

SELECTMEN'S MEETING AGENDA*

*Griffin Room, Town Hall
Executive Session 6:00 P.M.
Regular Meeting 6:30 P.M.
Monday, April 4, 2016*

I. **CALL TO ORDER**

II. **EXECUTIVE SESSION** - Pursuant to M.G.L. c. 30A, § 21(a)(3), to discuss strategy with respect to collective bargaining if an open meeting may have a detrimental effect on the bargaining position of the Board and the Chair declares so – IMAW Water Employee's Union

III. **PLEDGE OF ALLEGIANCE**

IV. **WEEKLY BRIEFING**

V. **PUBLIC COMMENT/ANNOUNCEMENTS**

VI. **CONSENT AGENDA**

- A. Approve Minutes – March 14, 2016 Regular Session
- B. Approve the Recreation and Youth 2016 Beach Sticker fees
- C. Approve the adoption of Recreation and Youth's Rule #20 "Use of Motorized Airborne Devices" under Rules and Regulations
- E. Approve the recommendation of the Town Administrator to issue Dog Order following a hearing held on March 24, 2016
- F. Approve application for Common Victualler license by Hot Stove at Cranberry Valley
- G. Approve renewal of Common Victualler license for Viera Restaurant
- H. Approve Chapter 90 request to chipseal various roads throughout the Town in the amount of \$160,601.67
- I. Accept gifts in the amount of \$2,040.00 to the Council on Aging Gift Account and \$725.00 to the Town Nurse Gift Account

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

VIII. **OLD BUSINESS**

- A. Review of Town Meeting Articles – *discussion and possible vote*
 - #1 - #25 #27 - #31 #33 - #37
 - #39 - #54 #57 - #59 #61 - #65
 - STM #2 - #4

IX. **NEW BUSINESS**

- A. Budget Amendment #2 – *discussion and possible vote*
- B. FY 2016 Revenues - *discussion*

X. **TOWN ADMINISTRATOR'S REPORT**

- A. FEMA – National Flood Insurance Program
- B. Ice Cream and Food Concessions at the beaches for 2016 summer season
- C. West Harwich School
- D. Muddy Creek update

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

Sandra Robinson, Admin. Secretary

Date: March 31, 2016

**MINUTES
SELECTMEN'S MEETING
GRIFFIN ROOM, TOWN HALL
MONDAY, MARCH 14, 2016
6:30 P.M.**

SELECTMEN PRESENT: Brown, Cebula, Hughes, LaMantia (participated remotely), MacAskill

OTHERS PRESENT: Town Administrator Christopher Clark, Assistant Town Administrator Charleen Greenhalgh, Chief Clarke, Chief Guillemette, Carolyn Carey, Richard Gunderson, Larry Cole, and others.

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

Chairman Hughes reported that the Board had just come out of Executive Session where they discussed the Town Administrator's contract for which there was no vote and the Sutphin property for which they granted an extension.

WEEKLY BRIEFING

Ms. Carey reported that there will be a meeting regarding fees at the Community Center on March 30th at 11:00 a.m. and 5:30 p.m.

Chief Guillemette introduced full-time Regular Police Officer candidate Ronald Ruggiero.

PUBLIC COMMENT/ANNOUNCEMENTS

- A. All votes taken tonight will be by roll call due to remote participation

Chairman Hughes noted that Mr. LaMantia would be participating remotely and that all votes would be taken by a roll call vote.

CONSENT AGENDA

- A. Approve Minutes:
 - 1. February 22, 2016 Regular Meeting
 - 2. February 29, 2016 Regular Meeting
- B. Confirm appointment of Ronald Ruggiero as a full-time Regular Police Officer as recommended by Police Chief
- C. Approve request for assistance from the Caleb Chase Fund
- D. Approve amendment to Lease Agreement with Hot Stove Inc. at Cranberry Valley and amended ABCC Form 43 to include service on 18-hole Golf Course
- E. Approve recommendation of the Building Commissioner to waive Chase Library sign application fee
- F. Approve Chapter 90 Project request for the reconstruction of Gilbert Lane
- G. Approve 2016 Long Pond Bass Tournaments

Ms. Brown moved approval of the Consent Agenda. Mr. MacAskill seconded the motion and the motion carried unanimously on a roll call vote.

OLD BUSINESS

A. Non-Binding Ballot Question regarding the Harwich Middle School – *discussion and possible vote*

Ms. Cebula stated that the lessee should pay all operating costs rather than just utilities as indicated in #4. Ms. Brown suggested removing “or sold” in #4. Mr. LaMantia disagreed and said it provides more options and makes it broader. Ms. Greenhalgh noted that the majority of the Board members wanted to include the language “or sold.” She suggested changing the explanation to “if the building and land were leased” or “the building and land may be leased.” The Board agreed on “if the building and land were to be leased.” Ms. Brown commented that it seems redundant. Ms. Cebula moved to include this non-binding advisory ballot question regarding the Harwich Middle School on the ballot for our May elections. Mr. MacAskill seconded the motion and the motion carried unanimously on a roll call vote.

NEW BUSINESS

A. Establish Fire Station 2 Rehabilitation and Renovation Committee as recommended by Fire Chief

Chief Clark said they put together an in-depth working group on this. He asked that the Board allow them to continue their work. He noted that the idea is to do a study of their needs and they want to add living quarters and another bay. Ms. Cebula moved to accept the charter for the Rehabilitation and Renovation Committee for Station 2 and that the current working group be the initial 7 members which she named as follows: Craig Chadwick, John Clarke, Norm Clarke, Sean Libby, Joseph McParland, Joseph Rego, and Scott Tyldesley. Ms. Brown seconded the motion and the motion carried unanimously on a roll call vote.

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

A. Presentation by CVEC on new budget – Liz Argo

Ms. Argo explained that they have done very well in FY16 in adhering to their budget. She noted that their income is up and expenses are down \$62,000. She stated that they are reigning in expenses, mostly legal. She reported that the FY17 budget is in review and the information she provided to the Board indicates they are in the red by about \$83,000. She stated that they will return with an adder request for FY18 in the summer. Ms. Argo further stated that it isn't apparent but they had a reserve of \$250,000 which they will be able to survive on for FY17 and that they moved their office at the request of the County which added moving expenses. She took questions and noted that with they will no longer be able to bring new initiatives to the Board.

NEW BUSINESS *(Continued)*

B. Review of Annual Town Meeting Warrant Articles – *discussion and possible vote to support*

Mr. Clark summarized the votes of the Finance Committee on the warrant articles and discussed timing of article discussion by the Board.

C. Town Administrator Contract – *discussion and possible vote*

Chairman Hughes reported that Mr. Clark’s contract expires on June 30 and the Board needs to take action by March 30 or the contract will automatically extend for one year. Mr. LaMantia moved to extend the contract for Chris Clark for 2 additional years, benefits and salary changes be dependent on performance evaluations. Chairman Hughes restated the motion as follows: to extend the contract for 2 years, to June 30, 2018, and any benefits and salary adjustment would be dependent on performance reviews. Mr. LaMantia confirmed that as being correct. Ms. Cebula seconded the motion for discussion. Ms. Cebula questioned if it is the intent that those discussions would be a Board vote and Mr. LaMantia confirmed that as being correct as well. The motion carried by a 3-2 roll call vote. Mr. MacAskill – No, Ms. Cebula – Yes, Mr. LaMantia – Yes, Ms. Brown – No, Chairman Hughes – Yes.

TOWN ADMINISTRATOR’S REPORT

A. Southeast New England Program for Coastal Watershed Restoration Grant - status update

Mr. Clark reported that he has received word back that we have not been asked to submit a formal proposal for this grant so it will not progress forward.

B. Special Town Meeting Warrant opens on Tuesday, March 15 – Friday, March 18 (Noon deadline)

Mr. Clark provided a reminder that the Special Town Meeting Warrant opens on Tuesday, March 15 and closes on Friday, March 18 at noon.

C. Chatham/Harwich Intermunicipal Agreement

Mr. Clark reported that we have the Intermunicipal Agreement and they have made fairly extensive rewrites. Chairman Hughes asked the sub-committee to get clarification from Chatham.

D. One-liners update for Finance Committee votes on ATM articles

No action was taken on this item.

ADJOURNMENT

Chairman Hughes adjourned the meeting at 7:35 p.m.

Respectfully submitted,

Ann Steidel
Recording Secretary

Town of Harwich
Recreation Department
Youth, Park, Beach & Commission



DATE: Monday, March 28, 2016

TO: The Cape Cod Chronicle
PHONE: 508-945-2220
FAX: 508-945-2579

FROM: Lee Ames, Executive Assistant
Recreation & Youth Department
PHONE: 508-430-7553
FAX: 508-430-7579

Please publish in the March 10th and March 17th edition.

RE: Legal Notice of Public Meeting

The Harwich Recreation and Youth Commission will hold a public meeting on Tuesday March 22nd, 2016 at 5:30 pm. The meeting will be held at 100 Oak Street, Harwich, MA 02645. The meeting purpose is to hear public opinion on changes to the Town Beach Rules and Regulations and Beach Sticker pricing for 2016. All are welcome.



Harwich Recreation & Youth Commission

100 Oak Street	Harwich, MA 02645	Fax 508-430-7579
Director:	Executive Assistant:	Recreation Program Specialist:
Eric J. Beebe 508-430-7552	Lee A. Ames 508-430-7553	Susan H. Fraser 508-430-7554
eebeebe@town.harwich.ma.us	leeames@town.harwich.ma.us	sfraser@town.harwich.ma.us

Harwich Recreation & Youth Commission



Memo

DATE: March 23, 2016
TO: ✓ Harwich Board of Selectmen
PHONE: 508-430-7513
FROM:  Harwich Recreation & Youth Commission
John Mahan, Chairman
PHONE:  508-430-7553
FAX: 508-430-7579



Gentlemen,

At a meeting of the Recreation and Youth Commission on March 22nd, 2016 the Commission has voted to set the Town of Harwich 2016 Beach Sticker fees as follows:

◆ Daily Beach Passes	\$20	No Change
◆ Resident Seasonal Stickers	\$30	Increased \$5
◆ Non-Resident Seasonal Sticker	\$150	No Change
◆ Non-Resident One Week	\$65	No Change
◆ Non-Resident Two Week	\$125	No Change
◆ Replacement Stickers	\$5	No Change

We forward these to you for your adoption for the 2016 summer season.

The Harwich Recreation & Youth Commission

CC: Chris Clark, Town Administrator
Andrew Gould Town Accountant
Amy Duffy, Town Treasurer
Link Hooper, Highways & Maintenance
Kim Berube, Highways & Maintenance

JM/la

100 Oak Street

Harwich, MA 02645

Fax 508-430-7579

Director:

Eric J Beebe 508-430-7552

eebebe@town.harwich.ma.us

Executive Assistant:

Lee A Ames 508-430-7553

leames@town.harwich.ma.us

Recreation Program Specialist II:

Susan H Fraser 508-430-7554

sfraser@town.harwich.ma.us

Beach Fee Cape-Wide Comparison

***For 2-23-16 Recreation Commission Meeting**

*Dennis, Chatham, and Yarmouth are listed as examples

Daily Pass-

Our fee-	\$20
Average-	\$18.54
Dennis-	\$25
Chatham-	\$15
Yarmouth-	\$20

*** last increased Summer of 2015**

***we sold 4262 daily passes last year for \$85,240**

Resident Season Sticker

Our fee-	\$25
Average-	\$28.64
Dennis-	\$40
Chatham-	\$25
Yarmouth-	\$35

***last increased Summer of 2011**

***we sold 7351 last year for \$183,775**

1- Week Sticker

Our fee-	\$65
Average-	\$62.73
Dennis-	\$75
Chatham-	\$60
Yarmouth-	\$70

***last increased Summer of 2011**

***we sold 761 last year for \$49,465**

2-Week Sticker (only 6 towns)

Our fee-	\$125
Average-	\$114.17
Dennis-	N/A
Chatham-	N/A
Yarmouth-	N/A

***last increased Summer of 2011**

***we sold 105 last year for \$12,875**

Non-Resident Season Sticker-

Our fee-	\$150
Average-	\$165
Dennis-	\$150
Chatham-	\$175
Yarmouth-	\$175

***last increased Summer of 2015**

***we sold 182 last year for \$27,300**

Replacement Sticker-

Our fee-	\$5
Average-	\$5.36
Dennis-	\$10
Chatham-	N/A
Yarmouth-	\$5

*** last increased Summer of 2014**

***we sold 109 last year for \$545**




Harwich Recreation & Youth Department & Commission

Memo



DATE: March 23, 2016

TO: Board of Selectmen
PHONE: 508-430-7513
FAX: 508-430-5039

FROM:  John Mahan, Chairman
Harwich Recreation & Youth Commission
PHONE: 508-430-7553
FAX: 508-430-7579

At a meeting of the Recreation and Youth Commission on Tuesday March 22nd, 2016 the Commission has voted to add rule #20 to the Town of Harwich Beach Rules and Regulations. The addition applies to motorized flying devices. We are therefore forwarding this to you for your approval.

Rule

20. The use of airborne devices including, but not limited to: drones, planes, personal jetpacks and other motorized flying devices are prohibited unless authorized at the discretion of an appropriate Town Agent and Lifeguard.

Attachment: Updated Town Beach Rules and Regulations

CC: Christopher Clark, Town Administrator
David Guillemette, Chief of Police

JM/laa

100 Oak Street

Director:

Eric J. Beebe 508-430-7552
eebeebe@town.harwich.ma.us

Harwich, MA 02645

Executive Assistant:

Lee A. Ames 508-430-7553
leames@town.harwich.ma.us

Fax 508-430-7579

Recreation Program Specialist:
Susan H. Fraser 508-430-7554
sfraser@town.harwich.ma.us

Town Beach Rules and Regulations

Definition: *Beach – includes beach, parking lot and abutting Town-owned sand dunes for both salt and fresh water Town-owned property*

Section 1 EFFECTIVE DATES – MEMORIAL DAY THROUGH LABOR DAY (ANY YEAR)

1. No alcoholic beverages will be possessed or consumed on any public beach, and no person shall be intoxicated, or commit any obscene or indecent act or use profane/obscene language.
2. No littering, all refuse must be placed in rubbish containers provided. No glass containers will be allowed on beaches. No household refuse allowed in rubbish containers.
3. No person shall damage, deface, or remove any building, structure or sign belonging to the Town of Harwich.
4. No selling, advertising, or giving away of goods and services will be permitted except by concessionaires under contract with the Town or by written permission from the Recreation and Youth Commission.
5. No fires are allowed except in designated areas with approval and paid permit issued by the Recreation and Youth Department.
6. No animals or pets are permitted on any beaches. The term beaches shall include sand, dune, water and parking lots.
7. No tents, travel trailers, campers, or other units shall be used for habitation.
8. No person shall disturb the peace and tranquility of others.
9. Children (12) years of age or younger must be accompanied by an adult or person responsible for his or her behavior within the beach area.
10. Ball playing, kite flying and frisbee playing are permitted at the discretion of the Lifeguards only.
11. Scuba diving, skin diving, and all other methods of underwater swimming are prohibited in designated swimming areas.
12. Sailboats, kayaks, windsurfers, surfboards etc. are prohibited, except for designated areas of Red River Beach and fresh water ponds.
13. Speed limits on all beach parking lots shall not be in excess of 10 miles per hour and motor vehicles will not be allowed to park or travel beyond designated parking areas.
14. No individual or group of individuals will be granted reserved parking places.
15. Inflatables and beach umbrellas are permitted at the discretion of the Lifeguards only.
16. Fishing is not permitted in designated swim areas when Lifeguards are on duty.
17. All beach parking lot areas are closed from 10:00 pm until 6:00 am; all beaches are closed from Midnight to 6:00 am.
18. **Red River Beach Only – Dog walking is allowed in the parking lot area only from Dawn - 9:00 am and from 4:30 pm - Dusk, Memorial Weekend through Labor Day.**
19. No Motorboat of more than 10 horsepower or used for waterskiing may be launched or operated from the boat ramp at the east end of Long Pond (Wixon Memorial, off Cahoon Road).
20. The use of airborne devices including, but not limited to: drones, planes, personal jetpacks, other motorized flying devices are prohibited unless authorized at the discretion of an appropriate Town Agent and Lifeguard.

VIOLATORS OF THESE RULES AND REGULATIONS ARE SUBJECT TO ARREST AND PUNISHMENT BY A FINE OF NOT MORE THAN FIFTY (\$50.00) DOLLARS LITTERING AND HOUSEHOLD TRASH TWO HUNDRED (\$200.00) DOLLARS

Section 2 EFFECTIVE DATES – The day after Labor Day through the day before Memorial Day (Any Year)

“SCOOPER LAW” M.G.L. Chapter 111 Section 31 is in effect.

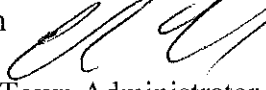
VIOLATION OF THIS REGULATION IS SUBJECT TO A FINE OF FIFTY (\$50.00) DOLLARS.

All animal owners are responsible for removing wastes produced by their animals on all public property within the Town of Harwich.

**Per order of the Town of Harwich Board of Selectmen.
Adopted annually at a public meeting by Board of Selectman.**



MEMO

TO: Board of Selectmen 

FROM: Christopher Clark, Town Administrator

RE: Dog Hearing held on February 24, 2016
Town Administrator Recommendation

DATE: April 4, 2016

After hearing all testimony at the Dog Hearing held on March 24, 2016 regarding a dog owned by Devon Whelan named "Bentley", and in conjunction with Animal Control Officer Jack Burns, I make the following recommendation to issue a Dog Order as follows:

1. That Bentley be declared a "Dangerous Dog due to a vicious disposition.
2. Bentley must be secured on a leash not to exceed 3 feet in length and be humanely muzzled with a basket type muzzle specific for Pit Bull type dogs that has been properly fitted by a certified dog trainer whenever he is removed from the premise of the owner or keeper.
3. When the dog Bentley is on the premise of the owner or keeper, the dog must be supervised and wearing the muzzle described above.
4. If or when Ms. Whelan moves from Harwich, she must notify the Harwich Animal Control Officer of that move and her new address so that the new address can be reported.
5. Ms. Whelan must see to it that her dog Bentley is licensed in the Town that she resides in whether it is Harwich or Dennis by the Town Clerk.

CC: Jack Burns, Animal Control Officer



HARWICH POLICE DEPARTMENT

183 SISSON ROAD HARWICH MA 02645 508-432-1212

www.harwichpolice.com



March 24, 2016

Honorable Board of Selectmen,

Based on my training and experience I believe that "Bentley", a neutered male blue nose Pit Bull owned by Devon Whelan of 8 Stage Coach Road in Harwich, should be declared a "Dangerous Dog" due to a vicious disposition.

I recommend that whenever "Bentley" is removed from the premise of the owner or keeper he be kept on a leash not to exceed 3 feet in length and be securely and humanely muzzled with a basket type muzzle specific for Pit Bull type Dogs and properly fitted by a certified dog trainer.

I also recommend that when the dog is outside, on the premise of the owner or keeper, the dog must be supervised and wearing a muzzle as described above.

Respectfully,

A handwritten signature in black ink, appearing to read "John J. Ben".



HARWICH POLICE DEPARTMENT

183 SISSON ROAD HARWICH MA 02645 508-432-1212

www.harwichpolice.com



Mr. Christopher Clark
Town Administrator
Town of Harwich
732 Main Street
Harwich, MA 02645

Mr. Clark,

Attached please find two reports of a dog bite involving a dog owned by Ms. Devon Whelan of 8 Stage Coach Road.

I request a dog hearing be held per MGL C.140, s.157.

I recommend that Ms. Whelan be ordered to have her dog "Bentley", a 3 year old n-male blue nose Pit Bull, on a 6 foot leash and muzzled with a leather basket-type muzzle at all time when outdoors.

I would also recommend that Ms. Whelan seek the help of a certified dog trainer for the proper fit and use of the muzzle and to attend obedience training.

Respectfully,

John J. Burns, Officer
Animal Control

TOWN OF HARWICH
LEGAL NOTICE
DOG HEARING
March 24, 2016

The Town Administrator will hold a Public Hearing for a vicious dog pursuant to M.G.L. Ch. 140, §157, on Thursday, March 24, 2016 at 10:00 a.m. in the Library at Town Hall, 732 Main Street, Harwich relative to two reports of a dog bite involving a dog owned by Devon M. Whelan of 5 Stage Coach Road in Harwich. All interested parties are invited to attend.

Christopher Clark
Town Administrator

Cape Cod Chronicle
March 3, 2016

NARRATIVE FOR ANIMAL CONTROL OFFICER JOHN J BURNS

Ref: 16-2568-OF

Dog bite and quarantine

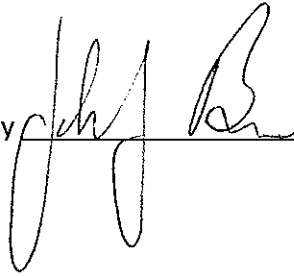
On Wednesday February 24, 2016 at about 13:17 Hrs. I was dispatched to 5 Stage Coach Road for a dog bite with the Fire Department in route.

Upon arrival I met with Mr. John Bangert who told me that the dog from across the street at #5 got loose and came into his back yard and attacked his dog that was on leash. As he tried to defend his dog the attacking dog bit him on the hand and would not let go. He dragged the dog into his house while the dog was still gripping his hand. At some point the dog let go of his hand and ran home.

Mr. Bangert was transported to Cape Cod Hospital by the Harwich Fire Department.

I went across the street to 5 Stage Coach Road and met with Devon Whelan, the dog owner, and her mother Barbara Hayes. Ms. Hayes told me that she was bringing "Bentley" out of the house, on leash, to the car when the dog suddenly pulled away from her and went after the Bangert's dog.

