

SELECTMEN'S MEETING AGENDA\*

Executive Session 5:45 P.M.

Regular Meeting 6:30 P.M.

Tuesday, January 26, 2021

**REMOTE PARTICIPATION ONLY**

**OPEN PUBLIC FORUM – NEW STEPS – PLEASE READ**

1. First, send an email [to comment@town.harwich.ma.us](mailto:tocomment@town.harwich.ma.us) (send emails at any time after the meeting agenda has been officially posted)
  - a. In the subject line enter “request to speak, your name”
  - b. In the body of the email please indicate which specific agenda item you wish to speak on.  
No further detail is necessary.
2. The meeting will close to new attendees promptly at the scheduled start time for the meeting, generally 6:30pm. It will remain closed to new attendees until agenda items with scheduled speakers are reached. This is to minimize interruptions. You may join prior to (6:30) or when the meeting has been opened up. You may participate using your computer and the GoToMeeting interface or simply using your phone. Connection information can be found below.
3. After the Chairman has opened the floor to those wishing to speak callers will be taken in the order the emails are received.

**Use \*6 to mute and unmute your phone**

When you join the meeting by phone you should turn off Channel 18 or your computer if streaming the meeting.

Board of Selectmen Meeting

Tue, Jan 26, 2021 6:30 PM

**Please join my meeting from your computer, tablet or smartphone.**

<https://global.gotomeeting.com/join/524162557>

**You can also dial in using your phone.**

United States: [+1 \(872\) 240-3212](tel:+18722403212)

**Access Code: 524-162-557**

I. **CALL TO ORDER**

II. **EXECUTIVE SESSION**

- A. Pursuant to MGL c.30A, §21(6) to consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body.
- B. Pursuant to MGL, c. 30A section 21 (a) paragraph 2 to conduct strategy sessions for contract negotiations for nonunion personnel – Town Administrator

III. **PLEDGE OF ALLEGIANCE**

IV. **WEEKLY BRIEFING**

- A. COVID-19 Updates
- B. Update on ongoing efforts by the Town in support of the business community

V. **PUBLIC COMMENTS/ANNOUNCEMENTS**

VI. **ANNUAL COMMITTEE PRESENTATIONS**

- A. Harwich Cultural Council
- B. Harwich Energy Committee

VII. **PUBLIC HEARING/PRESENTATIONS**

- A. Cape Cod Theatre Company – 2021 plans including receipt of grant to fund an outdoor stage

VIII. **CONSENT AGENDA**

- A. Vote to approve Caleb Chase Fund request in the amount of \$560.66
- B. Discussion and possible vote for the Chair to sign the approval letter for 3 Old Post Road, Harwich refinance – Town of Harwich is listed as monitoring agent on deed rider
- C. Vote to approve the appointment of G. Brian Sullivan to the Board of Appeals as a full member - term to expire June 30, 2022
- D. Vote to approve the appointment of Christopher Murphy to the Board of Appeals as a full member - term to expire June 30, 2023
- E. Vote to approve the appointment of Timothy Bailey to the Board of Appeals as an Alternate Member - term to expires 30, 2023

IX. **NEW BUSINESS**

- A. Discussion and possible vote – 2021 Common Victuallers License – Morningstar Restaurant, Inc. DBA Villa Roma – 278 Route 28
- B. Discussion and possible vote – Board of Selectmen Minutes
  1. January 6, 2020 revised
  2. January 13, 2020
- C. Discussion and possible vote approving Section 1.07 of the Harwich Board of Selectmen Liquor License Regulations requests for closure by licensed establishments:
  1. Harwich Inn and Tavern – 77 Route 28
- D. Discussion and possible vote – Sewer modeling acquisition
- E. Discussion and possible vote to authorize the Chair to sign the FY 2021 Executive Office of Elder Affairs Formula Grant Award to the Town of Harwich - \$55,548

X. **OLD BUSINESS**

A. Discussion on update of the FY 2022 to FY 2026 Capital Outlay Plan and Budget

XI. **TOWN ADMINISTRATOR'S REPORT**

XII. **SELECTMEN'S REPORT**

XIII. **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:**

\_\_\_\_\_  
Danielle Delaney, Admin Secretary

**Posted by:** \_\_\_\_\_  
Town Clerk

**Date:** \_\_\_\_\_  
January 22, 2021

# **WEEKLY BRIEFING**



## Town of Harwich Board of Health

732 Main Street Harwich, MA 02645  
508-430-7509 – Fax 508-430-7531  
E-mail: [health@town.harwich.ma.us](mailto:health@town.harwich.ma.us)

January 22, 2021

Weekly COVID-19 Case Update

### CASES AND STATISTICS

To date there have been a total of 447 cases of COVID-19 in the Town of Harwich. As of today, we are following 27 active cases of COVID-19 in Harwich residents (not including Wingate). We continue to have an elevated active caseload.

Harwich remains in the “red” which designates us as a **High Risk Community**. This designation is made when a community of our size reaches a positivity rate of over 5% and has had more than 25 positive cases in a two week period. We have a positivity rate of 7.52% which is determined by the number of tests administered. There were 1436 tests administered and 108 tests were positive in the last 2 weeks. This is again higher than last week.



Massachusetts Department of Public Health COVID-19 Dashboard – Thursday, January 21, 2021

#### Count and Rate of Confirmed COVID-19 Cases and Tests Performed in MA by City/Town, January 1, 2020 – January 19, 2021

City/Town	Total Case Count	Case Count (Last 14 Days)	Average Daily Incidence Rate per 100,000 (Last 14 days) <sup>1</sup>	Relative Change in Case Counts <sup>2</sup>	Total Tests	Total Tests (Last 14 days)	Total Positive Tests (Last 14 days)	Percent Positivity (Last 14 days)	Change in Percent Positivity <sup>3</sup>
Hampden	296	45	65.6	No Change	7199	878	48	5.47%	Lower
Hancock	12	0	0	No Change	194	18	0	0%	No Change
Hanover	872	170	84.4	Higher	16063	2165	189	8.73%	Lower
Hanson	589	118	78.3	Higher	11279	1353	137	10.13%	Higher
Hardwick	55	10	21.4	Lower	2310	253	10	3.95%	Lower
Harvard	90	15	15.4	Higher	6023	549	17	3.10%	Lower
Harwich	447	95	53.9	Higher	12441	1436	108	7.52%	Higher

### RE-OPENING PLANS

## Reopening Massachusetts Effective Monday, January 25<sup>th</sup> at 5:00am

- Mandatory Early Closure of Businesses Order requiring certain businesses to close by 9:30pm will be rescinded.
- The following businesses and activities listed may operate past 9:30pm:

<ul style="list-style-type: none"> <li>• Restaurants</li> <li>• Arcades &amp; Other Indoor &amp; Outdoor Recreation (Phase 3, Step 1 businesses only)</li> <li>• Indoor and Outdoor Events</li> <li>• Movie Theaters and Outdoor Performance Venues</li> </ul>	<ul style="list-style-type: none"> <li>• Outdoor Recreational Experiences</li> <li>• Casinos and Horse Tracks/Simulcast Facilities</li> <li>• Driving and Flight Schools</li> <li>• Zoos, Botanical Gardens, Wildlife Reserves, Nature Centers</li> </ul>	<ul style="list-style-type: none"> <li>• Close Contact Personal Services (e.g. hair and nail salons)</li> <li>• Museums/Cultural &amp; Historical Facilities/Guided Tours</li> <li>• Gyms/Fitness Centers and Health Clubs</li> <li>• Indoor and Outdoor Pools</li> </ul>	<ul style="list-style-type: none"> <li>• Drive-In Movie Theaters</li> <li>• Youth and Adult Amateur Sports Activities</li> <li>• Golf Facilities</li> <li>• Recreational Boating and Boating Businesses (e.g. charter boats)</li> </ul>
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All other parts of the temporary order remain in effect. Businesses on the above list must maintain the 25% occupancy limits. This temporary capacity limitation is extended until February 8<sup>th</sup> unless extended further.

## VACCINE UPDATE

We are currently vaccinating **all groups in Phase 1** of the [MA COVID-19 vaccine distribution timeline](#).

As of January 21, 2021, all groups in Phase 1 are eligible to be vaccinated. This includes:

- [COVID and non-COVID facing health care workers](#)
- [Residents and staff of long term care facilities](#)
- [First responders](#)
- [Staff and residents of congregate care settings, such as shelters and prisons](#)
- [Home-based health care workers](#)

Individuals eligible for vaccination in Phase 1 can visit [mass.gov/CovidVaccineMap](https://mass.gov/CovidVaccineMap) to view vaccine locations, including mass vaccination sites, sign-up and eligibility information. Sites will continue to be added with appointments released on a rolling basis.

Each individual Town on the Cape may not be holding a separate clinic during this Phase. Instead, the County will set up general clinics open to all eligible residents. Also, pharmacies such as CVS, and Walgreens are now scheduling the shots. High thru-put sites are now available at Gillette Stadium and Fenway Park for all eligible residents-just keep in mind that a second dose is required and that dose needs to be administered at the same site as the first dose. This aids in vaccine distribution.

Appointments are required for any location and proof of eligibility will be requested upon entering the clinic site. Sign-ups for the general clinics offered by Barnstable County are done through the County website <https://www.barnstablecountyhealth.org/covid-19/when-can-i-get-vaccinated>. The map will be updated as soon as these sites are ready to accept patients.

Phase 2 is still on track to start in early February. Harwich will be coordinating vaccine distribution to our affordable senior housing complexes with Osco Pharmacy. We are exploring the options to hold a clinic specific to Harwich residents that are in the first priority group of Phase 2. Planning efforts are underway to see if this is a viable option.

## TESTING

FREE asymptomatic testing for COVID-19 is still available at Outer Cape Health Service through February 28, 2021. This is the rapid antigen test and is not valid for Travel Order compliance. PCR testing is also available here. For testing options at Outer Cape Health, please call [508-905-2888](tel:508-905-2888) in advance to make a testing appointment.

Testing is available in other locations 7 days per week through Cape Cod Healthcare. Call the Community Testing Line at 508-534-7103 to make an appointment.

Stay warm and stay well!  
Meggan Eldredge  
Health Director

**ANNUAL**  
**COMMITTEE**  
**PRESENTATIONS**



## **Board of Selectman Report 2020**

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The Harwich Cultural Council (HCC) is a town-appointed committee with a goal to enrich the cultural lives of our citizens. We are one of 329 local councils who are charged with allocating grant funds for community-based projects, as well as ticket subsidies for our students and seniors to theaters, museums, and educational venues in the arts, humanities, and interpretive sciences. The HCC is annually funded in part by the Massachusetts Cultural Council (MCC) and by the Town of Harwich. Additionally, HCC fundraising and private gifts provide us with discretionary monies which can be used for programs, activities, and events that meet MCC and HCC criteria.

### **The Committee**

The Harwich Cultural Council, with a maximum of nine members, has seven active members with two vacancies. We meet monthly on the second Thursday of the month at 4:00 p.m. at the Harwich Cultural Center. However, due to the pandemic, we began meeting remotely in June via the town's Go-to-Meeting platform and will continue until further notice.

The HCC re-elected Chairperson Tina Games and elected Secretary Dinah Lane at our June 2020 meeting, and later elected Treasurer Christine Banks at our November 2020 meeting, to serve for the 2021 fiscal year. Additional council members include – Charles Barnes, Bernadette Waystack, Sharon Moore, and Peter Hollis.

Special thanks go to outgoing members Rosanne Shapiro, Kathy Teahan, and Laurinda Raquel for their service on the Harwich Cultural Council.

### **Grant Awards**

Our local cultural grants program continues to be our main focus and we are always looking for new and innovative ways to get the word out to members of our community. We delight in seeing the variety of applications that come in each year and make every effort to attend awardee events and programs by sending one or more council representatives.

For fiscal year 2021, the Harwich Cultural Council received a total of 25 grant applications totaling \$15,022 in funding requests. Through a standardized review process which began in December 2020 (delayed by two months due to the pandemic), we have earmarked \$10,000 for local arts and cultural grants and will select recipients in three different categories – arts, humanities, and interpretive sciences. Those who are awarded 2021 grants will be notified in mid-February, having one full year to complete their program, project or event - and will be honored at a special reception later this year.

## Looking at 2020

The pandemic changed the way many of our 2020 grant recipients planned to conduct their projects, programs, and events with only two of our grant awardees completing their events before March, based on their original plans. The remaining recipients had to pivot and rethink their approach and come up with creative solutions. Harwich Cultural Council members made a collective decision to reach out to each awardee individually to brainstorm ways they could complete their projects with a focus on offering their programs and events virtually.

Because of the pandemic, the HCC had to cancel its third annual grants information session, usually held in August at the Harwich Cultural Center. This event is designed to help educate the public about the impact of our local grants program and to answer questions from potential grant applicants. While attempts were made to offer the information session virtually, we were limited by the availability of the town's Go-to-Meeting platform. Rather than abandon this session completely, a decision was made to offer a September tutorial via Channel 18 as part of an informational interview about the work of the Harwich Cultural Council. The recording of this interview was shared with the public, airing on Channel 18 and posted to their YouTube page, as well as the HCC Facebook page.

The Harwich Cultural Council launched an *Imaginary Candlelight Dinner* fundraiser as part of our ongoing fundraising efforts, which took into consideration that the pandemic would limit any initiatives which included an in-person component. This creative fundraiser allowed supporters of community arts and culture to contribute at varying levels toward the HCC local grants program.

## Goals for 2021

- The HCC will continue to partner with the Town of Harwich and the Harwich Chamber of Commerce toward finalizing the Cultural District designation for Harwichport and Harwich Center (which was postponed due to the pandemic).
- The HCC intends to hold our annual grant reception at the Harwich Cultural Center to honor our 2021 grant recipients. Grantees will be asked to give an overview of their projects.
- The HCC is currently exploring new fundraising opportunities and will work in collaboration with local artists.
- The HCC will continue its efforts to increase public awareness of cultural activities in our town through a variety of marketing approaches, including our Facebook and Instagram pages, and through collaborations with the Harwich Cultural Center and Channel 18.
- The HCC intends to hold our annual grants information session in August 2021 at the Harwich Cultural Center.

Respectfully submitted by:

*Tina Games, Chair  
Harwich Cultural Council  
January 20, 2021*



## Harwich Energy Committee Annual Report

January 20, 2021

The Harwich Energy Committee has not been active during 2020 mainly due to the pandemic. Our last meeting was in March 2020. We did onboard a new member Jacqueline Pentz Greene.

Our first meeting of 2021 will be Jan. 28. (virtual of course) The HEC commends the town for passing the Climate Emergency article during the last town meeting. The HEC will be seeking to work collaboratively with other organizations to pursue climate friendly energy policies and practices for the town.

The HEC continues to support the town as they put into action plans to fulfill our obligations as a Green Community. There are several CVEC projects that are still awaiting town approval. We hope these projects can proceed soon and the HEC is available to support these projects in any way we can.

The Harwich Energy Committee still meets with other energy committees around the Cape. (Energy Committees of the Cape and Islands) We receive updates regularly from Cape Light Compact and CVEC. CLC was scheduled to do a Main Streets initiative in Harwich this past spring. The pandemic canceled it. CLC is rescheduling this program for 2021. This will provide energy savings for our small businesses in Harwich. The HEC supports this program.

We all hope that 2021 will allow us to get back to some sense of normal. The HEC is committed to helping Harwich reduce greenhouse gases while providing reliable and economical energy sources.

Valerie Bell

Chair Harwich Energy Committee

# **CONSENT AGENDA**

**OFFICE OF THE SELECTMEN**

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Phone (508) 430-7513

Fax (508) 432-5039

732 MAIN STREET, HARWICH, MA 02645



January 26, 2021

Edward M. Duvall  
Common Law Associates LLP  
805 West Main Street  
Hyannis, MA 02601

Re: Refinance of the property located at 3 Old Post Road, Harwich

Dear Attorney Duvall:

Pursuant to the Local Initiative Program Affordable Housing Deed Rider for the subject Property, the Town of Harwich hereby gives consent of a refinancing by the Owners. Said consent is only effective if and when the Massachusetts Department of Community Housing and Development renders its written consent.

