that article. He said he would get a legal opinion. The motion carried by a 4-1 vote with Mr. LaMantia in opposition as he questioned if the Committee had been notified.

- B. Agricultural Commission – discussion

Chairman MacAskill reported that Mr. Hemeon and Mr. Coulson responded that they want to remain on the Agricultural Commission but the other members didn't respond. Mr. Hughes moved to remove 4 members that didn't reply to the March 17, 2017 letter and post vacancies for 4 members of the Agricultural Commission. Mr. LaMantia seconded the motion and the motion carried by a unanimous vote.

- C. Future use of Albro House and failed CPC article (*Action Item Register #16-047*)

Ms. Kavanagh said we should find out what the need is, if there is somewhere else we can house these people and then possibly sell the building. Mr. Clark stated that there was a request for just over \$18,000 to put on handicapped accessibility and we are doing that now. He added that we put in an application to CPC this year for \$12,000 to do a comprehensive review to see what the needs are but the application was turned down. Mr. Hughes said we lost an opportunity to use it as a Wastewater Information Center and added that he thought putting the Town Engineer over there made sense. Ms.

Brown said the building is in disrepair and we should sell it as it is going to cost more than it brings in but she does understand the need for the Youth Counselor to have a private place for her counseling. Mr. LaMantia said this is another one of our buildings that we have no use for and are trying to invent a use for. He said if we have a real use then we should fix it and if not we should get rid of it.

Mr. Clark stated that there are other potential funding resources other than CPC if the Board wants him to pursue them. Chairman MacAskill said they should approach the Finance Committee and see if we can find the money someplace and decide where we can put the Youth Counselor. There was discussion about the need to use a Land Use Attorney to re-designate the lot lines. Mr. LaMantia said the Planning Board can deal with that. Mr. Clark stressed that the Youth Counselor should be in a place where kids feel comfortable coming to her.

Mr. Waystack questioned the cost of what the \$12,000 inspection entails. Mr. Clark stated that it definitely includes structural and comprehensive review. Mr. Waystack stated that there are other inspectors who charge far less and said he would be happy to assist in putting names together of qualified inspectors who could do a comprehensive review, as could Mr. Thomas. Chairman MacAskill asked Mr. Clark to explore this and bring it back. Mr. LaMantia added that they should look into how much we can get for the building.

D. Old Recreation Building discussion of lease and related costs (*Action Item Register #16-047*)

Chairman MacAskill stated that he was surprised to find a lease that dates out to 2034. He asked for a financial picture including how much we receive in rent, insurance costs, etc. Mr. Clark stated that there is a list of items that the landlord was expected to do and we need to see if they have been completed. Chairman MacAskill questioned if there were articles with any funding and he noted that there was a housing component to build on an adjacent lot and he asked Mr. Clark to look into this. Ms. Brown pointed out that the 2nd floor was to be handicapped accessible. Ms. Kavanagh questioned if we have anyone reviewing the secondary rent and Mr. Clark said he would check with Accounting. Chairman MacAskill said they would bring this item back.

NEW BUSINESS

A. Authorize Chair to sign letter of support and approve the Open Space and Recreation Plan

Ms. Sabatino and Ms. Usowski outlined their memo to the Board of April 19, 2017 regarding the Open Space and Recreation Plan Summary (attached). Mr. Hughes moved to approve the Town of Harwich Open Space and Recreation Plan as presented to us and authorize the Chair to sign. Mr. LaMantia seconded the motion and the motion carried by a unanimous vote.

B. Renewal of Mutual Cooperation Agreement with Barnstable County HOME Consortium

Chairman MacAskill asked if any Board member objects to the renewal. Ms. Greenhalgh described the work of the Consortium. There were no objections and no action was taken.

C. Stabilization Fund balance and investment status

Mr. Clark stated that we had about \$1.1 million in the Stabilization Fund and had approved to transfer at last year's Town Meeting another \$1.7 million for a total of \$2.8 million. He stated that he found

out that the Accountant had to make a journal entry at the same time as the Treasurer so the transfer into the Stabilization Fund would be acknowledged by both departments. He said that generally happens on June 30th and we were getting 1/10 % interest and you can get over 1% if actively managed and that should have occurred earlier. He said he met with the Treasurer and Accountant and made it known to them.

D. Using a portion of solar field revenue for OPEB (*Action Item Register #16-021*)

Mr. Clark reported that we currently commit \$100,000 a year into funding OPEB and this is not a sufficient amount. He noted that we committed to using solar revenues for salaries. He said we would need to discuss if we are not going to use it as a General Fund offset for salary and shift it to funding the OPEB obligation. He said we need to head towards funding it at \$300,000 a year. He said the balance is now \$757,000 and it has been actively managed. Mr. Hughes pointed out that our unfunded OPEB obligation is \$42,421,535 and we have less than \$1,000,000 and it is important since we have solar as a source of revenue. Chairman MacAskill stated that identified funding sources would be helpful for a AAA rating and asked if we can look at the percentage of this money and bring it forward. Mr. Clark stated that understanding the liability and designing a plan to meet that liability is what they want to see. He noted that he didn't know of any communities that have fully funded their OPEB. He stated that there will be a newer report coming out and he will check on the status.

TOWN ADMINISTRATOR'S REPORT

A. Senior tax break legislation status

Mr. Clark reported that we had submitted the request for this special legislation and Representative Peake has reported that it has not yet been scheduled for a hearing and once that happens we can submit testimony.

B. Well water sampling results for chemicals used by NStar vegetation control

Mr. Clark noted that testing was done for the 3 known chemicals for herbicides in December 2014 and nothing was detected. He recommended not testing again until Nstar does extensive spraying again.

C. Letter of commendation to employees

Mr. Clark reported that letters of appreciation were received for Carolyn Carey, Shelagh Delaney, Jay Briggs, and Heinz Proft.

D. Resignation of Town Clerk's office employee

Mr. Clark reported that Kate Gaudet of the Town Clerk's office submitted her letter of resignation and is in the process of retirement. He thanked her for her efforts in the Town Clerk's office.

E. Wastewater Financing for taxpayers

This item was addressed under Weekly Briefing.

Mr. Clark acknowledged that he received a request from the Friends of the Council on Aging. He explained that they established a trust document for building improvements and in order to change the charge to allow for program support of the Council on Aging, the Board would have to initiate their support. Mr. Brown of the Council on Aging noted that they have voted this unanimously and that the Attorney General has assented to their proposal. Chairman MacAskill said they will put this on the Pre-Town Meeting agenda.

ADJOURNMENT

Chairman MacAskill adjourned the meeting at 8:24 p.m.

Respectfully submitted,

Ann Steidel
Recording Secretary



May 4, 2017

Mr. William Griswold
40 Hillcrest Drive
West Harwich, MA 02671

Dear Mr. Griswold:

It has been brought to the Board of Selectmen's attention that as an appointed member of the *Community Center Facilities Committee*, you have not been attending meetings of the committee. According to the Harwich Home Rule Charter, more than four unexcused absences from committee meetings is just cause for terminating a membership.

The Board of Selectmen gives much thought to the appointment of persons to committees. In terms of appointment, the Board of Selectmen takes into consideration the volunteer's contribution to the committee, as well as the changing needs of the committee and of the town.

In light of your absences without notification, the Board will be taking up this matter at their May 15th public meeting. If we do not hear from you before that time, we will have no alternative but to terminate your membership to the Community Center Facilities Committee.

Sincerely,

Michael D. MacAskill, Chairman

Peter S. Hughes, Vice Chair

Julie E. Kavanagh, Clerk

Angelo S. La Mantia

Jannel M. Brown

HARWICH BOARD OF SELECTMEN

CC: Town Clerk



February 6, 2017

Dear Bill Griswold,

I am writing to check in with you regarding your participation as a member of the Harwich Community Center Facilities Committee.

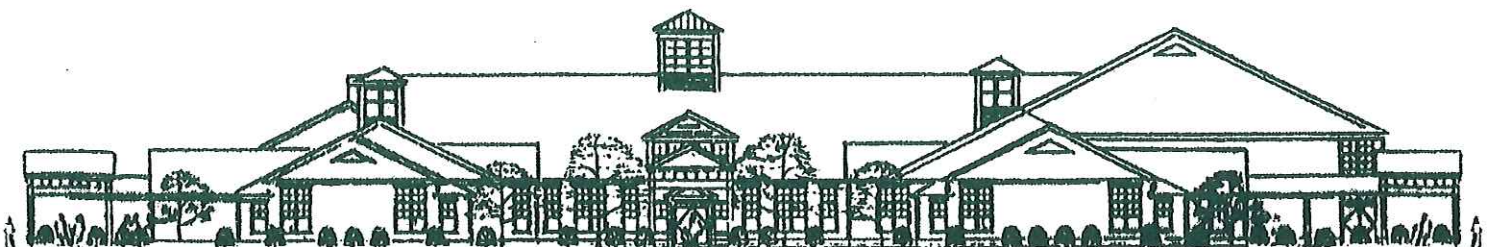
Our records indicate that you have not attended one of the monthly meetings of the Facilities Committee since February 2016. Further, I am aware that since that time, you have changed jobs and have had to deal with some medical concerns.

Given these circumstances, I am inquiring about your future involvement with the Community Center Facilities Committee. Please let me know your intentions for further participation whether you choose to continue as a member or to resign your position.

I look forward to hearing back from you.

Sincerely,

Lee Culver, Chairman
Community Center Facilities Committee





April 25, 2017

Dear Board of Selectmen:

I am writing with regards to Community Center Facilities Committee member William Griswold. Mr. Griswold is a current member of the Committee and holds an appointment that is set to expire in June 2019.

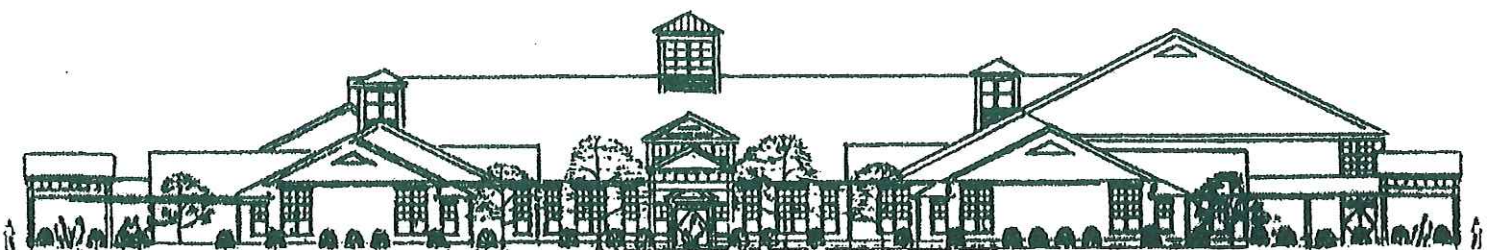
Though he is a member of the Committee, he has not attended a meeting since February 2016, despite being informed about meeting dates and times. On February 6, 2017, Committee Chairman Lee Culver sent a letter to Mr. Griswold inquiring about his absence and his intentions for future involvement with the Committee. Mr. Griswold never responded to this letter.

Because of Mr. Griswold's lack of Committee involvement and communication, we are respectfully requesting that the Board of Selectmen post the open Committee position to be filled in Mr. Griswold's absence. It would greatly benefit Community Center operations to have a full Facilities Committee with active and engaged members.

If you have any questions or concerns about this request, please let us know. We appreciate your consideration.

Sincerely,

Community Center Facilities Committee





**Harwich
Council on Aging**
100 Oak Street, Harwich, MA 02645

Council 508-430-7550
Outreach 508-430-7551



May 5, 2017

Board of Selectmen
Chairman
732 Main Street
Harwich, MA 02645

Dear Chairman;

Please accept as gifts to the Council on Aging Gift Account #14085004 donations totaling \$390.00 deposited with the Town Treasurer. All thank you notes have been sent.

Sincerely,

Barbara-Anne Foley
Harwich COA Director



MEMO

TO: Board of Selectmen

FROM: Jannell Brown
Selectmen's Interview/Nomination Committee

RE: Appointment Recommendation

DATE: May 15, 2017

I would like to recommend to the Board the following appointment:

1. Vote to appoint Dr. Robert Aron to the Council on Aging for a three-year term to expire on June 30, 2020. Dr. Aron was interviewed on March 20, 2017.

Anita Doucette

From: Jeremy Gingras <jeremy.gingras@yahoo.com>
Sent: Tuesday, May 09, 2017 3:29 PM
To: Sandy Robinson
Cc: Anita Doucette; mmacaskill@town.harwich.ma.us
Subject: Committee Resignations

May 9, 2017

Hello Sandy, Anita and Michael,

Effective immediately, please accept my resignation for the Wastewater Implementation Committee, Brooks Academy Museum Commission and Saquatucket Harbor Development Committee. It was a joy serving on these committees, however I know find it difficult to find the time to attend them. I look forward to serving on committees in the future should my schedule permit it.

Thank you.

Sincerely,

Jeremy A. Gingras



OFFICE OF THE TOWN ADMINISTRATOR

Phone (508) 430-7513


Fax (508) 432-5039

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

732 MAIN STREET, HARWICH, MA



MEMO

TO: Board of Selectmen 

FROM: Christopher Clark, Town Administrator

RE: Evaluation

DATE: May 8, 2017

I believe that FY 17 has been an exceptionally productive year for me as the Town Administrator. I have prepared this overview of the year that is consistent, in general, with the goals of the Board of Selectmen and achievements in other areas that were not anticipated. I have initially highlighted a few of the challenges that emerged during this fiscal year that were not necessarily specifically included in the goals and objectives to be achieved but were nonetheless important elements to a successful year.

Recruitment and the transition of new Finance Director: This is the second year out of the last three that I have been asked to develop the Capital and Operating Budget when the position of the Finance Director has been in transition. Two years ago the incumbent retired, the assistant who was filling in departed days before Town Meeting started and then Andy Gould started just before Town Meeting. This year we had the departure of Andy Gould in February, the recruitment of an interim (Dave Withrow) and then the hiring of Carol Coppola. In both instances, I acted as not only the developer of the Capital and Operating Budgets but I also had to be sure that the Sources and Uses were balanced going into and out of Town Meeting. I will freely admit that this has significantly increased the complexity of my job by not only doing my portion but working in both cases with three different people. Our overall financial picture has continued to improve.

Health Insurance is a very significant element of our operations. My role on the Cape Cod Municipal Health Group has gone beyond just managing our Health Insurance program. I have been leading the effort in my position on the Steering Committee to start to put into place a review of the so called Cadillac Tax and the successful adoption by the group of the new option to the municipal market place of a High Deductible Plan. One only needs to review the minutes to see the leading role I have taken in this important effort to manage our Health Care costs. I am very proud of the fact that 6 of the 8 Unions voluntarily agreed to the plan implementation.

Goal 1: Financial Leadership/Development of the FY 2018 Budget

The Capital Budget balancing and coordination continues to be one of my primary focal points. I believe that the Summary and Applicable Charts help to show the plan in a clear and understandable way. The system utilized is one that I brought to Harwich and revised during my time. The Operating Budget as

present by Administration was clearly in line with the Goals of the Board of Selectmen. The Operating Budget process that includes identifying of Enhancement of Services was designed as a forward looking tool to give the Board of Selectmen insight into the operational needs of the organization. Once again approximately one million dollar in cuts are made from requests and for the fourth consecutive budget we are within the limits of Proposition 2 ½ for operations. Careful financial management is attempted to always be used even under challenging conditions as identified above. Having the ability to work with six different Finance Directors successfully, I believe is an indication of my ability to communicate and lead the organization from a fiscal management perspective.

Goal 2: Communicate and Conduct Town Government Business in an Efficient, Effective and Transparent Way

I have also worked very hard to make subtle but effective ways to communicate organizational initiatives. This year alone, I incorporated more maps into Warrant and explanations to be able to explain actions contemplated in the Warrant. Town Meeting also is provided with the motions on a screen with images of presentations or sites. The last two years, Town Meeting has been completed in two nights. Not everyone may know, but I coordinate the motions myself and work closely with both Town and Bond Counsel to navigate the Town Meeting through some fairly complex items. I believe that I have been very effective in helping to organize Town Meeting.

I also personally took over the coordination of the Accela implementation and resolved several operational issues to bring the system online, not only internally but to the residents of the community. Like other towns on the Cape that use Accela, it is a rolling implementation.

Goal #3: Infrastructure Improvements

During FY 17, I have worked very closely with the SAQ Landside Improvement project where we attempted to maximize the money that was previously programmed into our capital budget at \$3 million dollars. The SAQ Development Committee did outstanding work towards this end. I participated at strategic times to help provide direction. I participated in the very difficult meeting where we learned that we could not afford the Harbormasters Office, Maintenance Facility, full Restaurant and Ticket Office. Recommendations were made to bring the costs within the approved Capital Plan by eliminating the Ticket Office and downsizing the restaurant operation. This project was favorably voted by Town Meeting.