Per MGL C. 129, s21 I placed "Bentley", a 3 year old n-male blue nose Pit Bull, under a 10 day quarantine. The dog has a current rabies vaccination from Pleasant Bay Animal Hospital.

Respectfully submitted by  #140

MINUTES
Dog Hearing
Town Hall Library
Thursday, March 24, 2016

The Hearing was opened at 10:06 a.m. by Town Administrator Christopher Clark

THOSE PRESENT: Town Administrator Christopher Clark, Animal Control Officer Jack Burns, and Administrative Secretary Sandy Robinson

OTHERS PRESENT: John Bangert, Joseph Bangert, Gail Bangert, Attorney Raymond Tomlinson, Fiacura O Luain, Devon Whelan, Barbara Hayes

Town Administrator, Christopher Clark began by introducing himself and explained the statute and that he would be guided by the opinion submitted by our Town Council Kopelman and Paige in determining the course of the hearing and his decision. He swore in all those that were giving testimony regarding this matter. After explaining the hearing process to all parties, Mr. Clark asked Animal Control Officer Jack Burns to give a summary of the facts of the events involving Ms. Whelan's dog "Bentley" and John Bangert and his dog "Trisket". Officer Burns' account is attached as Exhibit A.

It was explained by Attorney Tomlinson that there was some confusion about the two attacks. The first incident occurred on August 30th when Bentley, a pit bull mix owned by Devon Whalen attacked Kabuki, a dog owned by Claire Bangert who is the daughter of John Bangert. He advised that Claire would be available by telephone to testify if allowed. Claire was sworn in by Mr. Clark. Claire stated that her father, John Bangert was dog watching Kabuki at the time Bentley attacked Kabuki in John Bangert's front yard. Claire Bangert was not a witness to the attack in August, but did meet her father at the vet's office in Eastham and saw the injury to her dog. Kabuki received injuries to its neck and shoulder blades (approximate cost \$285 - \$300). Claire was informed that Bentley's shots were not up to date and Kabuki was given a booster. John Bangert subsequently offered the vet bill to Alex, the boyfriend of Barbara Hayes. Alex offered Mr. Bangert \$100. Mr. Clark asked Claire if she had anything else to add. She did not.

Barbara Hayes explained that Kabuki had been seen several times off leash and was at her front door in her yard. There are no fences at either home. She explained that Bentley has had no prior aggression problems. She stated that Kabuki was at the front door and Bentley pushed out of the door and a dog fight ended up in the Bangert's front yard. Ms. Hayes explained that she broke the fight up. Mr. Bangert said that Alex throws food in the front yard occasionally and Mr. Bangert offered that it is an attraction for Kabuki. He also stated that he has a run in the back yard that Kabuki uses when he watches the dog for his daughter. Ms. Hayes stated that she has seen Kabuki off leash many times.

The second incident happened on February 24th at approximately 1:30 pm. Mr. Clark asked Jack Burns to read his account again. This incident involved Mr. Bangert's dog "Trisket", a rat terrier. Mr. Clark asked the weight of both dogs involved. Bentley weighs approximately 40 lbs. Trisket weighs about 14 lbs. Bentley attacked Mr. Bangert's dog in his back yard while Trisket was on the run. Mr. Bangert was alerted to the trouble when he heard Ms. Hayes crying that she was sorry. He ran out of the house and seeing Bentley over his dog, he intervened. He stated that he must have gone into shock, but he cradled his dog and ran to the house. He finally realized that Bentley was attached to his hand and literally dragged the dog into the house still biting his hand. He had to run around the kitchen table two times before he was able to get away from the dog and lock himself in the bathroom with Trisket. At that time, he called for help and for someone to call 911. Jack Burns was informed by Dispatch of the incident and was the first to arrive, followed by

the Fire Department. Mr. Bangert's injuries included 40 stitches to his hand which caused radial nerve damage. (see Exhibit B) He had to see a reconstructive surgeon at that time. He later suffered an infection that put him in the hospital for a week. He received intravenous antibiotics for two weeks and oral antibiotics following removal of the pick line. In addition, he has torn meniscus in his knee from the incident and is using a cane. Gail Bangert took Trisket to the vet. The dog had a puncture on its neck that required two staples and had scrapes and bruising on its body. He is recovering well at this point. Expenses came to approximately \$140.

Joseph Bangert was asked to give an account of the incident. He stated that he was visiting his brother at the time. When hearing the commotion in the back yard, he and John ran out of the house. Joseph and Barbara tried in vain to separate the two dogs. John stepped in and grabbed Trisket not realizing that the dog had attached himself to John's hand. Joseph and Barbara Hayes both stated that everything happened very fast and there was not much time to react. Joseph is the one that called 911.

Barbara Hayes explained that she and Devon were in the process of training Bentley to go directly to the car when they are leaving for a drive. In this case, Bentley had become distracted by a cat and ran after it into the Bangert's back yard where Trisket was on the run. This is why Bentley was not on leash. She said that Bentley was going for Trisket (in John's arms) and mistakenly latched onto John's hand. She also states that she does not refute the accounts given by John and Joseph Bangert. Ms. Hayes and Ms. Whelan have talked to a trainer in Sandwich, but are in the process of assessing their finances. Ms. Whelan has moved out of her mother's house with Bentley in order to maintain peace in the neighborhood and out of respect for Mr. Bangert's fear of her dog.

Ms. Whelan will be moving shortly out of Harwich to Dennis. Jack Burns advised that she will have to let him know her new address so that he has it when he contacts the Dennis Dog Officer. Officer Burns recommends that Bentley should be declared "dangerous" and must be on a leash no longer than 3 feet. Bentley must wear a basket muzzle and never be left outside unsupervised. (see Exhibit C) Ms. Whelan and Ms. Hayes maintain that Bentley has always been friendly to people and other dogs. The both agree to comply with the decisions and recommendations following today's hearing. Mr. Clark was specific about the responsibility of the women to make every attempt to work with the recommendations that will be voted by the Board of Selectmen and explained that he will take different actions if he hears that they have not complied with the Dog Order to come.

Attorney Tomlinson added that a neighboring family – Heidi and John Breslin - wished to make a statement about an experience that they had with Bentley. They were not in attendance and would be sending a letter to be added to the file. In essence, the dog Bentley was left in the car with the windows open and when Mrs. Breslin left her house to walk the dog, Bentley jumped out the car window and chased them back into the house. He remained in the yard for some time. (see Exhibit D)

Following the meeting, Attorney Tomlinson contacted the Town Clerks office and it was learned that Bentley is not currently licensed by the Town.

Hearing no further testimony, Mr. Clark closed the hearing at 10:39 a.m.

Submitted by:

Sandy Robinson
Administrative Secretary

On August 30, 2015 "Bentley", a n-male Blue Nose Pit Bull owned by Devon Whelan, got out of the house, ran across the road and bit "Kkabuki", a 12 year old Australian Cattle Dog owned by Mr. Bangert.

"Bentley" was placed under a 10 day quarantine per MGL C.129, s.21.

On February 24, 2016 Bentley" again got loose and went into Mr. Bangert's back yard and attacked his dog that was on leash. As Mr. Bangert tried to defend his dog the attacking dog bit him on the hand and would not let go. He dragged the dog into his house while the dog was still gripping his hand. At some point the dog let go of his hand and ran home.

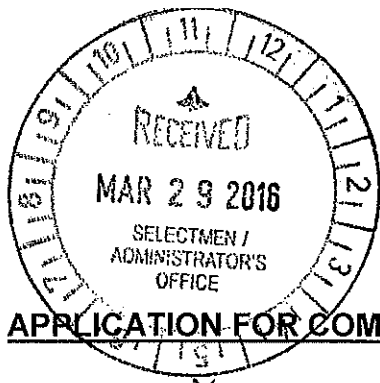
Mr. Bangert was transported to Cape Cod Hospital by the Harwich Fire Department.

"Bentley" was placed under a 10 day quarantine per MGL C.129, s.21.

Based on my training and experience I believe that "Bentley", a neutered male blue nose Pit Bull owned by Devon Whelan of 8 Stage Coach Road in Harwich, should be declared a "Dangerous Dog" due to a vicious disposition.

I recommend that whenever "Bentley" is removed from the premise of the owner or keeper he be kept on a leash not to exceed 3 feet in length and be securely and humanely muzzled with a basket type muzzle specific for Pit Bull type Dogs and properly fitted by a certified dog trainer.

I also recommend that when the dog is outside, on the premise of the owner or keeper, the dog must be supervised and wearing a muzzle as described above.



OFFICE OF THE SELECTMEN
 732 MAIN STREET
 HARWICH, MA 02645
 508-430-7513

APPLICATION FOR COMMON VICTUALLERS LICENSE

Fee: \$50 New application Annual _____ # of seats _____
 Renewal _____ Seasonal _____ Opening date _____

In accordance with the provisions of the Statutes relating thereto, application for a Common Victuallers license is hereby made by:

Business Name Hot Stove at Cranberry Valley Phone 774-212-2902

Doing Business As (d/b/a) NA

Business Address 183 OAK ST. HARWICH 02645

Mailing Address 27 GORHAM ROAD Harwich Port 02646

Email Address r.s.leidner@sandlotinc.com

Name of Owner RON LEIDNER

(If corporation or partnership, list name, title and address of officers)

RONALD LEIDNER President, Treasurer, Clerk Same as Mailing Address

GABRIEL LEIDNER Clerk 551 RT. 28
Harwich Port 02646

Ronald Leidner owner/manager [REDACTED]
 Signature of applicant & title Social Security # or Federal I.D. #

Pursuant to MGL Ch. 62c, Sec. 49A, I certify under the penalties of perjury that to the best of my knowledge and belief I have filed all state tax returns and paid all state taxes required under law.

HOT STOVE, INC. By Ronald Leidner
 Signature of individual or corporate name Corporate officer (if applicable)

REGULATORY COMPLIANCE FORM

The premises to be licensed as described herein have been inspected and found to be in compliance with applicable local codes and regulations, including zoning ordinances, health regulations and building and fire codes.

[Signature] [Signature] [Signature]
 Building Commissioner Board of Health Fire Department

Required signatures to be obtained by the applicant prior to submission of new applications.



OFFICE OF THE SELECTMEN
732 MAIN STREET
HARWICH, MA 02645
508-430-7513

APPLICATION FOR COMMON VICTUALLERS LICENSE

Fee: \$50 New application _____ Annual _____ # of seats _____
Renewal Seasonal Opening date _____

In accordance with the provisions of the Statutes relating thereto, application for a Common Victuallers license is hereby made by:

Business Name Viera LLC Phone 508-685-9242

Doing Business As (d/b/a) Viera Restaurant

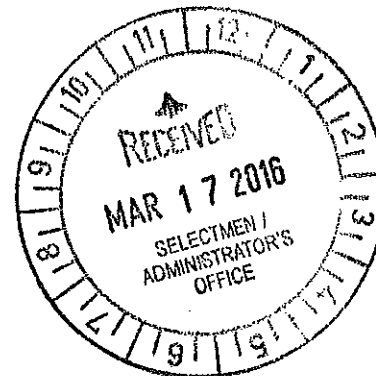
Business Address 11 Route 28, West Harwich, MA 02671

Mailing Address _____

Email Address bporter7@hotmail.com

Name of Owner Benjamin Porter

(If corporation or partnership, list name, title and address of officers)



Benjamin Porter / owner
Signature of applicant & title

[REDACTED]
Social Security # or Federal I.D. #

Pursuant to MGL Ch. 62c, Sec. 49A, I certify under the penalties of perjury that to the best of my knowledge and belief I have filed all state tax returns and paid all state taxes required under law.

Benjamin Porter
Signature of individual or corporate name

By _____
Corporate officer (if applicable)

REGULATORY COMPLIANCE FORM

The premises to be licensed as described herein have been inspected and found to be in compliance with applicable local codes and regulations, including zoning ordinances, health regulations and building and fire codes.

[Signature]
Building Commissioner

[Signature]
Board of Health

[Signature]
Fire Department

Required signatures to be obtained by the applicant prior to submission of new applications.

CHAPTER 90 PROJECT REQUEST

COPY

CONTRACT ID # 50829

CLASSIFICATION: Primary Road Local Road

PROJECT # _____

CITY/TOWN HARWICH

PROJECT: CHIPSEALING VARIOUS ROADS

LOCATION: VARIOUS LOCATIONS SEE ATTACHED LENGTH _____ WIDTH: _____

PROJECT TYPE: Construction Reconstruction Resurfacing Improvement

Other: _____

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

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

Surface:

Base Course:

Foundation:

Shoulders/Sidewalks:

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

TO CHIPSEAL VARIOUS ROADS THROUGHOUT TOWN, PROVIDING A NEW WEAR SURFACE AND EXTENDING THE LIFE OF THE ROADS.

Work to be done: Force Account Advertised Contract Other: COUNTY BID

Estimated Cost (Attach estimate and list funding sources) \$ 160,601.67

CERTIFICATION

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

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

Prepared by: 
(Highway Official)

Signed: _____

(Duly Authorized Municipal Official(s))

Reviewed by: _____
(State Aid Engineer)

Approved by: _____
(District Highway Director)

Approved for: _____ @ _____

Date: _____

CHAPTER 90 ENVIRONMENTAL PUNCH LIST

City/Town HARWICH

MassHighway District # 5

Proposed Work Construction Resurfacing Improvement Other: _____

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

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

* See Appendix K for a List of Environmental Agencies.

Validation

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

Prepared by: 
(Highway Official)

Signed: _____

Date: 3/28/16

(Duly Authorized Municipal Official(s))

**FY17 SECONDARY ROAD MAINTENANCE - 10% RUBBER CHIP SEAL
25 ROADS**

	LENGTH	WIDTH	SQ. YD.	TOTAL SQ. YD.	BID PRICE	AMOUNT
WYNDEMERE ROAD	475	20	1,055.56	1,055.56	\$3.50	\$3,694.44
LINCOLN VILLAGE RD	1000	20	2,222.22	2,222.22	\$3.50	\$7,777.78
DOANE WAY	780	20	1,733.33	1,733.33	\$3.50	\$6,066.67
KILDEE ROAD	1050	20	2,333.33	2,333.33	\$3.50	\$8,166.67
WEQUASSET ROAD	1464	20	3,253.33	3,253.33	\$3.50	\$11,386.67
MIRASOL LANE	1085	20	2,411.11	2,411.11	\$3.50	\$8,438.89
ARCHIBALD CIRCLE	2120	20	4,711.11	4,711.11	\$3.50	\$16,488.89
VICTORY DRIVE	840	20	1,866.67	1,866.67	\$3.50	\$6,533.33
SUNSET ROAD	421	20	935.56	935.56	\$3.50	\$3,274.44
PATRICIA LANE	1400	22	3,422.22	3,422.22	\$3.50	\$11,977.78
LOUIS WAY	550	20	1,222.22	1,222.22	\$3.50	\$4,277.78
BASSETTS LANE	870	20	1,933.33	1,933.33	\$3.50	\$6,766.67
MANDERVILLE ROAD	540	22	1,320.00	1,320.00	\$3.50	\$4,620.00
OSBORNE ROAD	620	20	1,377.78	1,377.78	\$3.50	\$4,822.22
CLIFFORD PLACE	280	24	746.67	746.67	\$3.50	\$2,613.33
SHAGGY PINES ROAD	655	20	1,455.56	1,455.56	\$3.50	\$5,094.44
HALL AVENUE	1030	20	2,288.89	2,288.89	\$3.50	\$8,011.11
CAROL LANE	390	24	1,040.00	1,040.00	\$3.50	\$3,640.00
HAMILTON PLACE	340	20	755.56	755.56	\$3.50	\$2,644.44
WAYSIDE DRIVE	665	20	1,477.78	1,477.78	\$3.50	\$5,172.22
NEVINS LANE	365	22	892.22	892.22	\$3.50	\$3,122.78
ARBUTUS AVENUE	720	22	1,760.00	1,760.00	\$3.50	\$6,160.00
HARBOR WAY	455	20	1,011.11	1,011.11	\$3.50	\$3,538.89
GORDON RITCHIE RD	670	22	1,637.78	1,637.78	\$3.50	\$5,732.22
GLEN ROAD	900	22	2,200.00	2,200.00	\$3.50	\$7,700.00

45,063.33 \$157,721.67

TOTAL SECONDARY ROAD MAINTENANCE \$157,721.67



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

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

March 29, 2016

Board of Selectmen
Chairman
732 Main Street
Harwich, MA 02645



Dear Mr. Chairman;

Please accept as gifts to the Council on Aging Gift Account #14085004 donations totaling \$2040.00 deposited with the Town Treasurer. Many donations were made in memory of Marion Mullens, Calvin Ayer, Sadie Egan and Lois Hawley. All thank you notes have been sent.

Also please accept the gifts of \$725.00 to the Town Nurse Gift Account #15125104 deposited with the Town Treasurer. These donations were made in memory of Arvid Groswald. All thank you notes have been sent.

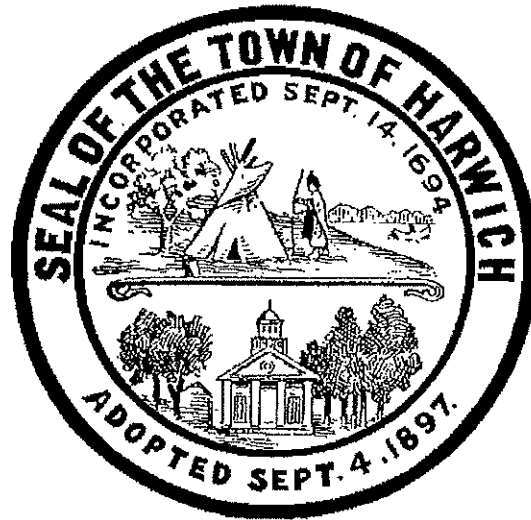
Sincerely,

Barbara-Anne Foley
Harwich COA Director

**ANNUAL TOWN MEETING
WARRANT**



MAY 2, 2016



**SPECIAL TOWN MEETING
WARRANT**



MAY 3, 2016

**with
RECOMMENDATIONS**

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May 3, 2016

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APPENDIX A – Sample Ballot

APPENDIX B – Operating Budget

VOTING PROCEDURES

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

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

Motions	Debatable	Non Debatable	Amendable	Non Amendable	Second Required	Second Not Required	Majority Vote	2/3 Vote	¼ Vote	May Reconsider	Cannot Reconsider
Adjourn		X		X	X		X				X
Adjourn (in a time certain)	X		X		X		X			X	
Amendment	X		X		X		X			X	
Adopt a Resolution	X		X		X		X				X
Accept & Adopt	X		X		X		X ¹			X	
Postpone Indefinitely	X			X	X		X			X	
Previous Question Terminate Debate		X		X	X			X			X
Reconsider ²	X			X	X			X			X
Consider Articles Out of Order	X		X		X			X			X
Point of Order		X								X	
1. Unless a greater than simple majority required by General Laws of Town of Harwich by-laws.											
2. See section 1.207											

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

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

MUNICIPAL FINANCE TERMS

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

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

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

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

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

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

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

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

PROPOSITION 2 ½ TERMS

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

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

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

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

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

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

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

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

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

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

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

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

BARNSTABLE, ss:

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

Greetings:

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

ARTICLES

TOWN OFFICERS AND COMMITTEES

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

FINANCE COMMITTEE RECOMMENDS THIS CUSTOMARY ARTICLE BE ACCEPTED AND ADOPTED. VOTE: YES-7, NO-0

REPORTS OF TOWN OFFICERS AND COMMITTEES

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

FINANCE COMMITTEE RECOMMENDS THIS CUSTOMARY ARTICLE BE ACCEPTED AND ADOPTED. VOTE: YES-7, NO-0

ELECTED OFFICIALS SALARIES

ARTICLE 3 To see if the Town will vote to fix the salaries of the elected officials of the Town for fiscal year commencing July 1, 2016 and ending June 30, 2017 as follows and to act fully thereon. Estimated cost: \$84,697

Selectmen (5)	\$1,500 (each)
Moderator.....	\$300
Town Clerk	\$75,397
Water Commissioners (3)	\$500 (each)

FINANCE COMMITTEE RECOMMENDS THIS CUSTOMARY ARTICLE BE ACCEPTED AND ADOPTED. VOTE: YES-7, NO-0

TOWN OPERATING BUDGET

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

FINANCE COMMITTEE RECOMMENDS NO RECOMMENDATION PENDING FURTHER INFORMATION (NRPFI). FINCOM VOTES NRPFI WHEN, AT THE TIME THE WARRANT IS PRINTED, IT HAD INSUFFICIENT OR INCOMPLETE INFORMATION TO MAKE AN INFORMED RECOMMENDATION. IT DOES NOT IMPLY A NEGATIVE FINCOM VIEW, ONLY AN INCOMPLETE UNDERSTANDING OF THE ARTICLE SO VOTED. FINCOM WILL MAKE ITS FINAL RECOMMENDATION AT TOWN MEETING AFTER HAVING RECEIVED FURTHER INFORMATION. VOTE: YES-6, NO-0.

MONOMOY REGIONAL SCHOOL DISTRICT BUDGET

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

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED TO FUND THE ANNUAL OPERATION OF THE MONOMOY REGIONAL SCHOOL DISTRICT FOR FY 17, AND THAT \$24,058,302 BE RAISED FOR THIS PURPOSE AND FURTHER OF THAT TOTAL \$224,724, WHICH IS EQUAL TO THE CAPITAL NEEDS OF THE DISTRICT, BE FUNDED FROM AVAILABLE FUNDS. VOTE: YES-7, NO-0.