Further, the Property must remain affordable (eligible to an individual or household earning no more than eighty percent (80%) of Area Median Income) and remain on the Town's Subsidized Housing Inventory.

Sincerely,

Larry G. Ballantine, Chair

Harwich Board of Selectmen

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT CH40B SUBSIDIZED HOUSING INVENTORY**

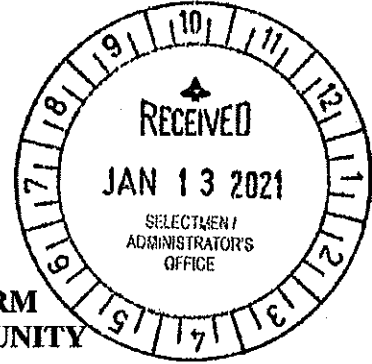
**Harwich**

<b>DHCD ID #</b>	<b>Project Name</b>	<b>Address</b>	<b>Type</b>	<b>Total SHI Units</b>	<b>Affordability Expires</b>	<b>Built w/ Comp. Permit?</b>	<b>Subsidizing Agency</b>
1299	n/a	66 Depot Rd	Rental	8	Perp	No	DHCD
1300	Long Pond/Headwaters	111 Long Pond/127 Headwaters Dr.	Rental	12	Perp	Yes	DHCD
1301	Cedardale Road	Cedardale Road	Ownership	1	Perp	No	DHCD
1305	Pine Oaks Village	61 John Nelson Way	Rental	60	2037*	No	HUD RHS
1306	Pine Oaks Village II	61 John Nelson Way	Rental	38	2020*	No	RHS
1307	Pine Oaks Village III	Oak Street	Rental	65	2042	Yes	HUD DHCD
1308	Queen Anne's Court	96 Queen Anne Rd	Ownership	24	2030	Yes	DHCD
3724	Community Way	2-8 Community Way	Ownership	7	2043	No	DHCD
4092	333 Route 28	333 Route 28	Rental	11	2023	Yes	FHLBB
4614	DMH Group Homes	Confidential	Rental	8	N/A	No	DMH
6258	CCC HOR Program	Mable Canto Way	Ownership	1	2021*	No	DHCD
6705	Harwich Ecumenical Council	Uncle Willis Lane (West Harwich)	Rental	2	2039	No	HUD
7587	DDS Group Homes	Confidential	Rental	18	N/A	No	DDS
8748	Little Homesteads	836 Route 28	Rental	8	2045	NO	MassHousing DHCD
8749	Robert Lane	17 & 19 Robert Lane	Rental	4	2052	NO	DHCD HUD

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT CH40B SUBSIDIZED HOUSING INVENTORY**

**Harwich**

<b>DHCD ID #</b>	<b>Project Name</b>	<b>Address</b>	<b>Type</b>	<b>Total SHI Units</b>	<b>Affordability Expires</b>	<b>Built w/ Comp. Permit?</b>	<b>Subsidizing Agency</b>
9198	Gomes Way	Driftwood Lane/Gomes Way	Ownership	13	Perp	YES	HUD
9233	Harwich Housing Buy-Down Program	Samuel's Path	Ownership	1	Perp	NO	DHCD
9311	Thankful Chases Pathway	35 Main Street Extension	Rental	12	2110	YES	DHCD MHP
9313	HECH Sisson Road	113 Sisson Rd	Rental	13	Perp	YES	MassHousing MHP
9314	916 & 920 Route 28	916 & 920 Route 28	Rental	10	Perp	YES	MHP MassHousing
9354	Harwich Housing Buy-Down Program	Speak Way	Ownership	1	Perp	NO	DHCD
9487	Harwich Housing Buy-Down Program	Stevens Way	Ownership	1	Perp	NO	DHCD
9783	Habitat for Humanity-Oak Street	Oak Street	Ownership	7	Perp	YES	DHCD
9991	Harwich Housing Buy-Down Program	Wendy's Way	Ownership	1	Perp	NO	DHCD
9992	Harwich Housing Buy-Down Program	Old Post Road	Ownership	1	Perp	NO	DHCD
10522	Murray Lane Community Housing	Main Street/ Murray Lane	Ownership	6	Perp	YES	DHCD
<b>Harwich Totals</b>				<b>333</b>	<b>Census 2010 Year Round Housing Units</b>		<b>6,121</b>
					<b>Percent Subsidized</b>		<b>5.44%</b>



**CITIZEN'S COMMITTEE VACANCY FORM  
VOLUNTEER NOW – SERVE YOUR COMMUNITY**

Town government needs citizens who are willing to give time in the service of their community. This form was adopted by the Selectmen as a means of compiling names of interested citizens to serve, on a voluntary basis, on Boards and Committees and Commissions

Vacancy Forms are updated to include categories consistent with the changing needs of the Town. Indicate your order of preference and return this form to:

**CITIZEN'S COMMITTEE VACANCY FORM  
BOARD OF SELECTMEN  
732 Main Street, Harwich, MA 02645**

Name Col. Brian Sullivan Street/P.O. Box 11 Town Harwich Zip 02645  
Occupation Retired Email g Telephone \_\_\_\_\_

**(LIST IN ORDER OF PREFERENCE)**

**PLANNING AND PRESERVATION**

- Agricultural Commission
- \*Board of Appeals
- Brooks Academy Museum Commission
- Building Code Board of Appeals
- By-law/Charter Review Committee
- Community Preservation Committee
- \*Conservation Commission
- Cultural Council
- Historical/Historic District Commission
- \*Planning Board
- Real Estate, Open Space Committee
- Town Forest Committee
- Traffic Safety Committee
- Trail Committee
- Harwich Energy Committee
- OTHER \_\_\_\_\_

**OTHER**

- \*Board of Assessors
- \*Board of Health
- Capital Outlay Committee
- Cemetery Commission
- Community Center Facilities Committee
- Constable
- Council on Aging
- Disability Rights Committee
- Finance Committee
- Harwich Housing Committee
- Herring Supervisor (Voluntary)
- Saquatucket Development Committee
- Shellfish Constable (Voluntary)
- Treasure Chest Committee
- Wastewater Support Committee
- Youth Services Committee
- Voter Information Committee

**RECREATION**

- Bikeways Committee
- Golf Committee
- Recreation & Youth Commission
- Waterways Committee

*I am a avid biker. Would like to learn more about the activities of the Bikeway's Committee. Thank you.*

\* Please include a resume with form

*Brian*

EDUCATIONAL BACKGROUND:

Needham MA High School graduate  
Babson College - BSBA graduate  
LEI Institute Real Estate.

RELEVANT SKILLS:

Past Vice President R. W. HOLMES - Commercial & Industrial  
Real Estate firm. Broker and Marketing Director

Zoning Board of Appeals Member - Town of Berkley MA  
Held position for 5-6 years

General Manager CAMPBELL'S INC. RV dealership

At Campbell's Inc also held position of National Inventory  
manager with Inventory budget over \$130 million for  
18 dealership network.

REASONS FOR INTEREST IN COMMITTEE/COMMISSION/BOARD:

1. I consider involvement with and support of  
community activities is important
2. My past experience on the town of Berkley's ZBA  
was rewarding
3. As my career includes experience in  
real estate including working with developers  
on real estate projects I have experience with  
many of the issues that will come before  
the ZBA.



**CITIZENS ACTIVITY RECORD FORM  
ACT NOW -- SERVE YOUR COMMUNITY**

Town government needs citizens who are willing to give time in the service of their community. The Citizens Activity Record program was adopted by the Selectmen as a means of compiling names of interested citizens to serve, on a voluntary basis, on Boards and Committees.

Activity records are being updated to include categories consistent with the changing needs of the Town. Indicate your order of preference and return this form to:

**CITIZENS ACTIVITY RECORD PROGRAM  
BOARD OF SELECTMEN**

732 Main Street, Harwich, MA 02645

Name CHRISTOPHER MURPHY Street/P.O. Box Harwich Zip 02645  
Occupation Retired CTO Email \_\_\_\_\_ Telephone \_\_\_\_\_

(LIST IN ORDER OF PREFERENCE)

**PLANNING AND PRESERVATION**

- Agricultural Commission
- Architectural Advisory Committee
- \*Board of Appeals
- Brooks Academy Museum Commission
- Building Code Board of Appeals
- By-law/Charter Review Committee
- Community Preservation Committee
- \*Conservation Commission
- Cultural Council
- Historical/Historic District Commission
- Middle School Repurpose Committee
- \*Planning Board
- Real Estate, Open Space & Land Bank Committee
- Town Forest Committee
- Traffic Safety Committee
- Trail Committee
- Utility & Energy Conservation Commission
- OTHER \_\_\_\_\_

**OTHER**

- \*Board of Assessors
- \*Board of Health
- Capital Outlay Committee
- Cemetery Commission
- Community Center Facilities Committee
- Constable
- Council on Aging
- Disability Rights Committee
- Finance Committee
- Harwich Housing Committee
- Herring Supervisor (Voluntary)
- Shellfish Constable (Voluntary)
- Treasure Chest Volunteers
- Wastewater Committee
- Youth Services Committee
- Voter Information Committee

**RECREATION**

- Bikeways Committee
- Golf Committee
- Recreation & Youth Commission
- Waterways Committee

\* Please include a resume with form



EDUCATIONAL BACKGROUND:

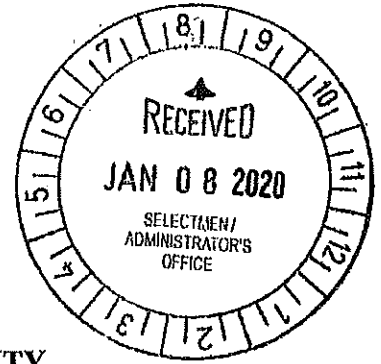
BS Chemistry - Boston College 1978  
PhD Organic Chemistry - Tufts U, 1984

RELEVANT SKILLS:

- Summer work while in school - Eastern Design - Boston  
Architectural Firm
- Various Government / Business and Charitable Boards
  - Goodwill Industries 2013-2018
  - Environmental Technology Institute 1997-99  
(Singapore)
- Home owners Association - Solon, OH 2008 - 2011
  - Treasurer
  - Chair - Design Review Committee
  - Chair - Landscape Committee

REASONS FOR INTEREST IN COMMITTEE/COMMISSION/BOARD:

As a resident of Horwich, and retired, I would like to contribute to the town, keep it a highly desirable place to call home



**CITIZEN'S COMMITTEE VACANCY FORM  
VOLUNTEER NOW -- SERVE YOUR COMMUNITY**

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Vacancy Forms are updated to include categories consistent with the changing needs of the Town. Indicate your order of preference and return this form to:

**CITIZEN'S COMMITTEE VACANCY FORM  
BOARD OF SELECTMEN  
732 Main Street, Harwich, MA 02645**

Name Timothy Bailey Street/P.O. Box --- Town West Harwich Zip 02671

Occupation Student Email --- Telephone ---

**(LIST IN ORDER OF PREFERENCE)**

**PLANNING AND PRESERVATION**

- Agricultural Commission
- (3rd) \*Board of Appeals
- Brooks Academy Museum Commission
- Building Code Board of Appeals
- By-law/Charter Review Committee
- (6th) Community Preservation Committee
- (2nd) \*Conservation Commission
- Cultural Council
- Historical/Historic District Commission
- \*Planning Board
- Real Estate, Open Space Committee
- (6th) Town Forest Committee
- (7th) Traffic Safety Committee
- Trail Committee
- (1st) Harwich Energy Committee
- ( ) OTHER \_\_\_\_\_

**OTHER**

- \*Board of Assessors
- \*Board of Health
- Capital Outlay Committee
- Cemetery Commission
- Community Center Facilities Committee
- Constable
- Council on Aging
- Disability Rights Committee
- Finance Committee
- Harwich Housing Committee
- Herring Supervisor (Voluntary)
- Saquatucket Development Committee
- Shellfish Constable (Voluntary)
- Treasure Chest Committee
- Wastewater Support Committee
- Youth Services Committee
- (6th) Voter Information Committee

**RECREATION**

- Bikeways Committee
- Golf Committee
- Recreation & Youth Commission
- (4th) Waterways Committee

**\* Please include a resume with form**

### **EDUCATIONAL BACKGROUND:**

I am currently a junior at The Massachusetts Maritime Academy. I am studying Energy Systems Engineering, an ABET-accredited Bachelor of Science program preparing students for a career in the energy industry. At the Academy, I have made the President's List three of my five semesters and have a current GPA of 3.6/4.0.

### **RELEVANT SKILLS:**

If given the opportunity, I will serve the citizens of Harwich, putting their best interests first and that of the select board. I will bring an unmatched work ethic, high energy, and optimism to any placement in the town. I am a team player who has worked with diverse groups of people in a vast array of settings. Specifically, I have worked for Harwich before as an Assistant Harbormaster. There I took orders from the Harbormaster patrolling the waterways while also gaining experience working for a municipality. Currently, I am a returning intern at Eversource Energy, working with their Distributed Generation Team. As part of the Government Affairs Department, I have also gained substantial experience dealing with local town officials, specifically during storm restoration, including the Cape Cod Tornadoes of 2019. With a committee or board placement focusing on energy or the environment, I will bring my knowledge of renewable energy and the energy distribution system. I am CPR/First Aid/AED certified and hold both an OSHA 10 and TWIC Card. Finally, I am experienced in both Word, Excel, PowerPoint, Solidworks, and MATLAB.

### **REASONS FOR INTEREST IN COMMITTEE/COMMISSION/BOARD:**

I have been interested in a committee appointment for some time now. I now believe I have sufficient experience and knowledge to be appointed. I love the town of Harwich and the greater Cape community. This town has given me so much, and I believe this is one step in giving back to the community. Professionally, I am very interested in getting involved in both local and state government as well as energy and environmental policies.

\*My resume is attached for viewing\*

# **NEW BUSINESS**



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 48  
 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 MORNINGSTAR Rest. inc.    Phone 508-432-6868

Doing Business As (d/b/a) Villa Roma

Business Address 278 RTE 28 WEST HARWICH MA 02671

Mailing Address " " " "

Email Address V.HARROMAV@YAHOO.COM

Name of Owner \_\_\_\_\_

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

DOUGLAS R. MURPHY    PRESIDENT

LEE ANNE FAXON    MANAGER

Signature of applicant & title \_\_\_\_\_    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.

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.

**MINUTES**  
**SELECTMEN'S MEETING**  
**GRIFFIN MEETING ROOM**  
**Monday, January 6, 2020**  
**6:30 P.M.**

**SELECTMEN PARTICIPATING:** Larry Ballantine, Donald Howell, Michael MacAskill, Edward McManus. Absent: Mr. Stephen Ford.

**ALSO PARTICIPATING:** Interim Town Administrator Joseph Powers and Finance Committee Members: Jack Brown, Jon Chorey, Dan Tworek, Mark Ameres, Tom Sherry, Dale Kennedy

**CALL TO ORDER**

Mr. Ballantine opened the meeting at 6:30 pm, and called to order the Board of Selectmen.

**WEEKLY BRIEFING**

A. Sewerage Work Improvement Phase 2 – Contract #1 – Construction Schedule – Weekly Update

Mr. Joseph Powers, Interim Town Administrator, said that he had an update for the sewage work improvement for Phase 2, Contract 1; as well as, introducing the first construction update for Contract 2.