Goal #4: Comprehensive Wastewater Management Plan

Numerous people were involved in this project. I believe that my contributions include the concept of presenting the plan to Town Meeting in its entirety as Phase 2 and working with both Town and Bond Counsel to insure the wording of the article and the ballot question. Dave Young and I were very active participants in the IMA Negotiations with Chatham and the initial discussions with Dennis and Yarmouth. I was directly involved in sending a letter and subsequent discussions with the Commissioner of Environmental Protection regarding the Phase 2 Plan. I also created the initial financial plan for funding the full program that was later supplemented by our Financial Advisor. I participated in numerous public meetings and televised information programs or spots to help to inform the community. I worked closely with the press outlining our program and with the School Superintendent to reach all members of our community as to the importance of a clean environment.

Goal #5: Planning and Economic Development

One of the objectives under this goal area was to develop plans on how to use, sell or lease various town properties. I believe this objective is a multi-year objective. Since my arrival I have been informed as to how difficult it is to sell off town property that is no longer appropriate or in fully active use. I created the concept of utilizing revenue that could be generated from 203 Bank St. to fund the SAQ landside project. This concept was included into the Annual Town Meeting Warrant and acting as the primary presenter was favorably voted by Town Meeting to sell this property. I believe that this was a fairly significant accomplishment in light of the atmosphere that was prevalent three and half years ago. The Middle School conversion to a cultural center has, I believe, also been a very positive initial success. The concept of creating the reuse as a cultural center was initiated by myself in a memorandum to the Board of Selectmen based upon previous experiences. The implementation of this plan has definitely been a solid team effort with the Facility Maintenance Director and the Community Center Director playing key roles in making this a success to date. Additional work needs to be done in alternative concepts designed for the three other properties.

Goal #6: Quality of Life and Public Safety

One of the key objectives under this goal is the support for the Fire Station #2 renovation project. Throughout this project I have provided strategic assistance when needed. I worked closely with the Fire Chief to initially create a Fire Station #2 working group that explored regionalization and worked on concepts for improvements to the station. This group then transformed into a Board of Selectmen's formal committee. The committee, in order to meet its charge, needed some professional construction advice. As a member of the Cape Cod technical high school building committee, I had an opportunity to meet the gentlemen who was clerk of the works for several projects in the town of Dennis. I introduced him to the group and was able to hire him for very minimal dollars due to his public service interest and his semi-retired state. His efforts were instrumental in formulating construction concepts to move the project forward. He acted as a critical resource to the committee. This project was also favorably received by town meeting.

Overall, I believe that my performance during FY 2017 has not only met the ambitious expectations but has in many ways exceeded those expectations. Pursuant to my employment contract, I would request that I receive an above satisfactory performance rating and thus warrant a cost-of-living increase that would commence on July 1, 2017. I would also ask for Board consideration relevant to this year's evaluation that was going to be reconsidered just prior to budget season. I would like for the Board to give some consideration to some retroactive elements for the existing fiscal year. I recognize that agreement was not reached on the goals and objectives laid out, but as you can see many of them were seriously tackled. I also understand that some of this was self-inflicted by my being considered by other towns for their administrative positions. As I have always indicated, I have strong affinity for this organization, workforce and community and seek only treated in a fair and equitable manner.

I will be submitting my request to extend my existing contract that expires on June 30 2018. Longevity in this position is a benefit to both of us.

Michael D. MacAskill, Chairman

Harwich Board of Selectmen



Fiscal 2017 started with residual turmoil from Fiscal 2016, due to ongoing tension between the Board of Selectmen and the Town Administrator. Mr. Clark was given a non-satisfactory performance evaluation and subsequently, did not receive a merit based pay increase. In an effort to better define the Board's Goals and Objectives, I created a system where the Actions and Deliverables expected by the Board were clear. This attempt to come to an agreed upon format of expectations was not well received by the Town Administrator and ultimately, led to no "mutually agreed on Goals and Objectives". Unfortunately, the breakdown in communication and collaboration turned into another contentious issue and negative headline for the Town.

The Board decided to place their Goals and Objectives in our newly established Action Item Register and track them through that weekly and transparent process. Despite the fact that the Town Administrator did not support the Board's Goals and Objectives, Mr. Clark, and through his leadership, has completed the majority of them and is well on the way to completing the rest. Overall, I am very satisfied with the Town Administrator's performance on the Board's Goals and Objectives. It would be preferable moving forward to have Goals and Objectives that the Board and Mr. Clark have created and agreed upon together. The Town of Harwich's form of government establishes the Board of Selectmen as the policy and decision making entity with the Town Administrator and his staff working as the administrative arm of the Board.

- **Capital Plan + FY18 Budget**

The Town Administrator did an excellent job preparing the Capital Plan and the FY18 Budget. The compiled documents were very informative and well presented. Both the Town Administrator and the Board need to work on the process and timeline for budget review as we move forward into fiscally challenging times.

- **Wastewater Negotiations**

The Town Administrator showed great leadership skills in Wastewater Negotiations with the Town of Chatham and good leadership in initial discussions with the Towns of Dennis & Yarmouth for a tri-town septic treatment facility in Dennis.

- **Healthcare Plan and Cost**

The Town Administrator should be commended for his efforts to keep the Town's Healthcare cost increase to a minimum and in the offering of an optional plan to union and non-union staff.

- **Town Meeting Preparation and Education**

The Town Administrator and his administrative staff did an outstanding job preparing for the Annual Town Meeting. All materials were presented on time and easy to follow. The

articles and motions flowed smoothly and the backup educational material displayed in slideshow was of great help to our residents.

- **Union and Labor Contracts**

Mr. Clark has consistently shown strong Union and Labor negotiating skills and adheres to the Board's guidelines for sustainable increases. The majority of the Unions seem to be comfortable and open in negotiating with the Town Administrator.

- **Day to Day Operations**

Mr. Clark seems to have a good working relationship with most Department Heads and staff. Though the Board understands that there are many meetings which require the Administrator to be out of the office, it is very important to the Board that either the Town Administrator or the Assistant Town Administrator be available in the office to both residents and town employees and to resolve issues that may come up on a daily basis. The many personal days that the Town Administrator was not in the office due to interviewing for other positions was of grave concern and consternation to the Board.

Additionally, timeliness and attention to detail are of critical importance. I would like to see a written weekly report of activities within the Town and Department submitted to the Board as part of the weekly packet.

- **Communication**

Overall the Town Administrator's communication with the Board was much better in the latter half of the year. Emails were responded to on a timelier basis and most were answered completely and informatively. The information flow was clearer and more detailed. The Town Administrator still needs some improvement in this area, but I do believe the Board as a whole needs to outline what it expects from him as an Administrator. It is my opinion that the Mr. Clark has earned an above satisfactory review and should receive his merit increase for FY18. I would, however like to make it clear that my performance evaluation is not to be tied to a new contract. The Town Administrator has used the press in the past to vet his issues with performance evaluations and future contract concerns; this is very unproductive and places the Town's image in a negative light. However, with this satisfactory performance evaluation, it is more likely that the potential of a new contract can exist. In considering this issue, the total performance over the course of the last contract must be factored in a fair and measured way.

Town Administrator Evaluation

Chris Clark ("TA") has provided the BOS with extensive information relating to the town budget and various departmental budgets. On occasion, when the BOS requested additional information the TA provided the information in a timely manner. The TA's knowledge on health insurance costs were helpful in addressing health care cost increases and the impact on the budget. The TA has also worked diligently on the IMA and has regularly reported to the BOS on items related to wastewater. The TA also worked with various unions to negotiate new contracts and increases that appear manageable for the town, based on current financial information. The TA has also implemented financial policies with the goal of obtaining a AAA bond rating. To date this remains on track but may be impacted by borrowing items to be determined by the voters this May.

Since implementation, the Action Item Register has been helpful in maintaining a list of open items to be addressed by the TA and the BOS. Specifically, the TA has completed the following; provisions for a balanced budget (Goal 1) and provided revenue reports and details of revenue resources to the BOS (Goal 1B - Transparency in Town Finances). Although the information was extremely helpful it may be worthwhile for TA to review all department budgets in their entirety with the BOS to brainstorm and determine if there are other opportunities to consolidate or refine certain functions of departments. The TA has worked with Carolyn to successfully rent rooms at the Middle School, create a budget and anticipate additional services that will be needed if the Middle School rentals continue to increase. Additional properties have been, or are currently being examined so that the value and use is determined in the near future. (Goal 5 - Planning & Economic Development). Further review of the Albro House is needed and the option to obtain a special permit to increase the value of the Bank Street Fire Station should be reviewed. The TA has also submitted the project information form for the Rt. 28 Reconstruction Project. Accela and the Housing plan provided last December are goals that are pending since Accela remains a work in progress and we continue to struggle with how to develop additional affordable housing for the elderly, workforce and low income families.

Since elected last May, I have seen improvement in Chris' communication with the BOS. Chris, has worked diligently to provide information the BOS seeks and/or request clarification or additional detail. He has revised priorities when instructed by the BOS and has been able to make progress on various issues noted above. I support a 2% pay increase but would also request Chris to confirm his commitment to the town of Harwich. I think that the BOS' willingness to provide a satisfactory review along with an increase illustrates our commitment to work with the TA.

TOWN ADMINISTRATOR REVIEW

BY JANNELL BROWN

APRIL 2017

FY2017 saw some procedural changes in the Board of Selectmen's Goals and Objectives. With a new approach outlining both short term and long term goals via clearly defined deliverables, it was necessary and right to also include an Action Item List (spreadsheet) in our weekly agenda, which could be updated as needed. My suggestion is that the Board and Administrator continue to utilize this process of clearly outlining expectations for themselves and the public.

Christopher Clark, Town Administrator (TA) is the subject of this review. Mr. Clark realized much success in FY2017, in my opinion. His ability to adjust to the new system of detailed Goals and Objectives presented by the BOS, though unsettling at first, has proven itself. With proper delegation as well as personal attention to detail, not only have many short term goals been met, but also long term ones. For those goals which are ongoing, Mr. Clark has made steady progress and is keeping the Board up to date via the weekly agendas. However, it is my opinion that going forward Mr. Clark begin a practice of weekly Friday emails to the Board to keep us up to date on the goings on of the week. This email should be an outline of the week's highlights with detail included as needed.

While it was disappointing to have had Mr. Clark apply for a number of TA jobs in other organizations during FY17, it was ultimately a relief when he decided to stop that and assure the Board that his commitment to Harwich is tantamount and that he intends to retire from our organization no sooner than 10 years from now. This newfound commitment surely is what we as a Board, and the public, are looking for in a Town Administrator.

Mr. Clark's ability to balance our Town budget is worth noting. He has been diligent in delivering a balanced budget since his employment with Harwich and has once again been able to deliver a FY2018 balanced budget. Unfortunately, looking ahead at the next five years' expected expenses, the Town is facing a lot. Mr. Clark seems ready to find creative ways to manage these expenses, including reorganizing the Community Development Department. Going forward, I would like to see much effort being made to find ways for the Town to increase its revenue stream without raising taxes, so that the upcoming necessary expenses are absorbed.

In the realm of Human Resources, while I am unable to be involved with day to day activity of Town employees, it seems to me that relationships between the Town Administrator and Department Heads are positive. Mr. Clark seems to be well liked and Department Heads seem to be able to work independently toward their own goals. Going forward, I would like to see more communication with the Board by the TA as to the monthly goings on of each department. This could be obtained via the weekly Friday email or as a supplemental outline each week featuring a different department.

All in all I am very satisfied with Mr. Clark's efforts this year and it is my recommendation that he be awarded his 2% COLA raise effective July 1, 2017.

Performance Evaluation: Chris Clark

The evaluation for the period ending 3/5/17 is based on achievement of goals and objectives that were established for Town's business year that ends on 6/30/2017. As of today, it has been indicated in Action Items Report that the bulk of his goals have been achieved. In addition, the several that have not as of yet been achieved are being worked on and will most probably also be completed.

It should be noted that Chris participated with Peter Hughes and me in working on the key project with Chatham on waste water issues. As of today, the Chatham Selectmen have agreed to an IMA that was developed by the two towns. During the IMA development period, Chris displayed his excellent ability to work with the Chatham Town Manager and also the Chatham Selectmen involved with this project. He also worked positively with the Town's Attorney and also the project engineer in the writing of the IMA. These actions truly demonstrated his abilities in accomplishing difficult projects while working with others in a positive manner.

Based on his achievements to date, I believe that his performance should be classified, at least, as satisfactory or even possibly excellent. He should be offered a salary increase consistent with Town goals. In addition, I recommend his contract be reviewed to determine what time extension should be offered.

TA Performance Review Thoughts

May 3, 2017

As I look back on FY 17 and the performance of the Town Administrator I offer the following:

Strengths

1. Chris has excellent financial knowledge and skills. I believe the board needs to refine / better define/ clarify its financial goals & objectives as regards the preparation of the annual operating budget and push the TA to comply or at least provide an analysis of why not . If we tell the TA “ live within 2-1/2 “ he will explain what it takes.
2. Chris works effectively with town boards / committees as well as civic groups. He is a good representative of the town within our community.
3. TA works effectively with administrative staff which includes assistant TA and clerks.
4. Chris has excellent experience with the “workings” of town government. He understands the system and how to accomplish things within the constraints of the system.
5. I commend the TA and staff for very good preparation of the annual town meeting warrant and the operating budget.
6. Labor negotiating skills & results are positive .
7. Chris is to be commended for his efforts to monitor and seek improvements / cost containment as regards the cost of employee health care.
8. I believe Chris has a favorable image in the town.
9. The BOS developed a list of goals & objectives for the TA for FY17 and I believe he worked diligently and effectively to complete the vast majority of these items in a favorable manner. If any of our goals & objectives were insufficient or lacking in clarity / depth that is the board’s shortcoming, not Chris’ .

Challenging Issues

1. TA has a tendency to get out ahead of the BOS on some matters. Suggest that concepts and ideas be brought to the board early in the process to eliminate wasted efforts if and when things are derailed.
2. On occasion I sense a lack of confidence in dealing with the board.
3. TA emails can be grammatically challenging. It is embarrassing for an email to be circulated prior to reviewing it for simple grammatical errors. Suggest the TA review all of his emails prior to hitting the “send” button .
4. The level of trust between the TA and the board needs to be improved .
5. I have no experience with this topic but I have heard the comment “ Where is the Town Administrator ?” . I hear he arrives late for staff meetings on a regular basis. Need to make sure that the TA’s schedule / whereabouts are clearly available to remove any doubt about TA’s availability or time on task.

Both the Board & TA have been working with a cloud over their heads. Chris has experienced unfavorable performance evaluations with no merit based salary improvements which have prompted him to explore other opportunities. The board has had to endure the uncertainty of a Town Administrator who out of necessity has interviewed for several open positions elsewhere.

Now the TA says he wants to stay in Harwich and his performance / actions in FY17 have so indicated. I suggest the board give Chris a favorable evaluation plus a 2-1/2% salary adjustment effective July 1, 2017. Furthermore I suggest the TA's contract be extended for a minimum of 2 years .

If the board is still in limbo regarding Chris' performance I recommend the BOS take the actions necessary to complete his current contract and move on to a different solution immediately. The constant stress / strain between the TA / BOS is very visible in this community. The relationship needs to head in a new direction for the benefit of Harwich , not any of us as individuals.