CAPE COD REGIONAL TECHNICAL SCHOOL DISTRICT BUDGET

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

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED TO FUND THE ANNUAL OPERATION OF THE REGIONAL TECHNICAL HIGH SCHOOL AND THAT \$1,437,053 BE RAISED AND APPROPRIATED FOR THIS PURPOSE. VOTE: YES-7, NO-0

WATER BUDGET

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

FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED AND THAT \$3,939,879 BE TRANSFERRED FROM WATER RATE COLLECTIONS TO BE USED TO FUND THE ANNUAL OPERATION OF THE WATER DEPARTMENT. VOTE: YES-7, NO-0.

ADOPT THE CAPITAL PLAN

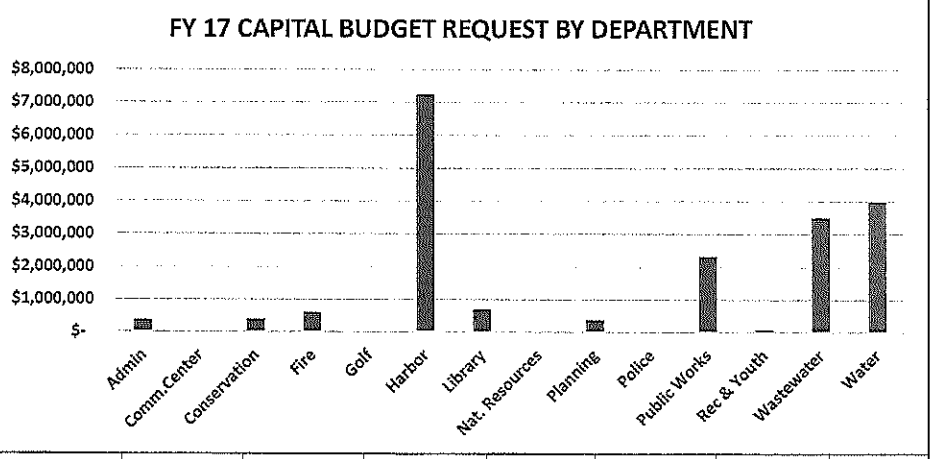
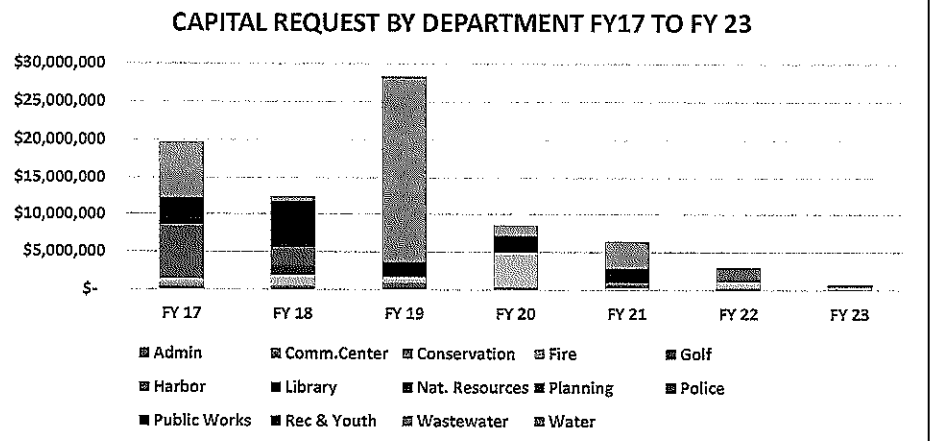
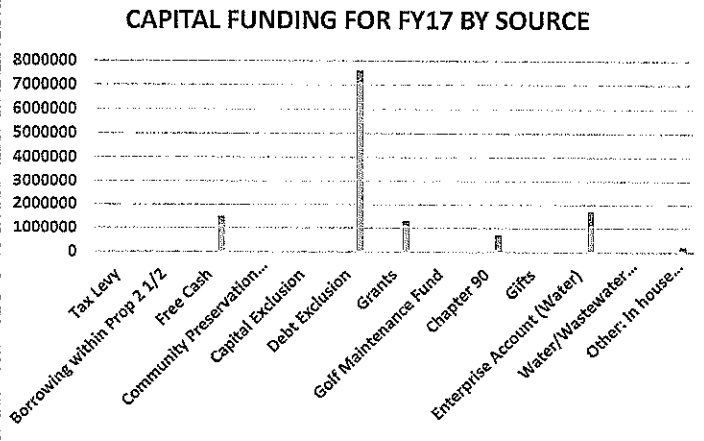
ARTICLE 8: To see if the Town will vote to adopt the Capital Plan for the ensuing seven year period as adopted last year by the Town Meeting with new fiscal year 2023 as proposed by the Board of Selectmen and set forth below or as amended by vote of the Town Meeting, and to act fully thereon. By request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

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. VOTE: YES-7, NO-0

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

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

Funding Summary				FY17	FY18	FY19	FY20	FY21	FY22	FY23
Tax Levy	\$ -	Admin	\$ 378,900	\$ 195,700	\$ 720,100	\$ -	\$ -	\$ -	\$ -	
Borrowing within Prop 2 1/2	\$ -	Comm.Center	\$ -	\$ 161,223	\$ 134,528	\$ 240,000	\$ -	\$ 105,000	\$ -	
Free Cash	\$ 1,494,608	Conservation	\$ 402,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Community Preservation Funds	\$ -	Fire	\$ 609,000	\$ 1,593,268	\$ 703,000	\$ 4,650,000	\$ 353,000	\$ 1,080,000	\$ 390,000	
Capital Exclusion	\$ -	Golf	\$ -	\$ 1,200,000	\$ -	\$ -	\$ -	\$ -	\$ -	
Debt Exclusion	\$ 7,600,000	Harbor	\$ 7,250,000	\$ 2,500,000	\$ 237,000	\$ 140,000	\$ 680,000	\$ 1,820,000	\$ 375,000	
Grants	\$ 1,303,100	Library	\$ 699,000	\$ 230,000	\$ 110,000	\$ 135,000	\$ -	\$ -	\$ -	
Golf Maintenance Fund	\$ -	Nat. Resources	\$ 20,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Chapter 90	\$ 700,000	Planning	\$ 376,000	\$ 292,200	\$ -	\$ -	\$ -	\$ -	\$ -	
Gifts	\$ -	Police	\$ 29,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Enterprise Account (Water)	\$ 1,700,000	Public Works	\$ 2,312,401	\$ 5,297,957	\$ 1,609,396	\$ 1,811,881	\$ 1,760,000	\$ -	\$ -	
Water/Wastewater Infrastructure Funds (Potential)	\$ -	Rec & Youth	\$ 57,128	\$ 224,374	\$ 97,099	\$ 111,359	\$ 100,000	\$ -	\$ -	
Other: In house Engineering/Funded by another appropriation	\$ 220,000	Wastewater	\$ 3,495,000	\$ 700,000	\$ 24,600,000	\$ -	\$ 3,260,000	\$ -	\$ -	
	\$ 13,017,708	Water	\$ 3,980,000	\$ -	\$ 120,000	\$ 1,500,000	\$ 250,000	\$ -	\$ 75,000	
Confirmation Total	\$ -	TOTAL	\$ 19,608,429	\$ 12,394,722	\$ 28,331,123	\$ 8,588,240	\$ 6,403,000	\$ 3,005,000	\$ 840,000	



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

AMEND THE PERSONNEL BY-LAW

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

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

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

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

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

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

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

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

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

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

FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED TO BRING THE PAY AND BENEFITS IN LINE WITH OTHER TOWN EMPLOYEES UNDER CONTRACT. VOTE: YES-6, N0-0

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

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

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

FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED WITH THE AMOUNT OF \$89,900 FROM AVAILABLE FUNDS TO PURCHASE A NEW FIRE CHIEF VEHICLE, A FIRE AIR COMPRESSOR, A CHEST COMPRESSION SYSTEM THAT IS ALSO SUPPORTED BY GRANT FUNDS, AND TO MAKE IMPROVEMENTS TO THE HARWICH PORT PARKING LOT. THESE ITEMS DID NOT MEET THE FUNDING THRESHHOLD TO BE INCLUDED ON THE CAPITAL PLAN. VOTE: YES-7, NO-0.

FACILITY MAINTENANCE AND REPAIR FUND

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

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

FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED WITH THE AMOUNT OF \$561,000 FROM AVAILABLE FUNDS TO PAY FOR THE MAINTENANCE AND REPAIRS OF THE LISTED ITEMS. VOTE: YES-6, NO-0.

FUND NEW FIRE DEPARTMENT AMBULANCE

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

FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED WITH THE AMOUNT OF \$290,000 FROM AVAILABLE FUNDS TO PURCHASE A NEW AMBULANCE AS A SCHEDULED REPLACEMENT FOR AN OLDER UNIT IN THE EXISTING FLEET. VOTE: YES-6, NO-0.

SUPPLEMENT LANDSCAPE RECLAMATION FROM GOLF CAPITAL
IMPROVEMENT FUND

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

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

FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED AND THAT \$35,000 BE FUNDED FROM THE GOLF IMPROVEMENT FUND. VOTE: YES-7, NO-0.

APPROVE USE OF THE GOLF IMPROVEMENT FUND TO CONSTRUCT NEW
TEES

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

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

FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED AND THAT \$30,000 BE FUNDED FROM THE GOLF IMPROVEMENT FUND. VOTE: YES-7, NO-0.

ESTABLISH NEW CAPITAL INFRASTRUCTURE REVITALIZATION FUND AT
CRANBERRY VALLEY GOLF COURSE

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

Explanation: Expenditures from the fund can be used for Infrastructure improvements (CVGC infrastructure as listed: Club House facilities, Maintenance facilities, and everything else that supports revenue generation. This includes water resources, energy

resources, mechanicals, septic, property boundary strategies, our car park, and maintenance of roads throughout the property), including future debt payments along with design, planning and construction phases as they present themselves.

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

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

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

FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED TO HELP DEFRAY THE COST OF FUTURE CAPITAL NEEDS OF CRANBERRY VALLEY GOLF COURSE. VOTE: YES-6, NO-0, ABSTAIN-1.

RECONSTRUCTION OF SAQUATUCKET MUNICIPAL MARINA

ARTICLE 16: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sufficient sum of money to fund the reconstruction of the Saquatucket Municipal Marina docks, piles and services, to include a handicap accessible ramp system that brings the marina in compliance with the American with Disability Act (ADA) and dredging of approximately 12,500 cubic yards of material to bring the marina within permitted depth, and to act fully thereon. The appropriation authorized by this vote shall not take effect until the Town votes to exempt from the limitation on total taxes imposed by M.G.L. Chapter 59, Section 21C (Proposition 2 ½) the amounts required to pay the principal of any interest on any borrowing authorized under this article, and further authorize the Board of Selectmen to accept any State, Federal or private grant monies available for this purpose. By request of the Harbormaster. Estimated cost: \$7,000,000.

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

constant repair, and the main electrical lines that bring power to the slip pedestals are brittle and worn, posing a fire hazard.

FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED WITH THE AMOUNT OF \$7,000,000 FROM DEBT EXCLUSION. THIS APPROPRIATION WILL PROVIDE FOR THE COMPLETE REBUILD OF THE WATERSIDE DOCKS, PILES, AND SERVICES. THE EXISTING DOCKS AND WATERSIDE WALKWAYS HAVE REACHED THE END OF THEIR USEFUL LIFE AND ARE NOT ADA COMPLIANT. THE APPROPRIATION AUTHORIZED BY THIS VOTE SHALL NOT TAKE EFFECT UNTIL THE TOWN VOTES TO EXEMPT FROM THE LIMITATION ON TOTAL TAXES IMPOSED BY G.L. C.59, §21C PROPOSITION 2 ½). VOTE: YES 6, NO-0.

SAQUATUCKET HARBOR LANDSIDE RENOVATIONS – ENGINEERING DESIGN

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

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

FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED WITH THE AMOUNT OF \$250,000 FROM AVAILABLE FUNDS. THIS EXPENDITURE WILL PROVIDE SUFFICIENT FUNDS TO DESIGN THE LANDSIDE IMPROVEMNETS THAT ARE LISTED ON THE CAPITAL PLAN FOR FY 18 WITH AN ESTIMATED COST OF \$2,500,000 TO MAKE THE ACTUAL IMPROVMENTS. THE FINAL DESIGN WILL HAVE TO COMPLY WITH EXISTING PARKING AND SEPTIC ALLOWANCES AND REGULATIONS. VOTE: YES-5, NO-1.

ROAD MAINTENANCE PROGRAM

ARTICLE 18: To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow in accordance with Ch.44 of the M.G.L., or any other enabling authority, the sum of \$700,000 to fund the Road Maintenance Program as

requested in the Capital Plan for FY17. The appropriation authorized by this vote shall not take effect until the Town votes to exempt from the limitation on total taxes imposed by M.G.L. c.59 § 21c (Proposition 2 ½) the amounts required to pay the principal of and the interest on any borrowing authorized under this article, and to act fully thereon. By request of the DPW Director. Estimated cost: \$700,000.

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

FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED WITH THE AMOUNT OF \$700,000 FROM DEBT EXCLUSION. THIS EXPENDITURE WILL PROVIDE SUFFICIENT FUNDS FOR THE DPW TO CONTINUE MAINTAINING TOWN ROADS AS REQUIRED BY TOWN RESIDENTS. THE APPROPRIATION AUTHORIZED BY THIS VOTE SHALL NOT TAKE EFFECT UNTIL THE TOWN VOTES TO EXEMPT FROM THE LIMITATION ON TOTAL TAXES IMPOSED BY G.L. C.59, §21C (PROPOSITION 2 ½). VOTE: YES-7, NO-0

PURCHASE AND EQUIP VEHICLES FOR THE DPW

ARTICLE 19: To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sufficient sum of money to purchase and equip the following vehicles:

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

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

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

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

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

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

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

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

FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED WITH THE AMOUNT OF \$316,500 FROM AVAILABLE FUNDS, TO REPLACE A ONE TON DUMP TRUCK, A MACK TRACTOR, AND BARBER SURF RAKE, AND TO ADD A TRASH DISPOSAL TRAILER INCREASING THE NUMBER OF TRAILERS FROM 3 TO 4. THE 4TH TRAILER WILL HELP MEET THE NEW CLOSING HOURS OF OPERATION AT THE OFF CAPE DIPOSAL FACILITY AND ALLOW FOR MORE FLEXIBILITY IN MANAGING THE TOWN'S SOLID WASTE. VOTE: YES-7, NO-0.

PURCHASE AND EQUIP NEW EQUIPMENT FOR THE DPW

ARTICLE 20: To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sufficient sum of money to purchase and equip the following:

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

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

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

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

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

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

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

FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED AND THAT \$188,209 BE FUNDED FROM AVAILABLE FUNDS TO REPLACE VARIOUSE SMALL EQUIPMENT ITEMS USED BY THE DPW AND TO ADD A HI-TRACK SKID STEER LOADER AND A CERTIFIED ARTICULATING LIFT. VOTE: YES-7, NO-0.

PURCHASE NEW EXCAVATOR FOR THE WATER DEPARTMENT

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

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

FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED AND THAT \$125,000 BE TRANSFERRED FROM WATER RATE COLLECTIONS TO BE USED TO FUND A NEW EXCAVATOR THAT WILL ALLOW THE WATER DEPARTMENT TO INSTALL SMALL WATER MAIN REPLACEMENTS AS WELL AS WATER SERVICE INSTALLATIONS INHOUSE WITHOUT HAVING TO FARM THIS WORK OUT TO THIRD PARTY SUPPLIERS. VOTE: YES-7, NO-0.

REPLACEMENT OF THE LOTHROP AVENUE WATER STORAGE TANK

ARTICLE 22: To see if the Town will vote to transfer the remaining balance of \$1,400,000 authorized to be borrowed under Article 10 of the May 2013 Special Town Meeting for the purpose of replacing the Lothrop Avenue water storage tank and further to

appropriate an additional sum of money to complete the tank replacement project, including the payment of all other costs incidental and related thereto, and to determine whether this appropriation shall be raised by taxation, transfer from available funds, or borrowing or otherwise provided, and to act fully thereon. By request of the Water Commissioners and Superintendent. Estimated cost: \$1,600,000.

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

FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED AND THAT \$1,600,000 BE TRANSFERRED, RAISED, BORROWED, TAXED, OR OTHERWISE PROVIDED FROM WATER RATE COLLECTIONS TO BE USED TO FUND A NEW WATER STORAGE TANK WHICH IS LESS EXPENSIVE THEN THE 2014 BIDS TO REHABILITATE THE EXISTING TANK. VOTE: YES-7, NO-0.

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

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

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

FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED AND THAT \$300,000 BE TRANSFERRED FROM WATER RATE COLLECTIONS TO BE USED TO FUND A NEW SYSTEM THAT WILL REPLACE THE 15-YEAR-OLD EXISTING SYSTEM WHICH HAS REACHED THE END OF ITS USEFUL LIFE AND IS NO LONGER SUPPORTED BY THE MANUFACTURER. VOTE: YES-7, NO-0.

INTER-MUNICIPAL AGREEMENT WITH THE TOWN OF CHATHAM

ARTICLE 24: To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow the sum of \$9,000,000, or any other sum, to pay the entrance fee costs that the Town will be required to make for the connection of the Town's wastewater

collection system to the Town of Chatham's wastewater treatment plant, including all costs incidental and related thereto, pursuant to an inter-municipal agreement between the Towns of Harwich and Chatham, to be entered into by the Board of Selectmen pursuant to General Laws Chapter 40, Section 4A; provided that any borrowing authorized hereunder shall be contingent on the passage of a Proposition 2 ½ debt exclusion vote, and provided further that the payment of said amount and the issuance of debt therefor shall be in accordance with the schedule of payments anticipated to be set forth in the inter-municipal agreement, a copy of which will be on file with the Office of the Town Clerk prior to Town Meeting; and to act fully thereon. By request of the Board of Selectmen. Estimated cost: \$9,000,000.

Explanation:

The Town's Comprehensive Wastewater Management Plan evaluated multiple scenarios and recommended a program that utilizes two treatment facilities. One is to be located in-town at the former landfill and current site of the Department of Public Works. The second one was to be located in East Harwich. Working with CDM Smith the Town's wastewater consultant, both in-town and out-of-town treatment options were evaluated with the Town ultimately recommending utilization of capacity that currently exists in the Chatham wastewater treatment facility. This plan was considered the most favorable for the Town and was actively pursued by the Board of Selectmen. The two Towns have been working on in Inter-Municipal Agreement (IMA) that would allow for wastewater generated in the East Harwich area to be transported to the Chatham wastewater treatment facility to be processed. The IMA works out the details of the amount of flow Harwich can send into the facility and the net portion of the original cost to construct the Chatham facility. It is anticipated the amount of flow would be up to 300,000 gallons per day and cost would be up to \$9 million payable over multiple installments. Funding for the IMA would be done through a debt exclusion in which authorization will be given for up to the \$9 million with partial payments given over time based upon flow.

FINANCE COMMITTEE RECOMMENDS NO RECOMMENDATION PENDING FURTHER INFORMATION (NRPFI). FINCOM VOTES NRPFIF WHEN, AT THE TIME THE WARRANT IS PRINTED, IT HAD INSUFFICIENT OR INCOMPLETE INFORMATION TO MAKE AN INFORMED RECOMMENDATION. IT DOES NOT IMPLY A NEGATIVE FINCOM VIEW, ONLY AN INCOMPLETE UNDERSTANDING OF THE ARTICLE SO VOTED. FINCOM WILL MAKE ITS FINAL RECOMMENDATION AT TOWN MEETING AFTER HAVING RECEIVED FURTHER INFORMATION. VOTE: YES-6, NO-0.

ENACT A SEWER USE GENERAL BY-LAW

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

Explanation:

The Town's Inter-Municipal Agreement with Chatham calls for Harwich to promulgate

and utilize Sewer Use Regulations that are compatible with the regulations in place in the Town of Chatham. The Massachusetts Department of Environmental Protection calls for these regulations to be in place as part of the functioning of the wastewater treatment facility. The Sewer Use Regulations are designed to be dynamic in the sense that general elements will be included in the regulations with discretion given to the governing body to create or modify regulations on more specific detailed interconnection activities such as pipe size and design elements to facilitate compatibility with the existing technology of the current Chatham facility.

FINANCE COMMITTEE RECOMMENDS NO RECOMMENDATION PENDING FURTHER INFORMATION (NRPF). FINCOM VOTES NRPF WHEN, AT THE TIME THE WARRANT IS PRINTED, IT HAD INSUFFICIENT OR INCOMPLETE INFORMATION TO MAKE AN INFORMED RECOMMENDATION. IT DOES NOT IMPLY A NEGATIVE FINCOM VIEW, ONLY AN INCOMPLETE UNDERSTANDING OF THE ARTICLE SO VOTED. FINCOM WILL MAKE ITS FINAL RECOMMENDATION AT TOWN MEETING AFTER HAVING RECEIVED FURTHER INFORMATION. VOTE: YES-6, NO-0.

RESERVE FOR FUTURE APPROPRIATION AMOUNTS FROM FY 2017
COMMUNITY PRESERVATION FUND ESTIMATED ANNUAL REVENUES

ARTICLE 26: To see if the Town will vote to reserve for future appropriations amounts from the FY 2017 Community Preservation Act Fund estimated annual revenues as recommended by the Community Preservation Committee as follows:

- A sum of money for the acquisition, creation and preservation of open space;
- A sum of money for the acquisition, preservation, restoration and rehabilitation of historic resources;
- A sum of money for the acquisition, creation, preservation and support of community housing; and
- A sum of money for the Community Preservation Act Fund FY 2017 Budgeted Reserve; and to act fully thereon.

By request of the Community Preservation Committee.