The look ahead for Contract 1, for this week, January 6<sup>th</sup> through January 10<sup>th</sup>, the Mainline Sewer Crew # 1 will have the subcontractors performing various tasks, at various locations. Mainline Sewer Crew # 2 will continue installation on Route 137, with detours still in place. Then, on Friday only, they will continue installation on White Pine Circle. The two week look ahead for the week of January 13<sup>th</sup> through January 17<sup>th</sup>, again Mainline Sewer Crew # 1 will have the subcontractors performing various tasks at various locations and Mainline Sewer Crew # 2 will return to continue installation on Route 137, with detours. The same work will continue through January 20<sup>th</sup> and January 24<sup>th</sup>. Mr. Powers said that it is his understanding that even though January

20<sup>th</sup> is a holiday for the Town, they will perhaps be operating, and he will confirm that for the next week's update.

**B. Sewerage Work Improvement Phase 2 – Contract #2 – Construction Schedule**

Mr. Powers said that Phase 2, Contract 2, is the work that will be performed by RJV, Inc. They are scheduled to commence their work beginning the week of January 27, 2020. Mr. Powers said that he is working with staff, and they have established coordination meetings for next week between RJV, Robert B. Our, staff and the engineering firm. He will have updates from those meetings. Also, they are doing a coordination meeting with the Town of Chatham. This is because they have their project coming closer to the work area that they are dealing with. He will have more updates after those meetings next week.

Mr. Ballantine said that it will take some coordination, and if they need to change the schedule to help with traffic patterns, they should do that. He added that they should be sure to be in charge of that, going forward.

**PUBLIC COMMENTS/ANNOUNCEMENTS**

A. Ms. Carolyn Carey, Director of the Community Center, wanted to let everyone know that the light display at the Cultural Center has been taken down, she thanked the Police Department and the Doane family.

Also, as a teaser, she wanted to let them know that next month the Community Center will be 20 years old. They will have a birthday celebration with several different events happening, including; a dance, a kids pancake breakfast, find the fairy doors and a cake baking contest. The full schedule will come out soon, so stay tuned! The official date of the opening was February 5<sup>th</sup>, and clubs started February 14<sup>th</sup>. Information will be posted on the Community Center website, Channel 18, and flyers will be everywhere. She hopes that everyone will have a chance to stop by.

B. Mr. Richard Waystack, Chairman, Board of Assessors, said that from the phone calls and visits to the Assessing Department today, it would seem people have received their tax bills. He just wanted to remind everyone that they have 3 ½ weeks left to file an abatement. If someone wishes to challenge the value of their property. He will remind everyone again that the abatement process does not challenge the amount of taxes that a person has to pay. If

you wish to file an abatement, you must pay your taxes. One question that comes up, is that the bill that was received last week, is the first actual tax bill. The previous two bills were estimates. This is the first tax bill at the higher tax rate. To file, it must be to the Assessor's Department by February 1<sup>st</sup>.

## **CONSENT AGENDA**

### **A. Minutes:**

1. June 10, 2019 Regular Session
2. June 24, 2019 Regular Session
3. July 1, 2019 – Regular Session

### **B. Vote to approve and sign the 2020 Seasonal Population Increase Estimate Form**

Mr. Howell confirmed that they will be holding the June 24, 2019 Regular Session Minutes.

Mr. Howell moved that they accept the minutes for June 10<sup>th</sup>, 2019 and July 1st, 2019 and vote to approve and sign the 2020 Seasonal Population Increase Estimate Form. Seconded by Mr. MacAskill. All in favor, motion carried by unanimous vote.

## **PUBLIC HEARINGS/PRESENTATIONS**

### **A. Public Hearing – Finance Committee joint meeting with the Board of Selectmen and Capital Outlay Committee on the submitted 7-Year Capital Outlay Plan**

Mr. Powers stated that in accordance with the provisions of the charter, the public hearing this evening between the Board of Selectmen, Finance Committee, and Capital Outlay Committee, for the draft plan, was presented by himself to the Board on December 23<sup>rd</sup>. It was also available on the Town website and in the Administration Department. All parties should have in front of them the draft plan; as most recently updated on December 23, 2019.

Mr. Powers continued that he would build off of what he said to the Board on December 23<sup>rd</sup>, in his analysis memo, and said that the major items still need to have some vetting. He asked to draw their attention to page three, where it



referred to Wastewater and under the Town Administrator recommendations are two items that have yet to be voted on by Capital Outlay. The expectation is that if it is to go forward, he will be presenting that to Capital Outlay in the Spring, ahead of Town Meeting. However, the two items that have yet to be voted on by Capital Outlay, are the DHY Harwich share of treatment, for \$1.5 million, which would require the use of debt exclusion, and Phase 2, Contract 3, the additional work relative to the present phase of \$8.4 million. Otherwise, everything else has been vetted and is fully endorsed.

Mr. Richard Larios, Chairman, Capital Outlay Committee, reported that there is a total of \$11.7 million to be funded by debt exclusion, there will be 73% of the total funding mechanism. The items that are listed in the plan itself, include; the pump and ladder request, for the ladder called the Quint, under Fire Department for \$1.1 million, a five-year road maintenance plan, under public works, for \$700,000, the \$1.5 million for the DHY wastewater plan, and the Phase II, Contract 3 under wastewater for \$8.4 million. Finally, there were items added for Channel 18.

Mr. Ballantine said that they have not acted or made recommendations on the wastewater issues yet. That will be a discussion of the Board, and will be brought back. They are still trying to sort through the timing of it, and come back with recommendations. The \$700,000 needs to be debated somewhat, because there are a few things that they have control over that may affect the overall town budget, and capital outlay is one of them.

Mr. Larios said that this is a prime example about the plan being fluid, and able to change, until they get to Town Meeting.

Mr. Ballantine said that is it exactly and that it really can be underlined with wastewater. If they take the capital outlay as the first stage, then they have some flexibility on how they do the wastewater project to keep the level funding going forward. They have had some discussions and they should go back and relook at it, to make sense in the near future and the long term.

Mr. Jon Chorey said that he had a question, that he had also mentioned a couple of weeks ago, about filling in the blanks that are there for years out. He said that Mr. Larios had mentioned it was a fluid plan before going to Town Meeting and he wanted to know if there was an intent to have all of the blanks filled out, for the five years, before Town Meeting? He said that it is his understanding that once it goes to Town Meeting, the only way it can be

changed is by going back to Town Meeting for a 2/3rds vote. He repeated that his question is, if there is a plan to fill in all the blanks, for all the departments, up through year five?

Mr. Howell said that it may have been a confusing discussion for everyone. He said that what passed last year at Town Meeting still has to go through the ballot, to actually make it happen. He also added that it was for seven years, not five, and when it gets locked in next year, you will not be able to move anything. However, this year, Mr. Larios is right. It is fluid for this year's presentation to Town Meeting and basically you are starting fresh next year. If something skips the line, then it will need the 2/3rds vote, but that is presuming that it passes the ballot this year.

Mr. Chorey asked if there is any reason that they cannot do that now? Mr. Howell said no, but pointed out that the requirement for this will not begin until next year.

Mr. Chorey asked for clarification on going from seven to five, if it passes at ballot. Mr. Howell said that they thought that amendment had been made, but it was not. The actual passage last year was for seven years for the capital plan.

Mr. Larios said that this meeting is a public meeting about the plan, not the process. Mr. Howell said that Mr. Larios' plan is in accordance with what the charter calls for right now.

Ms. Noreen Donahue, Committee Vice-Chairman, Capital Outlay Committee, said that she wanted to understand the other part of Mr. Chorey's question. She said that they had a confusing conversation two weeks ago, and asked if he was suggesting that, for example, if he is looking under Administration and sees zeros, is he saying that there should be zeros in every place?

Mr. Chorey said no, but for them to be able to plan effectively, whether for five years or seven years, he thought that it should be filled out for seven years, so they can plan and know what they are doing. They can be place holders, a lot of numbers are place holders and that is what he is asking for.

Mr. Larios said he understands what Mr. Chorey is asking for. He said that there is an issue with the Finance Committee dealing with operating costs that are yearly. However, with the Capital Outlay Committee, they are looking at

anything greater than \$50,000, and what is assumed that they will be spending. It is not their Capital Plan, it is the capital plan that is coming out of the Town Administrators office, for the town at large expenses. Mr. Larios agreed that if the items can be filled in, they should be. They used to be called place holders, but if they don't have a place holders, they are not going to make up a number.

Mr. Chorey said that they are responsible for all financial matters related to the town. Mr. Larios questioned why they have two committees. Mr. Chorey said that they are there to help them and Mr. Larios said that they help the Town Administrator. Mr. Ballantine said this does not need to be debated now, and added that Mr. Chorey made some good points, but it will have to come back to be discussed.

Mr. Jack Brown asked where they stand at this point, on what percent of the articles have estimates that are firm vs. not firm, and what will be going into Town Meeting?

Mr. Powers said to answer that question it goes back to his original narrative that the only items that are really in play, relative to what the Capital Outlay Committee has done, relate to wastewater and Channel 18. The Channel 18 numbers that were added are solid. Wastewater numbers will be based on two numbers, which are solid, but it is a matter if those numbers will prevail. He would agree that they are 95% there, but the vast majority are solid numbers.

Mr. Brown asked if there was some kind of tracking system to show where they will be at Town Meeting? Mr. Ballantine clarified if he is asking about these prices staying firm, and how they will be checked? He added that it is a good point to double check that.

Mr. Powers said that in the short term, he is their tracking system. He is working with the Finance Director, and if anything changes substantially, he will notify the Board of Selectmen and let it be known to the community. They will actively work the documents to make sure they are as sound as they can be.

Mr. Larios added that the numbers that they have there of the 99% that they are at, are contractual. If they buy something and the price changes between now and then, it is obvious that they will change it. They are considered rock solid, but if they go to the Fire Department and the price goes down, they will

be happy. If something goes up, it will have to go back to Capital Outlay for a vote, if it goes down, they do not need to vote.

Mr. Angelo La Mantia, Capital Outlay Committee, said that he thinks it would be helpful if the Board of Selectmen could determine how much money can be spent on these total projects. There are a lot of activities in there, and perhaps if they came up with a number, that would be effective for the budget. Then they could work on things that could perhaps be eliminated. This should be reviewed.

Mr. Howell said that he agrees with Mr. La Mantia, and was going to say something to that affect, but it is more complex than that. It is just not how much money is available, but also what is coming off the plan and how long you bonded what you are just accumulating. They really need to look in terms of the stability. To get to the point with the sewerage that it maintains some sort of a flat line. They really need to know what it is that was borrowed, and how long the bonding is, so they can have an expectation when that comes off. Also to know what is coming off, that is available to be spent.

Mr. McManus said that another item they need to know is what the revenue source is, not all bonds are paid by the tax rate.

Mr. MacAskill said first, he would like to thank the Capital Outlay Committee for submitting and vetting this plan. He also understands the question that has been asked and when this is going to come up to have an iron clad line. To Mr. La Mantia's point, the Board really needs to get involved as quickly as they can, and the Finance Committee. They are getting to a point where they really need to start saying no on a few things. Mr. MacAskill directed a question to Ms. Carol Coppola, Finance Director.

He said to point it out, when they look at the list there is \$1.446 million available in free cash, and it is spent in this plan for this year, with no money going to OPEB and no money going to stabilization, zero. He cannot remember them doing that, in the past 4 years, at least. It has all been spent in this case, for equipment. The Fire Department proved that they needed the Quint, and that it will save money. However, he asked if they say no for a few years, can they pay for some of that ladder truck with free cash, so that they are not doing a debt exclusion for that much money? Mr. MacAskill asked Ms. Coppola if the two drivers that they have been talking about on the

budget that seems to go up between 4% to 7% are the contractual obligations with the Unions and debt service?

Ms. Coppola said that she would say that is correct. The Town of Harwich has been very generous with authorizing capital projects and when that vote is taken it takes a couple of years to catch up to selling the bonds and funding the debt, which comes from tax payer dollars. There are a number of existing debt obligations that the town has currently, a number that have been authorized and not issued yet, and some being proposed this evening. She has prepared debt schedules, estimated debt schedules, that go out to the year 2078 and made an effort to try and level that debt, but she added that it is difficult. CDM Smith has provided the town with a timeline and plan for the \$292 million, but they don't know if that will come to fruition. Ms. Coppola said that she does have that document and she could share it.

Mr. MacAskill asked if she could share that with the Board, and the Chair of the Finance Committee. He would like to know what has been authorized and not borrowed, as of now, that is not included in the new tax bill that the Assessing office is getting the phone calls on?

Ms. Coppola said that the amount that is authorized and unissued as of June 30<sup>th</sup>, 2019, she estimates principle and interest as well, but just speaking of principle is \$32,790,000.

Mr. MacAskill asked if that is on top of what they already borrowed, and what is reflected on their tax bills today? Ms. Coppola said that is correct.

Mr. MacAskill said his point is that those are the numbers to look at while making decisions. If they did not hear at Town Meeting last year, with their operating budget only being passed by about 25 votes; they were not listening. People want a break. He said that he will wait to debate Wastewater. There is nothing that says that they need to win that race. As they start talking about new phases, before finishing Phase II in East Harwich, and the 8 million shortfall, they really need to look at when that money is going to hit. This should happen before approving Town Meeting this year; or even the DHY agreement, in his opinion.

Ms. Donahue said in terms of thinking for Town Meeting, and the questions being asked, she wondered if they might be able to consider a technique to distribute the financial information at Town Meeting in a simple way, what is

in it and what is not in it. She said this is just a thought to bring it down to a level for a person that does not have time to look through everything.

Mr. Larios said that there are many people in town that understand numbers, and on the report that Mr. Powers put together, the critical one if he were not involved in specifics would be the tax impact chart, which drives it home for the average tax payer. If that can be enhanced in any way, it is in plain English, and puts it in perspective as a household expense.

Mr. MacAskill said that he agrees and tax payers need to see a lot more of a breakdown of what they are supporting, and what that tax impact is going to be. Not a chart or a graph, because he often hears that people do not understand that. Also, to keep in mind that last year they had a higher number at Town Meeting because of the pet cemetery controversy. They do not usually get a lot of people at Town Meeting and there are very few people making decisions. Mr. MacAskill added that at this table, they need to start explaining it better, and getting it out there better, to show people what they are voting for. There are things that can't be planned for, like the \$8.4 million mistake on the sewer contract, and certain things that they cannot explain.

Mr. Howell said that what they are looking at with these charts, is somewhat like getting pulled over by the police going 80 miles per hour, and telling him that you slowed down from 100. That is not really the point of the speed limit! This chart begins on 2019 and does not give the flavor of what happened in 2018, 2017 and 2016, because those are lower still, then this. He would like to give people a context. They heard last year, during discussion there, that they had brought up the indebtedness in the tax rate, to a certain level because of the sewerage, but people will get used to it. He would like to have a chart of what they are getting used to, because this is really the 100 mile an hour car going down to 80, which is not the point. They were paying their particular rate and got sticker shock this year. Mr. Howell said that they really need to give them where they came from, and where they are. He said that 2019 may look like a bargain year, but if you look at previous years, those were bargain years and this year is frightening. This is a real thing, that has to be paid with real money. There are tons of people who were raised here for generations, and don't have a 401k. The ability to expand their household budget to cover this is exhausted right now. You need to explain what is at stake, what is still backed up that has not actually been built, and what this does to them. He agrees with Mr. Larios, it needs to be simple.

Mr. La Mantia said that it strikes him sitting there, that they talked about the high level of taxes for next year, and probably higher than the letter that they wrote as a guide. However, there is more than just taxes that come up with money. There is revenue that comes up with the various departments that probably should be reviewed, to see what could be reasonably increased. Also, putting everyone into trying to get grants and trying to find cash, one way or another. He added that Mr. MacAskill is right, it is going to be a very dangerous disability of not getting the project approved at Town Meeting, unless every rock has been looked under to see if projects should be done or cash should be developed.

Mr. Larios said that they have been very fortunate financially in the past and one thing they have never learned is how to say no. He said that they are at a point where as a whole, the group needs to instill in their minds that no is a good answer.