Peter

HARWICH BOS/TA ACTION ITEMS REPORT 05/10/17 New Updates highlighted in YELLOW

Item Number	Action Item	Criticality (1, 2 or 3)	Lead Responsibility	Date Assigned	Due Date	Status	Comments
16-001	Disability Access to Brook Park Bandstand			7/11/2016		Referred to Recreation for inclusion in the next phase of Brooks Park Improvements.	No funding available at this time to cover cost of ramp.
16-002	Lighting at Brook Park Bandstand/Parking		TA, ATA, Town Eng., Rec. Dir.	7/11/2016		Spoke with Town Engineer. Came up with concept for 2 lights in keeping with the Historic Dist. Cost \$2500/ea. Status Complete	No funding available at this time to cover costs of lights. Path behind ballfield fence is not formal to make more accessible & add lighting would require a fence along the bank, t-base walkway 5' wide, electricity, etc.
16-003	West Harwich Plume		TA, ATA, Health Dir.	7/11/2016		Paula completed review week of August 15; meeting with Chair, TA and Asst. TA on 8/24/16. Paula made presentation to the BoS on 9/26/16 - Status Complete	Paula Champagne asked to research all applicable reports and to report back her findings/recommendations/plan.
16-004	Committees: Vacancies; Charge Updates: Members being Sworn-in.		Selectmen	7/25/2016		On-going	
16-005	Track Additional Costs at Middle School		Selectman LaMantia, TA	7/25/2016		On-going	Set-up special tracking accountant.
16-006	Embers: Outside Bar Status		ATA	8/8/2016		Completed 8/10/16- Status Complete	Consulted Licensing Secretary; Building Comm; Health Agent. Mr. Nickerson contacted.
16-007	Dedicated Turn Signal North on Rte 124 at Queen Anne Road		DPW Director	8/8/2016		Completed 8/10/16- Status Complete	DPW Director contacted consulting Engineer. The trip counts do not warrant a dedicated signal. Mr. Nickerson Contacted.
16-008	Perk - Public Hearing for Entertainment License potential violation(s)		TA; Licensing Secretary	8/22/2016		Hearing to be scheduled for 9/19/16 - Status Complete	
16-009	Waterways - Slip Regulations		TA; Harbormaster; Waterways Committee	10/17/2016		Status Complete	TA discussed with Harbormaster, no changes recommended.
16-010	Entertainment Licenses (Rte 28 HP) - Public Hearing for uniform hours		TA	10/17/2016		Public Hearing Schedule for November 14, 2016 - Status Complete -- Licensees (Rte 28 HP) to be notified	Advertising and posting on Website completed. Licensees to be notified.
Goal 1. Financial Leadership and Stability - Provide financial leadership and stability to all Town departments and Town sanctioned boards and committees. (Primary responsibility is with TA although the Finance Team, Capital Outlay Committee and the Finance Committee provide significant input)							
Objective A: Develop FY2018 budget within the limits of Proposition 2 1/2 that minimizes the use of capital exclusions.							
16-011	G1-A(1) Provide Seven Year Capital Plan, 2018-2024		TA	7/25/2016		Status Complete	
16-012	G1-A(2) Report: Estimated Free Cash		Town Accountant	7/25/2016		Status Complete	
16-013	G1-A(3) Report: FY2018 TA Budget Message		TA	7/25/2016		Status Complete	
16-014	G1-A(4) Provide Initial Budget & additional updates as needed		TA	7/25/2016		Status Complete	Initial Budget presented 2/13/17. Budget hearing held Sat. March 4th. Updates will be made as needed.
Objective B: Provide transparency in town finances.							
16-015	G1-B(1) Provide quarterly expense & revenue reports for each Town department.		Town Accountant & TA	7/25/2016		Status Complete - Provided Monthly	
16-016	G1-B(2) Provide revenue sources & expenses for each department.		Town Accountant & TA	7/25/2016		Status Complete - Provided Monthly	
16-017	G1-B(3) Further implement the visual software package to better inform the taxpayers where their tax dollar is being spent.		Town Accountant & TA & Selectmen	7/25/2016		To be launched shortly.	Waiting for update of software
16-018	Examine 1-3 years of auditors' reports & document how Finance Dept. has resolved auditor's suggestions/recommendations.		Town Accountant & TA	7/25/2016		Pending	

HARWICH BOS/TA ACTION ITEMS REPORT 05/10/17 New Updates highlighted in YELLOW

Item Number	Action Item	Criticality (1, 2 or 3)	Lead Responsibility	Date Assigned	Due Date	Status	Comments
16-035	G2-C(3) Evaluate improvements to Griffin Room audio reception, recording & broadcasting.		Brown, IT, TA, Cable	7/25/2016		On-going; Ms. Goodwin has made many updates to the system; improvements continue.	Studio changes underway. Griffin Room video/audio pending.
16-036	G2-C(4) Develop agreement for classroom use at MRHS & Harwich Elementary (fee/no fee) for Town-sanctioned groups meetings.		Brown, BoS	7/25/2016		On-going	
Goal 3: Infrastructure - Work with and support the design, construction and renovation activities of the Harbormaster, Department of Public Works, Board of Water Commissioners, Library and other departments conducting major projects							
16-037	G3 Objective A: Support and report periodically on the water side rebuilding project at Saquatucket Harbor.		MacAskill, TA, Harbor	7/25/2016		Status Complete	Mr. Rendon has provided updates. Awaiting ACOE Review/Sign-off.
16-038	G3 Objective B: Support and report on the land side design project		Harbor & Conservation	7/25/2016		Status Complete	Mr. Rendon has provided updates.
16-039	G3 Objective C: Investigate renovation project proposed for Lower County Road.		Hughes, TA, DPW, Highway & Engineering	7/25/2016		Pending	Staff will be asked to provide update.
16-040	G3 Objective D: Determine appropriate distribution of CVEC energy savings		MacAskill, TA, BoS	7/25/2016		Status Complete	Agreement reached.
Goal 4: Natural Resources - Continue to implement the Comprehensive Wastewater Management Plan							
Objective A: Wastewater planning and implementation							
16-041	G4-A(1) Attempt to finalize IMA negotiations with Chatham BOS		Hughes, LaMantia, TA	7/25/2016		Staff has completed in responsibilities.	
16-042	G4-A(2) Convene preliminary discussions with Dennis & Yarmouth		Hughes, LaMantia, TA	7/25/2016		Status Complete	Initial Meeting held, discussions continuing; meeting scheduled for March 8th.
16-043	G4-A(3) Document results of Muddy Creek projects & support Cold Brook mitigation planning & implementation		Hughes, LaMantia, TA	7/25/2016		On-going	Muddy Creek; results pending.
16-044	G4-A(4) Continue ongoing pollution mitigation efforts & implementation of new technologies.		Hughes, LaMantia, TA	7/25/2016		On-going	Cold Brook and Muddy Creek.
Objective B: Wastewater Education and Outreach							
16-045	G4-B(1) Using available information develop guidelines for environmentally-appropriate fertilization of lawns & gardens		BoS, TA, WIC, IT, Nat'l Resources, Health/Conservation	7/25/2016		On-going	Assigned to Health & Conservation. State regulations may take precedents.
16-046	G4-B(2) Plan & implement wastewater education program for residents & nonresidents to explain the need for the project, the process & next activities planned		BoS, TA, WIC, IT, Nat'l Resources, CDM Smith	7/25/2016		Status Complete	12-page brochure completed.
Goal 5: Planning and Economic Development - Actively participate in development of housing, business, transportation and historic and cultural enhancements. Establish working relationships with officials of nearby towns, Barnstable County, State and Federal agencies, as appropriate.							
Objective A: Investigate improved utilization, sale or lease of several properties in Town.							
16-047	G5-A(1) Develop plans on how to use, sell or lease: • Albro House • Bank Street Fire Station • Old Recreation Building • West Harwich Schoolhouse • Harwich Middle School.		TA	7/25/2016		<ul style="list-style-type: none"> • Albro House - Funding denied by CPC for Bldg Assessment; Looking at other options • Bank Street Fire Station - Appraisal, Pre-21E and Risk Assessment Completed. Draft RFP to BoS upon approval at Ballot (conservation preference). • Old Recreation Building - Lease with Theater Co; Building Maintenance Manager is review building status. • West Harwich Schoolhouse - RFP Completed - No viable response received; staff to meet to discuss/review other options. • Harwich Middle School - 2 year plan implemented 	

HARWICH BOS/TA ACTION ITEMS REPORT 05/10/17 New Updates highlighted in YELLOW

Item Number	Action Item	Criticality (1, 2 or 3)	Lead Responsibility	Date Assigned	Due Date	Status	Comments
Objective B: Create and maintain a strong business and job growth environment							
16-050	G5-B(1) Explore creation of an economic development committee		Brown, MacAskill, BoS	7/25/2016		Initial discussions with chamber have happened. Will further this discussion.	
16-051	G5-B(2) Create & maintain positive Town & business relationships		Brown, MacAskill, BoS	7/25/2016			TA meets monthly with Chamber Director.
16-052	G5-B(3) Assist Town departments & Town sanctioned groups with grants & pursue funding opportunities in support of town priorities & policy goals		Brown, MacAskill, BoS	7/25/2016			
16-053	G5-B(4) Develop educational program agreements with MRSD & CCTech whereby special projects can be conducted coincident with major capital projects in Town		Brown, MacAskill, BoS	7/25/2016		Ongoing. Started with Wastewater with Monomoy	
16-054	G5-B(5) Investigate novel ideas to promote Harwich & attract tourists, such as painting/decorating fire hydrants		Brown, MacAskill, BoS, TA, Chamber	7/25/2016			
16-055	G5-B(6) Explore affordable & senior housing options where the Town may retain the property		Brown, MacAskill, BoS	7/25/2016			
16-056	G5-B(6)(a) Memorandum #1: TA shall outline a plan to identify proven & novel approaches to develop Affordable housing in Harwich.		Brown, MacAskill, BoS	7/25/2016		Status Complete- The Housing production plan as noted is a document to help the town but we need to think beyond this and be creative with land.	Although no memo, the Housing Production Plan is completed, which includes various options/recommendations for creating affordable housing.
Goal 6: Quality of Life and Public Safety - Develop and support programs that improve quality of life for Harwich residents and visitors. (Public Safety Departments have the primary responsibility for progress and accomplishments. TA has coordination, support and reporting responsibility)							
Objective A: Provide high quality, cost-effective public safety services to residents and visitors.							
16-057	G6-A(1) Assess public safety signage throughout the Town for adequacy & consistency		Kavanagh, TA, Highway	7/25/2016		On-going	See #16-060
16-058	G6-A(2) Investigate options, including increased police surveillance, low cost, automatic speed detection systems, raised crosswalks or speed bumps to lower vehicle speed on town streets.		Kavanagh, TA, Highway, CCC	7/25/2016		On-going	See #16-060
16-059	G6-A(2)(a) Memorandum #1: Define near-term options that could be implemented in 30 days or less		Kavanagh, TA, Highway, CCC	7/25/2016		On-going	See #16-060
16-060	G6-A(2)(b) Memorandum #2: Identify steps & resources needed to develop a comprehensive safety improvement plan for Harwich		Kavanagh, TA	7/25/2016			
Objective B: Support the Fire Station #2 Renovation Project.							
16-061	G6-B(1) Apply Town resources (Planning, Engineering, etc.) to support conduct & documentation of needs assessment, preliminary design & alternatives development, cost estimation & preparation of periodic presentations & open meetings & final recommendations to the Selectmen & Town voters		Brown, TA, Station 2 Comm.	7/25/2016		Status Complete: Station 2 Committee made presentation to BoS on 1/17/17.	



Harwich Fire Department



Fire Suppression

Prevention

Emergency Services

Norman M. Clarke Jr., Chief of Department

David J. LeBlanc, Deputy Fire Chief

April 27, 2017

Chairman Michael MacAskill
Harwich Board of Selectmen
732 Main Street
Harwich, Ma. 02645



Mr. Chairman, my Labor Agreement with the town is a three year contract dated July 1, 2015 to July 1, 2018. I am formally requesting a two year contract extension on my present contract as printed with one consideration. I am requesting another week of vacation going from five weeks to six weeks. Starting my 40th year on the department, I feel the additional week is warranted. With my vacation, there is no financial impact to the budget and in fact I rarely leave the area when on vacation and routinely respond to emergencies while on vacation. If the extension is granted, it would go through 7/1/20.

Respectfully;

Chief Norman M. Clarke Jr.

cc: Chris Clark, Administrator

Employment Agreement
between
Norman M. Clarke, Jr., Fire Chief
and
The Town of Harwich, Massachusetts

This Agreement is made and entered into on this **16th** day of **March, 2015** by and between the Town of Harwich (“Town”) a municipal corporation, acting through its Board of Selectmen (the “Board”), and Norman M. Clarke, Jr. the Fire Chief (“Chief”), both of whom agree to and understand the following:

WHEREAS, the Town desires to employ the services of Norman M. Clarke, Jr in the administration of its Fire Department; and

WHEREAS, the Board has appointed Norman M. Clarke, Jr. to be its Fire Chief under M.G.L. c.48, §42 effective March 16, 2015; and

WHEREAS, it is the desire of the Town to establish certain conditions of employment and working conditions for the Chief; and

WHEREAS, the Town and the Chief acknowledge the provisions of local and State law with respect to the duties and obligations of the Town and the Fire Chief as the same may change from time to time, including, but not limited to M.G.L. c.48, § 42, and

WHEREAS, the Town and the Chief desire to enter into an employment contract as defined under the Laws;

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

Section I – Duties

The Town hereby agrees to employ the Chief to perform the functions and duties specified in the Massachusetts General Law. The daily operational control of the Fire Department for the Town shall be the responsibility of the Chief. The Chief shall have all the authority and powers granted to the Fire Chief under the provisions of M.G.L. c.48, § 42.

The Chief shall be responsible for the planning, organizing, and coordination of all Fire Department operations. The duties of the Chief shall include but are not limited to the following:

- A. Supervision of the daily operations of the Fire Department and Emergency Medical Services.
- B. Supervision of all Fire Department personnel.
- C. Preparation and submission of the Fire Department budget.
- D. Submission of reports to the Town either orally or in writing when requested or required in order to ensure the proper communication between the Town and the Fire Department.
- E. Responsibility for all departmental expenditures, as well as the receipt of funds and property in the custody of the Fire Department.
- F. Supervision and control of all equipment and motor vehicles belonging to or used by the Fire Department.
- G. Establishment of fire suppression and emergency medical equipment requirements and recommending vehicle specifications for the Fire Department.
- H. Supervision and control of all training programs for department personnel and the assignment of personnel to such programs.
- I. Discipline of department personnel; issue of orders, rules, regulations, policies and procedures, and the assignment of shifts and the duties of all department personnel.
- J. Availability to appear for public meetings and hearings before any appointed or elected Board of the town at which the Fire Department is required to appear and before Town Meetings when necessary.
- K. Being responsible for communicating with the public, including the media, on matters relating to Fire Department operations and department policy.
- L. Command of all Fire Officers.
- M. Serve as the Town of Harwich Forest Warden.
- N. Related work as required and appropriate for the position of Fire Chief.
- O. Development and supervision of special programs.
- P. Development and administration of Fire Department policies and procedures.

Section 2 – Term

The term of this Contract will be from July 1, 2015 through July 1, 2018. The Board shall commence contract renewal negotiations with the Chief at least six (6) months prior to the expiration date of this Contract. Should the Town fail to notify the Chief that the Agreement will not be extended within six (6) months of the expiration of the Agreement, said Agreement shall continue in full force

and effect for a single one (1) year term subject to any provisions of this Agreement which may be renegotiated by mutual consent of the parties.

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

The Fire Chief is appointed in accordance with MGL c. 48 s 42. The Chief may be removed for just cause by the Board at any time after a hearing (See Section 3).

In the event the Chief resigns following a formal suggestion by the Board that he resign before the expiration of the then applicable term of employment, the Town agrees to pay the Chief a lump sum severance payment of six (6) months' salary and benefits.

Section 3 - Suspension and Termination

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

B. The Chief may appeal any discipline or discharge to the District Court or Superior Court, which shall have jurisdiction to review whether any discipline was proper and may order reinstatement of the Chief if the allegation that he has been improperly discharged or disciplined is sustained.

C. In the event of the suspension or discharge of the Chief, if the District Court or Superior Court shall reverse or modify a suspension or discharge, the Chief, notwithstanding Sections A through B above, shall be entitled to back pay, benefits and counsel fees.

Section 4 - Disability

The Town recognizes its obligations under M.G.L. c.41, §100 and 111F in the event that the Chief is injured while on duty.

The Town acknowledges the Chief's rights in addition to the benefits granted herein, to the rights provided by the law, under the Family Medical Leave Act of 1993 and other applicable Federal

and State statutes. Should there be a conflict within this Section and the Family Medical Leave Act of 1993, the provisions of the Federal law shall prevail.

Section 5 – Compensation

The Town agrees to compensate the Fire Chief at the annual rate of (see attached table) January 1, 2015. The parties agree that the salary stated above is the first year annual salary paid in installments throughout the year in the same manner as all other town employees. Subsequent increases will be considered through the Town Administrator to the Board based on annual performance appraisals. See section 15. Any such increases are subject to Town Meeting appropriation. A market adjustment amount will be included in base salary.

The Town agrees to compensate the Chief for Holiday Pay as outlined in Section 10 of this contract. The parties agree that the Fire Chief is an exempt employee under the Fair Labor Standards Act and is not entitled to overtime pay.

The Town agrees that it shall not, at any time during the term of this Contract; reduce the salary, compensation or other benefits of the Chief, except to the extent that such reduction is evenly applied across-the-board for all employees of the Town of Harwich. The Town agrees to provide a clothing allowance for the Chief not to exceed \$650 in each fiscal year of the contract.

Section 6 - Hours of Work

The Chief agrees to devote that amount of time and energy, which is reasonably necessary for the Chief to faithfully perform the duties of Fire Chief under this Contract.

The Chief's work week shall ordinarily consist of a five-day week, Monday through Friday, a total of forty (40) hours, in addition to evening and/or weekend hours that may be necessary from time to time in order to properly discharge his duties. It is recognized that the Fire Chief must devote a significant amount of time outside normal office hours to the business of the Town. Consequently, the Chief shall be allowed to vary his work day, or to take time off during the recognized normal business hours, provided it does not interfere with the proper administration of his duties.

Section 7 - Leave Policy

The Chief will be entitled to twenty-five (25) days of paid vacation per year. A maximum of two (2) weeks vacation may be carried over to the following year, subject to approval by the Town Administrator.

The Chief shall be allowed to carry over any unused sick time from his previous position as Deputy Chief. In addition the Chief will accrue one and one quarter (1¼) days of sick leave per month. With prior approval by the Town Administrator, the Chief may borrow sick leave up to a maximum number of days available under the remaining period of the contract. Once all sick leave has been used, the Chief will be required to use his vacation time or request an unpaid family medical leave if additional time is required. See also Section 4.

The Chief will be entitled to Bereavement Leave without loss of pay for the death of; a spouse, parent, child or grandchild for a period of seven (7) calendar days, a brother, sister, mother-in-law, father-in-law, brothers/sisters-in-law for a period of three calendar (3) days, a grandparent, aunt, uncle or cousin for a period of two (2) calendar days.

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

The Chief may accrue up to a maximum of 200 days of sick leave. On termination of employment, the Chief is entitled to sell back up to 25% of his accrued sick leave at his then current salary.