FINANCE COMMITTEE RECOMMENDS NO RECOMMENDATION PENDING FURTHER INFORMATION (NRPF). FINCOM VOTES NRPF WHEN, AT THE TIME THE WARRANT IS PRINTED, IT HAD INSUFFICIENT OR INCOMPLETE INFORMATION TO MAKE AN INFORMED RECOMMENDATION. IT DOES NOT IMPLY A NEGATIVE FINCOM VIEW, ONLY AN INCOMPLETE UNDERSTANDING OF THE ARTICLE SO VOTED. FINCOM WILL MAKE ITS FINAL RECOMMENDATION AT TOWN MEETING AFTER HAVING RECEIVED FURTHER INFORMATION. VOTE: YES-6, NO-0.

FUND LAND BANK DEBT SERVICE

ARTICLE 27: To see if the Town will vote to appropriate from Community Preservation Act Funds-Undesignated Fund Balance, \$633,400 to fund the Debt Service on the

outstanding Land Bank Debt. Any funds left unspent from this Article are to be returned to the Community Preservation Act Funds-Undesignated Fund Balance, and to act fully thereon. By request of the Community Preservation Committee and the Town Administrator. Estimated Cost: \$633,400

FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED WITH THE AMOUNT OF \$633,400 BE TRANSFERRED FROM COMMUNITY PRESERVATION ACT FUNDS TO THE TOWN OPERATING BUDGET TO PAY THE ON GOING LAND BAND DEBT. VOTE: YES-7, NO-0.

RESTORATION OF THE CHASE LIBRARY FIREPLACE HEARTH AND BASE

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

FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED IN THE AMOUNT OF \$3,100. VOTE: YES-6, NO-0.

RESTORATION OF HARWICH HISTORICAL SOCIETY ARTIFACTS

ARTICLE 29: To see if the Town will vote to appropriate from Community Preservation Act Funds-Historic Reserve, \$11,000 to fund the restoration of an 18th Century Cannon and a 19th Century Millstone maintained by the Harwich Historical Society and to authorize the Board of Selectmen to enter into a grant agreement with the Harwich Historical Society. Any funds left unspent from this Article are to be returned to the Community Preservation Act Funds-Historic Reserve, and to act fully thereon. By request of the Community Preservation Committee and the Harwich Historical Society. Estimated Cost: \$11,000.

FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED IN THE AMOUNT OF \$11,000. VOTE: YES-6, NO-0.

RESTORATION OF APPEARANCE OF THE ALBRO HOUSE AND ACCESSIBILITY MODIFICATIONS

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

FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED IN THE AMOUNT OF \$18,700. VOTE: YES-5, NO-1.

UPDATE OF TOWN HISTORICAL PROPERTY INVENTORY

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

FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED IN THE AMOUNT OF \$20,000. VOTE: YES-5, NO-1.

WEST HARWICH SCHOOLHOUSE PRESERVATION AND REHABILITATION

ARTICLE 32: To see if the Town will vote to appropriate from Community Preservation Act Funds-Historic Reserve, \$203,500 to have certain specific work performed on the interior and exterior of the West Harwich Schoolhouse. Any funds left unspent from this Article are to be returned to the Community Preservation Act Funds-Historic Reserve, and to act fully thereon. By request of the Community Preservation Committee and Town Administration and Planning Department. Estimated Cost: \$203,500.

FINANCE COMMITTEE RECOMMENDS NO RECOMMENDATION PENDING FURTHER INFORMATION (NRPF). FINCOM VOTES NRPF WHEN, AT THE TIME THE WARRANT IS PRINTED, IT HAD INSUFFICIENT OR INCOMPLETE INFORMATION TO MAKE AN INFORMED RECOMMENDATION. IT DOES NOT IMPLY A NEGATIVE FINCOM VIEW, ONLY AN INCOMPLETE UNDERSTANDING OF THE ARTICLE SO VOTED. FINCOM WILL MAKE ITS FINAL RECOMMENDATION AT TOWN MEETING AFTER HAVING RECEIVED FURTHER INFORMATION. VOTE: YES-6, NO-0.

HISTORIC RESTORATION AND PRESERVATION OF BURIAL CRYPTS

ARTICLE 33: To see if the Town will vote to appropriate from Community Preservation Act Funds-Historic Reserve, \$25,000 to repair and restore four (4) burial crypts in Mount Pleasant and Island Pond Cemeteries. Any funds left unspent from this Article are to be returned to the Community Preservation Act Funds-Historic Reserve, and to act fully thereon. By request of the Community Preservation Committee and the Harwich Cemetery Commission. Estimated Cost: \$25,000.

FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED IN THE AMOUNT OF \$25,000. VOTE: YES-6, NO-0.

SOUTH HARWICH MEETINGHOUSE RESTORATION AND PRESERVATION

ARTICLE 34: To see if the Town will vote to appropriate from Community Preservation Act Funds-Historic Reserve, \$100,000 to fund the final work of restoring the South Harwich Meetinghouse and to authorize the Board of Selectmen to enter into a grant agreement with the Friends of the South Harwich Meetinghouse, Inc., which shall include the acquisition of an historic preservation restriction by the Town. Any funds left unspent from this Article are to be returned to the Community Preservation Act Funds-Historic Reserve, and to act fully thereon. By request of the Community Preservation Committee and Friends of the South Harwich Meetinghouse, Inc.
Estimated Cost: \$100,000.

FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED IN THE AMOUNT OF \$100,000. VOTE: YES-5, NO-1.

WHITEHOUSE FIELD FENCING REPLACEMENT

ARTICLE 35: To see if the Town will vote to appropriate from Community Preservation Act Funds-Undesignated Fund Balance, \$57,128 to replace the fencing around Whitehouse Field. Any funds left unspent from this Article are to be returned to the Community Preservation Act Funds-Undesignated Fund Balance, and to act fully thereon. By request of the Community Preservation Committee and the Harwich Recreation and Youth Commission. Estimated Cost: \$57,128.

FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED IN THE AMOUNT OF \$57,128. VOTE: YES-6, NO-0.

QUEEN ANNE ROAD BIKE TRAIL CROSSING LIGHTS

ARTICLE 36: To see if the Town will vote to appropriate from Community Preservation Act Funds-Undesignated Fund Balance, \$29,700 to install a solar powered traffic light system where the Cape Cod Rail Trail crosses Queen Anne Road. Any funds left unspent from this Article are to be returned to the Community Preservation Act Funds-Undesignated Fund Balance, and to act fully thereon. By request of the Community Preservation Committee and the Harwich Bikeways Committee. Estimated Cost: \$29,700.

FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED IN THE AMOUNT OF \$29,700. VOTE: YES-6, NO-0.

BROOKS PARK EXPANSION/IMPROVEMENT PHASE 3

ARTICLE 37: To see if the Town will vote to appropriate from Community Preservation Act Funds-Undesignated Fund Balance, \$188,000 to resurface 4 tennis courts, half basketball court, tennis practice wall, picnic pavilion, ADA footpath and 20-30 t-base parking spaces at Brooks Park . Any funds left unspent from this Article are to be returned to the Community Preservation Act Funds-Undesignated Fund Balance, and to act fully

thereon. By request of the Community Preservation Committee and the Harwich Recreation and youth Commission. Estimated Cost: \$188,000.

FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED IN THE AMOUNT OF \$188,000. VOTE: YES-6, NO-0.

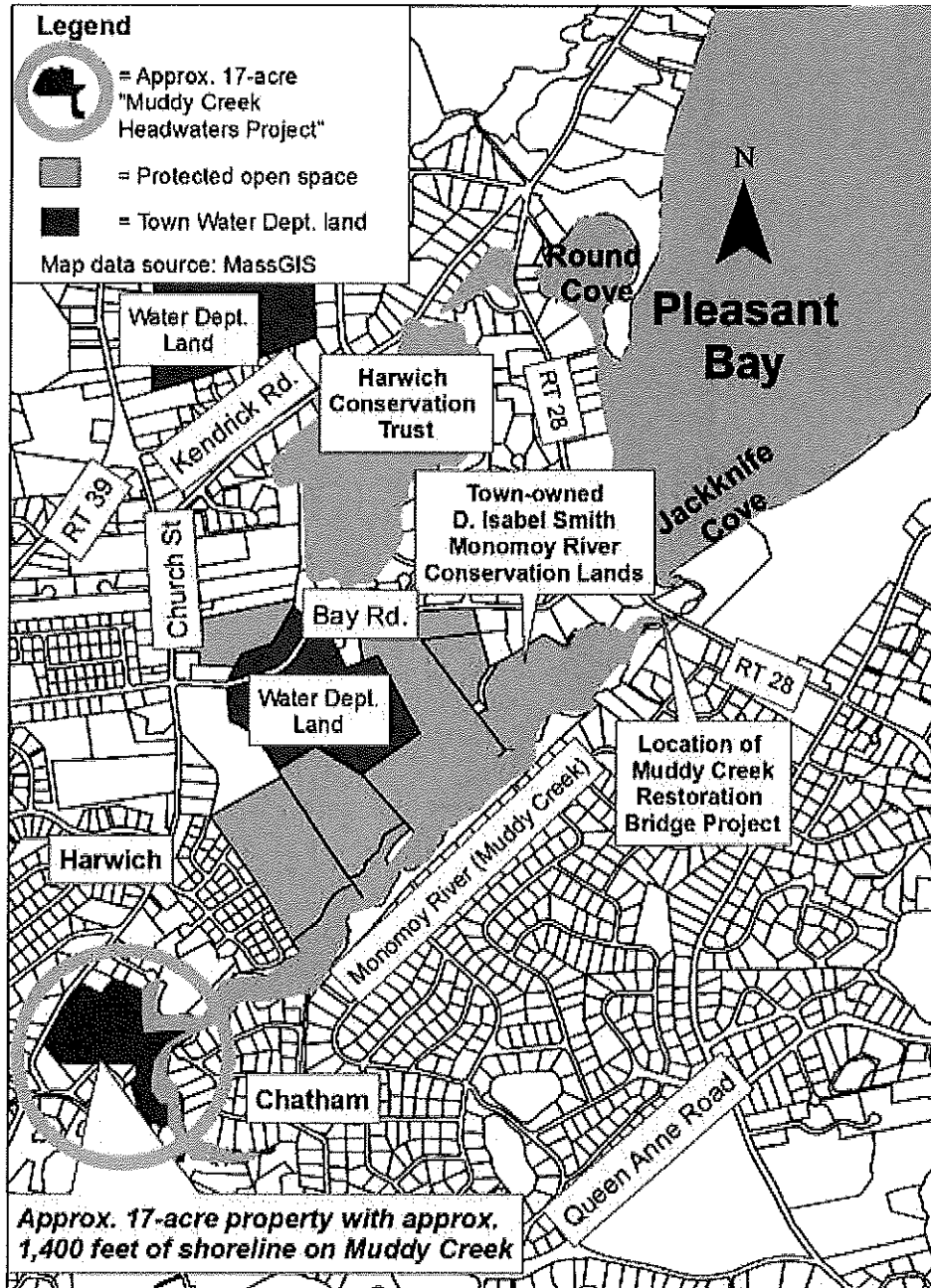
PURCHASE OF LAND FOR OPEN SPACE PURPOSES – ACQUIRE MARINI PROPERTY AT MUDDY CREEK HEADWATERS

ARTICLE 38: To see if the Town will vote to authorize the Board of Selectmen to acquire, by purchase, gift, and/or eminent domain, a perpetual conservation restriction pursuant to the provisions of G.L. c.184, §§31-33, for open space and watershed protection purposes under the provisions of G.L. c. 40, §8C, on certain parcels of land situated on Church Street in East Harwich and Chatham, containing 17 acres, more or less, in the aggregate, which parcels are shown as Lot 1, Lot 2, Lot 3, and Parcel 4 on a plan recorded with the Barnstable County Registry of Deeds in Plan Book 614, Page 7, and further described in a deed recorded with said Deeds in Book 19792, Page 85, with the care, custody, control and management of such conservation restriction to be vested with the Conservation Commission; to appropriate from the Community Preservation Act Funds-Open Space Reserve, the Community Preservation Act Funds-Undesignated Reserve, and/or estimated annual revenues under G.L. c.44B, the so-called Community Preservation Act, the sum of \$800,000 for the foregoing acquisition and costs incidental or related thereto, including, without limitation, costs of appraisals and closing costs; to authorize the Board of Selectmen and the Conservation Commission to apply for, accept, and expend any grants and/or reimbursement of funds which may be provided by the Commonwealth of Massachusetts to defray all or a portion of the foregoing costs, including, but not limited to, funding under the Self-Help Act (G.L. c.132A, §11), the Federal Land & Water Conservation Fund (P.L. 88-568, 78 Stat 897), and/or other federal and state programs in any way related to the scope of this article, and to accept a gift of funds from the Harwich Conservation Trust and/or any other source, provided that any such grant and/or reimbursement funds shall be returned upon receipt to the Community Preservation Act fund from which said sum was appropriated, after first reimbursing the Harwich Conservation Trust for its contribution towards the Town's local match; and, further, to authorize the Board of Selectmen and/or Conservation Commission to enter into all agreements and execute any and all instruments as may be necessary or convenient to effectuate the foregoing purposes; provided, however, that no funds appropriated hereunder shall be expended until the Town shall have received gift funds in the amount of \$300,000 from the Harwich Conservation Trust and/or others for the Town's local match,, and to act fully thereon. By request of the Community Preservation Committee and the Real Estate and Open Space Committee. Estimated cost: \$800,000

FINANCE COMMITTEE RECOMMENDS NO RECOMMENDATION PENDING FURTHER INFORMATION (NRPFI). FINCOM VOTES NRPFI WHEN, AT THE TIME THE WARRANT IS PRINTED, IT HAD INSUFFICIENT OR INCOMPLETE INFORMATION TO MAKE AN INFORMED RECOMMENDATION. IT DOES NOT IMPLY A NEGATIVE FINCOM VIEW, ONLY AN INCOMPLETE UNDERSTANDING OF THE ARTICLE SO VOTED. FINCOM WILL MAKE ITS FINAL

RECOMMENDATION AT TOWN MEETING AFTER HAVING RECEIVED FURTHER INFORMATION. VOTE: YES-6, NO-0.

17-acre Muddy Creek Headwaters Project



HISTORIC BROOKS FREE LIBRARY RESTORATION

ARTICLE 39: To see if the Town will vote to appropriate from Community Preservation Act Funds-Undesignated Fund Balance, \$540,000 to have certain specific work, including architectural services, paint stripping and painting, column and selective wood repairs, to be performed on the historic portion of the Brooks Free Library building (the so-called Brooks Block and Bank Building). Any funds left unspent from this Article are to be returned to the Community Preservation Act Funds-Undesignated Fund Balance, and to act fully thereon. By request of the Community Preservation Committee and Brooks Free Library Trustees. Estimated Cost: \$540,000.

FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED IN THE AMOUNT OF \$540,000. VOTE: YES-5, NO-0.

REPEAL OF ARTICLE 42 OF MAY, 2007 ANNUAL TOWN MEETING - FUND RENOVATIONS AT OLD RECREATION BUILDING AND WEST HARWICH SCHOOL

ARTICLE 40: To see if the Town will vote to rescind actions taken under Article 42 of the May 2007 Annual Town Meeting in the amount of \$32,760, and return such sum of funds appropriated in said Article to the Harwich Community Preservation Act Fund – Historic Reserve, and to act fully thereon. These funds were intended for restoration of the windows at the West Harwich School which will now be done from the funds appropriated by Article 32 of the May 2016 Annual Town Meeting. By request of the Community Preservation Committee. Estimated turnback: \$32,760

FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. VOTE: YES-6, NO-0.

ACCEPTANCE OF GENERAL LAWS CHAPTER 111, §26G

ARTICLE 41: To see if the Town will vote to accept the provisions of Massachusetts General Laws Chapter 111, Section 26G, to allow a member of the Board of Health who is also a septic system installer to work in the Town in their trained profession, provided that they do not act as the inspector for such work and further that such work is inspected by an inspector from another municipality or a special inspector appointed by the Board of Selectmen as specified in the statute, and to act fully thereon. By request of the Board of Selectmen.

FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. THIS LOCAL OPTION ALLOWS THE BOARD OF HEALTH MORE FLEXIBILITY IN PROVIDING A NEEDED SERVICE. VOTE: YES-6, NO-0.

ADOPT M.G.L., CHAPTER 59, §5, CLAUSE 56 – PERSONAL PROPERTY TAX
ABATEMENT FOR NATIONAL GUARD AND RESERVISTS

ARTICLE 42: To see if the Town will vote to adopt MGL Chapter 59, §5, Clause 56. Upon acceptance of this section by the Town, the Board of Assessors may grant, real and personal property tax abatement up to 100% of the total tax assessed to members of the Massachusetts National Guard and to Reservists on active duty in foreign countries for the fiscal year they performed such service subject to eligibility criteria to be established by the Board of Assessors. The authority to grant abatements under this section shall expire after 2 years of acceptance unless extended by a vote of the city or town. Said change to take effect FY 2017 and act fully thereon. By request of the Harwich Veteran’s Agent and Board of Assessors

Explanation: This local option for the National Guard and Reservists must be renewed every two (2) years.

FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. THIS ARTICLE SUPPORTS MEMBERS OF THE NATIONAL GUARD AND RESERVISTS. VOTE: YES-6, NO-0.

AMEND M.G.L. CHAPTER 59, §5, Clause 41C – SENIOR EXEMPTION

ARTICLE 43: To see if the Town will vote to support the Harwich Board of Selectmen’s request to the State Legislator to pass a bill amending the Senior Exemption (as provided in Chapter 59, §5 Clause 41C) amount from a maximum of \$1000.00 to a maximum of \$1,500.00 as a local option for all cities and towns and/or as a home rule petition for the Town of Harwich, and to act fully thereon. By request of the Harwich Board of Assessors.

Explanation: The Board of Assessors would like advocate for most vulnerable citizens of the Commonwealth. We feel that the senior citizens of our community and all others in the Commonwealth are struggling. We would like for this article be approved by the Legislation. This article is for our most vulnerable residents over 65 who have income and assets not exceeding:

	<u>Income</u>	<u>Assets</u>
Single	\$24,849	\$40,652
Married	\$37,274	\$55.897

FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. THE FINANCE COMMITTEE SUPPORTS THE EFFORT TO GET THE STATE TO INCREASE THE EXEMPTION FOR SENIORS. VOTE: YES-6, NO-0.

CREATE SUPPLEMENTAL SENIOR EXEMPTION

ARTICLE 44: To see if the Town will vote to raise and appropriate or transfer from available funds to provide a sufficient sum of money to grant an additional \$500.00 exemption to each Senior Exemption granted by the Board of Assessors to a maximum of

\$1,500.00, and to act fully thereon. (Subject to funding). By request of the Harwich Board of Assessors. Estimated cost: \$40,000 requested (FY15 80 exemptions granted).

Explanation: The Board of Assessors would like advocate for the most vulnerable citizens of the Town of Harwich, our senior citizens of our community are struggling. This article is to provide real estate tax relief for residents over 65 who have income and assets not exceeding:

	<u>Income</u>	<u>Assets</u>
Single	\$24,849	\$40,652
Married	\$37,274	\$55.897

FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. IF THE STATE DOES NOT ACT IN TIME ON THE ABOVE ARTICLE THE FINANCE COMMITTEE SUPPORTS PROVIDING AN INCREASED SENIOR EXEMPTION WITH AVAILABLE FUNDS. VOTE: YES-6, NO-0.

DOOR TO DOOR CANVASSING SOLICITATION BY-LAW

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

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

Title.

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

Purpose.

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

Definitions.

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

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

- a) selling, or seeking to obtain orders for the purchase of goods or services, including advertising in any type of publication, for any kind of consideration whatsoever;
- b) selling, or seeking to obtain prospective customers for application for purchase of insurance of any kind;
- c) selling, or seeking to sell subscriptions to books, magazines, periodicals, newspapers or any other type of publication;
- d) seeking to obtain gifts or contributions of money, or any valuable thing for the support or benefit of any association, organization, corporation or project wholly or in part for commercial purposes or by a professional solicitor or commercial co-venturer for a charitable or other non-commercial organization; and
- e) seeking to obtain information on the background, occupation, economic status, political affiliation, attitudes, viewpoints, or the like of the occupants of a residence for the purpose of selling or using such data, wholly, or in part, for commercial purposes.

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

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

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

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

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

Registration.

Every person or organization intending to engage in soliciting or canvassing door-to-door in the Town of Harwich must apply for a permit with the Chief of Police by filing a registration application form with the Chief of Police. Applications for individual

registration shall be filed at least ten business days in advance. Applications for organizational registration shall be filed at least three business days in advance.

Organization application forms shall include the following information:

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

If the organization is a Professional Solicitor or a Commercial Co-venturer for a charitable organization, a copy of the contract with the charitable organization must be provided with this application. Failure to include a copy of the contract with the charitable organization under such circumstances will render the application incomplete and no action will be taken thereon;

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

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

- a) Name and address of the present place of residence and length of residence at that address; if less than three years residence at present address, the address of residence(s) during the past three years;
- b) Date of birth;

- c) Name, address and telephone number of the person or organizations whom the applicant represents and the length of time the applicant has been associated with or employed by that person or organization. If the individual is a professional solicitor or a commercial co-venturer for a charitable organization, a copy of the contract, if any, with the charitable organization must be provided with this application. Failure to include a copy of the contract with the charitable organization under such circumstances will render the application incomplete and no action will be taken thereon;
- d) Period of time for which certificate of registration is needed (note: no certificate may be granted for longer than a 60-day period);
- e) Name of the last three communities (if any) in which the applicant has solicited or canvassed door-to-door, complete with the date of issue and expiration date;
- f) Valid driver's license or other government issued photo identification; and
- g) Make, model and registration number of any vehicle to be used by the applicant while soliciting or canvassing.

Registration Fee.

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

Registration Cards.