Mr. Chorey said that he agrees with everything that has been said and added on to what Mr. MacAskill brought up with the authorized but unissued debt, to take it one step further with proposed debt. He said that Ms. Coppola stated that she brought it out to 2078, and that proposed debt number is about \$356,000,000 to 2078. If you average that out by 58 years, that is close to \$7.5 million a year, and that is just about what the chart is saying. Then there is other debt that is not showing up in issued debt and underfunded op-ed. They are not making the contributions there that they should be making. That op-ed debt when you count in water, town, schools, it is \$54 million of unfunded debt. It is not a matter of saying no, it is up to the people at Town Meeting to say no. Mr. Chorey added that their role is advisory. If they say no to everything at Town Meeting, they are still are on the books for close to a \$110 million in debt. He just wants to get the education out there to the public.

Mr. Ballantine asked if anyone else had a comment. He stated that they will close this topic and they have their job set out for them. They do have a strong advisory role and they do need to look at their expenses and debt going forward. They need to be careful they are looking at the priorities of what they are doing for the town, and they do have op-ed, stability, firehouse safety. The key though, is to put this down in a simple format to have a good public discussion. They will need a good buy in from the people in town, that is their job.

Mr. Howell wanted to add one more thing about the enterprise fund for the wastewater part of this, in its first few years is estimated to be underwater. We had said we were going to take free cash and devote it to that so that we had operating capital and hardship capital and we are not funding either of those. So there is even more than what they are talking about.

Mr. Ballantine said he wants to be careful because Harwich is a great place to live. They are going through a transition, but they have extremely strong department heads and staff. They have things to work on, but they are not starting in a negative mode, they are starting in a positive way and trying to get better. Every organization can improve.

Mr. Ballantine asked for any further public comments, there were none, he then adjourned the public hearing.

## **NEW BUSINESS**

### **A. Vote - Annual Entertainment License Renewals 2020 – as listed in the packet**

Mr. Powers stated that these are the annual licenses that were in the packet last meeting, but were not on the agenda. They have been vetted by staff and he would ask that they approve as presented.

Mr. MacAskill said he had a question in going through the packet and he saw some listed as pending approval; which he is ok with. However, he wanted to know if they have been voted on? He said that some say inside, some say outside, and he wanted to know if they are opening it up so that they can do outside entertainment? He also asked if what they said last year was looked at? Mr. MacAskill said he is a little confused with the times because he thought that they voted with the Police Chief last year, to stop everything at 12 midnight, to get everyone out of the bars.

Mr. Ballantine said that was his question last week, they are not uniformed and he wanted to double check that. Are they different, because that is what they did last year? Or should they go back and double check?

Mr. Powers said that what staff did was to compare the licensees for renewal based on what was mailed out, who responded back, and compared it to what was approved last year.



Mr. Ballantine asked about the follow-up discussion they had several months ago, and if they should bring that back to the Board and make an overall statement on it?

Mr. McManus said, by his memory on it, that if they grant a license and they get a renewal, it is voted like this, if it is the same as the previous year. If they change any of the conditions they have to come back with a new application.

Mr. Ballantine asked what they want to do, if they want to make it more unified.

Mr. Howell added that one concern is that the Hot Stove Saloon shows weekday entertainment going from 9:30 pm - 12:30 in the afternoon the next day, that would mean they could have entertainment all through the wee hours.

Mr. MacAskill said that those are the two very obvious ones. Though they can do the motion to change those. They can bring it back to discuss making it unified, but right now they are being asked to approve those and they can fix the typos.

Mr. Powers confirmed that the typo occurred in the application and staff carried it over. He added that he likes the direction this is going, and he would ask that the Board approve them and the staff could continue to work and vet.

Mr. MacAskill moved that they approve the Annual Entertainment License Renewals 2020, fixing the typos and pending approval from Fire Department and Board of Health. Seconded by Mr. Howell. All in favor, motion carried by unanimous vote.

B. Discussion and possible vote for a request to fill potholes on Seth Whitefield and Round Cove Roads

Mr. Ballantine said that he asked Mr. Powers to contact legal on this because he thought there was a pending lawsuit.

Mr. Powell said yes, he had spoken to counsel and the response was that the Board needs to tread lightly on this, and have a general discussion because much of what is on the agenda relates back to pending litigation in Superior Court. So the board is allowed to talk about the concept of the request to fill

potholes, but not much beyond that and not make any commitments of the town to do anything.

Mr. MacAskill said that the request has been made to fill potholes, not to widen or pave the road. The road is now being used as a cut-through, because of the road work, and the road has deteriorated a lot. He knows there is pending litigation, but the request is to fill the potholes and he believes the road will be used a lot more as the construction moves closer. He would support the request to fill the potholes.

Mr. Howell said, to tie this into what these minutes state, if they have huge potholes, then it is not passable. They agreed to keep the road passable, not to upgrade or widen it; but they agreed to keep it passable. If they have developed to the point that it is not passable, then fixing it is within the guidelines that they had voted on last time.

Mr. Ballantine suggested that they just confirm that, and it seems to be a minor thing to fill the potholes.

Mr. Powers said that based on what counsel had advised, they may be better off having a discussion next week, in Executive Session, to discuss the status of the litigations.

Mr. Ballantine asked if anyone had a sense of the status of the litigation? What is the timeliness of it to happen?

Mr. Powers said that he received a correspondence, which will be shared with the Board tomorrow. It will give the Board a full update on the actions of the litigation, which generally speaking is still pending.

Mr. MacAskill would like to ask the Board and counsel what filling the potholes would have to do with the litigation? That does not spell out potholes. It is litigation between a resident and the Town of Harwich. It is a town road, not the resident's road, correct?

Mr. Powers said that he would not feel comfortable answering that based on what he has read about the Town's strategy to the litigation.

Mr. Ballantine said that they will need to walk away from it now, and bring it back in Executive Session, if they need to.

Mr. McManus said he is looking at the material in the packet, but he does not see in any documentation the recent request to fill the potholes.

Mr. Ballantine confirmed they will bring it back in Executive Session, next week.

## **OLD BUSINESS**

### **A. Discussion, clarification and possible vote – David Harris, Planning Committee - remote participation**

Mr. Ballantine said that they discussed this at the last meeting and he wanted to be sure that they understood that Mr. Harris would be gone for several months, not several weeks. He is still a very viable member, but looking for comment.

Mr. MacAskill said that he gets the request from Mr. Harris to miss five meetings, according to his letter, but maybe they should relook at the policy. He said that they continue to make exceptions to the policy, and he did listen to the discussion from the Board that Mr. Harris is a good member of the Planning Board, and an important member, and he agrees with that. However, he would like to point out that they do have an alternate now. They do have someone that is attending the meetings every week, and how often will they make an exception? If the public comes in to get an approval and have to try and listen to someone that is remote, he thinks they need to tread lightly on approving these.

Mr. Howell said that generally he agrees with Mr. MacAskill. However, the Planning Board is governed by State law and the alternate on the Planning Board can only vote on special permit, nothing else, so their ability to actually function with an alternate is limited.

Mr. MacAskill clarified that he is saying that the alternate should be made a full member. They have someone that wants to be a full member, that does not want to have the five weeks off, and he knows that Mr. Harris does this every year. Again, Mr. Harris is important, and he does not want to diminish that.

Mr. McManus read from the packet that the Selectmen's vote is that it was for "5 meetings", not "5 months". He asked which is it? Mr. Ballantine said that he read it as five months. So, Mr. McManus concluded that it would be 10 meetings that Mr. Harris wants to remotely participate in.

Mr. MacAskill said the only other thing that is missing in his mind, is to know what the Chairman and the rest the Planning Board think? He said that he thinks a part of it should be their decision. What does the Planning Board want, and what does the Town Planner want?

Mr. Ballantine said that he would like to see two actions; one he would like feedback from the Planning Board, and two, he thinks it would be good for them to draft a policy, or a change in policy, for this going forward. However, if they do that, they cannot have half of the Board take off.

Mr. MacAskill said the policy allows for four meetings and this would be for a change in policy. He thinks the policy is a good policy, and he thinks they are making an exception to a current policy. Before they look at changing the policy, he said that this case seems to be the only one and also Mr. Larry Brophy from the Affordable Harwich Trust, was a second one, this year. He thinks right now they should ask the Planner if she is ok with the remote participation, and ask the Planning Board to take a vote on whether they want to give their alternate a full seat.

Mr. Ballantine said that they will follow up on this.

## B. Discuss and possible vote for Town Administrator Search Committee Proposed Timeline

### 1. Timeline

Mr. Powers said that the first item they have is a proposed timeline for the 2020 Town Administrator Search. The timeline also identifies some key actions that the Board wants to be aware of and take. Those are also delineated on the agenda as well. He was able to obtain salary information late this afternoon that he forwarded to the Chairman. Also, he added that Ms. Patti Macura, Administrative Secretary, had provided information on the search firms and regarding the position description and job advertisement, he would defer to them on.

Mr. Ballantine said that he would underline and emphasize that all of these items are proposed or draft items. He said that he had not had a chance to review the salary information, and asked if Mr. Powers could forward the information to the whole board.

Mr. Howell said that there is zero percent possibility of this having an impact for this Town Meeting; so he is not worried about adhering to the timeline. It is not imperative.

Mr. McManus said in his mind it seems incredibly rushed. The process of picking a search firm and knowing what type of person they are trying to look for. He also added the other thing is the need for doing a site visit for people they may be considering.

Mr. MacAskill said that he is comfortable, but does think that they need more time. He hopes that they do their due diligence with site visits etc.

Mr. Ballantine said he was trying to be quite aggressive, but their points are well taken. He will work with Mr. Powers and make some corrections and changes

## 2. Discussion and possible vote on search committee composition

Mr. Ballantine explained about putting together the five member search committee. He said that to get started would be for each member to nominate someone for the committee. He added that Mr. Ford had provided him his nomination since he was absent. Mr. Ballantine asked if the process sounded ok?

Mr. Howell said that Mr. Ballantine had alluded to the fact that someone's recommendation might not be well received by the board and the charter calls for a 4/5<sup>th</sup> vote to actually hire a Town Administrator. He would suggest to have that safety valve if they have that same 4/5<sup>th</sup> rejection vote, that would make sense. He also thinks it is important that they have 4/5<sup>th</sup> or more to hire someone that everyone feels comfortable and that they have some voice at the table. Mr. Ballantine said that was agreeable to him.

Mr. MacAskill added that this has to be a very public process and they need to know what the public wants for a Town Administrator. He said that he looked at 25 towns today, that recently went out for Town Administrator searches and he is not that interested in hiring a search firm to give three people to look at, without public input. Mr. MacAskill added that Brewster just went through the process and they included public input, and Department Head input, as well.

Mr. Ballantine agreed that they had promised everyone that the process will be completely transparent.

Mr. McManus asked about the process and wanted to know what part of the process that the public and Department Heads participate in?

Mr. MacAskill confirmed that they were involved in the process about what type of Town Administrator they were looking for, as the town, not part of the interview. Mr. MacAskill added that a second part to this, is they could have a citizen's form for people to come in and fill out that are interested. He is fine with either one, if the public is very involved.

Mr. Ballantine would like to go ahead with nominating someone at this time. He said that he will get the ball rolling with Mr. Ford's nomination, which is Julie Kavanagh. Mr. Ballantine added his nomination of Linda Cebula. Mr. Howell said that his nomination is Chief Norm Clarke. Mr. McManus said that his nomination is Mr. Dan Wolfe and Mr. MacAskill nominated Mr. Michael Hurley.

Mr. MacAskill did note that they have all selected known people, who are past selectmen or past employees, who have been involved in the town and not a lot of new faces. He is not sure if the other way would be better to have people fill out an application, to get different people.

Mr. Ballantine said that at this point they need to move ahead from where they are, but he appreciates the comment from Mr. MacAskill. He said that their charge now, is to be sure to have open discussions going forward.

Mr. Howell said that he will repeat this, as the process goes on here. In his role in the Federal Government, he hired people that were trainees

for things; as opposed to hiring on the basis of experience. Given his experience now, he would personally feel that it is much more important to get an outstanding individual that is truthful, motivated, who wants to find out things and be collaborative, with an average or above average skill. Those things can be filled in, as opposed to someone who can take a test and get a 99 on it, but is a mediocre leader. Leadership should be on the top of everybody's criteria.

### 3. Information on Salaries

Mr. Powers said that he would like to ask the Board some follow up questions on the information on salaries. The email that the Chairman has, he can send to the Board tomorrow. He wanted to explain that the resource he was able to tap into today, is both good and bad. It is the Mass Municipal Association (MMA), which they are a member and in his role he has access to their HR portal. The portal has a number of salary surveys which he was able to access this afternoon, but it was not as robust as he would have thought it would be. He did an initial query for the Board, for any town that responded to the MMA survey, which had a position of Town Administrator and only 33 responses came back. The second survey he ran was for communities that were of similar size and that yielded five communities. Neither contains any Cape Cod towns. There is some baseline information with a range for salary, but it does not touch back to Cape Cod and to his knowledge there is no available database that covers of municipalities.

Mr. Ballantine said that he would like to know Cape town's. He would like to get from each town a position descriptions and salary, plus benefits, because sometimes the surveys are reported in different ways.

Mr. Powers said that Chatham did a survey about a year ago, which could be a good resource, and they could take a look to see how dated it is. Mr. Ballantine said that would be good to be able to compare.

Mr. MacAskill added that Mr. Ford had put together some numbers too, and he hopes that they can come up with a range in salary so they are not disqualifying people.

### 4. Information on Search Firms

Mr. MacAskill asked if they had three firms lined up to present on January 13<sup>th</sup>?

Mr. Powers said that the three firms are committed to present, if that is what the Board wants. Mr. Ballantine said that there is one reason that they would not have that happen, which is because one additional firm was not available. Mr. Powers said that the firm was not interested.

Mr. MacAskill asked if they will move forward next week, so the public knows? Mr. Powers said, from a procurement stand point, that they would be looking for the Board to ask general questions , not relative to price and things like that. The presentation would be meant to be more of a meet and greet, and to get an understanding of styles and how they approach searches.

#### 5. Draft position description and job advertisement

Mr. Ballantine said that he gave them a draft position description, and he received some comments asking him to identify more on the leadership part and the financial leadership. In response to that, he has another draft, which he will email to everyone. He added that the purpose of this is not to give the description of the new hire, but it was for them to have a discussion of what they think is the most important going forward. So that they will have the same talking points. Mr. Ballantine also said that he put together a draft job advertisement, which he basically plagiarized from Brewster. He did add modifications to broaden it for the search committee to open up to possibly hiring somebody that might have a wealth of experience and leadership skills, but might need training with government aspects. They do not want to close the door and that is why he did the draft.

Mr. MacAskill wanted to ask if they could come to some sort of agreement, that when they hire a search firm, that they are looking at all the applications. The committee they just put together, should review all the applications. He said that other towns have hired search firms that bring forward three names, and report back saying that there are very few candidates. They have also done this in Harwich, where they have thrown away applications for very good people because the applicant did not meet one criteria. He said that they should have a pile “B” that they can look back on, if needed. They should not have the



notion that they are hiring a company to vet it all for them. In a lot of cases, if you go back and look, they bring forward the same names, for the same jobs, in different towns.

Mr. Ballantine said that is easy, they can request the search firm to bring them three names, but include all the applicants.

Mr. McManus asked if the draft documents were in the packet? Mr. Ballantine said that he emailed them the documents, but they were missed in the packet. They are all drafts, and he is looking for feedback

Mr. Howell said that he would like to back-up to what Mr. MacAskill had said, and thinks that one of the biggest mistakes the firms make, because of the process they follow, is they miss the point.

He does not care about them writing a dandy memo, or a terrific resume. The reality is, if they get pushed to the side initially, you are never going to see anybody, or their ability to be a galvanizing force, or to demonstrate if they have leadership skills. That would not come out until you actually talk to them. He agrees with Mr. MacAskill, there have been a number of people that were not able to show up in the room because the paper they submitted may not have looked as good as another person. That misses the point of what this job is going to do.