Section 8 - Disability, Health, and Life Insurance

- A. The Town agrees to provide the Chief with the same group health and life insurance benefits available to the other municipal employees in conformity with the provisions of M.G.L. c32B.
- B. Death during term of employment. If the Chief dies during the term of his employment, the Town shall pay to the Chief's estate all the compensation which would otherwise be payable to the Chief up to the date of his death, including, but not limited to, payment for any unused leave days.
- C. In the event that the Chief is killed while in the line of duty, the Town agrees to pay reasonable costs not exceeding \$5,000 for funeral and burial expenses.

Section 9 - Retirement Benefits

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

Section 10 – Holidays

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

- | | |
|-----------------------------|------------------|
| New Year's Day | Labor Day |
| Martin Luther King, Jr. Day | Columbus Day |
| President's Day | Veteran's Day |
| Patriot's Day | Thanksgiving Day |
| Memorial Day | Christmas Day |
| Independence Day | |

The Fire Chief shall receive, in the first pay period of December, a check in the amount of five (5) holidays times 1/5 of his/her weekly base pay. In the first two (2) weeks of June a check in the amount of six (6) holidays times 1/5 of his/her weekly base pay. The annual compensation for this benefit totals for FY15 ($\$114,444 + 52 \times .20 \times 11 \text{ holidays} = \$4,841.86$)

Section 11 - Outside Employment

The Chief must receive prior written approval from the Town Administrator to undertake any outside employment.

Section 12 - Professional Development

The Town hereby agrees to budget for and to pay the reasonable travel and subsistence expenses of the Chief for professional development, to include, but not limited to: short courses, seminars, and meetings that are necessary for his professional growth for the good of the Town and the Harwich Fire Department. The Chief agrees to notify the Town Administrator in advance of

confirming attendance at such courses, seminars, and meetings, and attendance at such meetings is subject to the prior approval of the Town Administrator and the availability of appropriated funds for such expenses.

Section 13 - Dues and Subscriptions

The Town agrees to budget and to pay for all the professional dues, recertification fees, and subscriptions for the Chief necessary for his continuation and participation in national, regional, state and local associations and organizations necessary and desirable for his continued professional participation, growth and advancement for the good of the Town, subject to the prior approval of the Town Administrator and the availability of appropriated funds for such expenses. Such professional dues may include, but not be limited to, payments for membership in the International Association of Fire Chiefs, Massachusetts Fire Chief's Association and the Barnstable County Fire Chiefs Association.

Section 14 – Indemnification

A. To the extent permitted by law, the Town shall defend, save harmless and indemnify the Fire Chief against any tort, professional liability claim or demand or other legal action, whether groundless or otherwise, arising out of an alleged act or omission occurring in the performance of his duties as Fire Chief, even if said claim has been made following his termination from employment, provided the Fire Chief acted within the scope of his duties. The Town shall pay the amount of any such claim or suit and will pay the amount of any settlement or judgment rendered thereon without recourse to the Fire Chief.

The Town shall reimburse the Fire Chief for any attorneys' fees and costs incurred by the Fire Chief in connection with such claims or suits involving the Fire Chief in his professional capacity.

This section shall survive the termination of this agreement.

Section 15 - Performance Evaluation

The Town Administrator shall review and evaluate the performance of the Fire Chief on a formal basis annually under the terms and conditions of this Agreement. Said review and evaluation

shall include, but not be limited to: (1) the Chief's progress and performance on goals and objectives (2) Budgetary/Financial Administration; (3) Personnel Administration; (4) Supervisor/Leadership; (5) Staff Development; (6) Public Relations; (7) Employee and Labor Relations; (8) Policy Execution; and (9) Interaction with the Board as well as other governmental officials, departments, boards, and committees.

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

Section 16 - Use of Town Vehicle

The Town shall provide a vehicle for use by the Fire Chief and pay for all attendant operating and maintenance expenses and insurance. Said vehicle is to be used by the Chief in connection with the performance of his duties as Fire Chief and for his professional growth and development. Said vehicle may also be used by the Chief for personal reasons, since the Chief is "on-call" in the event of emergency.

Section 17 – Residency

The Chief must maintain a permanent residence in the Town of Harwich.

Section 18 – Notices

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

Town:	Board of Selectmen	Fire Chief:	Norman M. Clarke, Jr.,
	Harwich Town Hall		Fire Chief
	732 Main Street		Harwich Fire Department
	Harwich, MA 02645		175 Sisson Road
			Harwich, MA 02645

Section 19 - Severability of Provisions

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

Section 20 - General Provisions

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

Section 21 - Entire Agreement

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

Section 22- Appropriation

The terms of this agreement are subject to annual appropriation by Town Meeting.

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

Approved this 16th day of March, 2015.

By:

Board of Selectmen:

Z Ballantines

[Signature]

[Signature]

[Signature]

[Signature]

Christopher Clark , Town Administrator

Norman M. Clarke, Jr., Fire Chief

[Signature]

Fire Chief Proposed Compensation Schedule

	Base	Market Adj.	Total
1/1/15	\$114,444		\$114,444
7/1/15	\$116,733	\$2,000	\$118,733
7/1/16	\$121,108	\$2,000	\$123,108
7/1/17	\$125,570	\$2,000	\$127,570

NOTE: 7/1/14 salary is \$112,200



Harwich Housing Authority

Telephone 508-430-2390
Fax 508-945-5666
P.O. Box 714 • Harwichport, MA 02646

April 27, 2017

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




To the Board of Selectmen:

At the April 25, 2017 meeting of the Harwich Housing Authority, a motion was made, seconded and unanimously approved for a letter to be sent to the Board of Selectmen asking that Robert MacCready be appointed to fill the seat on our Board that will be left vacant after the May town elections.

Please accept this letter as said request.

Thank you,



John Stewart
Executive Director

Sandy Robinson

From: Christopher Clark
Sent: Wednesday, April 26, 2017 4:01 PM
To: Sandy Robinson
Subject: FW: Housing Authority

From: John Giorgio [mailto:JGiorgio@k-plaw.com]
Sent: Tuesday, April 25, 2017 1:27 PM
To: Charleen Greenhalgh <cgreenhalgh@town.harwich.ma.us>
Cc: Christopher Clark <cclark@town.harwich.ma.us>
Subject: RE: Housing Authority

Dear Charlene:

This has created a bit of a mess this election cycle! As of the election date, there will now be a vacancy in the elected position of Housing Authority member.

Section 6-2-1 of the Town's Charter addresses the process for filling a vacancy on the Housing Authority. As with most positions under state law, the person holding office as of the date of the election would continue as a "holdover" and may exercise the powers and duties of the office until someone else is elected or appointed and sworn to the position. In addition, G.L. c.121B, §5 provides that any vacancy in the position of elected housing authority member shall be filled in accordance with G.L. c.41, §11. This procedure is the same process as referred to in Section 6-2-1 of the Charter. That process entails a joint vote of the Board of Selectman and Housing Authority member after one week's notice. When a vacancy is filled in this manner, the appointment must be made from amongst the registered voters of the Town, and is for the period until the next annual election. While it is not unusual for a holdover to remain in office for a relatively short period of time, typically an appointment will be made when a vacancy will exist for a longer period such as in the current case.

Please let me know if you have any questions.

John

John W. Giorgio, Esq.
KP | LAW
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

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From: Charleen Greenhalgh [mailto:cgreenhalgh@town.harwich.ma.us]
Sent: Friday, April 21, 2017 8:19 AM
To: John Giorgio
Cc: Christopher Clark; Sandy Robinson; Ann Steidel; Anita Doucette
Subject: FW: Housing Authority

Good Morning John,

Below are a string of emails regarding the status of the tenant participation of the Housing Authority. I do not believe that you were asked to opine on this matter. If you would kindly do so it would be greatly appreciated.

Thanks,
Charleen

Charleen Greenhalgh
Assistant Town Administrator
Town of Harwich
732 Main Street
Harwich, MA 02645
508-430-7513

Email from Michael MacAskill 4/20/17

This was discussed briefly at the last agenda meeting. Absent Charlene.
Has Town Counsel confirmed this? If so what if anything has been recommended? My intent will most likely be to bring this this week as late item not anticipated do to the time frame.
I am copying Anita so she can tell us what she knows and provide any information she has on this to date for the dropbox.

From: Robert C. MacCready <RMacCready@haconcapecod.org>
Sent: Wednesday, April 19, 2017 10:49 AM
To: Michael D. MacAskill
Subject: HHA

Hi Michael,

Anita has informed me that the state changed the plan again relative to the tenant member of Housing Authorities.

As she explained, they suspended their previous rule which prevented me from running for election and created a "holdover member" and have set up a situation requiring the BOS to appoint a member until tenant rules are created.

As next Tuesday is the last HHA meeting prior to all this going into effect, I would like to know if the BOS is going to appoint me to that seat or not so that I can inform the other members and the ED at the time.

Thanks

Bob

Here is an email to Anita Doucette from March 29, 2017

Good Morning!

I am writing to keep you updated on housing authority membership. As you are aware, we worked with the Department of Housing and Community Development (DHCD) to implement changes to the law which affect the composition of the housing authority. In our email of February 15th, we provided guidance for complying with the new law which reduced the number of members elected at the town election from 4 to 3 and created a new member, which is a tenant elected member. Under section 5A of chapter 121B, the tenant member will be elected in accordance with regulations promulgated by DHCD.

DHCD began the promulgation of regulations last year, which included other changes to existing DHCD regulations as well as the tenant member election process. After reviewing the proposed tenant member election procedures set forth in the draft regulations, we encouraged DHCD to revisit them and not promulgate them at this time. Based on our discussions, DHCD agreed that those specific regulations should be further reviewed. As such, DHCD has issued Public Housing Notice 2017-08, dated March 28, 2017.

Please note that this Notice does not change the previous guidance provided by this Office. Rather, this Notice states that DHCD is not promulgating the regulations relative to tenant elections **at this time**. As noted above, the tenant member election regulations were included in a much larger regulation package which they are still moving forward with. DHCD has withdrawn only the tenant election regulations. However, the law still provides for only 3 members elected at a town election and still requires a tenant member be elected. We are continuing to work with DHCD and expect that the tenant member election regulations will be promulgated as quickly as possible this year.

I hope this is helpful and please let us know if you have any questions.

Michelle K. Tassinari
Director and Legal Counsel, Elections Division
Office of the Secretary of the Commonwealth
One Ashburton Place, Room 1705
Boston, MA 02108
617-727-2828

From: Anita Doucette
Sent: Thursday, April 13, 2017 3:19 PM
To: Charleen Greenhalgh <cgreenhalgh@town.harwich.ma.us>
Subject: FW: Housing Authority

Charleen

Below is the memo that I sent to both Chris and Michael-This position has been removed from the ballot for this year, I will forward you the last memo from Michelle Tassinari, lead counsel for election from the Secretary of State's office.

Thanks, and my apologies for not including you on the email

Anita N. Doucette, MMC/CMMC
Town Clerk
508-430-7516 x5

The Commonwealth of Massachusetts Secretary of State has determined that e-mail is a public record

From: Anita Doucette
Sent: Wednesday, March 29, 2017 12:33 PM
To: Christopher Clark <cclark@town.harwich.ma.us>; 'Michael MacAskill' <michael.d.macaskill@gmail.com>
Cc: Sandy Robinson <srobinson@town.harwich.ma.us>
Subject: Housing Authority

Chris & Michael

Here is a new Regulations that I just received, the position was taken off the ballot for this year, to my understanding this position now would be a failure to elect. This would mean that the BOS and the Members of the Housing Authority would jointly appoint a person to fill this position.

My question for Town Council – if this is correct would this appointment be for the one year term, until next year’s election??

At which time this position would then be placed on the ballot for next year as a 4 year unexpired term?

Thank you

Anita

Anita N. Doucette, MMC/CMMC
Town Clerk
508-430-7516 x5

The Commonwealth of Massachusetts Secretary of State has determined that e-mail is a public record

**TOWN OF HARWICH
NOTICE OF VACANCY
HARWICH HOUSING AUTHORITY
ALL APPLICANTS WILL BE CONSIDERED**

The Harwich Board of Selectmen and the Harwich Housing Authority (HHA) is interested in appointing a new member to the Harwich Housing Authority. The term of this appointment will be effective from May 2017 to May 2018.

The Harwich Housing Authority manages a small number of affordable rental housing units. The HHA members are charged with oversight of the activities of the HHA staff. The HHA seeks to promote and support the creation of additional affordable rental units in the community and may participate in new initiatives to accomplish that objective.

The HHA meets the last Tuesday of most months at 6:30 PM in the Town Hall Library. The primary responsibility of members is to attend and participate in those meetings.

TO APPLY: All those having an interest in serving on this committee can fill out a Citizens Committee Vacancy Form available at the Office of Selectmen, 732 Main Street, Harwich or on the Selectmen's Home Page on the Town website.

Harwich Board of Selectmen
The Harwich Housing Authority

The Cape Cod Chronicle
May 4, 2017

**TOWN OF HARWICH
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Harwich Board of Selectmen
The Harwich Housing Authority

Cape Cod Chronicle
May 4, 2017

Christopher Clark

From: John Giorgio <JGiorgio@k-plaw.com>
Sent: Thursday, May 04, 2017 8:52 PM
To: Christopher Clark
Cc: John Rendon; Carol Coppola; Anita Doucette; Charleen Greenhalgh; Ann Steidel; Sandy Robinson; Michael D. MacAskill; 'Michael Ford'
Subject: Re: town meeting question

Chris:

Based on your explanation, it would be my opinion that because town meeting was informed by the Harbormaster during the debate on the motion that the funds were being transferred from the harbor dredging previous appropriation, town meeting was provided with the corrected information and made an informed decision based on the answer provided. The fact that the article and motion contained a scrivener's error in misidentifying the actual warrant article from last year, the explanation from the Harbormaster had the effect of correcting the error in the article and the motion.

In answering this question, I have consulted with several senior attorneys in my office with the most town meeting experience and there was a consensus on the question for the reasoning set forth in this email.

Accordingly, it is my opinion that as long as the Town Accountant is satisfied with this opinion, she may debit the warrant article from last year that related to harbor dredging rather than the ambulance article.

Please let me know if you have any questions.

John

John W. Giorgio, Esq.
KP | LAW
101 Arch Street
12th Floor
Boston, MA 02110
jgiorgio@k-plaw.com
Phone: (617) 556-0007
Direct: (617) 654-1705
Fax: (617) 654-1735
Mobile Phone: (617) 785-0725

On May 3, 2017, at 8:41 AM, Christopher Clark <cclark@town.harwich.ma.us> wrote:

John,

I just wish to thank you for your participation in the 2017 Annual Town Meeting. During the discussion of article 19 relevant to reallocating prior appropriations from free cash towards the Round Cove project, a person in the audience questioned the reference to article 14 of the 2014 annual town meeting. John Rendon, our harbormaster, responded to the question by clearly identifying that the appropriate funding source was in fact Allen harbor dredging and bulkhead project. He identified as the \$159,812.01 was the remaining amount available due to grant funds being obtained in the project. I believe that this clarification that was made on town meeting for should be part of the legislative record of the meeting. Where the article reference was incorrectly listed as article 14 the intent was all harbor related and therefore I would like to request that this article be voted with the acknowledgment of the number of the article from 2014 annual town meeting should have been 31 instead of 14. In my mind the legislative intent is very clear. I seek your guidance with this issue.

Chris

From: John Rendon
Sent: Tuesday, May 02, 2017 12:53 PM
To: Carol Coppola <ccoppola@town.harwich.ma.us>; Christopher Clark <cclark@town.harwich.ma.us>
Subject: RE: town meeting question

Chris, Carol,
Yes, as I look back at the warrant article that I submitted, I made a typo error. Verified funds from the following articles should be used for the Round Cove ramp project:

- ATM 10 #23 (\$7,600)
- ATM 14 #31 (\$159,812.01) incorrectly listed as ATM 14 #14
- ATM 14 #33 (\$9,658.24)

Apologize for the error... I hope that doesn't invalidate the vote/project. regards,

John C. Rendon
Harbormaster
Town of Harwich
774 212-6193 (c)

From: Carol Coppola
Sent: Tuesday, May 02, 2017 12:30 PM
To: Christopher Clark
Cc: John Rendon
Subject: RE: town meeting question

Hi Chris,

The correct reference is ATM 14 #31 – A.H. Bulkhead /Parking Lot Project – the balance as of today is \$159,812.01.

Carol

From: Christopher Clark
Sent: Tuesday, May 02, 2017 10:46 AM
To: John Giorgio <JGiorgio@k-plaw.com>
Cc: Michael D. MacAskill <mmacaskill@townofharwich.us>; Mike Ford <mdfesq1@verizon.net>; Carol

Coppola <ccoppola@town.harwich.ma.us>; John Rendon <jrendon@town.harwich.ma.us>

Subject: Re: town meeting question

Hi John,

Not sure why Linda is contacting you directly. I think it makes more sense for John and Carol to review article reference. Once I find out details. I will be in touch.

Chris

Sent from my iPhone

On May 2, 2017, at 9:51 AM, John Giorgio <JGiorgio@k-plaw.com> wrote:

Hi Chris:

I received the below email from Linda Cebula. Please let me know if I should respond.