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

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

Persons engaged in solicitation or canvassing as defined in this By-law must display their Town issued registration card on the outermost portion of their clothing at all times while

soliciting or canvassing and show such card to any person solicited or upon the request of any police officer.

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

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

Exceptions.

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

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

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

No Solicitation List.

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

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

Duties of Persons Going Door-to-Door.

Upon going into any residential premises in the Town of Harwich, every solicitor, canvasser or other person must first examine any notice that may be posted prohibiting

solicitation or other activities. If such a notice is posted, the solicitor, canvasser or other person shall immediately and peacefully depart from the premises.

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

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

- (a) Present his registration card for inspection by the occupant;
- (b) Request that the occupant read the registration card; and
- (c) Inform the occupant in clear language of the nature and purpose of his business and, if he is representing an organization, the name and nature of that organization.

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

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

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

Penalty.

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

offense, \$200 for the second offense, and \$300 for the third offense and each subsequent offense. Each day that a violation continues shall be considered a separate offense.

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

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

Appeals.

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

Severability.

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

FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. AT THE PRESENT TIME THERE ARE NO BY-LAWS IN PLACE TO HELP PROTECT OUR CITIZENS. VOTE: YES-6, NO-0.

BUILDING/STRUCTURE HEIGHT IN FLOOD HAZARD AREAS

ARTICLE 46: To see if the Town will vote to amend the Code of the Town of Harwich, Chapter 325 Zoning by adding the bold and underlined language as set forth below and to act fully thereon. By request of the Building Commissioner and Planning Board.
325-2 Word usage and definitions.

BUILDING/STRUCTURE HEIGHT - The height of a building or structure shall be calculated by averaging the distance between the lowest pre-existing grade point at the base of the building/structure and the top of said structure, and the distance between the highest pre-existing grade point at the base of the structure and the top of said structure. A structure shall include such elements as a rooftop deck, fence, railing, widow's walk, or other rooftop structure, parapet, or other attached structure. A cupola not larger than four

(4) feet in width and chimneys shall be exempt from the above requirements if they do not extend more than four (4) feet in height above the roof. For developed lots, pre-existing grade shall be determined by calculating the average of existing high and low grade points at the base of the existing/original building or structure and top of said structure, where the highest point is at a minimum of eight (8) inches below the top of foundation.

[NEW] For a building or structure located in the special flood hazard area, height shall be measured from the Base Flood Elevation in AE Zones rather than from pre-existing grade. In the AO or VE Zones, height shall be measured from the Base Flood Elevation in the closest AE Zone rather than from pre-existing grade.

Explanation: New FEMA flood maps were adopted in 2014 expanding boundaries of the flood hazard area and raising the base flood elevation for many properties. Homes may continue to exist in flood hazard areas, but renovations or reconstruction require flood proofing measures including raising the first floor above the base flood elevation. The proposed by-law amendment follows similar language in such coastal towns as Dennis, Sandwich and Scituate. Without the amendment, many homes in flood hazard areas would have to be reduced in height to meet base flood elevation requirements combined with the requirement to measure height from pre-existing grade. Approximately 1000 homes in the AE flood zone in Harwich are impacted by the building height requirement. Far fewer homes exist in AO and VE zones. The AO zone does not include measurements for base flood elevation. The VE or velocity zone has a much higher sensitivity to flooding, and new construction in that zone is not encouraged.

FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. THE ADOPTION OF THIS AMENDMENT WILL HELP PROVIDE HEIGHT RELIEF FOR STRUCTURES IN THE NEW FLOOD ZONES. VOTE: YES-6, NO-0.

PROPOSED ZONING BY-LAW AMENDMENTS

ARTICLE 47: To see if the Town will vote to amend the Code of the Town of Harwich, Chapter 325 Zoning by striking out language and by adding bold and underlined language as set forth below and to act fully thereon. By request of the Building Commissioner and Planning Board.

(A) CONSTRUCTION SIGNS

325-29 Additional requirements for specific signage.

G. [NEW] Construction Signs. One (1) temporary wall or ground sign not more than eight (8) square feet indicating the construction, remodeling or rebuilding of a certain structure for a permitted use shall be allowed on the parcel on which the structure is located. The sign shall not be illuminated and shall be removed immediately upon final inspection.

(B) TWO-FAMILY DWELLINGS IN THE CH-1 DISTRICT

325-7 C. Existing lots in a CH-1 District which complied at the time of layout with applicable provisions of zoning bylaws, if any, may be used for single-family residential purposes as set forth above and may be used for *[NEW]* **two-family residential purposes** **and** nonresidential purposes as established in the Table of Use Regulations provided that:

- (1) Said lots have 100 feet of frontage and 10,000 square feet of area;
- (2) The buildings to be located thereon are set back at least 10 feet from side and rear lot lines and at least 25 feet from street lot lines and the buildings to be constructed on said lot will not exceed the maximum site coverage restrictions of the zoning bylaw in effect when the lot was created or, if no such restrictions applied, coverage of buildings shall not exceed 35% of said lot for lots between 10,000 square feet and 15,000 square feet and 25% for lots over 15,000 square feet;
- (3) Said lots are buildable under other applicable provisions of the lot ...

Table 2 Area Regulations

District	Use	Lot Area	Lot Frontage	Front	Side	Rear
CH-1	Single-family dwelling	40,000	150	25	20	20
	<u>[NEW] Two-family dwelling</u>	<u>40,000</u>	<u>150</u>	<u>25</u>	<u>20</u>	<u>20</u>
	Any other permitted use	20,000	100	25	10	10

(C) GUESTHOUSES

325-2. Word usage and definitions.

~~GUESTHOUSE. A building in which living space, with or without common cooking facilities, is let for compensation to four or fewer persons, but not including a hotel or motel.~~

325-39. Off-street parking schedule.

Residential Uses

Lodging house, hotel, motel, inn, ~~guest house~~, bed and breakfast 1.25 per guest room or suite

Table 1, Use Regulations

Paragraph I – Residential Uses							
		RM	RH-1	RH-2	CV	CH-1	WR
5	Guest houses	S	P	P	P	P	S

Table 2, Area Regulations

District	Use	Lot Area (square feet)	Lot Frontage (contiguous feet)	Front (feet)	Side (feet)	Rear (feet)
RM	Guest house	40,000 plus 2,000 per rental unit	150	25	20	20
RH-1	Guest house	40,000 plus 2,000 per rental unit	150	25	20	20
RH-2	Guest house	40,000 plus 2,000 per rental unit	150	25	20	20
CV	Guest house	40,000 plus 2,000 per rental unit	150	25	10	10
CH-1	Guest house	40,000 plus 2,000 per rental unit	150	25	20	20

Explanation: Proposed amendments include (A) construction signs, (B) two-family dwellings in the CH-1 District, and (C) guesthouses.

- (A) Sign amendments in 2009 removed any reference to construction signs, and the current Code of the Town of Harwich does not permit construction signs. The proposed by-law will re-establish language from an earlier version of the Zoning By-Law.
- (B) Although two-family dwellings are allowed in the Commercial Highway 1 (CH-1) District by Special Permit (S), two other pertinent sections of the Zoning By-Law omit any reference to them. In Table 2, minimum lot area for single-family dwellings in the CH-1 District is 40,000 sq. ft. while minimum lot area for “any other permitted use” is only 20,000 sq. ft. Typically “any other permitted use” refers to non-residential uses. The proposed by-law amendment will treat two-family dwellings the same as single-family dwellings rather than as non-residential uses. A similar by-law amendment for Section 325-7 C will allow existing lots to be used for two-family dwellings along with other permitted single-family and non-residential uses.
- (C) In most residential districts, the Zoning By-Law allows one single-family dwelling per 40,000 square feet. Current options for additional residential use of a property include an “accessory building, residential – with bedrooms” or a “single-family dwelling with accessory apartment”, both requiring a special permit. The current definition of “guesthouse” appears to allow another residential option for “a building in which living space, with or without common cooking facilities, is let for compensation to four fewer or fewer persons, but not including a hotel or motel.” There does not appear to be a current restriction on the number of guesthouses that may be built per lot. The proposed by-law amendment closes that apparent loophole by removing “guesthouse” from the list of uses. Buildings to be let for compensation still include lodging house, bed-and-breakfast, inn, motel and hotel.

FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. THIS AMMENDMENT FIXES A COUPLE OF SMALL HOUSE KEEPING AREAS OF THE ZONING BY-LAW AND RESRICTS THE NUMBER OF GUEST HOUSES THAT CAN BE BUILT ON A PROPERTY. VOTE: YES-6, NO-0.

PROPOSED AMENDMENTS TO THE HARWICH HOME RULE CHARTER

ARTICLE 48: To see if the Town will vote to propose the following amendments to the Harwich Home Rule Charter, to be approved by the voters at the next annual Town election as follows (Deletions shown in strike through and new text shown as underlined):

1. **Amend Chapter 3 section 6, Powers of Appointments, by adding a new sentence to the end of Section 3-6-2 as follows:**

All appointments made shall be for the full term of that position (or, in the case of a position vacated prior to the end of a term, for the full remainder of the unexpired term).

2. **Amend Chapter 4 as follows:**

Amend two subsections of Section 4-3-2 relating to the powers of the Town Administrator as follows:

4-3-2 The town administrator shall devote full working time to the duties of that office, shall not become a candidate for, or hold, any elective office during the term of appointment; and shall not engage in any business activity during the term, except with the written consent of the board of selectmen. The town administrator shall:

(i) Be responsible for the purchasing of services, supplies, materials and equipment for all town divisions, departments, and offices, excepting those for ~~the school department~~, the water department and the Brooks Free Library. The Town Administrator shall execute all contracts for goods and services on behalf of the divisions and departments under the jurisdiction of the Town Administrator, subject to the approval of the Board of Selectmen. The Board of Selectmen may delegate its approval authority to the Town Administrator for certain classes of contracts.

(k) Develop, keep, and annually update a full and complete inventory of all property of the town, ~~except school property~~, both real and personal.

Amend Section 4, Responsibilities for Appointments, by adding a new subsection:

4-4-3 The town administrator shall appoint the harbormaster and any assistant harbormasters.

3. **Amend Chapter 5 as follows:**

Amend Section 5-3-1 as follows:

Division of Highways and Maintenance Public Works

5-3-1 A division of ~~highways and maintenance~~ public works shall be established under the direction of an appointed officer, to be known as the director of public works ~~highways and maintenance~~.

Amend Section 5-5-1 as follows:

Fire Department

5-5-1 ~~A fire department shall be established under a fire chief, who shall be appointed by the board of selectmen. The fire department shall be organized and operated as a so-called strong chief department under the provisions of section 42 of chapter 48 of the General Laws.~~

4. **Amend Chapter 10 Section 10-3-1 Definitions as follows:**

(f) Committee. The word "committee" shall mean any town agency which has been charged with performing a specified function on behalf of the town but without statutory authority, except for the ~~the school committee,~~ finance committee and capital outlay committee, which function under statutory authority;

And to act fully thereon. By request of the By-Law and Charter Review Committee.

**FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. THIS FIXES SEVERAL AREAS OF THE HOME RULE CHARTER.
VOTE: YES-6, NO-0.**

AMEND THE HARWICH HOME RULE CHARTER CHAPTER 3, SECTION 6

ARTICLE 49: To see if the Town will vote to propose the following amendment to the Harwich Home Rule Charter, to be approved by the voters at the next Annual Town Election as follows (Deletions shown in strike through and new text shown as underlined)

Refer to Chapter 3, Section 6 and add the following text to 3-6-2:

The board of selectmen shall also have the power to appoint members and up to two alternates (to the extent permissible by general law) of policy-making town agencies enumerated in chapter 7 and other agencies that are in existence on the effective date of this charter and for whom no other method of appointment is provided in this charter. Unless otherwise provided, the board shall also appoint members and up to two alternates (to the extent permissible by general law) of other agencies as may be hereafter established

by general law, charter, by-law, vote of the town meeting or vote of the Board of Selectmen.

And to act fully thereon. By request of the By-Law and Charter Review Committee.

FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. THIS ARTICLE GIVES THE BOARD OF SELECTMEN MORE FLEXIBILITY IN APPOINTMENTS BY ALLOWING UP TO TWO ALTERNATES TO BOARDS AS ALLOWED BY GENERAL LAW. VOTE: YES-6, NO-0.

AMEND THE HARWICH HOME RULE CHARTER – CHAPTER 7, SECTION 7-14-2

ARTICLE 50: To see if the Town will vote to amend the Town of Harwich Home Rule Charter, Chapter 7 APPOINTED TOWN AGENCIES, Section 7-14-2 by adding “*water dependent structure*” as set forth below:

7-14-2 The waterways committee shall be responsible for the development of regulations for all waterways and **water dependent structures** including marine ramps, docks, piers, moorings, and aquaculture.

and to act fully thereon. By Request of the Harwich Waterways Committee

FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. THIS AMENDMENT DEFINES STRUCTURES ON THE WATER. VOTE: YES-6, NO-0.

RECONSTRUCTION OF GINGER PLUM LANE THROUGH PRIVATE ROAD
BETTERMENT

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

FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. THIS ALLOWS THE OWNERS ALONG GINGER PLUM LANE TO MAKE IMPROVEMENTS TO THEIR ROAD THROUGH THEIR OWN TAX BILLS. VOTE YES-6, NO-0.

DEFRAY THE EXPENSES OF THE CHASE LIBRARY AND HARWICH PORT
LIBRARY

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

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

FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. VOTE: YES-5, NO-1.

PROMOTE THE TOWN OF HARWICH

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

Explanation:

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

- (a) Providing year-round informational services to visitors, residents, second homeowners, and businesses*
- (b) Promoting the Town of Harwich, thereby bringing much needed income into the community*
- (c) Support of the Chamber's efforts, in partnership with the Town of Harwich, to develop and implement economic development initiatives to benefit the Town as defined by objectives in the Town's Local Comprehensive Plan.*

FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. VOTE: YES-6, NO-0.

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

ARTICLE 54: To see if the Town will vote to raise and appropriate and/or transfer from available funds a sufficient sum of money to supplement the Massachusetts Cultural Council annual allocation for grant awards to artists, performers and interpretive scientists who bring events to local venues which enhance the cultural experience of Harwich

citizens of all ages, and to act fully thereon. By request of the Harwich Cultural Council. Estimated Cost: \$3,000.

FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. VOTE: YES-5, NO-1.

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

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

Chapter 6, Section 9: The Charter Enforcement Commission

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

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

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

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

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

6-9-6 Within three weeks of the receipt of a petition by the town clerk, the chairman shall set a time and date for the hearing, and shall mail notice of the hearing to the town clerk who shall post and publish the notice, and to the petitioner and the individual(s) or board named in the petition. The hearing date shall be not less than three weeks nor more than eight weeks from the date of the receipt of the petition by the town clerk.

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

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

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

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

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

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

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

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

**THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE INDEFINELY POSTPONED. THE FINANCE COMMITTEE BELIEVES THE SYSTEMS IN PLACE AT THE PRESENT TIME ARE SUFFICIENT WITHOUT STARTING A NEW PARALLEL SYSTEM AT ADDITIONAL EXPENSE. WE BELIEVE THE CREATION OF A CHARTER ENFORCEMENT COMMISSION WILL ULTIMATELY HAVE A CHILLING EFFECT ON THE NUMBER OF APPLICANTS FOR TOWN POSITIONS, BOARDS, COMMITTEES, AND COMMISSIONS, AS WELL AS ELECTED POSITIONS.
VOTE: YES-6, NO-0.**

ENACT A GENERAL BY-LAW – DEMOLITION OF RESIDENTIAL BUILDINGS

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

DEMOLITION OF RESIDENTIAL BUILDINGS

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

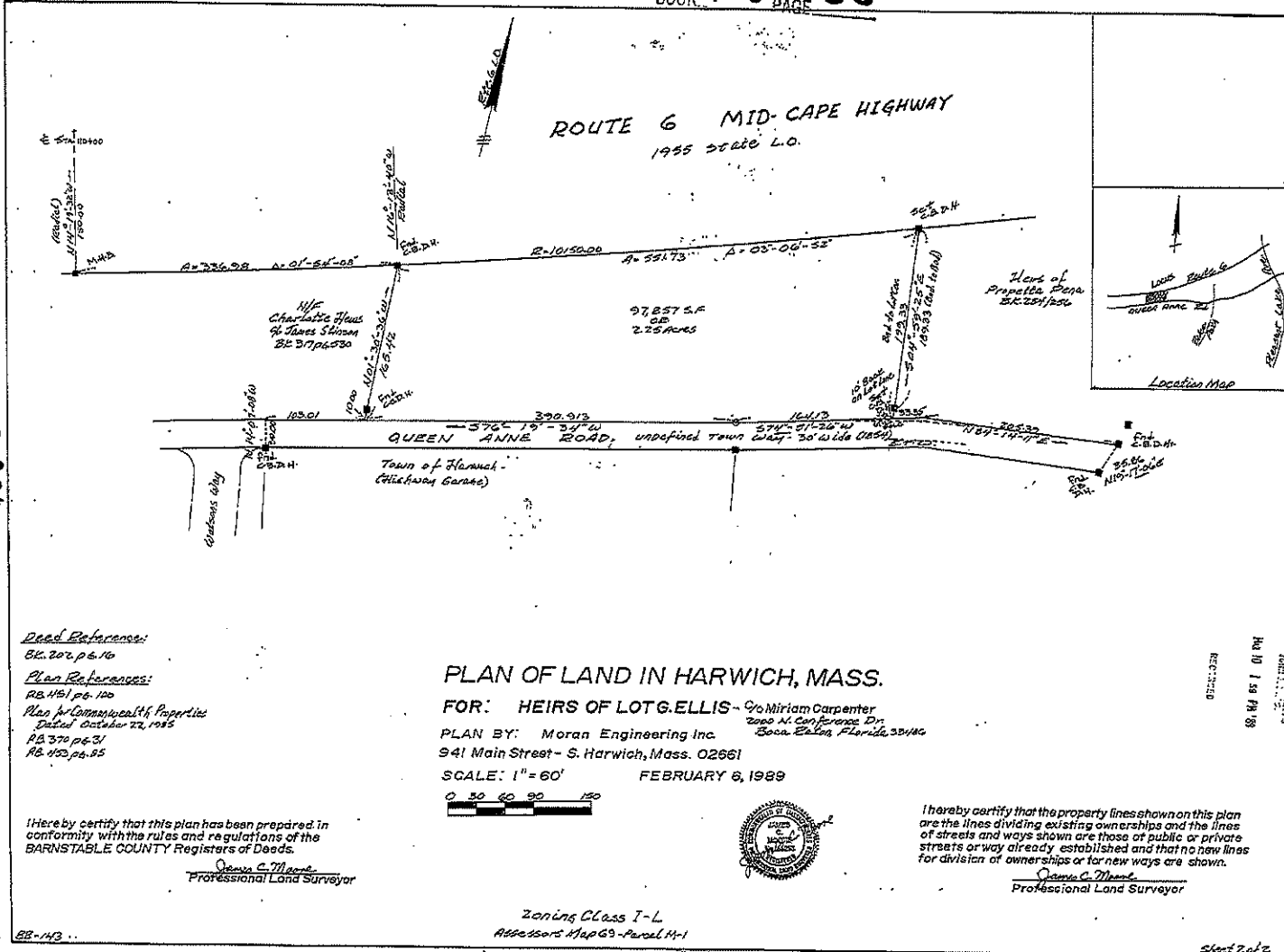
THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE INDEFINITELY POSTPONED AS IT TARGETS A SINGLE PRIVATE HOME WITH FINACIAL RESTRICTIONS WITHOUT CAUSE. VOTE: YES-6, NO-0.

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

ARTICLE 57: To see if the Town will vote to dedicate and designate a parcel of land containing 2.25 acres, more or less, located at 276 Queen Anne Road, containing 2.25 acres, shown on Assessors Map 69 as Parcel M1, and being a portion of the premise acquired by the Town pursuant to order of taking recorded with the Barnstable Registry of Deeds in Book 11666, Pages 103-105, for cemetery purposes, including, without limitation, for the development of a pet crematory and pet cemetery, with the Cemetery Commissioners having the care, custody, management and control of said property, and to act fully thereon. By request of the Cemetery Commission.

FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. VOTE: YES-6, NO-0.

ROUTE 6 MID-CAPE HIGHWAY
1955 STATE L.O.



Dead Reference:
Bl. 202, p. 6, 10

Plan References:
RB 491 p. 6, 100
Plan for Commercial Properties
Dated October 22, 1955
RB 370 p. 6, 31
RB 153 p. 6, 25

PLAN OF LAND IN HARWICH, MASS.

FOR: HEIRS OF LOT G. ELLIS - Co Miriam Carpenter
2000 N. San Fernando Dr.
Boca Raton, Florida 33410

PLAN BY: Moran Engineering Inc
941 Main Street - S. Harwich, Mass. 02661

SCALE: 1" = 60' FEBRUARY 6, 1989



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

James C. Moore
Professional Land Surveyor

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

James C. Moore
Professional Land Surveyor

Zoning Class I-L
Repeals Map 69 - Parcel 14-1

458-33

Sheet 2 of 2

458-33

DEPARTMENTAL REVOLVING FUNDS AUTHORIZATION

ARTICLE 58: To see if the Town will vote to authorize revolving funds for certain town departments under M.G.L. Ch. 44, § 53E ½ for the Fiscal Year beginning July 1, 2016; and to act fully thereon. By request of the Board of Selectmen

<u>Revolving Fund</u>	<u>Authorize to Spend Fund</u>	<u>Revenue Source</u>	<u>Use of Fund</u>	<u>FY 17 Spending Limit</u>	<u>Disposition of FY16 Fund balance</u>
Golf	Director, Golf Committee & ATA	Golf Lessons and Pro Shop Sales	Pro Shop expenses, clubhouse and kitchen maintenance, modernization, and lessons instructor	\$200,000	Available for expenditure
Council on Aging	Director & Council on Aging	Fees from health, recreation, nutrition and education programs	Health, recreation, nutrition and education programs	\$125,000	Available for expenditure
Cemetery	Administrator & Cemetery Commission	90% of Lot Sales, 100 % of all Cemetery Services and Fees	Maintenance of town cemeteries	\$50,000	Available for expenditure
Community Center	Director & Facilities Committee	Fees from use of the weight room	Weight Room Equipment (and repair)	\$50,000	Available for expenditure
Recreation	Director & Rec & Youth Commission	Fees from recreation and youth programs	Recreation and youth programs	\$120,000	Available for expenditure
Albro House	Town Planner & Historic District/Hist. Commission	Fees from receipts of lease or fees for short term rooms use and rental	Restorations, maintenance, care and support of town-owned property	\$10,000	Available for expenditure
ADA	Town Administrator	Receipts of parking penalty fees	Interpreter services or accommodations required under ADA	\$2,500	Available for expenditure

FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. VOTE: YES-7, NO-0.