Mr. Ballantine said that they have given him good notes to go back and draft another document. He will try to define some items that the search committee should check and take care of.

Ms. Elaine Shovlin, said that she wanted to reinforce what Mr. MacAskill mentioned before. She had served on search committees for major universities, for high level positions. Their process was to invite alumni representatives, invite staff, and to invite anyone who would have any part in the game. They cannot please all the people, all the time, but at least no one can come back and say that they were not asked for their opinion. Ms. Shovlin agreed with Mr. MacAskill, that this is one of the first things that should be done.

Mr. Gary Conroy, Harwich resident, Bay Road, said that he has been listening to this, and has worked his whole life in the private sector, so he does not know how town government works. However, one of his

observations of the town, is that they should be looking and thinking of the Town Administrator as a CEO of the town. They are the Board of Directors, and they have all the Department Heads running their piece of the pie. He thinks that the CEO of the town needs to be visible, have those leadership qualities, but also very hands-on. They should know how the person will elevate the town government from a standards and execution standpoint. Mr. Conroy said that he was just in Centerville and Cotuit, and the public spaces there seem a lot more important to them; then it does in Harwich. He thinks the CEO has to have a vision of where he or she wants the town to go, and lead the team to get there.

Mr. Ballantine said just to follow up on that with Mr. Conroy, the goals and objectives did not make it in the packet tonight, but it will be included, so that he can provide more input.

Mr. MacAskill said that he wanted to expand on the last two people that spoke. He thinks that it is important that everyone in town knows, that they are elected officials, they are elected by the people. The public's comments are extremely important. Every member of the Board has an email address and they can be reached with any input or questions. He encourages everyone in town to get involved in this process.

## **TOWN ADMINISTRATOR'S REPORTS**

### **A. Budget/Warrant Timeline FY 2021**

Mr. Powers said that the only thing he has to bring up is following tonight's hearing on the Capital Outlay Plan, the next major deliverable on the timeline relates to procurement to get accurate bid pricing. The internal deadline for that is Friday, January 24<sup>th</sup>. He will be reminding the Department Heads of that later this month. The Finance Director and himself will be picking up where they left off last year to get back into the budget in anticipation of the February 3<sup>rd</sup> deliverable.

Mr. Howell said he does not want this to get lost in anything. This is where the wheels have fallen off the cart in the past, and he wants to make sure they have a timeline deadline for things that are going to be capital items. They need to have a solid number sitting in front of Town Meeting, as opposed to

the speculation of what things might cost, if they were thinking about it. This would go a long way in trying to restore credibility.

## **SELECTMEN'S REPORT**

Mr. MacAskill asked for an update on what he referred to as the pet cemetery. He asked if they can get an update, because people overwhelmingly want to do something with that land. He was asked three times this week what someone has to do to put something back on the table for it. They can get an update from Open Space, and then the Board should have a discussion. Also, he asked for an update on Bank Street Firehouse, and water collaborative financial planning. He said that they should have a conversation, for two quarters of the rental tax should be available. The Board should have a conversation on that too. Those are important and he would like an update or an agenda item on them.

Mr. Howell said that the Wastewater Management Board has already made one decision on this, which is the criteria for dispersing the money, which is going to really be contingent on how mature their plan is. A comprehensive wastewater management plan will count more than just an idea of a project.

Ms. Elaine Shovlin, Chair, Real Estate and Open Space (REOS) Committee, said that on their agenda for their next meeting on January 17, 2020, Mr. Dan Pelletier, Superintendent, Water Department, is attending to discuss the former Pet Cemetery property, as they are interested in maybe using that property. They will have that discussion with him and make their recommendation back to the Board of Selectmen.

Mr. MacAskill asked when and where the meeting will be held. Ms. Shovlin confirmed that it will be in the small conference room at 8:30am on January 17<sup>th</sup>.

Mr. MacAskill asked if the agenda item also covers someone else coming that might have an idea for the space, or is it just the Water Department? Ms. Shovlin said she has not posted the agenda yet, so she could amend it. If others are interested they should contact the Real Estate and Open Space Committee.

## **ADJOURNMENT**

Mr. MacAskill moved that they adjourn at 8:09 pm. Seconded by Mr. Howell All in favor, motion carried by unanimous vote.

Respectfully submitted,

Lisa Schwab  
Board Secretary

**MINUTES**  
**SELECTMEN'S MEETING**  
**GRIFFIN MEETING ROOM**  
**Monday, January 13, 2020**  
**6:30 P.M.**

**SELECTMEN PARTICIPATING:** Larry Ballantine, Donald Howell, Michael MacAskill, Edward McManus. Absent: Mr. Stephen Ford.

**ALSO PARTICIPATING:** Interim Town Administrator Joseph Powers.

**CALL TO ORDER**

Mr. Ballantine opened the meeting at 6:30 pm, and called to order the Board of Selectmen. He explained he first called the meeting to order at 5:30 pm for an Executive Session. They Convened in Executive Session for the purpose of discussing an exchange lease and the value of real property, as they are going into negotiation of that property. They also discussed a strategy session regarding a matter that is in litigation before the Town, by Robert D. Fratus, on the road through Hawksnest. Then they discussed two strategy session on employees, one HEA and one Police/Fire; and all of those will be continuing discussions.

**WEEKLY BRIEFING**

**A. Sewerage Work Improvement Phase 2 – Contract #1 – Construction Schedule – Weekly Update**

The look ahead for Contract 1, for this week, January 13<sup>th</sup> through January 17<sup>th</sup>, Mainline Sewer Crew # 1 will have the subcontractors performing various tasks at various locations, including Testing, Inverts, Casting Adjustments, and Mandrel. That work is being done around Route 137 and Route 39. Mainline Sewer Crew # 2 will return to continue installation on Route 137. Mr. Powers added a reminder of the late work that will be happening this evening through Wednesday, for the work happening at Johanna's Path. That is where they are getting to the deepest depth of the project. The two week look ahead for the week of January 20<sup>th</sup> and January 24<sup>th</sup>. Mainline Sewer Crew # 1 still working with subcontractors, Route 137 and Route 39. Mainline Sewer Crew # 2 again continuing installation on

Route 137, this work necessitating detours. The three week look ahead for the week of January 27<sup>th</sup> and January 31<sup>st</sup>, Mainline Sewer Crew # 1 still working with subcontractors around Route 137 and Route 39. Mainline Sewer Crew # 2 again continuing installation on Route 137, again, with detours in place.

B. Sewerage Work Improvement Phase 2 – Contract #2 – Construction Schedule

Mr. Powers provided an update from RJV Construction, stating that they are looking to initiate their activities beginning the week of January 27<sup>th</sup>. They are planning on mobilizing, set-up and starting to take deliveries prior to that. They have been reaching out and will begin their three week look-aheads in the next two weeks.

Mr. Ballantine added that he lives in the neighborhood and they have been out surveying and they will start on the last week of the month on Sou'East, followed by Nor'West and they are about a week apart.

C. Vote to confirm the recommendation of Police Chief David Guillemette to appoint Jennifer Harrington as Animal Control Officer for the Town of Harwich effective January 13, 2020 with an hourly rate of \$30.26

This was taken out of order on the agenda. Police Chief David Guillemette introduced Jennifer Harrington as the candidate for Animal Control Officer for the Town of Harwich to replace officer Jack Burns, who retired after 20 years of dedicated service to the community. He explained that Ms. Harrington comes to them with an impressive resume in place. She is already a certified animal control officer, working as an assistant in Dennis, she has been a vet tech since about 2013, she also has experience with Cape Cod disaster animal response team, and a variety of other experience working with animals for the past 25 years. She shined in the selection process, which took some time, but they did it right and she is their recommendation for Animal Control Officer, to be appointed by them this evening.

Mr. Ballantine said in reading her resume, he agreed with her outstanding credentials.

Mr. McManus said that he would take this out of order and move to confirm the recommendation to appoint Jennifer Harrington as Animal Control Officer for the Town of Harwich, effective January 13, 2020 with an hourly rate of

\$30.26. Seconded by Mr. MacAskill. All in favor, motion carried by unanimous vote.

## **PUBLIC COMMENTS/ANNOUNCEMENTS**

A. Mr. Ballantine said that he had just learned this afternoon that Mr. David Bassett passed away this weekend. Mr. Bassett, and his wife Dot, were involved in almost everything in town. Mr. Bassett had been a Trustee of the Brooks Free Library and was involved with the Harwich Historical Society, the Friends of the Harwich Town Band, and Nauset Neighbors. He was a standard at nearly every get-together that they had, with his wife. Mr. Ballantine asked everyone to join him in a moment of silence, and added that there will be a celebration for his life held at 11:00 a.m. Saturday, January 18, at the Morris, O'Connor, and Blute Funeral Home.

B. Ms. Peggy Rose said that the last time she was there was because she was letting them know that she was serving as the Acting Director of the Harwich Historical Society, and she is not anymore. She has brought their new Director tonight to introduce her. Her name is Marie Zahn, and she is under 30 years old. Ms. Rose said that she wanted to let them all know that they are having an open house at the museum on Sunday from 2:00 pm to 4:00 pm, so that people can stop by and get to know Ms. Zahn.

Ms. Rose also wanted to put in a plug for Voter Registration Committee, tomorrow at 2:00 pm at the Library. They will be having a session with Mr. Powers, Mr. Ballantine and Ms. Anita Doucette, Town Clerk, about Municipal Government. It will be taped, but please stop by, if you are available.

C. Ms. Carolyn Carey, Director of the Community Center, wanted to announce the Community Center birthday events coming up. Starting on February 1<sup>st</sup>, with the Community Center's 20<sup>th</sup> birthday party. People can pick up packets to find the fairy doors all through town. On Sunday, February 2<sup>nd</sup> from 12:00 pm to 2:00 pm, they are having their own "Souper Bowl Party". There will be soup, bowling, sundaes, and that is at the Community Center. On Wednesday, February 5<sup>th</sup>, which is the actual 20<sup>th</sup> birthday, they will be having a "then and now" celebration, with an amazing video put together by Channel 18. They will be having the cake contest, and they will be putting things in a time capsule to open in 20 years. On Wednesday, February 19<sup>th</sup> at 9:00 am, they will be having the kids breakfast and the fairy doors are due back in. Then at 6:00 pm, that evening, they have a psychic in the gym, and on Friday,

February 28<sup>th</sup> from 6:30 pm to 8:30 pm the Sound Dunes will perform. All events are free, but they are asking to bring a canned donation for the Family Pantry. Lastly in February, they would like to offer any Harwich resident, who are 16 years or older, to stop by to see the weight room. All of this information is on the websites and she said that they are thankful for all the people involved.

D. Emily Mitchel, Director, Council on Aging, said that she had a quick announcement as they are approaching tax preparation season. The Council on Aging will be partnering again with AARP, in providing trained tax volunteers to help folks complete their State and Federal income taxes. Harwich residents can sign up through the Harwich Council on Aging. However, appointments will take place at the Chatham Community Center. All volunteers are trained annually by the IRS and go through background checks. It is a totally free service. They are offering it Mondays and Wednesdays with four appointment blocks per day. The Council on Aging will be providing transportation to the Chatham Community Center, for the first two blocks on Wednesday mornings. Ms. Mitchel said to give them a call or to stop in to sign up.

E. Mr. Powers wanted to share an announcement that came to him from the Town Planner. This is about the Municipal Vulnerability Preparedness Plan. He said that staff, and interested parties, will be assembling at the end of the month to develop that plan. However, the Town Planner would like everyone to know that on the Town website there is a public survey for the Town's Municipal Vulnerability Preparedness Plan. They are looking for input from the public, for what they see as critical and/or vulnerable issues facing the town now, and in the future, relative to natural disasters and occurrences, as well as sea level rise. It is important information to help ensure that they build a stronger plan.

## **CONSENT AGENDA**

A. Minutes: 1. July 15, 2019 Regular Session

Mr. Howell requested that this item be held.

B. Vote to approve 190 mile relay road race application from Ragnar Events, LLC for Saturday, May 9, 2020 - Start time 2:30 PM



Mr. MacAskill requested that this item be held to read separately.

Mr. MacAskill moved approve the 190 mile relay road race application from Ragnar Events, LLC for Saturday, May 9, 2020, with a start time of 2:30 PM. Seconded by Mr. McManus.

Mr. MacAskill said that he had several complaints this week, requesting that they ask the event leaders, whether by letter or verbal, to leave Harwich the way that they found it and to clean up after themselves. Last year, Sand Pond was a mess with trash all over the parking lot. If they are going to approve this; they need to let them know they need to clean up after themselves.

Mr. Ballantine confirmed that they will work with Mr. Powers to add that to the requirement.

All in favor, motion carried by unanimous vote.

- C. Vote to approve the request to close The Villa Roma Restaurant for a short period the winter of 2020
- D. Vote to accept the resignation of Sarah Capobianco Powell from the Noise Committee effective immediately
- E. Vote to approve the request from the Town Clerk, Anita Doucette to add the names of Sandra Robinson and Carol Thayer to the list of election workers to assist with the 2020 Election – These names have the approval of Ray Gottwald, Chairman, Democratic Town Committee and Peter Hughes, Chairman, Republican Town Committee
- F. Vote – Annual & Seasonal Lodging House or Inn holders License Renewals 2020 – as listed in the packet
- G. Vote – Annual Auto License Renewals 2020 – as listed in the packet
- H. Vote - Common Victuallers License Renewals 2020 – as listed in the packet

Mr. Ford read, starting with C through H, to approve each item. Seconded by Mr. MacAskill.

Mr. Howell commented on item C, that they should have requested the approval to close prior to actually closing. They do require permission. Mr. McManus added, that if they are closing, it is only for specific allowable reasons. Mr. Ford added that the dates have to be defined. Mr. MacAskill added for the public, that the dates on this is from January 5<sup>th</sup>, 2020 to the first week in March 2020.

All in favor, motion carried by unanimous vote.

## **PUBLIC HEARINGS/PRESENTATIONS**

### **A. Town Administrator Search Agency Presentations**

Mr. Ballantine explained that they are embarking on a search for a new Town Administrator and they have invited several search agencies to present in front of them tonight. This is for information and they are gathering information and not making any decision tonight. That will require a formal request for proposal.

Mr. Powers added that they heard from the third firm on the list and they are unable to participate at this time.

#### **1. Thomas Groux and Richard White, Groux-White Consulting, LLC**

Mr. Thomas Groux introduced himself and Mr. Richard White and expressed their surprise to be asked to present in front of the Board for an informal basis. They hope to be included for the formal request for proposal and said that they are both familiar with Harwich. Mr. Groux explained that he is a retired Town Manager from Chatham and Mr. White, from Dennis.

Mr. Groux said that he wanted to let them know that he was engaged by the town once before, when they were recruiting a replacement for Mr. James Merriam. Mr. McManus corrected that he helped the town when they hired Mr. Merriam.

Mr. Groux continued, that a lot has happened in Harwich in the interim, but the process of recruiting is something that they have a lot of experience in. Not just as consultants, but also from being managers, and they have been in a position of recruiting personnel for government. They have a good idea of how to help a community find quality people. If they are the consultant, with their process, when applications are received, they make sure that the Search Committee would receive every resume. They would expect the Search Committee to be very careful with those resumes, because they are confidential until such time that the Board is interviewing finalists. They make an effort to

assist Search Committees on a thorough basis, from the beginning to the end, as well as the Board of Selectmen. He then turned it over to Mr. White.

Mr. White said that they have a formal presentation, but given where the Board is in the process, they would rather have a dialogue. They think their process is unique and comes with an 18-month guarantee for anyone that they recommend. If it does not work out in the first 18 months, they come back and do the search for free. The people that they have recruited and recommended have all stayed far longer than the 18 months, and have had great tenures. Mr. White said that he would like to hear from the Board, and what things they would like to know about doing a search, and what things do they need to hear before doing an RFP? How can they help them?