John

John W. Giorgio, Esq.
KP | LAW
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

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From: Linda Cebula [<mailto:maccebula1@verizon.net>]

Sent: Tuesday, May 02, 2017 9:08 AM

To: BOS MacAskill Michael; HH Ford Michael; John Giorgio

Subject: town meeting question

Importance: High

hi Guys

re Article 19 regarding round cove boat ramp

I looked up again the citation for Article 14 of the May 2014 annual town meeting

and it is different than the explanation given, about remaining funds on the Allen Harbor project.

The article (as printed in the 2014 annual report) was originally for \$240,000

and for an ambulance. If we bought the ambulance, how can there be \$160,000 remaining?

If the warrant and the motions and votes reference the incorrect old article, does that invalidate the actions?

Linda Cebula

Ann Steidel

From: Charleen Greenhalgh
Sent: Tuesday, May 09, 2017 9:15 AM
To: Michael D. MacAskill; Christopher Clark; Ann Steidel; Sandy Robinson
Cc: Alyxandra K. Sabatino
Subject: RE: Second notification of CARAF model to be delivered to all Town residents prior to marijuana ballot question initiatives

Hi Michael,

The Town has not gone the "ballot question" route, which would allow towns to opt out of selling recreationally. The Town meeting vote last week, was for the moratorium to allow the Planning Board time to review and study where such establishments should allowable either by right or by special permit.

Charleen

Charleen L. Greenhalgh
Assistant Town Administrator
Town of Harwich
732 Main Street
Harwich, MA 02645
508-430-7513
508-432-5039 (Fax)
cgreenhalgh@town.harwich.ma.us

From: Michael D. MacAskill
Sent: Saturday, May 06, 2017 1:31 PM
To: Christopher Clark <cclark@town.harwich.ma.us>; Ann Steidel <asteidel@town.harwich.ma.us>; Sandy Robinson <srobinson@town.harwich.ma.us>; Charleen Greenhalgh <cgreenhalgh@town.harwich.ma.us>
Subject: Re: Second notification of CARAF model to be delivered to all Town residents prior to marijuana ballot question initiatives

Should we put on the next agenda for discussion? if so please add and maybe have chris or Charlene give a what's next overview.

From: Charleen Greenhalgh
Sent: Monday, May 1, 2017 3:44:16 PM
To: Christopher Clark; Ann Steidel; Sandy Robinson; 'Angelo LaMantia'; Jannel Brown; Julie Kavanagh; Michael D. MacAskill; Peter Hughes
Subject: FW: Second notification of CARAF model to be delivered to all Town residents prior to marijuana ballot question initiatives

FYI

Charleen L. Greenhalgh
Assistant Town Administrator
Town of Harwich
732 Main Street
Harwich, MA 02645

508-430-7513

508-432-5039 (Fax)

cgreenhalgh@town.harwich.ma.us

From: Robert Preskenis [<mailto:bobpreskenis@gmail.com>]

Sent: Monday, May 01, 2017 3:09 PM

To: Charleen Greenhalgh <cgreenhalgh@town.harwich.ma.us>

Subject: Second notification of CARAF model to be delivered to all Town residents prior to marijuana ballot question initiatives

Dear Selectmen,

To ensure full disclosure and bring the communities up-to-date pursuant to all options relative to the marijuana ballot questions.

This email is for public release and is the 2nd notification to each town.

Your residents should be privy to the information prior to making any decision on which marijuana ballot question should be utilized.

In this process to equally protect but yet allow all options and opportunities now and over the next year, please encourage a moratorium over opting out permanently.

Opting out permanently puts your Community in a compromising situation by foregoing your community's portion of the millions annually that could be made available to address the opiate crisis.

Opting out permanently also undermines the regional CARAF plan for all other communities

Making a hasty decision to opt out permanently over a moratorium without full disclosure to your residents could easily cause the outcome of the election to be called into question.

Please help bring all CARAF information to your constituents and all residents. Please take the necessary steps to set up a regional informational meeting.

A suggestion and or forum to accomplish such a meeting may be to invite all regional officials to schedule CARAF as the topic for the monthly Selectmen countywide meeting.

I look forward to working together guiding this dependable long-term stream of income to address this heinous epidemic.

Sincerely

Bob Preskenis

Masscaraf.com

cc. For immediate public release

May 5, 2017

Council Chairwoman
Seaport Economic Council
93 State Pier
New Bedford, MA 02740

Dear Lieutenant Governor Polito,

The Town of Harwich has submitted a Seaport Economic Council grant for an important and exciting coastal infrastructure project at Saquatucket Harbor. The Town has invested significant resources towards the architectural and engineering design of the harbor landside renovation plan that will improve pedestrian safety and handicap accessibility, enhance the efficiency of harbor operations, and leverage the full economic potential of the waterfront. As the application outlines, this project will modernize and expand the Saquatucket Harbor waterfront area to make it a more vibrant and safe destination for a broader spectrum of the community.

This landside project aligns well with the Saquatucket Municipal Marina Dock Replacement project that received grant funding support from the Council in 2016. Due to permitting delays with the U.S. Army Corps of Engineers the project has been delayed a year, but will likely commence in October 2017. I sincerely hope that the delayed spending of the 2016 grant will not have a detrimental impact on the review and potential approval of the grant application for the Saquatucket Landside Renovation project. I strongly support this well planned project, and hope that it will receive favorable consideration.

Sincerely,

Sarah Peake / Julian Cyr

Ann Steidel

From: Charleen Greenhalgh
Sent: Wednesday, May 10, 2017 9:23 AM
To: Ann Steidel
Subject: FW: SAQ Project
Attachments: StateRep.SeaportGrant.DraftLtr.doc

Looks like it went to everyone but you.

Charleen L. Greenhalgh
Assistant Town Administrator
Town of Harwich
732 Main Street
Harwich, MA 02645
508-430-7513
508-432-5039 (Fax)
cgreenhalgh@town.harwich.ma.us

From: John Rendon
Sent: Monday, May 08, 2017 12:44 PM
To: Michael D. MacAskill <mmacaskill@townofharwich.us>; Christopher Clark <cclark@town.harwich.ma.us>
Cc: Charleen Greenhalgh <cgreenhalgh@town.harwich.ma.us>; Sandy Robinson <srobinson@town.harwich.ma.us>
Subject: RE: SAQ Project

All -
As requested below, I've attached a draft letter for signature by State Rep Sarah Peake and/or State Senator Julian Cyr. Please let me know if you request changes. Thanks. v/r,

John C. Rendon
Harbormaster
Town of Harwich
774 212-6193 (c)

From: Michael D. MacAskill
Sent: Thursday, April 27, 2017 3:42 PM
To: John Rendon; Christopher Clark
Cc: Charleen Greenhalgh
Subject: Re: SAQ Project

Joh-
Chris and I sat with a representative for Senator Cyr and Sara Peake today. I discussed this and they said If we draft a letter explaining this they would speak on our behalf to the Grant coordinator and the review board explaining what we were up against.
They also agreed to come meet with us next week and get an update and try again to work through this with ACOE.

From: John Rendon
Sent: Tuesday, April 25, 2017 11:28:36 AM
To: Christopher Clark; Michael D. MacAskill

Cc: Charleen Greenhalgh

Subject: SAQ Project

Chris, Michael,

I submitted a Seaport Economic Council grant application for the \$1 million to support the Saquatucket Landside project. I received a call this morning from Ellen Cebula, the state grant coordinator, who felt the review board would be hesitant to support the application since we currently have a pending grant for the waterside. There is concern that the waterside project will not be ready to execute this year, and therefore a need for an additional extension would be needed. I was unable to assure her that we would receive the required permits in order start the project in the fall, and I'm afraid that we might miss out on another grant opportunity due to the ACOE permitting delays. Is there anyway we can get some better sense whether the ACOE navigation section will rule favorably on our Section 408 request. I think the dredge permit will be issued, as ACOE enviromental section has drafted a favorable Suitability Determination, but I have no sense on the Section 408 navigation permit. Any information you can get would be helpful. Thanks. v/r,

John C. Rendon

Harbormaster

Town of Harwich

774 212-6193 (c)



**US Army Corps
of Engineers**®
New England District
696 Virginia Road
Concord, MA 01742-2751

PUBLIC NOTICE



Comment Period Begins: May 2, 2017
Comment Period Ends: June 2, 2017
File Number: NAE-2016-00019
In Reply Refer To: Phillip Nimeskern
Phone: (978) 318-8660
E-mail: Phillip.W.Nimeskern@usace.army.mil

The District Engineer has received a permit application and permission request to conduct work in waters of the United States from the Town of Harwich, 715 Main Street, Harwich Port, Massachusetts, 02646. This work is proposed in Saquatucket Harbor at 715 Main Street, Harwich, Massachusetts. The site coordinates are: Latitude 41.66875; Longitude -70.05889.

The Town of Harwich proposes to reconstruct the existing Saquatucket Harbor marina, to maintenance dredge the boat basin while all piers and floats are removed, and to reconfigure the marina to add more berthing. The work involves maintenance and improvement dredging of the town anchorage and Federal Navigation Project (FNP) anchorage and the complete reconstruction and reconfiguration of the marina's float system, portions of which are proposed to occupy the 6' deep anchorage portion of the FNP. The sandy dredged material is proposed for nourishment of nearby beach while the fine material will be disposed of at Rhode Island Sound Disposal Site (RISDS).

The proposed project consists of the following:

- Demolition and disposal of all existing floating docks except for the existing pump-out dock
- Construction of an all-new floating dock marina
 - 28,000 square feet of floating docks (increase of 8,800 sf)
 - 240 piles (decrease of 70)
 - 200 slips
 - The new eastern pier will extend 220' into FNP
- Maintenance dredging to -6 feet MLW
 - 144,000 square feet
 - 7,500 cubic yards
- Improvement dredging (deepening within existing footprint) to -8 feet MLW
 - 100,100 square feet, all within maintenance footprint
 - 9,600 cubic yards
- Total area of dredging is 244,100 square feet (5.5 acres), which includes the FNP and 3:1 side slopes
- Total volume of dredging is 17,100 cubic yards
- Construction of a new ADA compliant access to the ferry and other passenger vessels
 - New 42' aluminum gangway
- Minor maintenance work to existing bulkhead comprising only repair of existing bulkhead support connections.
- Establish a reconfiguration zone for a maximum of 200 vessels. The reconfiguration zone will include part of the FNP anchorage.

Of the proposed project described above, the following will be in the FNP:

- Marina Components:
 - 70 Piles
 - 547 LF of Main Float
 - 31 Finger Floats
 - Total area of Floats - 8952 SF - including mains and fingers
- Dredging Footprints within the project limits are as follows:
 - 8' MLLW with 1' over dredge (values based on improvement only, below authorized depth)
 - 30,000 SF
 - 3,218 CY (improvement beyond authorized depth)
 - 6' MLLW with 1' over dredge
 - 35,373 SF
 - 4630 CY

The work is shown on the attached plans entitled "PURPOSE: MARINA RECONSTRUCTION/
APPLICATION BY: TOWN OF HARWICH," on 8 sheets, and dated "01/24/17."

AUTHORITY

Permits are required pursuant to:

- Section 10 of the Rivers and Harbors Act of 1899
- Section 404 of the Clean Water Act
- Section 103 of the Marine Protection, Research and Sanctuaries Act.

Permission is required pursuant to:

- Section 14 of the Rivers and Harbors Act of 1899

Section 14 of the Rivers and Harbors Act of 1899 and codified in 33 USC 408 authorizes the Secretary of the Army to grant permission for the alteration or occupation or use of the project if the Secretary determines that the activity will not impair the usefulness of the project and that it will not be injurious to the public interest.

The decision whether to issue a permit and grant permission will be based on an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which may reasonably accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are: conservation, economics, aesthetics, general environmental concerns, wetlands, cultural value, fish and wildlife values, flood hazards, flood plain value, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue,

CENAE-R

FILE NO. NAE-2016-00019

modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Where the activity involves the discharge of dredged or fill material into waters of the United States or the transportation of dredged material for the purpose of disposing it in ocean waters, the evaluation of the impact of the activity in the public interest will also include application of the guidelines promulgated by the Administrator, US Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act, and/or Section 103 of the Marine Protection Research and Sanctuaries Act of 1972, as amended.

The alternatives considered in the dredged material disposal analysis fall into four general categories: beneficial use, upland disposal, confined disposal, and open-water disposal. The feasibility of disposal alternatives was analysed relative to the physical and chemical quality of the dredged material, the volume of material to be dredged, the availability of suitable disposal and beneficial use sites, and the cost of disposal. When applicable, the biological quality of the disposal of the material at the disposal site was also used to evaluate the feasibility of the open-water disposal alternative.

Based on the characteristics of the dredged material, the lack of suitable alternate disposal or beneficial use sites and costs, the most feasible, practical, cost-effective and environmentally acceptable alternative for the disposal of dredged materials from the proposed dredging is disposal at the requested disposal site.

Testing Information

The dredged material has undergone physical, chemical, and biological testing and has satisfied the criteria for ocean disposal of dredged material as specified in Part 227 of the Ocean Dumping Act regulations. It is our preliminary determination that the material is acceptable for disposal at this disposal site.

Rhode Island Sound Disposal Site

The Rhode Island Sound Disposal Site was designated by the Environmental Protection Agency to be usable for disposal of dredged sediments in December 2004. Prior to its site designation, it was selected for temporary use and was employed during 2003-2004 for placement of over 5 million cubic yards of sediment from the Providence River (primarily from the Federal Navigation Project). All sediments disposed at this site have been determined suitable with a project-specific evaluation with an established interagency review process. The site is monitored through the Corps Disposal Area Monitoring System (DAMOS) program. The DAMOS studies show that the site is a low energy environment such that sediments deposited at this location will remain within the site's boundaries. The DAMOS monitoring has also shown that distinct dredged material mounds have been formed at the site. Sediment deposited at the disposal site has not been found to affect areas outside the disposal site.

ESSENTIAL FISH HABITAT

The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996 (Public Law 104-267), requires all federal agencies to consult with the National Marine Fisheries Service on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH).

The dredging portion of this project will impact approximately 244,100 SF of Essential Fish Habitat (EFH) for all life stages of smooth dogfish (*Mustelus canis*), and little skate (*Leucoraja erinacea*). Habitat at this site can be described as a man-made boat basin that is regularly dredged. The proposed dredge may temporarily adversely affect whatever fish species happen to be present at that time. However the District Engineer has made a preliminary determination that the site-specific adverse effect will not be substantial. Further consultation with the National Marine Fisheries Service regarding EFH conservation recommendations is being conducted and will be concluded prior to the final decision.

The dredged material disposal is proposed for Rhode Island Sound Disposal Site (RISDS). This is an open water site, which provides Essential Fish Habitat for the species and their life stages on the attached list. Habitat at this site can be described as subtidal sand and fine material. Loss of this habitat probably won't adversely affect any of the commercially important species as there is so much of this habitat and disposal impacts at this site have been shown to be temporary. The District Engineer has made a preliminary determination that the site-specific adverse effect will not be substantial. Further consultation with the National Marine Fisheries Service regarding EFH conservation recommendations is being conducted and will be concluded prior to the final decision.

NATIONAL HISTORIC PRESERVATION ACT

Based on his initial review, the District Engineer has determined that little likelihood exists for the proposed work to impinge upon properties with cultural or Native American significance, or listed in, or eligible for listing in, the National Register of Historic Places. Therefore, no further consideration of the requirements of Section 106 of the National Historic Preservation Act of 1966, as amended, is necessary. This determination is based upon one or more of the following:

- a. The permit area has been extensively modified by previous work.
- b. The permit area has been recently created.
- c. The proposed activity is of limited nature and scope.
- d. Review of the latest published version of the National Register shows that no presence of registered properties listed as being eligible for inclusion therein are in the permit area or general vicinity.
- e. Coordination with the State Historic Preservation Officer and/or Tribal Historic Preservation Officer(s)

The New England District, Army Corps of Engineers has reviewed the list of species protected under the Endangered Species Act of 1973, as amended, which might occur at the project site. It is our preliminary determination that the proposed activity for which authorization is being sought is designed, situated or will be operated/used in such a manner that it is not likely to adversely affect any Federally listed endangered or threatened species or their designated critical habitat. By this Public Notice, we are requesting that the appropriate Federal Agency concur with our determination.

COASTAL ZONE MANAGEMENT

The States of Connecticut, Maine, Massachusetts, New Hampshire and Rhode Island have approved Coastal Zone Management Programs. Where applicable, the applicant states that any proposed activity will comply with and will be conducted in a manner that is consistent with the approved Coastal Zone Management Program. By this Public Notice, we are requesting the State concurrence or objection to the applicant's consistency statement.

CENAE-R
FILE NO. NAE-2016-00019

The following authorizations have been applied for, or have been, or will be obtained:

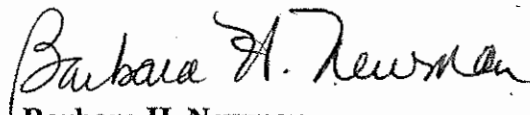
- (x) Permit, License or Assent from State.
- (x) Permit from Local Wetland Agency or Conservation Commission.
- (x) Water Quality Certification in accordance with Section 401 of the Clean Water Act.