ESTABLISH A WETLANDS REVOLVING FUND

ARTICLE 59: To see if the Town will vote to establish a revolving fund, effective FY 2017 under M.G.L. Chapter 44, Section 53E ½ for the purpose of upholding the interests of the Massachusetts Wetlands Protection Act and the Harwich Wetlands Protection Bylaw, such as for consultants and wetland and buffer zone management and restoration projects, with monies generated by the Town portion of the Notice of Intent filing fees

credited to the revolving fund, expenditures approved by the Conservation Administrator and the Conservation Commission in the amount not to exceed six thousand dollars (\$6,000.00), and to act fully thereon. By request of the Conservation Commission.

Explanation:

This revolving fund was never properly established under M.G.L. Chapter 44, Section 53E ½.

FINANCE COMMITTEE RECOMMENDS NO RECOMMENDATION PENDING FURTHER INFORMATION (NRPFI). FINCOM VOTES NRPFI WHEN, AT THE TIME THE WARRANT IS PRINTED, IT HAD INSUFFICIENT OR INCOMPLETE INFORMATION TO MAKE AN INFORMED RECOMMENDATION. IT DOES NOT IMPLY A NEGATIVE FINCOM VIEW, ONLY AN INCOMPLETE UNDERSTANDING OF THE ARTICLE SO VOTED. FINCOM WILL MAKE ITS FINAL RECOMMENDATION AT TOWN MEETING AFTER HAVING RECEIVED FURTHER INFORMATION. VOTE: YES-5, NO-1.

STABILIZATION FUND

ARTICLE 60: To see if the Town will vote to raise and appropriate or transfer from surplus revenue or available funds a sufficient sum of money to be added to the Stabilization Fund, and act fully thereon. By the request of the Board of Selectmen. Estimated cost: \$1,328,500.

FINANCE COMMITTEE RECOMMENDS NO RECOMMENDATION PENDING FURTHER INFORMATION (NRPFI). FINCOM VOTES NRPFI WHEN, AT THE TIME THE WARRANT IS PRINTED, IT HAD INSUFFICIENT OR INCOMPLETE INFORMATION TO MAKE AN INFORMED RECOMMENDATION. IT DOES NOT IMPLY A NEGATIVE FINCOM VIEW, ONLY AN INCOMPLETE UNDERSTANDING OF THE ARTICLE SO VOTED. FINCOM WILL MAKE ITS FINAL RECOMMENDATION AT TOWN MEETING AFTER HAVING RECEIVED FURTHER INFORMATION. VOTE: YES-6, NO-0.

OPEB TRUST FUND

ARTICLE 61: To see if the Town will vote to transfer the balance of funds in the multi-use stabilization fund into the **Other Post Employment Benefits Trust Fund**, and to act fully thereon. By request of the Board of Selectmen. Estimated cost: \$300,000

FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. VOTE: YES-6, NO-0.

FUND PRIOR YEAR'S UNPAID BILLS

ARTICLE 62: To see if the Town will vote to raise and appropriate or transfer from available funds a sufficient sum of money to pay unpaid bills of prior years as provided for in M.G.L. Ch. 44, Section 64, and to act fully thereon. By request of the Finance Director/Accountant. Estimated cost: \$25,000

FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. VOTE: YES-6, NO-0.

COMPENSATING BALANCE AGREEMENT

ARTICL 63: To see if the Town will vote to authorize its Treasurer to enter into a compensating balance agreement or agreements with banking institutions for Fiscal Year 2017 pursuant to Chapter 44, § 53F of the General Laws and to act fully thereon. Customary Article.

FINANCE COMMITTEE RECOMMENDS THIS CUSTOMARY ARTICLE BE ACCEPTED AND ADOPTED. VOTE: YES-7, NO-0.

LIABILITY TIDAL/NON-TIDAL RIVERS

ARTICLE 64: To see if the Town will assume the liability in the manner provided by § 29 of Chapter 91 of the General Laws as amended by Chapter 516 and 524, Acts of 1950, for all damages that may be incurred by work to be performed by the Department of Public Works of Massachusetts, for improvement, development, maintenance and protection of tidal and non-tidal rivers, streams, harbors, tide waters, foreshore and shores along a public beach outside of Boston Harbor, including the Merrimack and Connecticut Rivers in accordance with § 11 of Chapter 91 of the General Laws and to authorize the Selectmen to execute and deliver a bond of indemnity to the Commonwealth and to act fully thereon. Customary Article.

FINANCE COMMITTEE RECOMMENDS THIS CUSTOMARY ARTICLE BE ACCEPTED AND ADOPTED. VOTE: YES-7, NO-0.

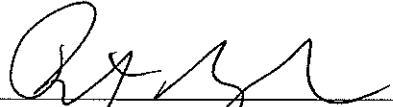
HERRING FISHERIES

ARTICLE 65: To see what action the Town will take in regard to the Herring Fisheries and to act fully thereon. Customary Article.

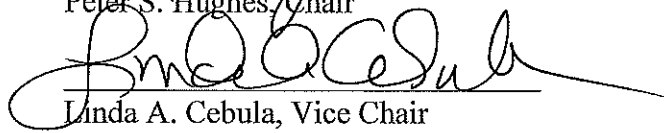
FINANCE COMMITTEE RECOMMENDS THIS CUSTOMARY ARTICLE BE ACCEPTED AND ADOPTED. VOTE: YES-7, NO-0.

Hereof fail not to make return of the Warrant with your doings thereon at the time and place of said meeting.

Given under our hands this 7th day of March, 2016




Peter S. Hughes, Chair



Linda A. Cebula, Vice Chair

Jannell M. Brown, Clerk

Angelo S. La Mantia



Michael D. MacAskill

BOARD OF SELECTMEN

A true copy Attest:

Constable

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

BARNSTABLE, ss:

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

Greetings:

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

ARTICLES

FUND THE SNOW AND ICE DEFICIT

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

FINANCE COMMITTEE RECOMMENDS NO RECOMMENDATION PENDING FURTHER INFORMATION (NRPFI). FINCOM VOTES NRPF I WHEN, AT THE TIME THE WARRANT IS PRINTED, IT HAD INSUFFICIENT OR INCOMPLETE INFORMATION TO MAKE AN INFORMED RECOMMENDATION. IT DOES NOT IMPLY A NEGATIVE FINCOM VIEW, ONLY AN INCOMPLETE UNDERSTANDING OF THE ARTICLE SO VOTED. FINCOM WILL MAKE ITS FINAL RECOMMENDATION AT TOWN MEETING AFTER HAVING RECEIVED FURTHER INFORMATION. VOTE: YES-6, NO-0.

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

ARTICLE 2: To see if the Town will vote to rescind actions taken under Article 9 of the May 2011 Special Town Meeting in the amount of \$50,000, and return such sum of funds appropriated in said Article to the Harwich Community Preservation Act Fund – Undesignated Fund Balance, and to act fully thereon. These funds were intended, to be used for professional/legal services related to the potential acquisition of specific properties that are in tax title or owners unknown, which would qualify for CPA funding, and that the Community Preservation Committee has made a finding that the specific properties qualify for a CPA purpose. This objective will now be funded from the funds appropriated by Article 3 of the May 2016 Special Town Meeting. By request of the Community Preservation Committee. Estimated amount returned: \$50,000

FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. THIS MONEY WAS NEVER SPENT AND IS BEING APPROPRIATED IN THE NEXT ARTICLE IN A DIFFERENT WAY SO IT WILL BE BETTER SUITED TO COMPLETE THE TASK. VOTE: YES-6, NO-0.

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

ARTICLE 3: To see if the Town will vote to appropriate from Community Preservation Fund-Undesignated Reserve, \$50,000 for administrative costs of the Community Preservation Committee, to be used for professional/legal services related to the potential acquisition of specific properties that are in tax title or owners unknown and/or other related disputes, which would qualify for CPA funding, and that the Community Preservation Committee has made a finding that the specific properties qualify for a CPA purpose, and to act fully thereon. By request of the Community Preservation Committee. Estimated Cost: \$50,000.

FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. VOTE YES-6, NO-0.

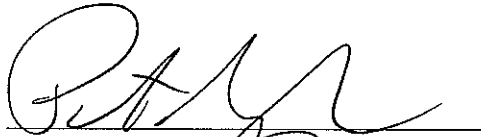
FUND BUDGET SHORTFALLS

ARTICLE 4: To see if the Town will vote to raise and appropriate or transfer from available funds a sufficient sum of money to fund shortfalls in various budget transfers; and to act fully thereon. By request of the Town Administrator and Town Accountant. Estimated Cost:

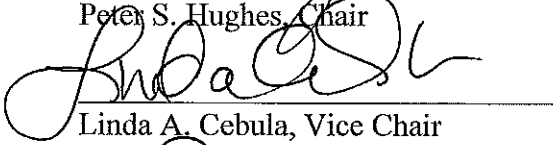
FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. THIS MONEY WILL BE TRANSFERRED FROM AN ACCOUNT WITH A SURPLUS WHICH IS ALLOWED BUT NEEDS TOWN MEETING APPROVAL. THE ADDITIONAL COSTS ALSO HAS CORRESPONDING ADDITIONAL REVENUE WHICH WILL BE AVAILABLE AT THE NEXT TOWN MEETING. VOTE: YES-6, NO-0.

Hereof fail not to make return of the Warrant with your doings thereon at the time and place of said meeting.

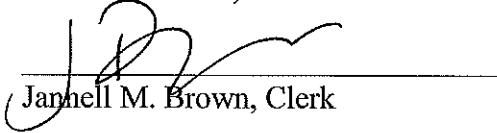
Given under our hands this 28th day of March, 2016



Peter S. Hughes, Chair

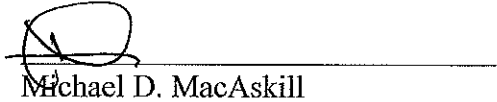


Linda A. Cebula, Vice Chair



Jannell M. Brown, Clerk

Angelo S. La Mantia



Michael D. MacAskill

BOARD OF SELECTMEN

A true copy Attest:

Constable

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

BARNSTABLE, ss:

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

Greetings:

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

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

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

BALLOT QUESTIONS

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

YES _____ NO _____

***Ballot Question 1 Explanation/Comments:** The current docks at Saquatucket Harbor are over 30 years old, well beyond their useful life, and pose a safety concern for the hundreds of patrons and visitors that use the docks on a daily basis. Of particular concern are the large groups of people that walk the docks to go to and from the large passenger boats that operate out of the harbor. A fiscal year 2017 capital project is being requested to replace the dock system; this includes all floats, piles, electrical service, plumbing, fire suppression, bubbler system, and wireless internet. The addition of a handicap accessible ramp system*

is an important part of the project, bringing the municipal marina into compliance with both the American with Disability Act and the Massachusetts Architectural Access Board requirements. Dredging of shoaled areas within the harbor to permitted depths is also a major part of the total project that has been estimated at \$7 million by Bourne Engineering. The town was recently awarded a \$1 million MA Seaport Economic Council grant to fund the east dock portion of the project. The ballot question for debt exclusion would finance the remaining \$6 million balance. The project will be financed over a 20 year term with approximately 75% of the debt service funded from harbor revenues, as supported by Administration.

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

YES _____ NO _____

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

YES _____ NO _____

NON-BINDING ADVISORY BALLOT QUESTION REGARDING THE HARWICH
MIDDLE SCHOOL

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

1. Do you favor retention of the Harwich Middle School Building changing the use to a mixed municipal-private use such as a relocated town hall and private organization leased area for community activities, which has an estimated cost of \$11,476,000 for a full upgrade of the available 79,700 square feet of space and an estimated annual operation and maintenance cost of \$250,000? No additional town employees are included in these cost estimates and this option includes the sale of the existing town hall.

- 2. Do you favor demolition of the Harwich Middle School Building and retention of the land for a future general municipal use which has a current estimated cost to the Town of \$800,000 for demolition and site restoration?
- 3. Do you favor the sale of the Harwich Middle School Building and the land for affordable or senior housing purposes to an outside developer, for which the Town previously received an offer for \$672,000, with real estate taxes estimated at \$20,000 to 30,000 per year?
- 4. Do you favor the retention of the Harwich Middle School Building, to be leased or sold as is for the purpose of a self-sustaining private organization cultural and/or community center, or educational use?

Option 1 Explanation/Comments: 25,840 square feet within the older section of the Middle School would be renovated for use as Town Hall at approximately \$250 per square foot for a total of \$6,460,000. This would allow for fuller renovation of HVAC, roof, windows, etc. 50,160 square feet associated with the gymnasium, auditorium, cafeteria and other spaces would be renovated for approximately \$100 a square foot for a total of \$5,016,000. This would provide minimal renovations to include window replacement, but no HVAC. The total for renovations is estimated at \$11,476,000. The annual building maintenance costs of the Middle School have been estimated at \$250,000 per year based on the prior use(s) of the building. This contemplates the sale or lease of the current Town Hall and Albro House properties, including related parking. Assuming these properties sold for \$1,200,000 (Town Hall) and \$300,000 (Albro House) for a total of \$1,500,000, the net capital cost would be \$9,976,000. As a 20-year debt exclusion in the first year this would have a \$59.67 impact on a tax bill for the median priced house of \$348,700. Currently the Town is budgeting \$125,000 per year for upkeep and insurance associated with the building and grounds.

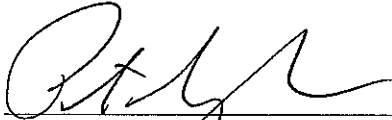
Option 2 Explanation/Comments: Demolition costs do not include environmental remediation of the building. The area would be loamed and seeded for a lawn area and the land would remain for future General Municipal Use. Currently the Town is budgeting \$125,000 per year for minimal upkeep and insurance for the building and grounds.

Option 3 Explanation/Comments: Two separate Middle School Committees reviewed proposals for the Middle School that focused on affordable or senior housing. The Stratford Capital Group submitted the sole response to a formal RFP issued by the first committee for 56 housing units of affordable workforce housing at a total purchase price of \$672,000. This proposal was not accepted, in part, due to location of several new buildings beyond the footprint of the existing school. The second Middle School Committee subsequently placed limits both on the number of potential housing units and where they could be built. The Wise Living Company responded with a proposal to build 40 units of senior housing with 25% designated as affordable to be built entirely within the existing footprint of the Middle School. Since this was an informal proposal, no purchase price was stated. This second proposal is the best current example of affordable or senior housing if the town chooses to go forward with a housing option.

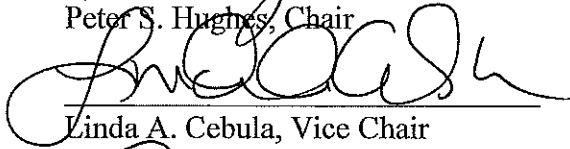
Option 4 Explanation/Comment: *If the building and land were to be leased for the purposes of a private not-for-profit cultural and/or community center use which could include programs in such fields as photography, the visual arts in multimedia, choreography, the culinary arts, creative writing, lectures, stage productions, design and decorating, dance, recording, song writing, poetry, jewelry making, pottery, sculpture, music, arts and crafts, comedy nights, talent shows, fund raising events, and film production, for all ages and for all hours of the day, including after school and summer programs. It could also be used for educational purposes. The building would be leased as is and the lessee would responsible for all operating expenses. In addition, routine maintenance of the buildings and grounds would be the responsibility of the lessee. Any and all modification would require Board of Selectmen approval with all costs borne by the lessee. To support future major maintenance the lessee would contribute up to \$50,000 per year to a reserve fund for major maintenance, depending on the lease agreement.*

Hereof fail not to make return of the Warrant with your doings thereon at the time and place of said meeting.

Given under our hands this 28th day of March, 2016



Peter S. Hughes, Chair

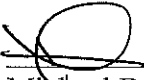


Linda A. Cebula, Vice Chair



Jannell M. Brown, Clerk

Angelo S. La Mantia



Michael D. MacAskill

BOARD OF SELECTMEN

A true copy Attest:

Constable

**BUDGET
FY 2017 REVENUES**

Line	DESCRIPTION	Actual FY2014	Actual FY2015	Voted Budget FY2016	Town Meeting Budget FY2017	% Change
1	Real Estate & Personal Property Taxes	\$39,413,015	\$42,100,818	\$43,574,380	\$45,238,905	3.8%
2	Local Receipts:					
3	Excise Tax	1,901,117	1,955,887	1,865,000	1,940,000	4.0%
4	Hotel/Motel & Meals	885,644	939,538	880,000	887,000	0.8%
5	Ambulance	1,147,928	1,489,762	1,275,000	1,425,000	11.8%
6	Waste Disposal	1,931,321	2,156,538	1,625,400	1,966,000	21.0%
7	Beach, Recreation & Youth	337,450	309,875	346,188	301,750	-12.8%
8	Harbors & Landings	814,719	811,275	893,074	893,074	0.0%
9	Golf Operations	1,749,414	1,736,998	1,748,000	1,830,000	4.7%
10	<u>Other Local Receipts</u>	<u>1,796,222</u>	<u>1,665,980</u>	<u>1,472,804</u>	<u>1,656,262</u>	<u>12.5%</u>
11	Total Local Receipts	10,563,815	11,065,853	10,105,466	10,899,086	7.9%
12	State Aid:					
13	Cherry Sheet	590,175	550,880	666,809	683,884	2.6%
14	School Building Assistance	993,195	993,195	993,195	993,195	0.0%
15	Overlay Surplus	100,000	100,000	100,000	125,000	25.0%
16	Harbor Capital Improvement		72,000	65,839	61,050	-7.3%
17	Cable Fund (Comcast)	215,000	233,275	239,107	129,212	-46.0%
18	Septic Loan	17,265	17,358	17,358	17,358	0.0%
19	Water Enterprise Indirect Costs	522,540	495,520	625,931	587,382	-6.2%
20	FEMA	14,000	13,650	13,991	13,410	-4.2%
21	Road Betterments	35,750	30,100	29,525	29,525	0.0%
22	Allen Harbor Betterments	100,000	100,000	100,000	151,000	51.0%
23	Golf Improvement Fund	30,000	40,000	110,000		-100.0%
24	CPA Funds (Land Bank)	704,970	683,875	662,275	633,400	-4.4%
25	<u>Transfer from other Funds</u>	<u>661,338</u>	<u>500,000</u>			
26	Total Revenue	\$53,961,063	\$56,996,524	\$57,303,876	\$59,562,406	3.9%

<u>TOWN OPERATION BUDGET 2017</u>		<u>Actual FY2014</u>	<u>Actual FY2015</u>	<u>Voted Budget FY2016</u>	<u>Town Meeting Budget FY2017</u>
line					
1	MODERATOR S&W	300	275	300	300
2	SELECTMEN S&W	7,500	7,500	7,500	7,500
3	SELECTMEN - EXP	14,368	6,932	5,700	6,700
	Sub-Total	21,868	14,432	13,200	14,200
4	FINANCE COMMITTEE S&W	2,814	3,019	3,300	3,300
5	FINANCE COMMITTEE - EXP	204	204	450	450
	Sub-Total	3,018	3,223	3,750	3,750
6	Finance Committee Reserve Fund	-	-	125,000	125,000
7	TOWN ACCOUNTANT - SAL	217,572	257,452	241,367	236,197
8	TOWN ACCOUNTANT - EXP	2,412	1,790	3,265	3,265
9	AUDIT - EXP	56,427	18,000	39,500	41,000
	Sub-Total	276,411	277,242	284,132	280,462
10	ASSESSORS - S&W	203,919	210,827	220,378	207,103
11	ASSESSORS - EXP	63,461	72,703	103,330	103,040
	Sub-Total	267,380	283,530	323,708	310,143
12	TOWN COLLECTIONS - S&W	-	-	16,150	16,400
13	TOWN COLLECTIONS - EXP	-	-	4,760	4,760
	Sub-Total	-	-	20,910	21,160
14	POSTAGE	48,636	46,533	56,160	56,160
	Sub-Total	48,636	46,533	56,160	56,160
15	TREASURER - S&W	225,008	222,630	231,826	229,074
16	TREASURER - EXP	98,368	93,954	121,620	121,670
	Sub-Total	323,376	316,584	353,446	350,744