Mr. Ballantine said that they have selected a Search Committee, though they have not gotten together yet. He asked how they would help to get the Search Committee organized, and asked if they have had some Search Committees that they have had to pay a lot of attention to, or some that just need some guidance.

Mr. White said that they would provide full staff support for the Search Committee, and any time they met, they would be there. They would work closely with the Chair, to help organize the meetings. They would do the agendas, help with posting and prepare materials. Mostly during meetings it is the Search Committee's show, and they are there to support. When a full file of resumes is provided, they also provide the support and staff for the screening process, and also with the Board and public process as well.

Mr. Ballantine asked about getting resumes, and in terms of what qualifications they are looking for, what is their experience of trying to encourage public input into that process? Mr. Ballantine said that it is the Board's intent to have as much community input as possible, and would like to know what their experience is with that?

Mr. Groux said that one of things that they started out doing was sitting down with the Board of Selectmen to get their impression of what they think the community needs, the qualifications that they would be

looking for in an individual, and to know what their goals and expectations are for the Administrator. They can only get that by talking to them, in a pretty straightforward way. They want to be sure they understand where they think the Town is, and where it needs to go and what kind of person they need to get there.

Mr. White said that as a basis, before they do that, they would interview all of their Department Heads. In their proposal, they have some synthesis sheets from department heads, which will give them a sense of the feedback they receive from this deep dive. They also will ask them to give them a list of community leaders, the informal leaders in the community, that may be on other boards, that would affect the success or failure of the next Town Administrator. They would interview them and do the same synthesis as they would with the Department Heads. They believe in doing the deep dive, because it is not necessarily the most qualified candidate that is successful in communities, it is really about the best fit. There are a lot of qualified individuals but a fit for a community is just as important. Mr. White said that the Cape is a very unique governmental culture. It requires the Town Administrator to be accessible, have an open door policy and also part of the community. They believes that the deep dive they do, helps a lot. He added that some Screening Committees have had their own public meetings, and invited the public to come in and comment about what they would like to see in the skills and attributes of the next Town Administrator and what type of issues they want addressed. They usually seed that conversation with a series of questions to try and control the feedback that they get. However, they can cater and craft a process that fits what they want to do.

Mr. McManus said they summed up pretty much what his question was with the Selectmen being interviewed. He said that they have done a good job with picking unique people to be on the Screening Committee and he would like to make sure that they are fully interviewed, because Selectmen do not always get it right.

Mr. White said that they share all of their synthesis with the Screening Committee, and they come up with their own perspective. He said that they are usually the easiest because they can corral them in a public meeting

Mr. Ford said that the whole objective on the Screening Committee is to be a reflection of the Town. He explained that each of them selected someone that they felt very strongly would contribute to what the Town felt is needed. As Mr. McManus said, the background of these individuals are really quite unique. They are people who are thoughtful and will provide a good insight into the types of candidates to bring before them. The same is true for the Selectmen, as well. The question he would have, is if they have had conversations with folks in the industry, to see who is around and what levels of service do they provide with respect to what they do for guidance in their role.

Mr. Roux said that based on all the searches that he has done as Roux Associates and as Roux White Associates, he has found the only way to do a credible job is to provide a full range of services. They have a set price/quote that they make that will provide all of the services. When they have a chance to look at the proposal they go from A to Z. From getting the information on the Town from the employees, the Department Heads, the Selectmen, the Search Committee and the community, they do a lot of outreach to try and attract people. There are a lot of quality people who generally do not apply blindly to a job, and need to be encouraged. In the public sector once you announce you are looking for another job, your career can be over. They provide the staff to the Screening Committee and the Board of Selectmen. They work closely with the candidates as well. He was impressed with the Search Committee members, that represent different experiences in Harwich.

Mr. MacAskill asked if they could give a quick idea of how they recruit people. He has seen that it seems to be the usual cast of characters are always in the finalists for the Towns coming up. Would they expect the same finalists as they found in their last search, and how would they broaden that?

Mr. Groux said that they start all over again. People that may not have gotten into the final cut have probably already have another job and no longer searching. They will let good candidates know about the search. Every search is a brand new process for them. Mr. White added that there are probably two people that are repeat finalists in the searches they have done. They do not have a stable, they have been in the profession, and have a lot of contacts in the profession. Mr. Groux also

explained that he had an internship program and had a number of people that he has trained, and he relies a lot on them for feedback and suggestions. He did a recruitment in Easton, and the town went internally. Occasional it happens that they have a good recruit from one town, that does not get that job, and they can find a fit elsewhere, but they do not automatically include them.

Mr. Groux said that he would like to add one item, regarding the timeline. He said that whichever consultant they select, he would encourage them to come up with a realistic time schedule for the search.

Once a formal contract is signed, they will be going out and making contacts and resumes will start coming in right away. They want the search process to be long enough to allow the Town to be able to evaluate the needs and the people they want to interview, but not so long that they lose candidates. The timeline needs to be realistic. Mr. Groux reviewed how they handled timelines for other locations.

Mr. McManus said that there are two issues. The first is timing, the hiring of a Town Administrator has never allowed for a pause. To allow for personal phone calls, background checks and site visits. He said that he had voted against Mr. Clark, because he felt there was not enough time. Secondly, on Cape Cod, they have a problem with housing costs. Do they have a consideration of applicants that have housing available?

Mr. White said they craft a process for the community. They have had recruitments where the Board of Selectmen wanted to do a site visit and they set it up. When Dennis hired him in 2009, they took a visit to the community he was working in. It was great. Generally, Board of Selectmen like to make a decision that night, there are any number of strategies that they can come up with to cover anything that fits their needs.

Mr. Howell said, as a global thought, some of this will be driven by their home rule charter. That requires certain things for recruitment. It takes a 4/5<sup>th</sup> vote by the Board of Selectmen, rather than just a simple majority. Anybody that has ever run for office knows this, you are really hiring someone that you are going to be living with. He feels strongly that they want a leader that interacts well, both below and

above. Fitting in with the community as a whole. His concern is that some search firms operate as goal tenders, and you end up with a ton of people that exaggerate their skill set. People who were outstanding candidates you may never get a chance to talk with.

Mr. White said that they view the applicant as their customer as well. When an applicant comes in, they look at it right away to see if it has any possibility. Then they reach out right away, to see what their interest is, their skill set, and discuss their timeframes. They stay in contact as much as they can to keep them interested.

Mr. Howell asked what they consider would constitute a qualified candidate, in their minds?

Mr. Groux said that one of the advantages they bring to the process, is that they have written a number of resumes themselves, and have read many over the years. Some people are quite poor at doing a resume and they take resumes with a grain of salt. The Search Committee will see all the resumes, of all the people, and they will provide a grid about every candidate that submitted a resume with a breakdown of qualifications.

Mr. White said that they also do enough of a background check on a resume to distinguish what is real.

Mr. Ballantine asked if any member of the Search Committee who were present, had any questions.

Ms. Julie Kavanaugh, Search Committee Member, said that when they are reviewing applicants, they need to be comparing apples to apples. When they are looking at the resume and applicants, they are really looking across the board and taking in the whole picture, per person.

Mr. Groux said to add to that, the candidates that go in front of the Board of Selectmen, would be ones that the Screening Committee selected. He also wanted to add one more thing, in the scopes and services, that they are also available to assist the Board in negotiation of the contract, if needed.

Mr. Dan Wolfe, Search Committee Member, said that he would ask this, more to the Board of Selectmen, to get the tools to look back at what someone has accomplished. Whoever is the conduit between the Board of Selectmen and the Search Committee, to be able to really articulate what the future is, so that they can ask candidates, not only about the past, but about the future for Harwich and how they would lead them there. That should be defined by the Board of Selectmen.

## 2. Bernard Lynch - Community Paradigm Associates

Mr. Ballantine welcomed Community Paradigm Associates and again said that this is for initial information gathering, and as they get going they will follow up with a formal request for proposal. He also told them that they have established a Search Committee.

Mr. Bernard Lynch introduced himself and Ms. Sharon Flaherty. He said this is their sixth year in business. His background is in Municipal Government, for nearly 40 years. He was the first Town Manager of Chelmsford, Massachusetts, and was there for 20 years. He also served as City Manager of Lowell, Massachusetts, for eight years. In 2014, he decided he wanted to do some different things. He had been an adjunct professor at University of Massachusetts Lowell for a number of years and he did some teaching, some consulting, and then started this business. The business has grown and over the six years, they have been the most active recruiting firm in Massachusetts.

Ms. Flaherty said that her background was a little different, she had spent 25 years in journalism, covering municipalities. Therefore, she spent a long time watching various communities, the work that they did and writing about it. She was a reporter, a city editor and an editorial page editor for daily and weekly newspapers. Then she went into communications and marketing. She missed the watching of Municipal Government and was happy when the opportunity came available to join this company and meld her various experiences together.

Mr. Lynch said that Ms. Flaherty and himself, would be the main point of contact if they were chosen. They also have a stable of other retired managers and government officials, and others from the private sector that work with them. He continued to review the market for managers, and said that it has become very competitive. A number of positions



have turned due to people retiring or to make a change and do something different. They have completed four communities on the Cape, in the last year; Bourne, Brewster, Provincetown and they are working with Truro now. Their approach is probably not to vastly different from the other group they just met with, in regards to the process, but he will review how they do it.

Mr. Lynch explained that they come in and work with the Board of Selectmen to identify the type of candidate that they want and what they are looking for. Also, what are the issues facing the Town, what is important and what type of person will be successful. They will also meet with Department Heads and the community to ascertain what the public wants them to know. They try and get buy-in for what type of person will be successful. Mr. Lynch said that he provided them with some samples from work they have done with the Town of Brewster showing the Community and Position Profile that they use. This document is very useful and they use it for marketing purposes. The document resides on their website and the Towns, if they choose to do that. They also distribute it and use it as a tool for the Search Committee and the Board of Selectmen to consider and evaluate candidates.

Mr. Lynch continued that they receive all the candidates, and all the resumes are presented to the Search Committee and reviewed with them. All candidates are basically broken into three tiers: qualified, not qualified, and those interesting candidates that are worth a second look. They will then work with the committee to advise them and help them to evaluate for interviews. They will set up the interview and work with the committee to develop questions.

When the interview process is complete, and they get down to three candidates, they do the background check on those three, including; Cori checks, reference checks, they contact people outside of their references, if appropriate, and then they generate a report which is given to the Board of Selectmen. It is a public document, so they are cautious as to how they generate the information that is in that. This gives them the opportunity to convey the information on the candidate, the perception of the candidate, and stories about the candidate from prior employment that might be applicable. They will then work with developing questions and assessment tools.

Mr. Lynch said that is basically the process they use, but what they bring is their network, their knowledge, the very extensive recent experience. All of their work and contacts are current, their knowledge of the marketplace are all within the last five to six years. They customize their approach to really work with them to ensure they get the Town Administrator that they want.

Mr. Ford thanked them for the phone conversation and he thinks one area that could be of interest is their various levels of service that they provide, and asked if they could explain that a little bit.

Mr. Lynch said that they do customize to what the needs are. He said that they could strip down any steps of the basic scope, but he would not necessarily recommend it because each of the steps they use along the way are valuable. What they are good at is customizing those steps that might go beyond the basic scope. Mr. Lynch reviewed another location that was very interested in having a full emergent day with each candidate. Each candidate spent a full day within the town and met with the Board, various Department Heads, getting a tour, meeting with residents, business people, holding a community forum, and then a full interview before the Board. He also explained that they have asked candidates for examples of their work and had them present in front of the Board of Selectmen. Mr. Lynch also added that Brewster did a full emerging day.

Mr. Ford asked if the Cape is more challenging, because he gets a feeling it might be more challenging to find good candidates for Cape positions, is that true?

Mr. Lynch said he is a glass half full kind of person. He said that Bourne had some very good candidates, and Provincetown has its own culture and experiences that might make that one more difficult, but they had quite a few good applicants. Brewster had a good batch of candidates, but they don't just advertise the position, they post it in multiple places and they also reach out. The one that they chose was one he had had on his radar and brought him in. The Western part of the state is harder. The greater Boston area has gotten harder too, with more turnover.

Mr. McManus said that one of the issues that they have seen in the past with attracting senior administrators, is the housing costs. Also, one of his interests has always been having the time period to look at things and potentially doing a site visit.

Mr. Lynch said that he does not think doing site visits to their location works well. Blind site visits also do not work because you may not know who you are talking to and some employers do not want these to happen. However, they can work on ways to make it work.

Mr. McManus said with schools, they would not hire a principal or superintendence without a visit. Mr. Lynch said that it is part of the culture with schools to do that, but the rest of the world does not.

Mr. Ballantine thanked them and said it was a good presentation. He does like the aspect of needing to define our position description. They will need to formulate it so that it makes sense. His personal interest as well, is to broaden the search beyond Town Managers or Administrators from other towns. They could find a CEO or someone from private industry that would bring all of the qualifications that they are looking for. Mr. Ballantine also mentioned that they are trying to make this as transparent as they can.

Mr. Norm Clarke said that he just wanted to make sure that the Board of Selectmen inform the committee with clear guidelines, and that those are right up front. They have a strong and very dedicated committee and he looks forward to working with the consultants.

Mr. Lynch asked about the timeline and Mr. Ballantine said that they are still working on it and listening to what they have heard tonight and continuing the discussion. They want to do it expeditiously, but they are not in a rush.

3. Mary Flanders Aicardi - Edward J. Collins, Jr. Center for Public Management

Not in attendance.

## **NEW BUSINESS**

A. Discussion and possible vote – Next steps regarding Fire Station at 203 Bank Street

Mr. Powers said that this is in response to a request from Mr. MacAskill. On Friday, he was able to tour the site with Town Engineer, Griffin Ryder and Harbormaster, John Rendon. The Board already knows the condition of the property and the building. He included in the packet the action of Town Meeting from 2017 regarding that property. If the Board is inclined to take next steps, the building has to come down and should come down sooner than later. However, there are a number of items in the building that they could auction off, which would be allowed under procurement laws. Then they could work on the demolition, which he believes could happen internally. He will work with the Boards direction, on pricing that out. Mr. Powers said that he thinks the next step is to honor the vote that occurred at the 2017 Town Meeting. It was very clear and concise, and that would be his recommendation on next steps.

Mr. MacAskill said he thinks they should follow Mr. Powers lead. If there are things to auction off, they should come back with a list, as well as, a timeline and cost to demolish it internally.

Mr. Howell said that he agrees, but asked if anyone has done an assessment of construction materials, in regards to asbestos or lead paint?

Mr. Powers said that that they can vet all of that, though they did not do that on Friday. What he would be looking for, if the Board is agreeable, is to begin the process through the procurement team auctioning off what is in and around the building, as they analyze the costs.

Mr. MacAskill said that he believes there was an assessment done of things that had to be disposed of properly. Mr. Rendon had done a presentation a while back for the stuff they had to do when they took the building down.

B. Discussion - Complete Streets Policy – Griffin Ryder

Mr. Griffin Ryder, Town Engineer, said that he would like to bring them a quick introduction to Complete Streets, and his reasoning for why he is bringing it before them. Then they can figure out next steps, if they would like to move forward.

Mr. Ryder said that he has been involved with Complete Streets for the past five years, four of which he was not with the town of Harwich. When he was on the consulting side, one of the things he was doing was trying to get the towns on the Cape involved with Complete Streets. However, many communities on the Cape were hesitant to do so, because of what the perception of what Complete Streets meant.

He explained that a Complete Street is one that provides safe and accessible options for all travel modes, whether it be walking, biking, driving, or transit. Many streets on Cape Cod are vehicle centric and not a lot of sidewalks or bike lane. When this funding opportunity first came out from DOT, they had \$50 million allotment put out, which is just about used up now. They are starting to dial it back a little bit, with some of the requirements.