In order to properly evaluate the proposal, we are seeking public comment. Anyone wishing to comment is encouraged to do so. Comments should be submitted in writing by the above date. If you have any questions, please contact Phillip Nimeskern at (978) 318-8660, (800) 343-4789, or (800) 362-4367 if calling from within Massachusetts.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for a public hearing shall specifically state the reasons for holding a public hearing. The Corps holds public hearings for the purpose of obtaining public comments when that is the best means for understanding a wide variety of concerns from a diverse segment of the public.

The initial determinations made herein will be reviewed in light of facts submitted in response to this notice. All comments will be considered a matter of public record. Copies of letters of objection will be forwarded to the applicant who will normally be requested to contact objectors directly in an effort to reach an understanding.

THIS NOTICE IS NOT AN AUTHORIZATION TO DO ANY WORK.



Barbara H. Newman
Chief, Permits and Enforcement Branch A
Regulatory Division

If you would prefer not to continue receiving Public Notices by email, please contact Ms. Tina Chaisson at (978) 318-8058 or e-mail her at bettina.m.chaisson@usace.army.mil. You may also check here () and return this portion of the Public Notice to: Bettina Chaisson, Regulatory Division, U.S. Army Corps of Engineers, 696 Virginia Road, Concord, MA 01742-2751.

NAME: _____
ADDRESS: _____
PHONE: _____

**Summary of Essential Fish Habitat (EFH) Designation
 for Rhode Island Sound Disposal Site**

10 x 10 Square Coordinates:

Boundary	North	East	South	West
Coordinate	41° 10.0' N	71° 20.0' W	41° 00.0' N	71° 30.0' W

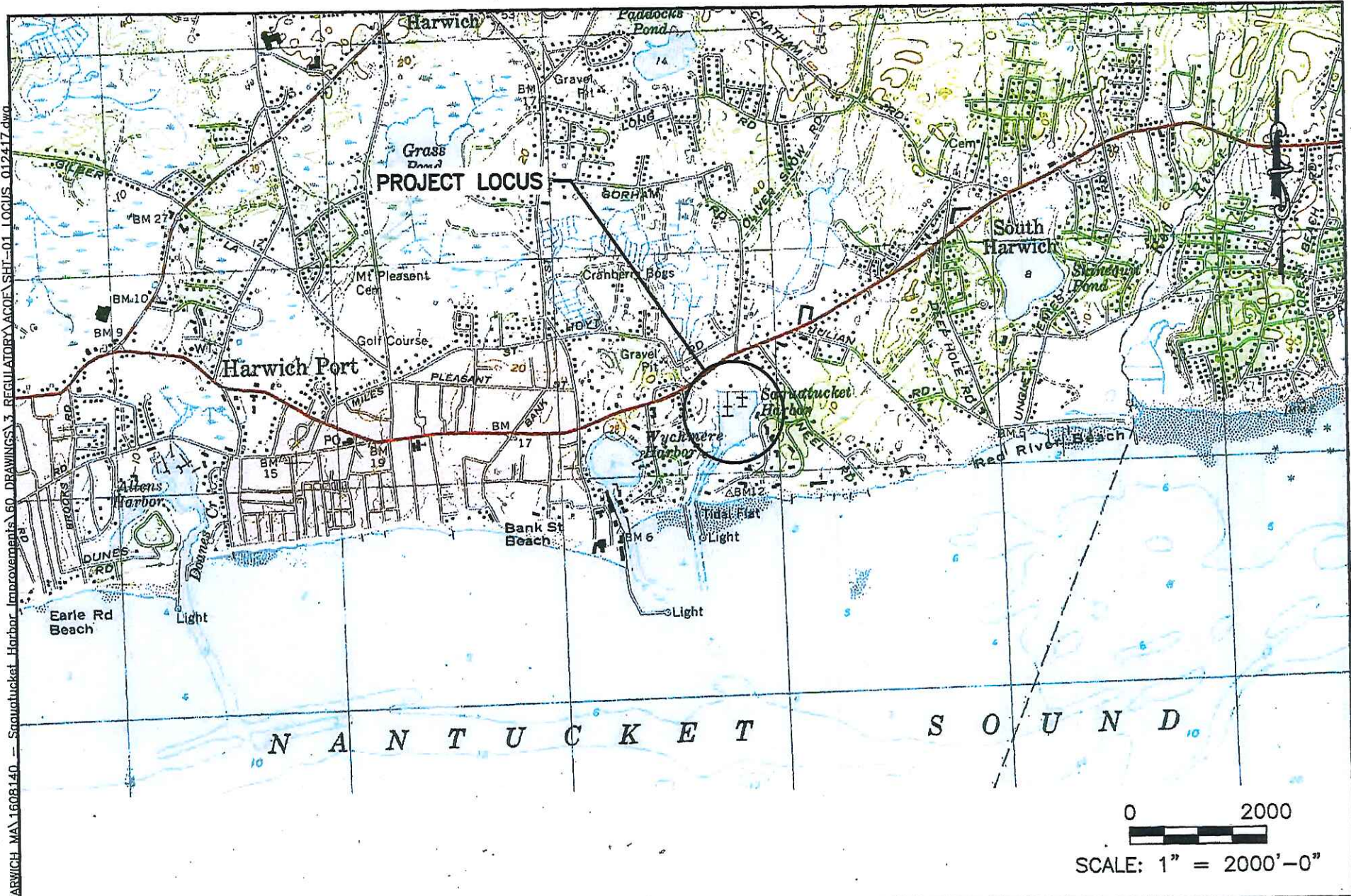
Square Description (i.e. habitat, landmarks, coastline markers): Waters within the Atlantic Ocean within the square one square southeast of Block Island, Rhode Island within the precautionary area to the shipping traffic lanes to and from Buzzards Bay and Narragansett Bay.

Species	Eggs	Larvae	Juveniles	Adults
Atlantic cod (<i>Gadus morhua</i>)	X	X	X	X
Atlantic sea herring (<i>Clupea harengus</i>)			X	X
black sea bass (<i>Centropristus striata</i>)	n/a		X	
blue shark (<i>Prionace glauca</i>)		X	X	X
bluefin tuna (<i>Thunnus thynnus</i>)			X	X
bluefish (<i>Pomatomus saltatrix</i>)				X
cobia (<i>Rachycentron canadum</i>)	X	X	X	X
common thresher shark (<i>Alopias vulpinus</i>)		X	X	X
dusky shark (<i>Charcharimus obscurus</i>)			X	
king mackerel (<i>Scomberomorus cavalla</i>)	X	X	X	X
long finned squid (<i>Loligo pealei</i>)	n/a	n/a	X	
monkfish (<i>Lophius americanus</i>)	X	X		X
ocean pout (<i>Macrozoarces americanus</i>)	X	X	X	X
red hake (<i>Urophycis chuss</i>)	X	X	X	
sand tiger shark (<i>Odontaspis taurus</i>)		X		
sandbar shark (<i>Charcharimus plumbeus</i>)			X	X

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 FILE NO. NAE-2016-00019

scup (<i>Stenotomus chrysops</i>)	n/a	n/a	X	X
shortfin mako shark (<i>Isurus oxyrinchus</i>)		X	X	
Spanish mackerel (<i>Scomberomorus maculatus</i>)	X	X	X	X
spiny dogfish (<i>Squalus acanthias</i>)	n/a	n/a	X	X
summer flounder (<i>Paralichthys dentatus</i>)		X	X	X
whiting (<i>Merluccius bilinearis</i>)	X	X	X	
windowpane flounder (<i>Scophthalmus aquosus</i>)	X	X	X	X
winter flounder (<i>Pleuronectes americanus</i>)	X	X	X	X
yellowtail flounder (<i>Pleuronectes ferruginea</i>)	X	X	X	X

File: B:\Working\HARWICH\MA\1608140 - Saquatucket Harbor Improvements\60 DRAWINGS\3 REGULATORY\ACOE\SHI-01 LOCUS_012417.dwg



SCALE: 1" = 2000'-0"

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HTL	+4.54	MLW	+0.28
MHW	+3.44	MLLW	0.0

TITLE: **PROJECT LOCUS**

IN: **SAQUATUCKET HARBOR**
 AT: **HARWICH**
 COUNTY: **BARNSTABLE** STATE: **MA**

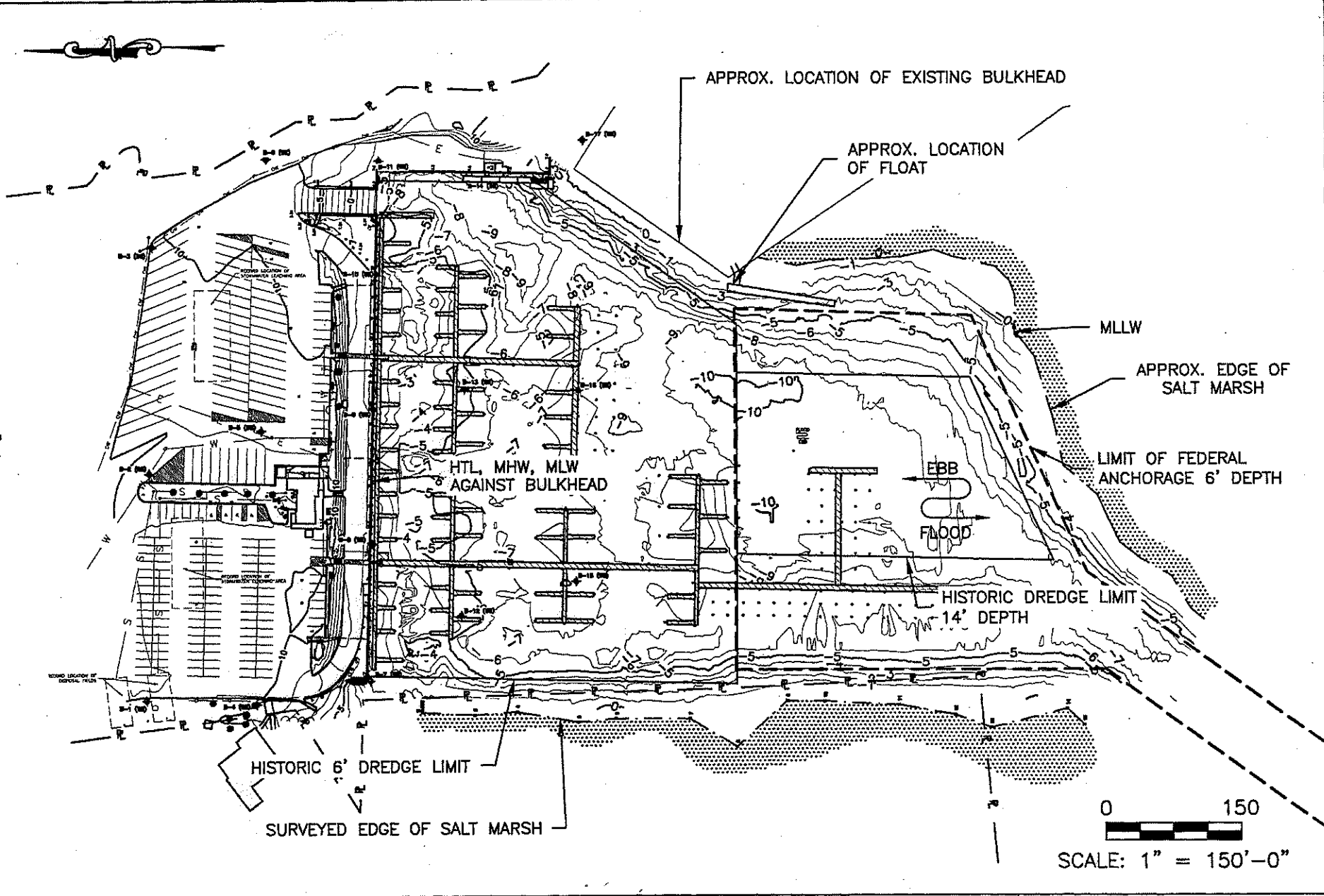


PURPOSE:
MARINA RECONSTRUCTION

APPLICATION BY:
TOWN OF HARWICH

SHEET **1** OF **8**
 DATE: **01/24/17**

File: s:\work\h01\HARWICH-MA\160814D - Saquatucket Harbor Improvements EQ Drawings\1 REGULATORY\ACOE\SHU-02 EXISTING CONDITIONS_041917.dwg



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TITLE: **EXISTING CONDITIONS**

IN: **SAQUATUCKET HARBOR**
 AT: **HARWICH**
 COUNTY: **BARNSTABLE** STATE: **MA**


Bourne Consulting Engineering

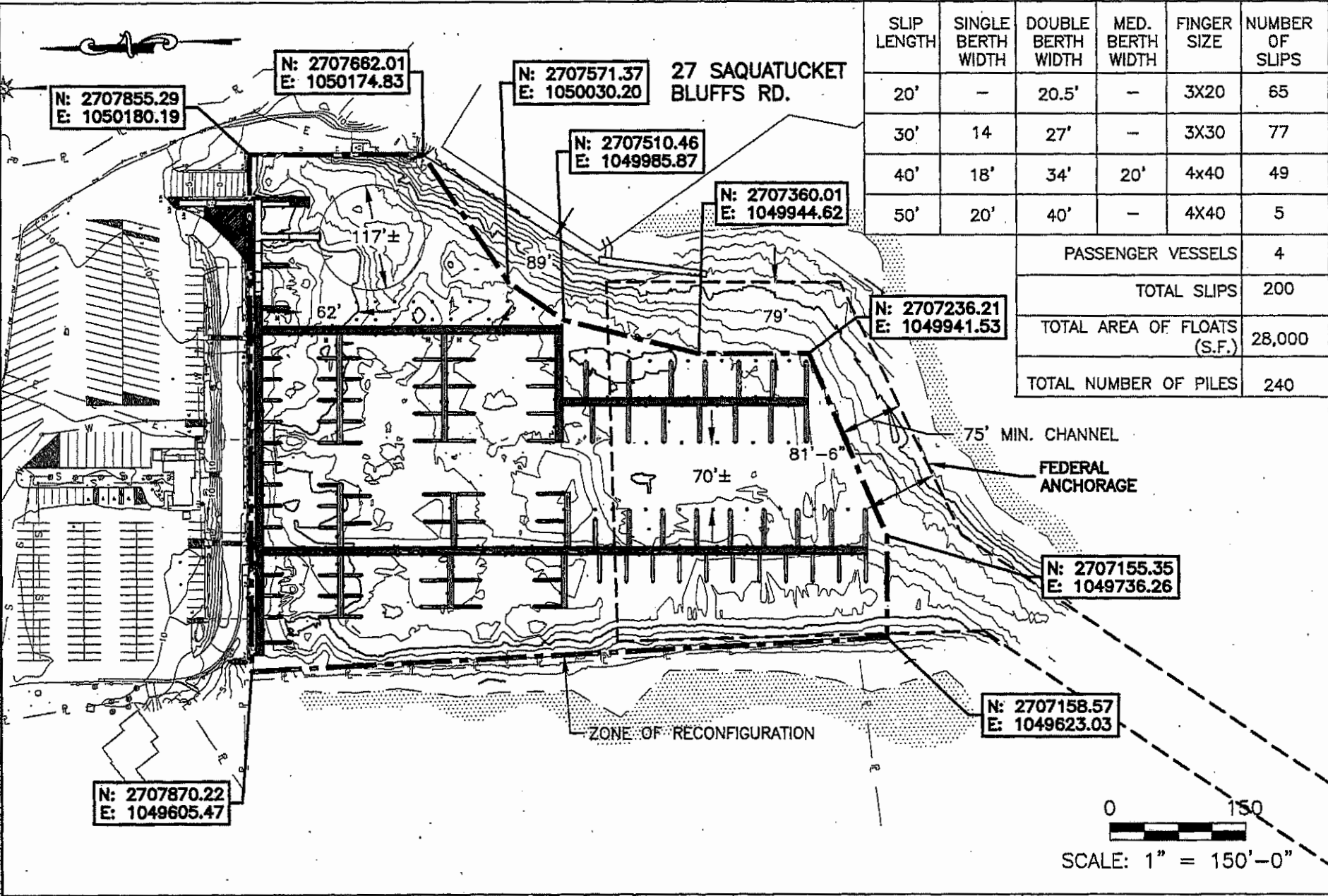
 A Division of CBE Consultants, Inc.
 3 Bent Street, Franklin, MA 01009
 TEL: (508) 555-6666

PURPOSE: **MARINA RECONSTRUCTION**

APPLICATION BY: **TOWN OF HARWICH**

SHEET **2** OF **8**
 DATE: **04/19/17**

File: P:\Work\HARWICH, MA\1608140 - Saquatucket Harbor Improvements 60 DRAWINGS 3 REGULATORY ACCE. SHEET-03-PROPOSED CONDITIONS_041917.dwg



SLIP LENGTH	SINGLE BERTH WIDTH	DOUBLE BERTH WIDTH	MED. BERTH WIDTH	FINGER SIZE	NUMBER OF SLIPS
20'	-	20.5'	-	3X20	65
30'	14	27'	-	3X30	77
40'	18'	34'	20'	4x40	49
50'	20'	40'	-	4X40	5
PASSENGER VESSELS					4
TOTAL SLIPS					200
TOTAL AREA OF FLOATS (S.F.)					28,000
TOTAL NUMBER OF PILES					240