<u>TOWN OPERATION BUDGET 2017</u>		Actual FY2014	Actual FY2015	Voted Budget FY2016	Town Meeting Budget FY2017
17	MEDICARE	162,421	172,089	207,504	195,000
18	ADMINISTRATION - S&W	272,749	370,087	389,443	404,631
19	ADMINISTRATION - EXP	81,285	73,801	72,572	99,380
20	ADMINISTRATION - CAP Outlay	38,094	2,222	5,000	5,000
21	UNION CONTRACTS	-	-	-	5,000
	Sub-Total	392,128	446,110	467,015	514,011
22	LEGAL SERVICES - EXP	225,852	215,626	160,000	164,000
23	CLAIMS & SUITS	-	-	400	400
	Sub-Total	225,852	215,626	160,400	164,400
24	INFORMATION TECHNOLOGY	90,375	92,848	95,913	97,851
25	INFORMATION TECHNOLOGY	130,031	120,122	211,269	198,476
	Sub-Total	220,406	212,970	307,182	296,327
26	IT CHANNEL 18 S&W	95,088	87,037	93,393	98,237
27	IT CHANNEL 18 EXPENSES	16,879	4,974	31,000	31,000
	Sub-Total	111,967	92,011	124,393	129,237
28	CONSTABLE S & W	188	250	694	694
29	TOWN CLERK - S&W	174,739	193,765	196,652	207,209
30	TOWN CLERK - EXP	25,904	31,385	34,848	42,510
	Sub-Total	200,643	225,150	231,500	249,719
31	CONSERVATION - S&W	57,342	67,504	70,421	99,326
32	CONSERVATION - EXP	5,201	5,291	6,746	6,146
	Sub-Total	62,543	72,795	77,167	105,472
33	TOWN PLANNER - S&W	124,774	131,546	83,922	86,456
34	TOWN PLANNER - EXP	2,030	3,242	1,740	1,740
	Sub-Total	126,804	134,788	85,662	88,196
35	BOARD OF APPEALS S&W	5,561	4,136	-	-

<u>TOWN OPERATION BUDGET 2017</u>		Actual FY2014	Actual FY2015	Voted Budget FY2016	Town Meeting Budget FY2017
36	BOARD OF APPEALS EXPEN	360	126	560	560
	Sub-Total	5,921	4,262	560	560
37	ALBRO HOUSE EXP	-	4,658	4,455	4,555
38	OLD RECR BUILDING EXP	-	5,301	4,927	5,270
39	WEST HARWICH SCHOOL EX	-	873	1,162	1,400
	Sub-Total	-	10,832	10,544	11,225
40	COMMUNITY DEVELOPMENT S&W	-	-	269,348	274,828
41	COMMUNITY DEVELOPMENT EXP	-	-	8,996	10,200
	Sub-Total	-	-	278,344	285,028
42	PUBLIC BUILDINGS REPAI	5,705	1,424	13,868	2,133
43	TOWN/FIN COM REPORTS -	6,691	7,421	13,000	13,000
44	ADVERTISING	7,141	4,438	3,500	4,500
45	TELEPHONE	36,138	38,198		
46	POLICE - S&W	2,800,089	2,923,556	3,156,853	3,160,821
47	POLICE - EXP	323,923	389,074	387,900	415,719
48	POLICE - CAP OUTLAY	104,999	107,389	152,933	165,151
	Sub-Total	3,229,011	3,420,019	3,697,686	3,741,691
49	FIRE - S&W	2,859,093	3,192,855	3,439,923	3,528,875
50	FIRE - EXP	234,295	262,116	417,891	409,696
51	FIRE - CAP OUTLAY	-	10,935	-	-
	Sub-Total	3,093,388	3,465,906	3,857,814	3,938,571
52	AMBULANCE - S&W	94,331	104,598	219,335	194,364
53	EMS EXPENSE	90,759	97,459	108,520	118,211

<u>TOWN OPERATION BUDGET 2017</u>		Actual FY2014	Actual FY2015	Voted Budget FY2016	Town Meeting Budget FY2017
Sub-Total		185,090	202,057	327,855	312,575
54 EMERGENCY TELECOMMUNIC		347,273	349,046	423,815	453,207
55 EMERGENCY TELECOMMUNIC		224,778	197,916	151,965	153,463
Sub-Total		572,051	546,962	575,780	606,670
56 BUILDING - S&W		289,848	297,558	202,070	203,633
57 BUILDING - EXP		9,623	13,317	12,468	13,968
Sub-Total		299,471	310,875	214,538	217,601
58 EMERGENCY MANAGEMENT S		4,366	5,464	4,910	4,910
59 EMERGENCY MANAGEMENT		3,002	6,745	8,500	8,500
Sub-Total		7,368	12,209	13,410	13,410
60 NATURAL RESOURSCES S&W		83,759	86,862	90,472	93,657
61 NATURAL RESOURCES		26,320	28,446	27,600	27,600
Sub-Total		110,079	115,308	118,072	121,257
62 PLEASANT BAY ALLIANCE		16,855	16,855	17,192	17,192
63 MIDDLE SCHOOL BLDG.		-	-	125,000	-
64 TOWN ENGINEER		156,594	160,840	166,693	170,774
65 TOWN ENGINEER		1,835	3,005	3,820	5,020
Sub-Total		158,429	163,845	170,513	175,794
66 HIGHWAY SALARIES & WAG		2,081,283	2,173,446	2,274,937	2,436,680
67 HIGHWAY EXPENSE		1,536,147	1,689,216	1,881,905	2,186,694
Sub-Total		3,617,430	3,862,662	4,156,842	4,623,374
68 SNOW/ICE SALARIES & WA		130,758	174,357	40,000	40,000

<u>TOWN OPERATION BUDGET 2017</u>		Actual FY2014	Actual FY2015	Voted Budget FY2016	Town Meeting Budget FY2017
69	SNOW/ICE EQPT HIRE/MAT	349,242	488,619	95,000	95,000
	Sub-Total	480,000	662,976	135,000	135,000
70	STREET LIGHTS	81,448	46,911	80,000	60,000
71	CEMETERY ADMINISTRATIO	45,047	46,783	56,615	58,866
72	CEMETERY ADMINISTRATIO	2,845	3,349	3,691	4,097
	Sub-Total	47,892	50,132	60,306	62,963
73	BOARD OF HEALTH	251,737	253,993	184,412	191,694
74	BOARD OF HEALTH EXPENS	10,924	14,453	13,538	15,540
	Sub-Total	262,661	268,446	197,950	207,234
75	COMMUNITY CENTER S&W	130,429	136,924	140,783	152,951
76	COMMUNITY CENTER EXPEN	147,400	151,738	166,114	141,771
77	COMMUNITY CENTER CAPIT	-	-	-	-
	Sub-Total	277,829	288,662	306,897	294,722
78	COUNCIL ON AGING S&W	276,335	296,210	339,079	355,829
79	COUNCIL ON AGING EXPEN	53,405	63,517	64,669	74,697
	Sub-Total	329,740	359,727	403,748	430,526
80	YOUTH COUNSELOR S&W	67,903	70,563	73,446	75,350
81	YOUTH COUNSELOR EXPENS	3,937	3,751	4,010	4,310
	Sub-Total	71,840	74,314	77,456	79,660
82	VETERANS EXPENSE/BENEF	99,324	125,218	129,328	134,346
83	DISABILTY RIGHTS EXPEN	-	-	300	300
84	HUMAN SERVICES	75,000	76,500	78,030	79,980

<u>TOWN OPERATION BUDGET 2017</u>		Actual FY2014	Actual FY2015	Voted Budget FY2016	Town Meeting Budget FY2017
85	LIBRARY SALARIES & WAG	440,752	487,734	574,545	626,193
86	LIBRARY EXPENSE	247,477	255,143	312,343	269,150
	Sub-Total	688,229	742,877	886,888	895,343
87	RECREATION SEASONAL S&	159,360	157,260	173,540	173,580
88	RECREATION & YOUTH S&W	180,466	196,262	208,531	218,912
89	RECREATION & YOUTH EXP	53,114	45,137	50,825	45,575
90	RECREATION & YOUTH CAP	-	-	12,000	12,000
	Sub-Total	392,940	398,659	444,896	450,067
91	HARBORMASTER SALARIES	201,305	234,229	270,275	282,020
92	HARBORMASTER EXP	89,793	105,264	102,685	169,605
93	HARBORMASTER CAP	-	-	-	-
	Sub-Total	291,098	339,493	372,960	451,625
94	BROOKS MUSEUM COMMISSI	15,648	11,355	15,284	12,194
95	HISTORICAL COMMISSION	666	1,224		540
96	HISTORICAL COMMISSION	126	237	350	350
	Sub-Total	792	1,461	350	890
97	CELEBRATIONS	1,494	701	1,600	1,600
98	GOLF S&W	725,684	740,443	797,672	842,050
99	GOLF EXPENSE	596,836	586,876	615,518	684,625
100	GOLF CAPITAL OUTLAY	60,257	55,207	63,000	73,000
	Sub-Total	1,382,777	1,382,526	1,476,190	1,599,675
101	ELECTRICITY - CVEC			92,100	65,000

<u>TOWN OPERATION BUDGET 2017</u>	Actual FY2014	Actual FY2015	Voted Budget FY2016	Town Meeting Budget FY2017
Total Departmental Budgets	18,293,421	19,526,839	21,195,924	21,950,681
Total Debt Service (Prin & Int)	3,485,283	3,574,871	3,615,484	3,750,309
102 STATE ASSESSMENTS	248,118	256,873	239,729	249,398
103 BARNSTABLE COUNTY RETIR	2,022,988	2,105,875	2,283,370	2,528,468
104 CAPE COD COMMISSION AS	193,717	199,357	198,560	207,458
105 BARNSTABLE COUNTY ASSESSMENT	185,944	185,944	204,340	193,497
106 UNEMPLOYMENT COMPENSAT	19,757	7,196	35,000	35,000
107 GROUP HEALTH INS	3,528,835	3,319,797	4,029,202	4,200,000
108 INTEREST COURT ORDER	-	-	-	-
109 OPEB	100,000	100,000	100,000	100,000
110 GENERAL INSURANCE	405,566	470,695	533,561	596,519
111 GENERAL INSURANCE DEDU	3,750	8,888	15,000	20,000
112 TRANSFER TO OTHER FUNDS	530,000			
TOTAL TOWN	29,017,379	29,756,334	32,450,170	33,831,330
C C REGIONAL TECH HIGH	1,421,910	1,248,331	1,330,607	1,437,053
Total MRSD Assessment	20,337,662	20,070,183	22,843,944	23,833,578
	50,776,951	51,074,848	56,624,721	59,101,961

OFFICE OF THE TOWN ADMINISTRATOR

Phone (508) 430-7513

Fax (508) 432-5039

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

732 MAIN STREET, HARWICH, MA 02645



March 30, 2016

To: Board of Selectmen
Cc: Finance Committee
From: Christopher Clark, Town Administrator
RE: FY 17 Budget Amendment #2

Additional changes have been made to the budget. The attached spreadsheet presents the changes that have been made to four (4) departments, Debt and Harbor Receipts for the proposed balanced FY17 Operating Budget.

CHANGES TO THE BUDGET AND THE WARRANT

Budget Amendments #2 - 3/28/16

Administration (149)	Additional Engineering Services for CWMP	\$ 20,000.00	530900
Com Ctr (540)	Office Assistant Salary Adjustment for FY17	\$ 2,000.00	511900
Union Contracts (150)	SEIU Contract Negotiations Salary Adjustments FY17	\$ 5,000.00	511900
Fire (220)	Reclass Reduction in EOS - net effect zero	\$ 36,644.00	511900
Fire (220)	Reclass Reduction in EOS - net effect zero	\$ (16,348.00)	513000
Fire (220)	Reclass Reduction in EOS - net effect zero	\$ (3,085.00)	515002
Fire (220)	Reclass Reduction in EOS - net effect zero	\$ (4,667.00)	515009
Fire (220)	Reclass Reduction in EOS - net effect zero	\$ (7,899.00)	517900
Fire (220)	Reclass Reduction in EOS - net effect zero	\$ (550.00)	530600
Fire (220)	Reclass Reduction in EOS - net effect zero	\$ (410.00)	530900
Fire (220)	Reclass Reduction in EOS - net effect zero	\$ (15,685.00)	578000
Waste Disposal (439)	Increase Disposal Revenue	\$ (15,000.00)	424701
Debt (775)	Increase Wychmere Pier Debt Payoff - Originally permanent debt over 20 years, now short-term debt over 5 years	\$ 46,113.00	591000 591500
Harbor Receipts	Revenue - Transfer from Harbor fund	\$ (46,113.00)	412017
		Decrease of	\$ (109,757.00)
		Increase of	\$ 109,757.00
		Difference	\$ -

Charleen Greenhalgh

From: Andrew Gould
Sent: Thursday, March 31, 2016 10:08 AM
To: Christopher Clark; Charleen Greenhalgh
Subject: General Fund Revenues

Chris/Charleen,

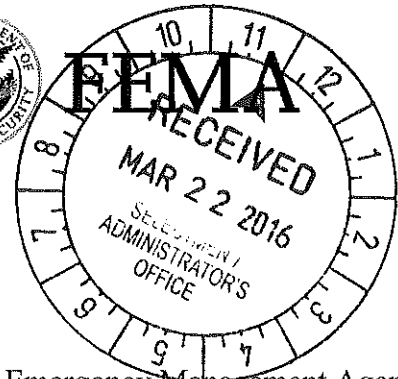
General Fund revenues through March are looking good. Total revenues as of yesterday are \$ 42,802,959 vs 56,577,944 budget for a 75.7% collection going into the busy Spring season and the final three months of the fiscal year.

Some of the highlights are as follows:

- 1.) Property taxes \$ 32M vs \$ 44M budget 73% collected with the final quarter bills due in May
- 2.) Motor Vehicle Excise \$ 1.7M vs 1.8M budget 94% collected
- 3.) Ambulance \$1.0M vs \$ 1.3M budget 83% collected
- 4.) Waste Disposal fees \$ 1.5M vs \$1.6M budget 89% collected
- 5.) Harbor \$ 765K vs \$ 893K budgeted 86% collected
- 6.) Golf \$ 892K vs 1.7M budget 51% collected.

Overall things are looking fine.

Andy



Mr. Robert C. Lawton, Jr.
Acting Town Administrator, Town of Harwich
Town Hall, 732 Main Street
Harwich, MA 02645

Dear Mr. Lawton:

Congratulations! The Department of Homeland Security, Federal Emergency Management Agency (FEMA), Federal Insurance and Mitigation Administration (FIMA), has determined that your community will increase to a Class 8 in the National Flood Insurance Program (NFIP) Community Rating System (CRS).

The floodplain management activities implemented by your community qualifies it for a 10 percent discount of the premium cost of flood insurance for NFIP policies issued or renewed in Special Flood Hazard Areas on or after October 1, 2015. This increase in CRS class is based on a field verification of your 5-year cycle CRS application. I am enclosing the field verification report showing the results of your application review for your records.

Please note that Preferred Risk Policies, applicable in Zones B, C, and X on your community's NFIP Flood Insurance Rate Map, are not eligible for the CRS discount. Standard rated flood insurance policies in Zones B, C, X, D, AR, and A99 are limited to a CRS discount of 10 percent in CRS Class 1-6 communities and 5 percent in CRS Class 7-9 communities. The rates for these zones already reflect significant premium reductions.

If your community does not change its floodplain management practices, the CRS rating for your community will automatically be renewed annually and a notification letter will not be sent to your community. This renewal will occur as long as your community continues to implement the CRS activities you certify each October. If no additional modifications or new CRS activities are added, the next verification visit for your community will be in accordance with its established 5-year cycle. FEMA will periodically send the *NFIP/CRS Update* newsletter and other notices to your CRS Coordinator.

I commend you on your community's actions and your determination to lead your community to be more disaster resistant. This commitment enhances public safety, protects property, preserves the natural functions of floodplains, and reduces flood insurance premiums.

If you have any questions or need additional information, please contact the FEMA Region I Office, CRS Coordinator, Chris Markesich, by telephone at (617) 832 - 4712.

Sincerely,

A handwritten signature in black ink that reads "William H. Lesser".

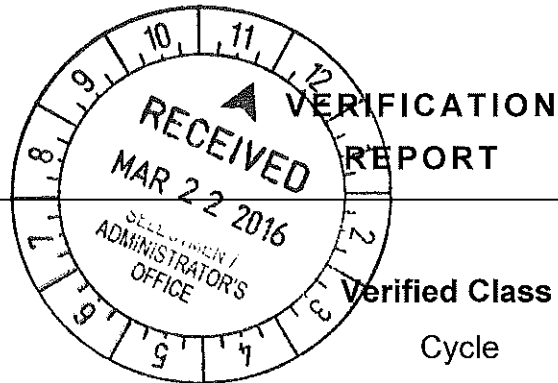
William H. Lesser
CRS Program Coordinator
Federal Insurance and Mitigation Administration

Enclosure

cc: David Spitz, Town Planner



COMMUNITY
RATING
SYSTEM



Town of Harwich, MA

NFIP Number: 250008

Date of Verification Visit: November 7, 2014

This Verification Report is provided to explain the recommendations of Insurance Services Office, Inc. (ISO) to DHS/FEMA concerning credits under the Community Rating System (CRS) for the above named community.

A total of 1056 credit points are verified which results in a recommendation that the community improve from a CRS Class 9 to a CRS Class 8. The following is a summary of our findings with the total credit points for each activity noted in parenthesis:

Activity 310 – Elevation Certificates: The Building Department maintains elevation certificates for new and substantially improved buildings. Copies of elevation certificates are made available upon request. (38 points)

Activity 320 – Map Information Service: Credit is provided for furnishing inquirers with basic flood zone information from the community's latest Flood Insurance Rate Map (FIRM). Credit is also provided for the community furnishing additional FIRM information, information about problems not shown on the FIRM, and natural floodplain functions. The service is publicized annually and records are maintained. (90 points)

Activity 330 – Outreach Projects: Credit is provided for informational outreach projects that includes a flood protection brochure, general outreach projects that include a sign warning of flood zone, 2 targeted outreach projects that include a flood protection letter and a letter to repetitive loss areas. These projects are disseminated annually. (47 points)

Activity 350 – Flood Protection Information: Documents relating to floodplain management are available in the reference section of the Harwich Town Library. Credit is also provided for floodplain information displayed on the community's website. (37 points)

Activity 420 – Open Space Preservation: Credit is provided for preserving approximately 37 percent of the Special Flood Hazard Area (SFHA) as open space, and preserving open space land in a natural state. (629 points)

Activity 430 – Higher Regulatory Standards: Credit is provided for the enforcement of building codes, local drainage protection, and state mandated standards. (58 points)

Activity 440 – Flood Data Maintenance: Credit is provided for maintaining and using digitized maps in the day to day management of the floodplain. Credit is also provided maintaining copies of all previous FIRMs and Flood Insurance Study Reports.
(116 points)

Activity 450 – Stormwater Management: The community enforces regulations for stormwater management, low impact development, soil and erosion control, and water quality. (30 points)

Section 502 – Repetitive Loss Category: Based on the updates made to the NFIP Report of Repetitive Losses as of December 15, 2014, the Town of Harwich has 3 repetitive loss properties and is a Category B community for CRS purposes. All requirements for a Category B community have been met.
(No credit points are applicable to this section)

Activity 710 – County Growth Adjustment: All credit in the 400 series is multiplied by the growth rate of the county to account for growth pressures. The growth rate for Barnstable County is 1.05.

Attached is the Community Calculations Worksheet that lists the verified credit points for the Community Rating System.

CEO Name / Address:

Larry Ballantine
Chair Board of Selectmen
732 Main Street
Harwich, Massachusetts 02645

CRS Coordinator Name / Address:

David Spitz
Town Planner
732 Main Street
Harwich, Massachusetts 02645
508-430-7511

Date Report Prepared: May 4, 2015

720 COMMUNITY CREDIT CALCULATIONS (Cycle):

CALCULATION SECTION :

Verified Activity Calculations:	Credit
c310 38	38
c320 90	90
c330 47	47
c340	
c350 37	37
c360	
c370	
c410	
c420 599 x CGA 1.05 =	629
c430 58 x CGA 1.05 =	61
c440 116 x CGA 1.05 =	122
c450 30 x CGA 1.05 =	32
c510	
c520	
c530	
c540	
c610	
c620	
c630	

Community Classification Calculation:

cT = total of above	cT = <u>1056</u>
Community Classification (from Table 110-1):	Class = <u>8</u>

CEO Name/Address:

Larry Ballantine
 Chair Board of Selectmen
 732 Main Street
 Harwich, Massachusetts 02645

CRS Coordinator Name/Address:

David Spitz
 Town Planner
 732 Main Street
 Harwich, Massachusetts 02645
 508-430-7511

Date Report Prepared: May 4, 2015

Harwich Recreation & Youth Commission



Memo

DATE: March 23, 2016

TO: Board of Selectmen
Christopher Clark, Town Administrator
508-430-7513

PHONE: 508-430-7513

FROM:  Harwich Recreation & Youth Commission,
John Mahan, Chairman

PHONE: 508-430-7553

FAX:  508-430-7579

RE: Beach Concession Bids – Ice Cream
Beach Concession Bids - Hot Dogs



Board Members,

At a meeting of the Recreation and Youth Commission on 3/22/16 it was voted to **accept** the following Beach Concession bids for Ice Cream and Hot Dogs for the period of 2016 and 2017 vending.

1st year: June 20, 2016 through Labor Day, 2016

- ◆ Ice Cream, All Beaches – Winterbottom Ice Cream for a bid of \$15,298.00
- ◆ Hot Dogs, Red River Beach & Events – Buca's Depot Dogs for a bid of \$2500.00

2016 Total \$17,798.00

2nd year: June 20, 2017 through Labor Day, 2017

- ◆ All Beaches – Winterbottom Ice Cream for a bid of \$15,298.00
- ◆ Hot Dogs, Red River Beach & Events – Buca's Depot Dogs for a bid of \$2500.00

2017 Total \$17,798.00

2 Year Total \$35,596.00

Cc: Andrew Gould, Town Accountant

100 Oak Street

Harwich, MA 02645

Fax 508-430-7579

Director:

Executive Assistant:

Recreation Program Specialist II:

Eric J. Beebe 508-430-7552

Lee A. Ames 508-430-7553

Susan H. Fraser 508-430-7554

eebeebe@town.harwich.ma.us

leeames@town.harwich.ma.us

sfraser@town.harwich.ma.us

**TOWN OF HARWICH
CONTRACT AGREEMENT**

**MOBILE FOOD CONCESSION SERVICE FOR THE
2016 AND 2017 BEACH SEASONS AT RED RIVER BEACH.**

This Contract Agreement is made this **4th day of April, 2016** between the **Town of Harwich** (hereinafter referred to as "OWNER") and **Buca's Depot Dogs** (hereinafter referred to as "CONTRACTOR").