Mr. Ryder said that they should take a step back and see where they have issues with sidewalks. They have seen a number of emails and communication about dangerous conditions. There may be ways to make some small improvements and an opportunity to get things done. There is a new \$50 million allotment coming out this year on July 1<sup>st</sup>, so they can hopefully get on that. It is a three tiered process, first is training and policy development. The policy is basically, the policy that would define our Complete Streets. Mr. Ryder pointed out the map in the packet that showed the towns on the Cape that are getting involved. Tier 2 would be the policy development and there are two ways that it can be done. Each step can be done one at a time, or you can do tier one and tier two at the same time, which might be better for them.

Mr. Ballantine asked if they have to have a policy Town-wide or if they can take one area at a time?

Mr. Ryder said to get funding, they have to go through tier one and tier two, which means that it has to focus on the whole Town. But then you can assign priorities.

Mr. Ballantine said they need to look at their comprehensive plan, and he is not sure if that will be done by September. He asked if they could draft a policy and mesh that into the plan?

Mr. Ryder said that he thinks so, because he had some conversations with the Town Planner and with the DPW and they would have to time everything up

to make sure it would work. The real thing here is for tier 2, you can get up to \$38,000. That is real money that they can get, to help with their prioritization. Then moving toward construction, they can get awarded up to \$400,000 for construction funding. He is trying to find ways to get more money, to get more done in the town, with spending less. He asked if the Board would like him to put a policy together and he would work with the Town Planner and the DPW to put it together and then present it to the Board.

Mr. MacAskill asked who else he would work with him on this? He knows Brewster worked with the Cape Cod Commission?

Mr. Ryder said he would look to engage them and may look at other consultants as well. He met with Green Seal Environmental, who is doing the plan for Halifax. Cape Cod Commission being local, he would want to involve them as well.

Mr. MacAskill asked about the County, and if there is any money there.

Mr. Ryder said he would look into it, but he wanted to bring it in front of them to see if they even would want him to move forward, before he did all the leg work.

Mr. Powers said that he has done great work on this, and that Mr. Ryder had found the free training on his own and should be applauded for his efforts.

Mr. Howell asked if the objective here is to put a side walk on every public way?

Mr. Ryder said no, that they would want to draft the policy in such a way to determine where there is a need. They would focus on the more heavily traveled road ways with walkers.

Mr. Howell said that for the community at large, they should be doing a hearing for this process rather than waiting for irate people.

Mr. Ballantine said that he thinks that the consensus is that they move forward.

## **OLD BUSINESS**

A. Discussion, clarification and possible vote – David Harris, Planning Committee - remote participation

Mr. Powers said that he had a conversation with Ms. Charleen Greenhalgh, Town Planner, about the remote participation for their board member David Harris. She provided a document which is in the packet. From his conversation with her, she asked if the Board would consider the request for the timeframe in question, not the number of meetings; which he believed was January through May. He would ask for this approval because they do need the votes.

Mr. MacAskill asked again why they would not use the alternate, and make them a full time member. He had questioned that this person would make up the same vote, and why would they not use that person?

Mr. Howell said he had looked at this when it came up before and not all members are equal and Mr. Harris .... To be really specific was involved in trying to help draft the original DCPC verbiage for west Harwich .. he would never be in favor of trying to force someone out of a position in favor of another .. but especially this year, he would like to keep him in this position at least for this year. The planning board is functioning really well right now.

Mr. Ballantine said he is inclined to take Ms. Greenhalgh's word for this.

Mr. Howell said that he would like to make a motion to empower Mr. Harris to be involved in remote participation for the time period that was specified in the original request. Seconded by Mr. McManus.

Mr. McManus said that when you appoint people for the committees and you know that they will be away for a period of time, they should not just replace them when you know they would be away.

Mr. MacAskill said that he would like to respond to Mr. McManus' comments. He said that Mr. Harris was not put on the Planning Board knowing that he was going to be away, nor had he been in the past. They have a Selectmen's policy that they should re-write, if other members of the Board agree with Mr. McManus. They have a policy voted by the Board that gives you 4 missed meetings, before you go back in front of the interview committee. He does not want to re-write it, because he feels the public deserves to have someone in front of them when pitching the case on their project and not on video. If

the Board does agree it should be brought back to have a discussion on changing the policy that is in place.

Mr. Ballantine said that his suggestion was a policy that they only do one at a time. He has thought about it and he thinks he would rather not make changes, but just as a Board they need to pay attention to it. The next one that comes up they may decline because it is to many.

Mr. Howell said this is an exception in his mind, and he does not think they want to toy with the broader policy in general.

All in favor, motion carried by unanimous vote.

## **TOWN ADMINISTRATOR'S REPORTS**

### **A. Town Administrator's Report**

Mr. Powers said he had two quick things. First he informed the Board, and to give thanks through the Board, to the efforts of Mr. Lee Culver and Mr. Tom Gagnon. A few months ago, they had received the reimbursement for Hurricane Sandy, which was through the efforts of Mr. Culver and Mr. Gagnon. Mr. Powers is please to let the Board know that there was a FY 2019 Emergency Management Performance Grant, which they applied for. The Town has received this in the amount of \$3,500. So he would like to say thank you so them.

The next item is the snow plow contract. The Finance Director and him have reviewed a number of contracts for snow plows, and at present the funding is there, they are working on insurance. He had initially signed number of contracts that were expected to be under \$25,000, however there are at least two that will be over, so he will be bringing those in front of the Board.

Mr. Ballantine asked if he could include the contracts in their packets, so that they are up to date on them. Mr. Powers said that he would.

## **SELECTMEN'S REPORT**



Mr. Howell provided a quick update on his appointment to serve on the Clean Waters Management Board, for the portion of the room taxes going that are going into remediating the areas across Cape Cod. Mr. Howell mentioned the Vice Chair of what is now the Regulations Committee, as well as the bylaws committee, and said that he did not expect it to take so long to percolate, but there is now substantial tension between some bigger and smaller towns. The tensions is regarding whether or not to use an innovative approach, as opposed to SRF (Sewage Revolving Fund) qualification and whether you could get money. His view is still the same to equitably distribute money to everybody in the long term, it can't be done in one year. They are getting legal opinions. If people start leaving the board it will not function well.

Mr. Ballantine said that he fully agrees and asked if anyone has reported the revenue they have received from Airbnb?

Mr. Howell said that the DOR is going to make a presentation at the next larger whole board meeting at the end of January.

Mr. MacAskill said he just wanted to follow up on a conversation he had with Mr. Powers about the Garden Club. The Garden Club has asked for us to host a spot for their fertilizer for a week for pickups. He said that he knows that Mr. Powers was working on it, and asked if it could come back next week.

Mr. Powers said absolutely and he would follow up with the Garden Club to explain all of that.

## **ADJOURNMENT**

Mr. MacAskill moved that they adjourn at 8:28 pm. Seconded by Mr. Howell All in favor, motion carried by unanimous vote.

Respectfully submitted,

Lisa Schwab  
Board Secretary

1/18/2021

To whom it may concern:

The Harwich Tavern is closed 1/1/2021 and reopening 1/27/2021. Covid 19 has reduced business dramatically and keeping employees .

OWNER

JAMES TSOUKALAS

**AGREEMENT FOR PROFESSIONAL  
ENGINEERING SERVICES  
BETWEEN  
THE TOWN OF HARWICH, MASSACHUSETTS  
AND GHD  
FOR TOWN-WIDE SEWER MODELING**

THIS AGREEMENT made this \_\_\_\_ day of \_\_\_\_\_, 2020 between GHD, with a usual place of business at 1545 Iyannough Road, Hyannis, MA 02601, hereinafter called the “ENGINEER,” and the Town of Harwich, MA, acting by its Board of Selectmen, with a usual place of business at Harwich Town Hall, 732 Main Street, Harwich, MA 02645, hereinafter called the “TOWN”.

The ENGINEER and the TOWN, for the consideration hereinafter named, agree as follows:

1. Scope of Work

The ENGINEER shall perform the work set forth in the Scope of Services attached hereto as Exhibit A.

2. Contract Price

The TOWN shall pay the ENGINEER for services rendered in the performance of this Agreement a lump sum of \$150,000, subject to any additions and deductions provided for herein at the hourly rates set forth in Exhibit B. The amount to be paid to the ENGINEER shall not exceed \$150,000 without the prior written consent of the TOWN.

3. Commencement and Completion of Work

A. This Agreement shall commence on \_\_\_\_\_ and shall expire on \_\_\_\_\_, unless terminated sooner in accordance with this Agreement.

B. Progress and Completion: ENGINEER shall commence work promptly upon execution of this Agreement and shall prosecute and complete the work regularly, diligently and uninterruptedly at such a rate of progress as will insure completion in a timely manner.

4. Performance of the Work

The ENGINEER shall supervise and direct the Work, using his best skills and attention, which shall not be less than such state of skill and attention generally rendered by the engineering/design profession for projects similar to the Project in scope, difficulty and location.

A. Responsibility for the Work:

- (1) The ENGINEER shall be responsible to the TOWN for the acts and omissions of his employees, subcontractors and their agents and employees, and other persons performing any of the Work under a contract with the ENGINEER. Consistent with the standard of care referenced above, the ENGINEER shall be responsible for the professional and technical accuracy for all work or services furnished by him or his consultants and subcontractors. The ENGINEER shall perform his work under this Agreement in such a competent and professional manner that detail checking and reviewing by the TOWN shall not be necessary.
- (2) The ENGINEER shall not employ additional consultants, nor sublet, assign or transfer any part of his services or obligations under this Agreement without the prior approval and written consent of the TOWN. Such written consent shall not in any way relieve the ENGINEER from his responsibility for the professional and technical accuracy for the work or services furnished under this Agreement.
- (3) All consultants must be registered and licensed in their respective disciplines if registration and licensure are required under the applicable provisions of Massachusetts law.
- (4) The ENGINEER and all consultants and subcontractors shall conform their work and services to any guidelines, standards and regulations of any governmental authority applicable to the type of work or services covered by this Agreement.
- (5) The ENGINEER shall not be relieved from its obligations to perform the work in accordance with the requirements of this Agreement either by the activities or duties of the TOWN in its administration of the Agreement, or by inspections, tests or approvals required or performed by persons other than the ENGINEER.
- (6) Neither the TOWN's review, approval or acceptance of, nor payment for any of the work or services performed shall be construed to operate as a waiver of any rights under the Agreement or any cause of action arising out of the performance of the Agreement.

B. Deliverables, Ownership of Documents: One (1) reproducible copy of all drawings, plans, specifications and other documents prepared by the ENGINEER shall become the property of the TOWN upon payment in full therefor to the ENGINEER. Ownership of stamped drawings and specifications shall not include the ENGINEER's certification or stamp. Any re-use of such documents without the ENGINEER's written verification of suitability for the specific

purpose intended shall be without liability or legal exposure to the ENGINEER or to the ENGINEER's independent professional associates, subcontractors or consultants. Distribution or submission to meet official regulatory requirements or for other purposes in connection with the Project is not to be construed as an act in derogation of the ENGINEER's rights under this Agreement.

- C. Compliance With Laws: In the performance of the Work, the ENGINEER shall comply with all applicable federal, state and local laws and regulations, including those relating to workplace and employee safety.

5. Site Information Not Guaranteed; Contractor's Investigation

The TOWN shall furnish to the ENGINEER available surveys, data and documents relating to the area which is the subject of the Scope of Work. All such information, including that relating to subsurface and other conditions, natural phenomena, existing pipes, and other structures is from the best sources at present available to the TOWN. All such information is furnished only for the information and convenience of the ENGINEER and is not guaranteed. It is agreed and understood that the TOWN does not warrant or guarantee that the subsurface or other conditions, natural phenomena, existing pipes, or other structures will be the same as those indicated in the information furnished, and the ENGINEER must reasonably satisfy himself as to the correctness of such information. If, in the opinion of the ENGINEER, such information is inadequate, the ENGINEER may request the TOWN's approval to verify such information through the use of consultants or additional exploration. In no case shall the ENGINEER commence such work without the TOWN's prior written consent. Such work shall be compensated as agreed upon by TOWN and ENGINEER.

6. Payments to the Contractor

- A. Cost incurred on this project shall be billed monthly on a lump sum basis as outlined in the attached Scope of Services. Payment shall be due 30 days after receipt of an invoice by the TOWN.
- B. If there is a material change in the scope of work, the TOWN and the ENGINEER shall mutually agree to an adjustment in the Contract Price.
- C. If the TOWN authorizes the ENGINEER to perform additional services, the ENGINEER shall be compensated in an amount mutually agreed upon, in advance, in writing. Except in the case of an emergency, the ENGINEER shall not perform any additional services until such compensation has been so established.

7. Reimbursement

Except as otherwise included in the Contract Price or otherwise provided for under this Agreement, the ENGINEER shall be reimbursed by the TOWN: (a) at 1.0 times the actual cost to the ENGINEER of consultants retained to obtain information pursuant to Article 5 hereof or otherwise. No such reimbursement shall be made unless the rates of compensation have been

approved, in advance, by the TOWN; or (b) at 1.0 times the actual cost of additional or specially authorized expense items, as approved by the TOWN.

8. Final Payment, Effect

The acceptance of final payment by the ENGINEER shall constitute a waiver of all payment-related claims by the ENGINEER arising under the Agreement.

9. Terms Required By Law

This Agreement shall be considered to include all terms required to be included in it by the Massachusetts General Laws, and all other laws, as though such terms were set forth in full herein.

10. Indemnification

- A. General Liability: The ENGINEER shall indemnify and hold harmless the TOWN, to the proportionate extent of its liability, from and against claims, damages, losses, and expenses, including reasonable attorney's fees, to the extent directly related to the performance of this Agreement and to the extent the same relate to matters of general commercial liability, when such claims, damages, losses, and expenses are caused, in whole or in part, by the negligent or wrongful acts or omissions of the ENGINEER or his employees, agents, subcontractors or representatives.
  
- B. Professional Liability: The ENGINEER shall indemnify and hold harmless the TOWN, to the proportionate extent of its liability, from and against claims, damages, losses, and expenses, including reasonable attorney's fees, directly related to the performance of this Agreement and to the extent the same relate to the professional competence of the ENGINEER's services, when such claims, damages, losses, and expenses are caused, in whole or in part, by the negligent acts, negligent errors or omissions of the ENGINEER or his employees, agents, subcontractors or representatives.

Limitation of Liability: Notwithstanding anything to the contrary in this Agreement, neither party to this Agreement shall be liable to the other for any consequential, special, indirect, incidental or punitive damages arising from this Agreement including but not limited to loss of use, revenue, profits and goodwill. The foregoing disclaimer of liability shall apply regardless of whether such liability is based on breach of contract, tort (including without limitation negligence), strict liability, breach of a fundamental term, fundamental breach, or otherwise.

11. Insurance

- A. The ENGINEER shall at his own expense obtain and maintain a Professional Liability Insurance policy for errors, omissions or negligent acts directly related to the performance of this Agreement in a minimum amount of \$1,000,000.00.

- B. The coverage shall be in force from the time of the agreement to the date when all construction work for the Project is completed and accepted by the TOWN. If, however, the policy is a claims made policy, it shall remain in force for a period of three (3) years after completion.

Since this insurance is normally written on a year-to-year basis, the ENGINEER shall notify the TOWN should coverage become unavailable.

- C. The ENGINEER shall, before commencing performance of this Agreement, provide by insurance for the payment of compensation and the furnishing of other benefits in accordance with M.G.L. c.152, as amended, to all its employees and shall continue such insurance in full force and effect during the term of the Agreement.
- D. The ENGINEER shall carry insurance in a sufficient amount to assure the restoration of any plans, drawings, computations, field notes or other similar data relating to the work covered by this Agreement in the event of loss or destruction until the final fee payment is made or all data are turned over to the TOWN.
- E. The ENGINEER shall also maintain public liability insurance, including property damage, bodily injury or death, and personal injury and motor vehicle liability insurance against claims for damages because of bodily injury or death of any person or damage to property.
- F. Evidence of insurance coverage and any and all renewals substantiating that required insurance coverage is in effect shall be filed with the Agreement. Any cancellation of insurance, whether by the insurers or by the insured, shall not be valid unless written notice thereof is given by the party proposing cancellation to the other party and to the TOWN at least fifteen days prior to the intended effective date thereof, which date shall be expressed in said notice.
- G. Upon request of the ENGINEER, the TOWN reserves the right to modify any conditions of this Article.
- H. Liability is limited to the proceeds of the applicable insurance policies taken out by ENGINEER under this Agreement, but not to exceed the minimum amounts of those policies specified in this Agreement.