SCALE: 1" = 150'-0"

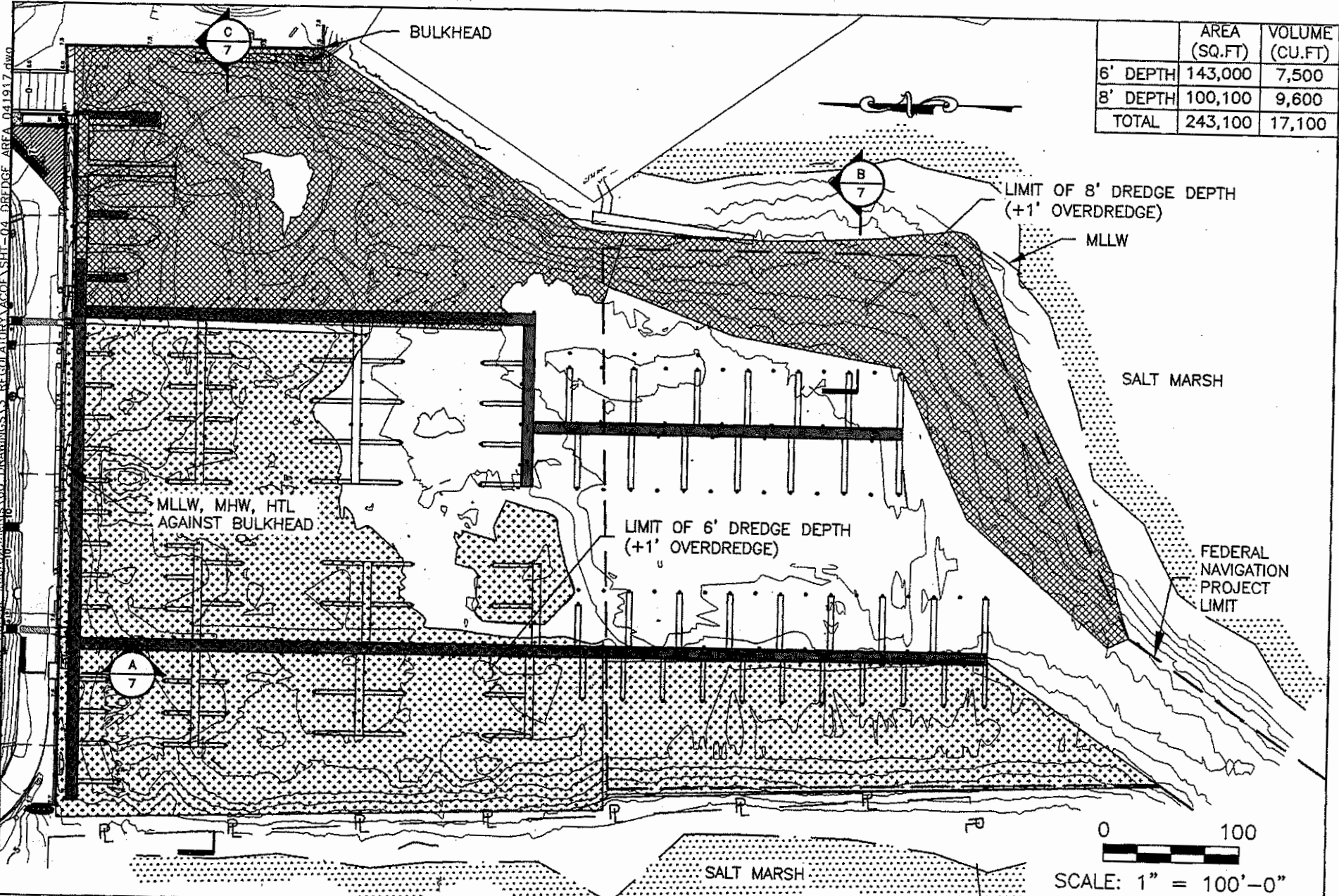
100 YR FLOOD	+16.03	NAVD88	+2.03
HTL	+4.54	MLW	+0.28
MHW	+3.44	MLLW	0.0

BCE *Bourne Consulting Engineering*
A Division of CBE Consultants, Inc.
 5 Boat Street, Franklin, MA 01030
 TEL: (508) 553-9559

TITLE:	PROPOSED FLOAT LAYOUT	
PURPOSE:	MARINA RECONSTRUCTION	APPLICATION BY:
		TOWN OF HARWICH

IN:	SAQUATUCKET HARBOR
AT:	HARWICH
COUNTY:	BARNSTABLE STATE: MA
SHEET	3 OF 8
DATE:	04/19/17

File: G:\Work\1608140 - Saquatucket Harbor Improvements\60 DRAWINGS\3 REGULATORY\ACCF\SH1-04 DREDGE AREA 041917.dwg




	AREA (SQ.FT)	VOLUME (CU.FT)
6' DEPTH	143,000	7,500
8' DEPTH	100,100	9,600
TOTAL	243,100	17,100

100 YR FLOOD	+16.03	NAVD88	+2.03
HTL	+4.54	MLW	+0.28
MHW	+3.44	MLLW	0.0

TITLE: **DREDGE FOOTPRINT**

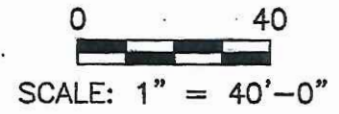
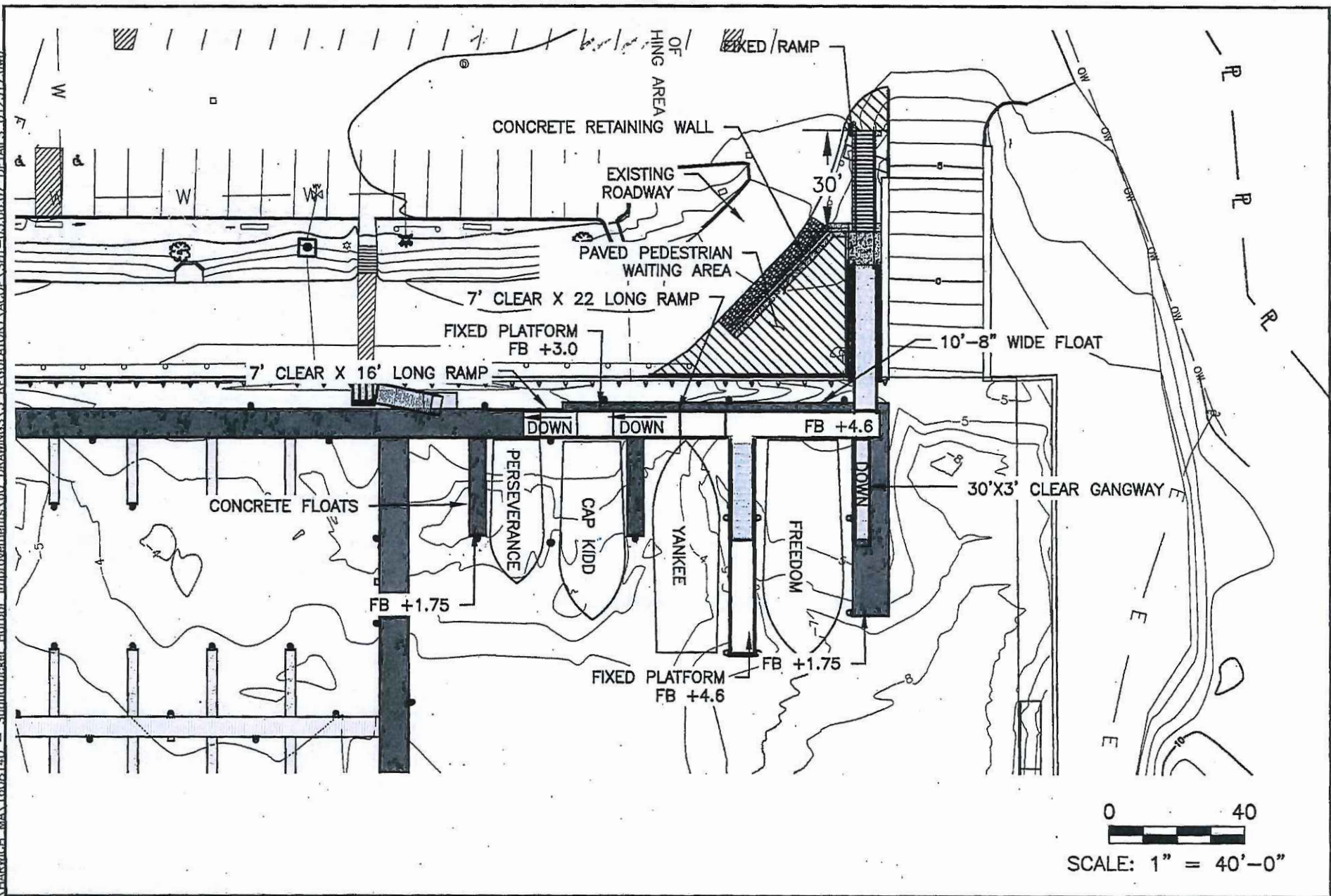
IN: SAQUATUCKET HARBOR
 AT: HARWICH
 COUNTY: BARNSTABLE STATE: MA
 SHEET 4 OF 8
 DATE: 04/19/17


Bourne Consulting Engineering
A Division of G&E Consultants, Inc.
 3 Bent Street, Franklin, MA 02030
 TEL: (508) 553-6666

PURPOSE:
MARINA RECONSTRUCTION

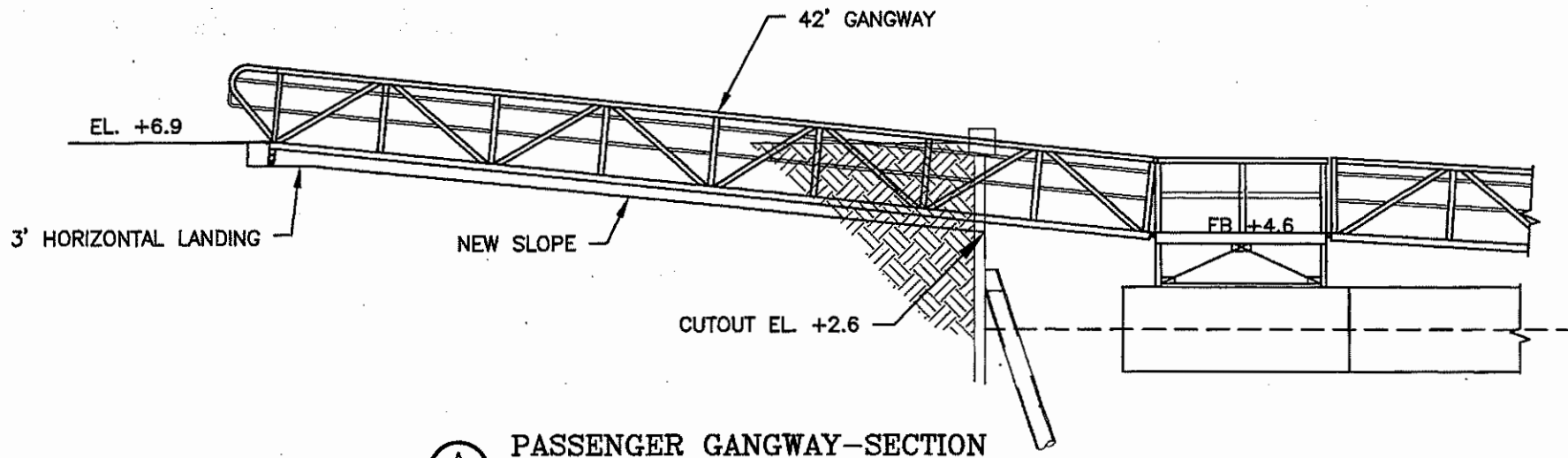
APPLICATION BY:
TOWN OF HARWICH

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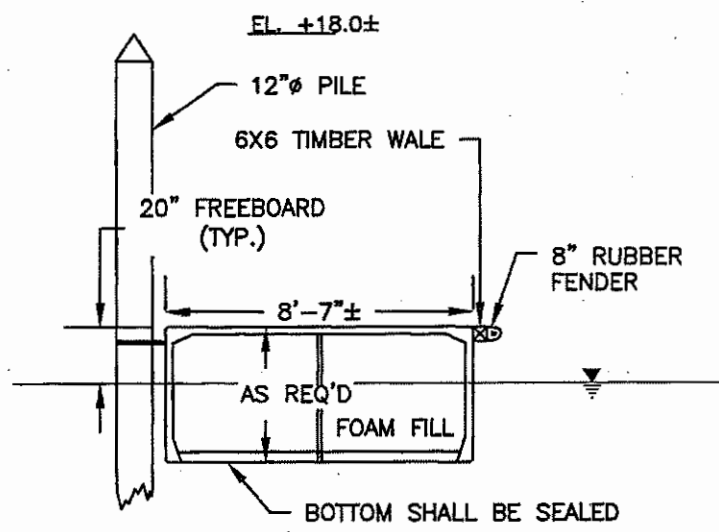


100 YR FLOOD +16.03 HTL +4.54 MHW +3.44	NAVD88 +2.03 MLW +0.28 MLLW 0.0	TITLE: ADA ACCESS PLAN PROJECT DETAILS	IN: SAQUATUCKET HARBOR AT: HARWICH COUNTY: BARNSTABLE STATE: MA
		PURPOSE: MARINA RECONSTRUCTION	APPLICATION BY: TOWN OF HARWICH
			SHEET 5 OF 7 DATE: 01/24/17

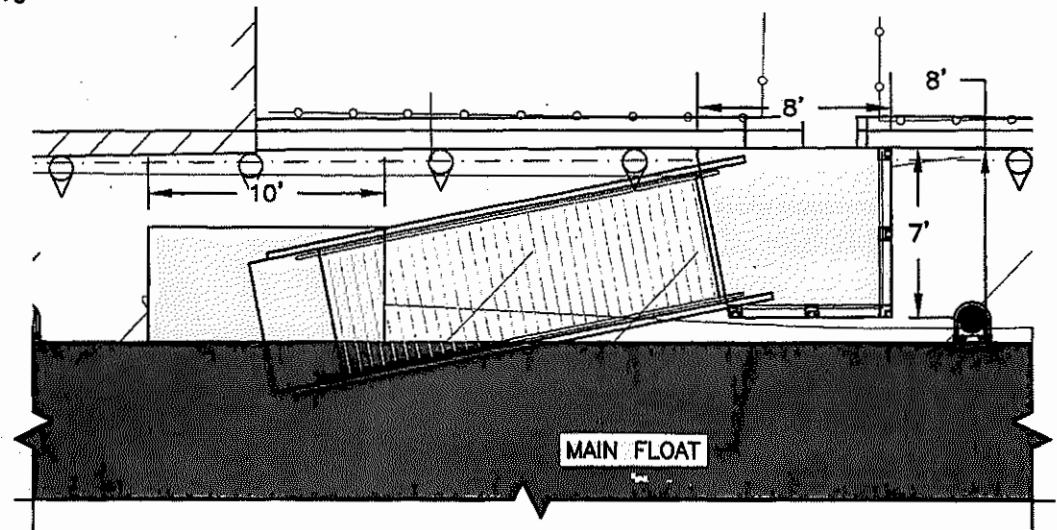
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(A)
6
PASSENGER GANGWAY-SECTION
SCALE: 1/8"=1'-0"



(B)
6
TYPICAL FLOAT-SECTION
SCALE: 3/16"=1'-0"



(C)
6
TYPICAL GANGWAY-PLAN
SCALE: 1/8"=1'-0"