The Contractor is to supply the Owner with all materials, equipment, service and/or labor as required in the Specifications provided by the Town of Harwich in its Invitation to Bid, and in accordance with the Bid Proposal submitted by the Contractor for the total amount of:

\$2,500 For the period beginning June 20, 2016 through Labor Day 2016 payable to the Town within 10 days of receipt of this contract.

\$2,500 For the period beginning June 20, 2017 through Labor Day 2017 payable to the Town within 10 days of receipt of this contract.

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

This agreement shall be governed by and construed in accordance with the laws of the Commonwealth of Massachusetts.

IN WITNESS WHEREOF, THE PARTIES HERE TO HAVE CAUSED THE AGREEMENT to be executed on the day and year first written.

FOR: Buca's Depot Dogs
(CONTRACTOR)

FOR: The Town of Harwich
(OWNER)

(Signature)

(Date)

Board of Selectmen

**TOWN OF HARWICH
CONTRACT AGREEMENT**

**MOBILE FOOD CONCESSION SERVICES/ICE CREAM TRUCK FOR THE 2014 AND 2015
BEACH SEASONS AT RED RIVER BEACH, BANK STREET BEACH, EARLE ROAD & PLEASANT
ROAD BEACHES, LONG POND, SAND POND, CAHOONS BEACH & BROOKS PARK**

This Contract Agreement is made this **4th day of April, 2016** between the **Town of Harwich** (hereinafter referred to as "OWNER") and **Winterbottom Ice Cream** (hereinafter referred to as "CONTRACTOR").

The Contractor is to supply the Owner with all materials, equipment, service and/or labor as required in the Specifications provided by the Town of Harwich in its Invitation to Bid, and in accordance with the Bid Proposal submitted by the Contractor for the total amount of:

\$15,298 For the period beginning June 20, 2016 through Labor Day 2016 payable to the Town within 10 days of receipt of this contract.

\$15,298 For the period beginning June 20, 2017 through Labor Day 2017 payable to the Town within 10 days of receipt of this contract

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

This agreement shall be governed by and construed in accordance with the laws of the Commonwealth of Massachusetts.

IN WITNESS WHEREOF, THE PARTIES HERETO HAVE CAUSED THE AGREEMENT to be executed on the day and year first written.

FOR: Winterbottom Ice Cream
(CONTRACTOR)

FOR: The Town of Harwich
(OWNER)

(Signature)

(Date)

Board of Selectmen

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

Cc: Robert Cafarelli, Town Engineer
David Spitz, Town Planner
Lou Urbano

Re: West Harwich School Construction Project and License Agreement Status

Date: March 31, 2016

Administration has organized a meeting with Mr. Lou Urbano representing the West Harwich Revitalization Fund, Incorporated to discuss the implementation of a license agreement for the use of the West Harwich School. It was discussed at that meeting that the CPA funds that would be utilized for the revitalization of the West Harwich School would fall under the operational control of Mr. Robert Cafarelli our Town Engineer. Due to the fact that the West Harwich School will be retained as a town asset throughout the renovation and operation, certain criteria fall into place relative to the renovations. The CPA funds for the renovation, if loaded successfully at Town Meeting will not be available until after July 1, 2016. Administration envisions that Mr. Cafarelli will act as the Project Manager overseeing the renovation work. Similar to the process that was used on the Albro house, if volunteers who wish to donate their time and materials to renovate certain portions of the West Harwich School, those volunteer efforts can be documented and submitted to the Board of Selectmen for receipt as a gift. Any volunteers would work under their own auspices but coordinated with town staff, initially Mr. Spitz as well as Mr. Cafarelli, to allocate work that will be done by trained professionals through the use of CPA funds versus work that can be accomplished by volunteer efforts.

I had been envisioning forwarding materials to the Board of Selectmen and to the Finance Committee outlining this process. Hopefully, this memo serves to lay out the course ahead on the renovations to a currently abandoned town asset. In discussions with the Chair of the Board, the necessity in the short term for a license agreement relative to the use of the facility is not needed at this time. Obviously, why would the Town renovate a building without an intended purpose? The Town has received a proposal from Mr. Urbano who has indicated in that submission that he was initially in individual until such time as a formal legal entity can be created. He is in the process of accomplishing this through the creation of the West Harwich Revitalization Fund, Incorporated.

I do wish to comment on the current funding plan for the renovation of the West Harwich School. First off, I think it is important to remember that the initial quote of \$1.1 million was to provide for housing on the site. The existing plan basically calls for the use of the facility as garage type space. The requirements are different and the level of renovation will be more limited. The CPC funds as administered through the Town will be primarily used in the first instance to secure the building envelope, improve electrical, plumbing and other repairs to make the first floor operational for public restrooms, visitors center and boatbuilding purposes. The CPA funding is currently attempting to be matched to a state grant for an equal amount. If this grant is secured, the Town will have over \$400,000 in which to do these initial repairs. The coordination of volunteer efforts that rely upon funding of materials and related expenses but less labor costs would allow for this money to go further in the renovation of the building than straight public bidding work. The Town in coordination with volunteer efforts will work with Cape Cod Technical High School, the Sheriff's office and other volunteers to try to maximize the partnership to extend renovation work as cost effectively as possible. This work and this style of renovation will take time to complete.

The secondary priorities in this project would be the second floor of the building (currently contemplated as a storage space only) to be more updated and the existing graveled parking area would be retained. If funds allow or additional funds are identified then the secondary priorities could be given updating to a higher standard.

Once the building is ready for seasonal occupancy or limited annual occupancy, the necessity for having a completed license agreement with the applicant from the December RFI becomes more critical. I have attached a very preliminary license agreement that will need to be revised and ultimately approved by the Board of Selectmen and the West Harwich Revitalization Fund Incorporated. I have also attached the submission of Mr. Urbano from the RFI.

LICENSE AGREEMENT
BETWEEN THE TOWN OF HARWICH AND
WEST HARWICH REVITALIZATION FUND, INC.

This Agreement (hereinafter "AGREEMENT") is executed this _____ day of _____, 2016 by and between the Town of Harwich, Massachusetts (hereinafter "TOWN") acting by and through its Board of Selectmen (hereinafter "SELECTMEN") and WEST HARWICH REVITALIZATION FUND, INC., a Massachusetts nonprofit corporation (hereinafter "LICENSEE") having its principal business address at **, Harwich, MA 026**.

The TOWN is the owner of record of land shown on Town of Harwich Assessor's Map 10 Parcel G1, located at 5 Bells Neck Road in Harwich (hereinafter "PREMISES"). PREMISES are shown on the site plan in Attachment A.

The TOWN hereby grants such entry and license to use the PREMISES to the LICENSEE, subject to the following terms and conditions:

I. USE, PURPOSE, TERM

Entry and use are limited to the so-called West Harwich Schoolhouse (hereinafter "SCHOOLHOUSE") located on said PREMISES and containing 2,600 square feet, more or less, and such additional portions of the PREMISES as is necessary to carry out the Plan and Program as hereinafter defined.

Entry and use are specifically, but not exclusively, granted to the LICENSEE, its contractors, agents, representatives, employees, invitees, permittees and licensees, solely for the operation of a maritime museum and small boat building facility on the PREMISES upon completion of restoration of the SCHOOLHOUSE.

Such entry and use by the LICENSEE, its contractors, agents, representatives, employees, invitees, permittees and licensees, shall be exercised from the date of completion of SCHOOLHOUSE Phase 1 restoration (hereinafter "PHASE 1") and shall continue until **, 20**, unless sooner terminated in accordance with the provisions of Section XIV below. Such entry and use shall be further limited by the provisions of Section IV. The LICENSEE expressly agrees to maintain the SCHOOLHOUSE as consistent with its use and purposes and to return the SCHOOLHOUSE in broom clean condition upon the termination of the rights granted hereunder. The License term may be extended by written agreement of the parties.

II. RESTORATION

Restoration of the SCHOOLHOUSE shall be carried out by the TOWN under the direction of the Town Administrator and the day-to-day management of the Town Engineer. PHASE 1 shall consist of historic restoration of the building exterior and renovations to the first floor to provide a suitable work space for building of small boats. Specific construction items and estimated costs are listed in Attachment B.

The cost estimate assumes that some materials and labor will be provided as part of a volunteer effort to be coordinated by the LICENSEE. The use of all volunteer materials and labor in the restoration process shall be overseen by the TOWN.

The scope of restoration may be increased if additional funds become available via grants, donations or other sources. Any additional restoration work shall be included under an amendment to this AGREEMENT.

PHASE 1 restoration is scheduled to begin September 2016 and to be completed by **, 20**.

III. CONDITIONS

The consideration for this License shall be payment by the LICENSEE to the TOWN of \$2,000 per year as a contribution towards the long-term maintenance of the SCHOOLHOUSE by the TOWN. Payment is due on October 1st of each year beginning in 2018. Additionally LICENSEE shall observe and perform all obligations and covenants set forth within this AGREEMENT to the reasonable satisfaction of the TOWN.

IV. USE OF THE PREMISES

The LICENSEE shall use the first floor of the SCHOOLHOUSE for the building of small classic wooden boats. During warmer months this activity may move outdoors on the PREMISES.

Also on the first floor, the LICENSEE shall maintain two public bathrooms and informational materials on the history of West Harwich and other areas of current interest in Harwich.

No other uses may be conducted without the approval of the SELECTMEN.

Renovation and use of the second floor of the SCHOOLHOUSE shall be subject to an amendment to this AGREEMENT.

V. HOURS AND DAYS OF OPERATION

A schedule for boat building activities on the PREMISES and times that the SCHOOLHOUSE will be open to the public shall be posted on the Town website and at Town Hall, Brooks Free Library and the Harwich Chamber of Commerce.

At a minimum, the SCHOOLHOUSE shall be open to the public 12 hours a week from June 15th through Labor Day. The LICENSEE shall arrange for staffing during these hours.

VI. INSURANCE

LICENSEE shall maintain public liability insurance, including coverage for bodily injury, wrongful death and property damage, in an amount of \$1,000,000 and in an amount sufficient to support the obligations of the LICENSEE under the terms of this agreement to indemnify, defend and hold harmless the TOWN.

Prior to entering upon the Premises, and thereafter on or before January 1 of each year of the term of this License, LICENSEE shall provide the TOWN with a certificate of insurance, in each case, indicating the TOWN as an additional insured on the policy and showing compliance with the foregoing provisions. LICENSEE shall require the insurer to give at least thirty (30) days written notice of termination, reduction or cancellation of the policy to the TOWN.

VII. UTILITIES

LICENSEE shall pay all heat and electricity costs. LICENSEE also shall pay for any additional utilities including telephone and internet connection costs. LICENSEE shall be responsible for cleaning of the PREMISES and for disposal of trash.

VIII. TAXES – RESERVED

IX. INDEMNIFICATION

LICENSEE agrees to release, indemnify, defend and hold harmless the TOWN from and against any and all claims, demands, suits, actions, costs, judgments whatsoever, including reasonable attorney's fees, which may be imposed upon, incurred by, or asserted the TOWN by reason of any failure on the part of the LICENSEE to comply with any provision or term required to be performed or complied with by LICENSEE under this agreement.

X. RISK OF LOSS

LICENSEE agrees that it shall use and occupy the PREMISES at its own risk, and the TOWN shall not be liable to LICENSEE for any injury or death to persons entering the PREMISES pursuant to the License, or loss or damage to vehicles, equipment or other personal property of any nature whatsoever of the LICENSEE, or of anyone claiming by or through LICENSEE, that are brought upon the PREMISES pursuant to the License.

XI. CONDITION OF THE PREMISES

LICENSEE acknowledges and agrees that upon completion of PHASE 1 restoration of the SCHOOLHOUSE it will accept the PREMISES in "AS IS" condition for the purpose of this License, and that the TOWN has made no representation or warranty regarding the fitness of the PREMISES.

XII. CONDUCT

During the exercise of the rights hereby granted, the LICENSEE shall at all times conduct itself so as not to unreasonably interfere with the operations of the TOWN, and observe and obey applicable laws, statutes, ordinances, regulations and permitting or licensing requirements.

XIII. LIMITATION OF LIABILITY

Notwithstanding anything else contained herein to the contrary, the TOWN agrees that any liability of the LICENSEE hereunder shall be limited to the LICENSEE in its corporate capacity and shall not extend to any individual, member, director, officer, agent or servant of the LICENSEE.

XIV. TERMINATION AND REVOCATION

This license shall be revocable by either party upon written notice of revocation at least sixty (60) days prior to the termination date stated within said notice.

In the event that this License is terminated by revocation of either party pursuant to this section, then the LICENSEE, at its own expense, shall remove all its personal property from the PREMISES and deliver the PREMISES in broom clean condition, reasonable wear and tear excepted. This obligation shall survive the termination of this License.

XV. MODIFICATION AND AMENDMENTS

Modification or amendments to this License shall be in writing and duly executed by both parties hereto to be effective.

XVI. NOTICE

For the purposes of this License, the parties shall be deemed duly notified in accordance with the terms and provision thereof, if written notices are mailed to the following addresses:

TOWN: Board of Selectmen
 Harwich Town Offices
 732 Main Street
 Harwich, MA 02645

LICENSEE: West Harwich Revitalization Fund, Inc.

**
**

XVII. NO ESTATE CREATED

This License shall not be construed as creating or vesting in the LICENSEE any estate in the PREMISES, but only the limited right of possession as hereinabove stated.

XVIII. EXHIBITS AND ATTACHMENTS

Any and all reports, exhibits and attachments referenced herein or attached hereto, are duly incorporated within this agreement.

XIX. SURVIVAL OF TERMS AND PROVISIONS

All appropriate terms and provisions relating to the restoration of the property affected hereby shall survive the termination of this License.

IN WITNESS WHEREOF, the parties hereto have caused the AGREEMENT to be executed as a sealed instrument and signed in duplicate by their duly authorized representatives on the date first indicated above.

TOWN OF HARWICH
By its Board of Selectmen

WEST HARWICH REVITALIZATION
FUND, INC.

Peter S. Hughes, Chairman

Louis Urbano, President

Linda A. Cebula, Vice Chair

**, **

Jannell M. Brown, Clerk

Angelo S. La Mantia

Michael D. MacAskill

ATTACHMENT A
SITE PLAN

ATTACHMENT B

PHASE 1 RESTORATION: ESTIMATED CONSTRUCTION COSTS

<u>EXTERIOR</u>	<u>ESTIMATED COST</u>
Extend chimney through roof	1,000
Roofing and flashing	10,000
Remove vinyl siding	1,500
Remove cedar siding	2,000
Insulation	6,000
Install new cedar clapboard	12,000
Restore exterior trim	5,000
Restore historic windows	15,000
Paint siding and trim	10,000
Brick repair/repoint	4,000
Install garage type door	5,000
Exterior doors replacement	2,000
South stair/ramp and foundation	5,000
ADA ramp	1,200
Outside pavilion	10,000
New septic system	<u>12,000</u>
SUBTOTAL	\$101,700
<u>INTERIOR FIRST FLOOR</u>	
Structural reinforcement	5,000
New center beam	3,000
New ledger board and joint hangers	5,000
Reinforce roof rafters	5,000
Stair upgrade	1,500
Remove 1 st floor partition walls	2,000
Install 1 st floor partition walls	3,000
Restore window sill/trim	2,000
Remove plaster ceiling	3,000
Install new gypsum ceiling	4,000
Remove bathroom fixtures	500
Install new bathroom fixtures	5,000
Bathroom accessories	500
Bathroom ceramic tiles	2,000
Miscellaneous finish carpentry	3,000
Interior painting	3,000
Plumbing	15,000
Electrical	<u>20,000</u>
SUBTOTAL	\$82,500
TOTAL	\$184,200

WEST HARWICH SCHOOLHOUSE RFI

1. DESCRIPTION OF USE.

As part of a local initiative called Captain's Row, in an area submitted for National Register status and with a currently active process to designate the area from Dennisport to Herring River Bridge as a local historic district, we are proposing the following use for the West Harwich Schoolhouse. The goal: Restore and preserve the historic West Harwich schoolhouse in its envelope and create a functional use by establishing a living maritime museum. Further the goal will include nomination of the building for national register status after preservation efforts are completed.

Our intent is to use the entire property and devote it to an active, living maritime museum and tie in to the Sea Captain's homes in the proposed historic district. The first floor will be used for the building of small classic wooden boats. During warmer months this activity could move outdoors. Also on the first floor will be two public use bathrooms and a small area for informational pamphlets directing visitors to other areas of interest within Harwich. Our proposed use provides for plentiful parking and will include landscaping and public spaces for sitting.

The second floor is intended for displays, built boats and/or historical small boats. These can be hung from an open rafter method. Historical displays of the Sea Captain's of Harwich and the immediate homes within the walking area. This would also accommodate local family history and could also include a rotating exhibit of maritime art or historical boat building tools and methods. First and Second floor use provides for ADA compliance .

2. FINANCIAL BENEFIT TO THE TOWN,

We are planning for a negotiated license agreement with the town. Friends of the West Harwich Schoolhouse will pay for all operating costs. No special services will be expected from the town although the town is providing Supervisory services during the building process and we have requested CPC funds from the town. The financial benefit to the town will be through increasing tourism not only in West Harwich but all of Harwich. This benefits businesses and hospitality services, which in turn boosts the Town's tax base.

3. OTHER BENEFITS TO THE TOWN.

This project follows the local comprehensive plan for Harwich on multiple levels. The local plan directs us to optimize the economic potential of town owned assets. This building has remained unused for over 20+ years. It also enhances the vitality of our cultural, historical and recreational activities, as directed.

Further, it supports the village development plan and branding initiative that the Town has undertaken. A restored schoolhouse furnishes the material and symbolic cornerstone for the civic face of the Captains' Row

district. Overall, it will generate an inviting neighborhood scale and feeling as well as a vital and visible investment in a viable business enterprise

That will bring energy, movement, and money to this area of the village, which is currently in need of revitalization.

4. IMPACT ON THE NEIGHBORHOOD.

Currently the West Harwich Schoolhouse is a target for tagging, drinking and some vandalism. Simply restoring and preserving a historic building would make great strides towards revitalizing an area in decline. However we intend to use the West Harwich Schoolhouse as the anchor and center for the revitalization of a historic area. It is in fact the perfect compliment to a village footprint as it completes the classic village scene of Church, School. And Graveyard. Here the children of our town were educated about life including their direct ties to the sea, navigation and commerce.

The residents closest to the Schoolhouse are disgruntled about what's happening in their neighborhood and are very supportive of the project. The only impacts we identified were from the original consultants development plans that included bright commercial lighting in the parking area. We have designated low lighting with a historical look.

Additionally we intend to be environmentally sensitive. The current black asphalt parking will be replaced with a permeable surface that consultants have noted may actually be helpful to remediate some of the issues with the plume on the property. A new title 5 will be installed to replace a very outdated system. The property's footprint remains the same, will be historically sensitive and also provide landscaping and sitting areas for visitors. It is not a far distance to the bike trail and will be Great news for those seeking bathrooms or a restful bench.

5. ABILITY TO PERFORM

This is a joint project with the town of Harwich. Oversight for the project will be provided by Bob Cafarelli ,our town engineer, who has extensive experience in the building industry.

Volunteer efforts will be directed by the Captain's Row group who have members with architectural, historical , branding , fund raising and building experience.

We are seeking CPC funds and a matching grant to develop this project.

REVENUE MODEL

Working capital for first boat comes from an individual (Lou) who will prepay the first construction. The profit generated will be \$2,200 — enough revenue to pay instructor and material for *second* wooden boat.

This float will enable a second wooden boat to be built and raffled off to the public. Initial discussions were with the director of Habitat for Humanity, which annually

raffles off a kayak. Such auctions generate \$35,000 in gross receipts. We propose a revenue-share after the first \$5,000; Habitat would handle sales. We estimate a first-year profit of approximately \$10,000 for the Maritime Living Museum.

Using individual donations from boating enthusiasts and residents interested in historic preservation, we expect to raise an additional \$5,000 over eighteen months. These funds shall be used to acquire small hand tools, etc.

Initially we estimate building two boats per year for those who wish to have a classic wooden boat that will simultaneously support our efforts with the museum generating \$4,000 annually.

We estimate 900 visitors during the first complete summer season, and anticipate voluntary donations to the Maritime Living Museum to generate approximately \$1,000.

Build your boat with friends or family and enthusiasts. A program geared towards local residents where 8 individuals would work with expert craftsmen and pay \$500 each. And could generate \$4,000 per year. A drawing of straws would determine which person would own the boat. Cape Cod Tech has expressed interest in this Adult Education aspect of the program.

We further anticipate a component of subsequent revenue will be secured from rental of a number of these classic boats on the Herring River. One boat rented three days per week could generate \$150 per day at \$75 per four-hour rental generating \$450 per week. A twelve-week season would raise \$5,500 per boat. We anticipate ultimately renting five boats for \$22,500 in gross rental revenue. Cost of this endeavor is estimated for one employee, eight hours per day for twelve weeks, about \$5,000, plus insurance of \$5,000, representing a total of \$10,000.

Related fund raising efforts, including classes on building and sailing wooden boats, re-issuing a local cookbook with period recipes, are also in development.

Included for your reading pleasure is our CPC submitted application.