100 YR FLOOD	+16.03	NAVD88	+2.03
HTL	+4.54	MLW	+0.28
MHW	+3.44	MLLW	0.0

TITLE: **GANGWAY & FLOATS PROJECT DETAILS**

PURPOSE: **MARINA RECONSTRUCTION**

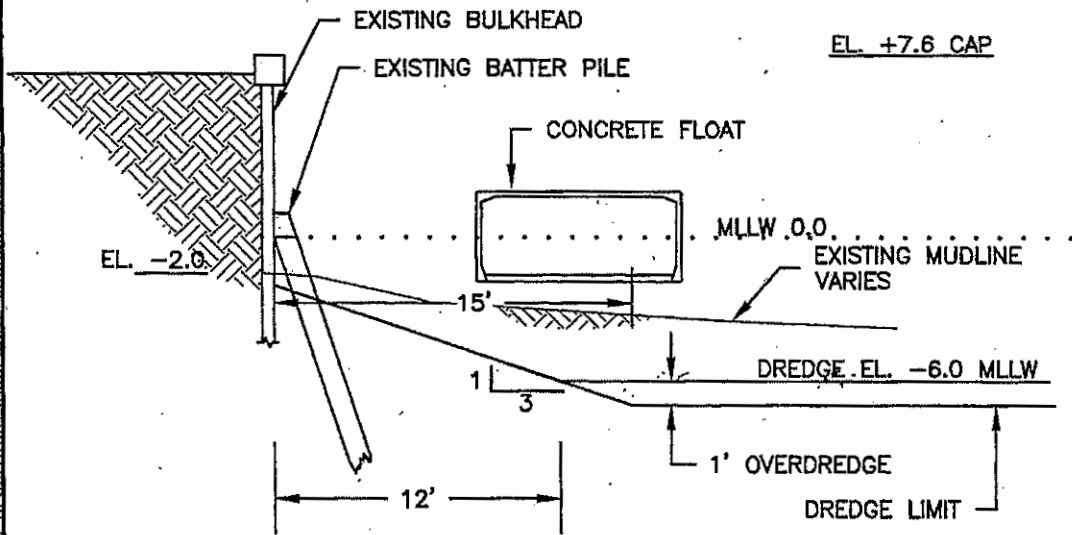
APPLICATION BY: **TOWN OF HARWICH**

IN: **SQUAMUCKET HARBOR**
AT: **HARWICH**
COUNTY: **BARNSTABLE** STATE: **MA**

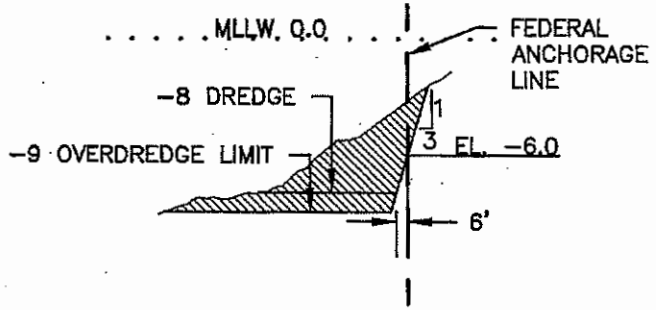


SHEET **6** OF **7**
DATE: **01/24/17**

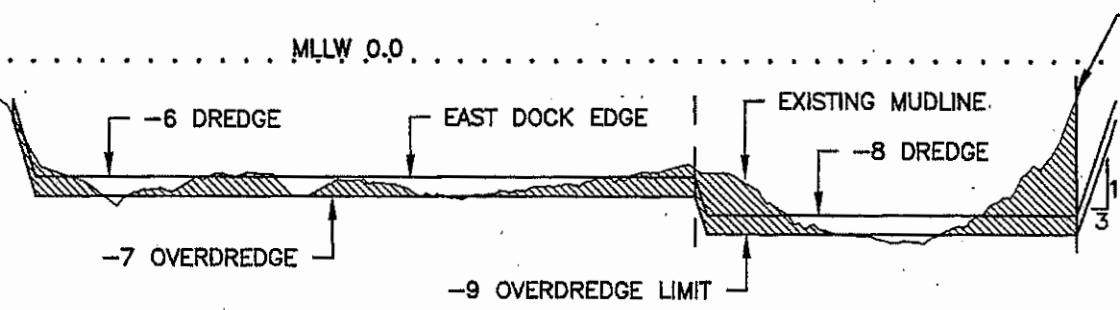
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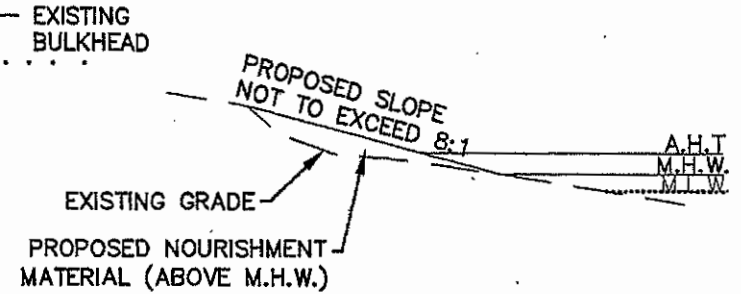
A
7
TYPICAL BULKHEAD-SECTION
SCALE: 1/8"=1'-0"



B
7
CHANNEL DREDGE-SECTION
SCALE-HOR: 1"=100'-0"
VERT: 1"=10'-0"



C
7
TYPICAL DREDGE-SECTION
SCALE-HOR: 1"=100'-0"
VERT: 1"=10'-0"

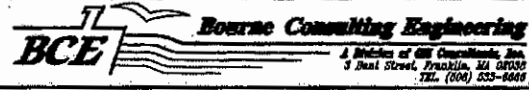


D
7
TYPICAL BEACH NOURISHMENT PROFILE
SCALE: N.T.S.

100 YR FLOOD	+16.03	NAVD88	+2.03
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TITLE: **DREDGE SECTIONS PROJECT DETAILS**

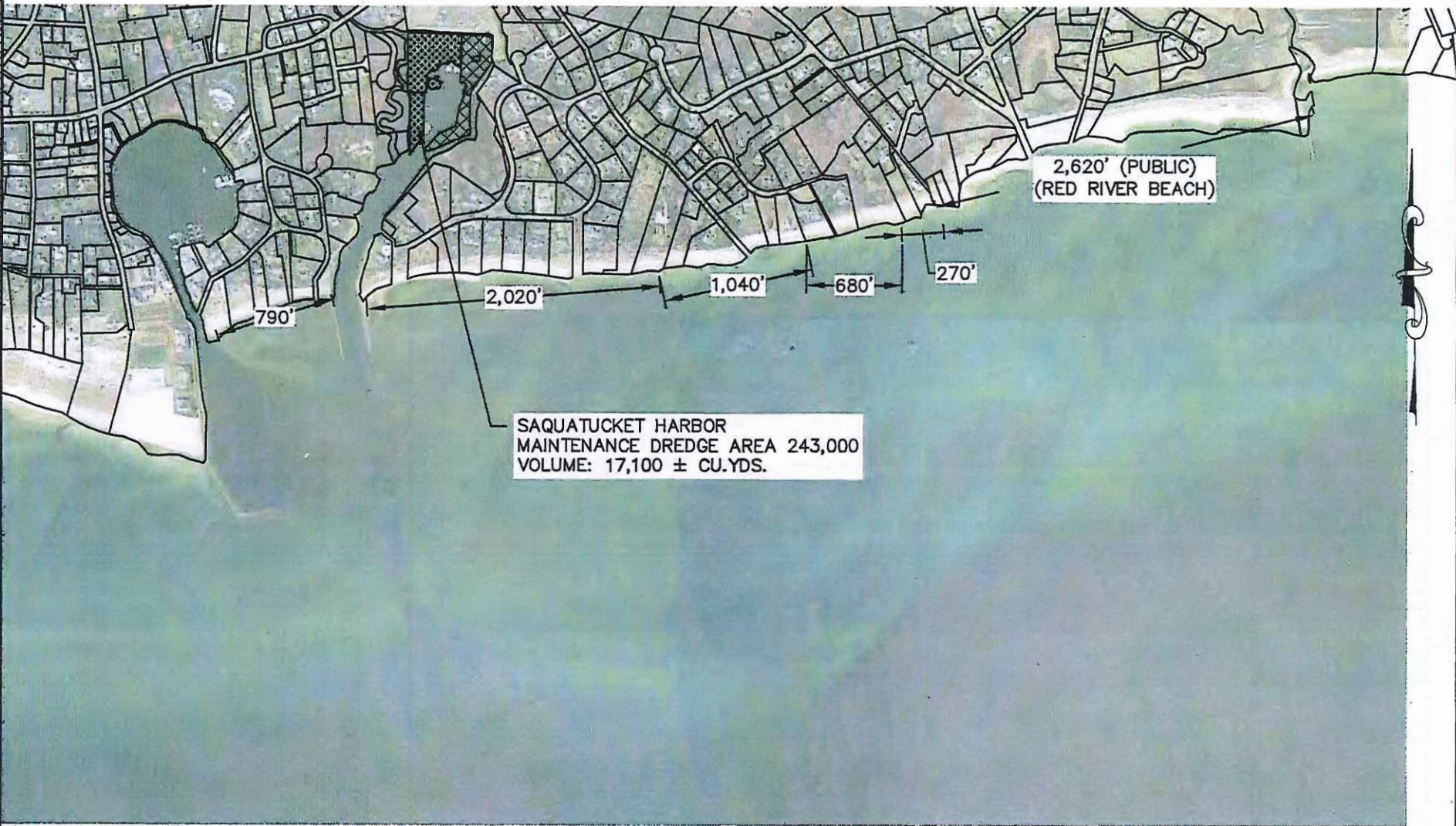
IN: **SAQUATUCKET HARBOR**
AT: **HARWICH**
COUNTY: **BARNSTABLE** STATE: **MA**



PURPOSE: **MARINA RECONSTRUCTION**

APPLICATION BY: **TOWN OF HARWICH**

SHEET **7** OF **7**
DATE: **01/24/17**



SCALE: 1"=1000'-0"

100 YR FLOOD	+16.03	NAVD88	+2.03
HTL	+4.54	MLW	+0.23
MHW	+3.44	MLLW	0.0

TITLE: **PROPOSED DREDGING AND NOURISHMENT SAQUATUCKET HARBOR**

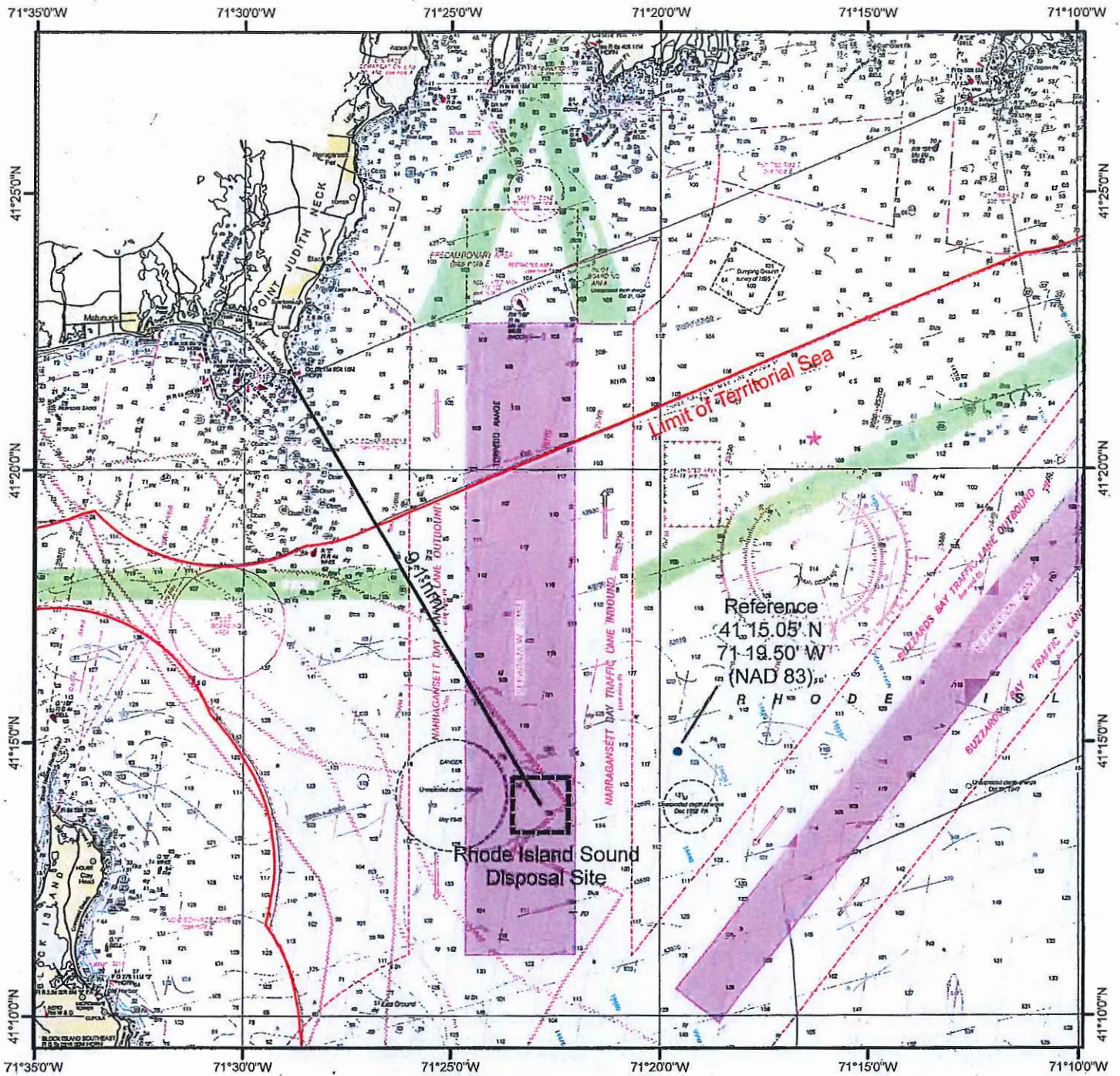
PURPOSE: **DREDGE**

IN: **NANTUCKET SOUND**
 AT: **HARWICH**
 COUNTY: **BARNSTABLE** STATE: **MA**

APPLICATION BY: **TOWN OF HARWICH**

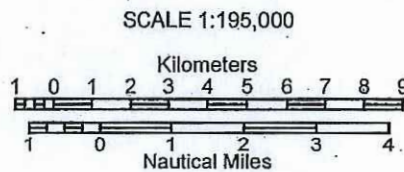
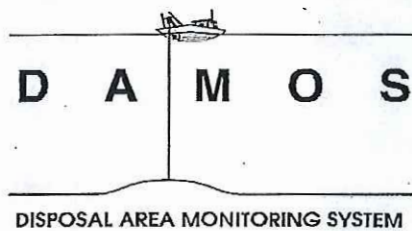
SHEET **8** OF **8**
 DATE: **01/24/17**



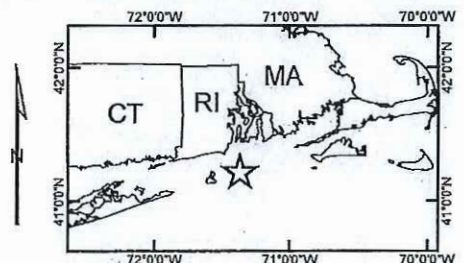


RHODE ISLAND SOUND DISPOSAL SITE

Description: The Rhode Island Sound Disposal Site (RISDS) was designated in December 2004. This 3.24 km² (1 nautical mi²) site is centered at 41° 13.850' N, 71° 22.817' W (NAD 83). It is located approximately 9.1 nmi (16.8 km) south-southeast of Point Judith, Rhode Island, and approximately 11.3 nmi (21 km) south of the entrance to Narragansett Bay. It is situated within the Separation Zone for the Narragansett Bay Inbound and Outbound Traffic Lanes and lies within a topographic depression, with water depths from 36 to 39 m. The authorized disposal point (within the overall disposal area) is specified for each dredging project in other project documents.



NOTE: This chart is not intended for use in navigation.



Mr. Christopher Clark
Administration Manager
Town of Harwich, MA

May 9, 2017

Dear Mr. Clark,

I would like to propose an opportunity for the former Harwich Middle School, now vacant, to be used as a Museum for "STEM", 'Science, Technology, Engineering and Mathematics'. This would be a great opportunity for a Museum in the mid-cape area for both students and adults to appreciate the importance of these areas. Cape Cod does not have a Science & Technology Museum and certainly needs one. Many organizations have ranked the U.S. public education poorly in these areas, i.e. Fair Reporters listed the U.S. public educational standards 29th among the world's leading countries for science and mathematics.

I understand that the Board of Selectmen are reviewing four options for use of the Middle School building, one of which was a non-binding vote by a majority of the citizens for affordable housing followed by use as a cultural or educational center. Certainly these are important. Nevertheless, it would be of great assistance to the country to encourage more children to become educated in the areas of science and technology. A museum, fashioned after parts of the Museum of Science in Boston, would help our children to become more interested in further studies in science and technology. Also, it would be possible to combine a Science & Technology Museum with either an educational or a cultural center by sharing the space.

If Harwich approves the above approach, I would create a 501(C)3 organization and raise funds for a Museum. Over time, funds could be raised to maintain the building and to purchase the Museum portion of the building.

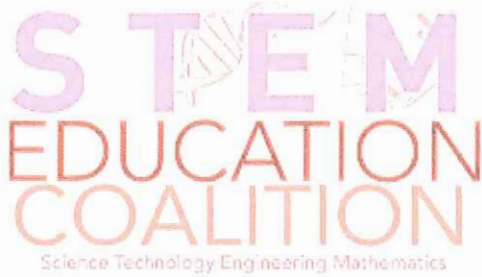
Thank you for your consideration in this matter.

Earl A. Beardsley

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Cc: Michael D. MacAskill, Chairman, Board of Selectmen



(<http://www.stemedcoalition.org/>)

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OUR PURPOSE

The STEM Education Coalition works aggressively to raise awareness in Congress, the Administration, and other organizations about the critical role that STEM education plays in enabling the U.S. to remain the economic and technological leader of the global marketplace of the 21st century. Members of the STEM Coalition believe that our nation must improve the way our students learn science, mathematics, technology and engineering and that the business, education, and STEM communities must work together to achieve this goal. Our core policy principles can be found here (<http://www.stemedcoalition.org/wp-content/uploads/2012/04/Note-STEM-Education-Coalition-Core-Principles-2012.pdf>).

The Coalition is organized as a 501c4 non-profit organization.

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May 8, 2017 (<https://twitter.com/StemEdCoalition/statuses/861591597863108609>)