## 12. Notice

All notices required to be given hereunder shall be in writing and delivered to, or mailed first class to, the parties' respective addresses stated above. In the event that immediate notice is required, it may be given by telephone or facsimile, but shall, to the extent possible, be followed by notice in writing in the manner set forth above.

13. Termination

- A. Each party shall have the right to terminate this Agreement in the event of a failure of the other party to comply with the terms of the Agreement. Such termination shall be effective upon seven days' notice to the party in default and the failure within that time of said party to cure its default.
- B. The TOWN shall have the right to terminate the Agreement without cause, upon ten (10) days' written notice to the ENGINEER. In the event that the Agreement is terminated pursuant to this subparagraph, the ENGINEER shall be reimbursed in accordance with the Agreement for all work performed up to the termination date.

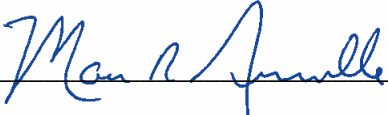
14. Miscellaneous

- A. Assignment: The ENGINEER shall not assign or transfer any of its rights, duties or obligations under this Agreement without the written approval of the TOWN.
- B. Governing Law: This Agreement shall be governed by and construed in accordance with the law of the Commonwealth of Massachusetts.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals, the TOWN by its authorized representative who, however, incurs no personal liability by reason of the execution hereof or of anything herein contained, as of the day and year first above written.

ENGINEER:

TOWN OF HARWICH:

By: 

By: \_\_\_\_\_

Name: Marc Drainville, P.E.

Name: \_\_\_\_\_

Title: Vice President

Title: \_\_\_\_\_

519856/KOPE/0003



## **GHD's Services**

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GHD shall provide Basic Services as set forth below.

### **PART 1 – BASIC SERVICES**

#### *A1.01 Specific Project Data*

**Title:** TOWN-WIDE SEWER MODELING OF TOWN OF HARWICH

**Description:** To develop a SewerCAD model for the proposed and existing sewers within the Town of Harwich (Town). The following tasks outline what is required to develop a SewerCAD Model of the existing sewers recently installed and the future sewer systems proposed as part of the Town's CWMP. Exhibit C identifies areas where the sewer model will be developed. Only shaded areas will be included in the sewer model. Non-shaded (white) parcels will not be included in the sewer model development.

The following scope of services identifies the tasks as part of this Agreement:

**Task 1. Internal Chartering.** Meet internally with project team members. Develop critical success factors, review past relevant information, develop proposed project schedule, and prepare for Town kick-off meeting.

**Task 2. Town Kick Off Meeting.** Meet with the Town and discuss the schedule, goals, milestones, and deliverables of the project. Specific modeling-related items that will be discussed at the kick-off meeting will include location of proposed pump stations, design requirements, and development of order-of-magnitude costs for new sewers.

Submittals include: Meeting Minutes.

**Task 3. Flow Development.** Develop a "per parcel" flow based on water use data provided by the TOWN. GHD will utilize up to the past five (5) years of water use information to develop "per parcel" flows. Flow anomalies will be reviewed on a parcel-by-parcel basis. Actual water use will be used to develop flows per parcel for buildout conditions for applicable residential, commercial, and industrial flow.

**Task 4. Drawing Conversion.** Develop GIS database that shall be used to import model information based on record drawing information. The database will be imported into the sewer model to populate required information for model completion. GHD will provide developed shapefiles of the existing sewer systems to the Town's Water and Sewer Department for use on the Town's GIS platform.

**Task 5. Model Development – Existing System.** Develop a sewer model for the existing sewer areas in the Town of Harwich. Modeling software used will be SewerCAD by Bentley. Model input shall be from record drawing information provided by the Town.

***The Following Tasks apply only to the proposed sewer areas shown in Exhibit C:***

**Task 6. Model Development – Proposed System.** Develop a sewer model for the proposed sewer areas in Exhibit C using the pump station and design information developed in Tasks 1 and 2 along with water use data from Task 3. Modeling software used will be SewerCAD by Bentley.

Model will focus on maximizing gravity sewers where feasible to a depth of no more than 20-feet below grade. Pump station sites will identify the type of station that may be used at each site based on design parameters

including either submersible, suction lift, or wet pit/dry pit style stations. Pipe sizing, slope, and system design will follow the guidelines of TR-16.

Incorporate previous model that was developed for the four (4) DHY areas—north, central, southeast, and southwest.

**Task 7. Draft Cost Estimate.** Prepare a draft cost estimate. Cost estimate to include:

- Unit price items at the discretion of GHD, similar to previously provided cost estimates for the four (4) DHY areas.
- 30% contingency and 30% fiscal/engineering/legal placeholder.
- Project estimates for future years based on a percent inflation rate as determined by GHD and the Town.

**Task 8. Final Cost Estimate.** Prepare a final cost estimate based on written comments from Town. Cost estimate to include:

- Unit price items at the discretion of GHD, similar to previously provided cost estimates for the four (4) DHY areas.
- 30% contingency and 30% fiscal/engineering/legal placeholder.
- Project estimates for future years based on a percent inflation rate as determined by GHD and the Town.

**Task 9. Draft Memorandum.** Prepare a draft memorandum of findings based on feedback from the above tasks. Memorandum to include:

- Summary of Design Criteria.
- Figure of proposed sewer layout showing limits of gravity mains, low pressure mains, and pump station sites. Manholes to be color-coded based on depth of sewers.
- Quantities of gravity and low pressure sewers based on linear foot.

Submittals include: Draft Memorandum.

**Task 10. Final Memorandum.** Prepare a final memorandum of findings based on feedback from the above tasks and written comment from the Town. Memorandum to include:

- Summary of Design Criteria.
- Figure of proposed sewer layout showing limits of gravity mains, low pressure mains, and pump station sites. Manholes to be color-coded based on depths of sewers.
- Quantities of gravity and low pressure sewers based on linear foot.

Submittals include: Final Memorandum and SewerCAD Model.

\*Included in the above scope of work will be:

- The preparation and presentations of up to two (2) workshops with the Town and representation at requested Town Board Meetings.
- A construction phasing plan (CPP) for all proposed areas of new sewer construction. Up to three (3) plans will be provided including a CPP focusing on construction contracts under \$10M, a CPP focusing on construction contracts under \$20M, and a third CPP based on guidance from the Town. Duration of the CPP will be based on guidance from the Town (either 20-year, 30-year or other duration).

- Assistance with the preparation and drafting of Town Meeting articles associated with funding for new sewer infrastructure.

## **PART 2 - TOWN RESPONSIBILITIES**

### **A2.01 Services Required by TOWN**

- A. Water Flows: Town to provide water use data for parcels within the sewer modeling areas. Data to be provided on a “per parcel” basis with quantity of water use per parcel and parcel identifier in Excel format.
- B. Design Criteria: Town shall provide the preferred maximum depth of sewer installation. Other applicable design criteria identified in TR-16 shall be considered for the model development including minimum pipe sizes, slopes, and minimum cover requirements.
- C. Record Drawings of the existing sewer system.
- D. Comments: Town shall provide comments on submittals within five (5) days of receipt.

## **PART 3 - OUT OF SCOPE WORK**

### **A3.01 The following is considered out of scope work:**

- A. Conceptual, preliminary, or final design plans for sewers within any of the study areas.

## **PART 4 – PAYMENTS TO GHD FOR SERVICES**

TOWN shall pay GHD for Basic Services set forth in Exhibit A as follows:

- A. TOWN shall pay GHD a Lump Sum fee of One Hundred and Fifty Thousand Dollars (150,000.00) for work performed under this Agreement.
- B. GHD may alter the distribution of compensation between individual phases noted herein to be consistent with services actually rendered, but shall not exceed the total Lump Sum amount unless approved in writing by the TOWN.
- C. The Lump Sum includes compensation for GHD’s services and services of GHD’s Consultants, if any. Appropriate amounts have been incorporated in the Lump Sum to account for labor, overhead, profit, and reimbursable expenses.
- D. GHD shall submit invoices on a monthly basis.

## **PART 5 - PERIOD OF SERVICE**

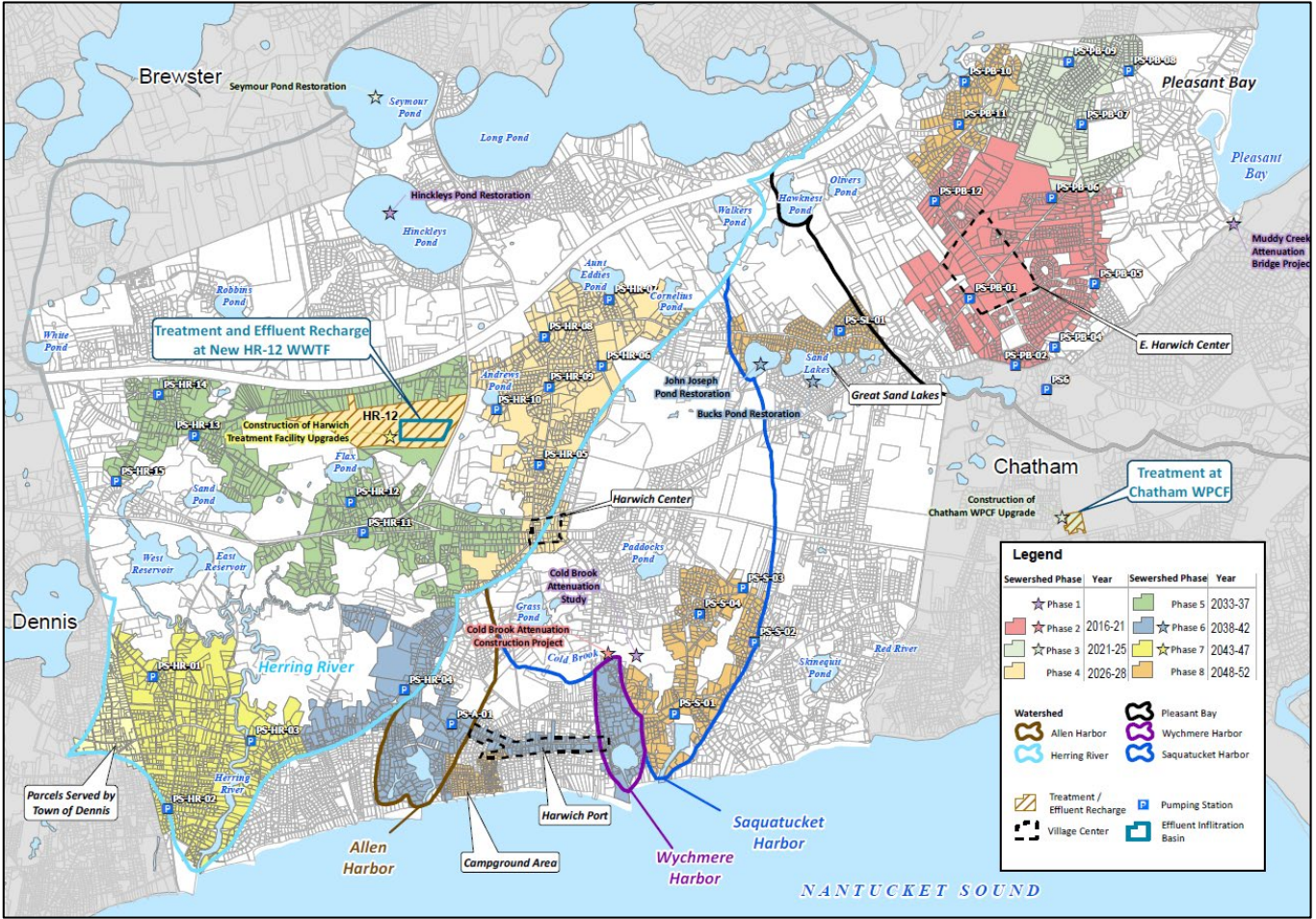
The compensation amount stipulated above for all project tasks is anticipated to be completed within 210 calendar days of authorization.

**Exhibit B**  
**Proposed Budget for**  
**Town-Wide Sewer Model Development**  
**Town of Harwich, Massachusetts**

<b>TASK</b>	<b>Project Director</b> Marc Drainville, P.E., BCEE	<b>Project Manager</b> Russell Kleekamp	<b>Project Engineers</b> Anastasia Rudenko, P.E. Jeff Bellino, P.E.	<b>Staff Engineers</b> Craig Curtin Lenna Quackenbush	<b>Managing Designer</b> James Fosdick	<b>Admin</b>	<b>Total Hours</b>	<b>GHD Labor Cost</b>	<b>GHD Expenses</b>	<b>GHD Total Cost</b>
1 Internal Chartering	2	4	0	4	4	0	14	\$2,404	\$0	\$2,404
2 Client Kick-Off Meeting	2	4	0	4	4	1	15	\$2,494	\$0	\$2,494
3 Flow Development	0	8	8	40	40	0	96	\$13,354	\$0	\$13,354
4 Convert Existing Drawings - Existing System Model	0	8	0	16	60	0	84	\$13,196	\$0	\$13,196
5 Model Development - Existing System	8	16	8	60	40	0	132	\$19,032	\$0	\$19,032
6 Model Development - Future System	8	16	16	140	172	0	352	\$49,899	\$0	\$49,899
7 Cost Estimate - Draft	2	50	2	50	8	0	112	\$17,378	\$0	\$17,378
8 Cost Estimate - Final	8	22	8	22	4	0	64	\$10,614	\$0	\$10,614
9 Memorandum - Draft	6	12	14	48	30	8	118	\$16,445	\$0	\$16,445
10 Memorandum - Final	2	4	2	12	10	8	38	\$5,184	\$0	\$5,184
<b>TOTAL</b>	<b>38</b>	<b>144</b>	<b>58</b>	<b>396</b>	<b>372</b>	<b>17</b>	<b>1025</b>	<b>\$150,000</b>	<b>\$0</b>	<b>\$150,000</b>

Notes:

1. Mileage based on \$0.58 per mile



Town of Harwich  
Town-Wide Sewer Modeling



**Exhibit C – Sewer Modeling Area**

Project No.  
Report No.  
Date 10/27/20



## Town of Harwich COUNCIL ON AGING

Harwich Community Center □ 100 Oak Street □ Harwich, MA 02645  
Tel: 508-430-7550 Fax: 508-430-7530

### memo

**TO:** Board of Selectmen

**CC:** Joseph Powers, Town Administrator  
Carol Coppola, Finance Director

**FROM:** Emily Mitchell, COA Director *Emily Mitchell*

**DATE:** January 20, 2021

**RE:** **Request to Accept FY 2021 Executive Office of Elder Affairs Formula Grant Funds**

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The Massachusetts Executive Office of Elder Affairs (EOEA) provides a grant to every municipality in Massachusetts to be administered by local Councils on Aging for the purpose of supporting the health, well-being, and independence of seniors living in the community. Formula Grant awards to each town for FY 2021 are calculated at a rate of \$12/senior residing in the town (aged 60+, based on population at the time of the preceding federal census).

For FY 2021, the EOEA Formula Grant award to the Town of Harwich is calculated at \$55,548.00. The funds, once received, are to be deposited in the COA EOEA account as state revenue (organization-object: 12105414-469900).

The Harwich COA uses EOEA Formula Grant funds to cover approximately 75% of our Program Specialist position, the printing of the bimonthly newsletter, for larger one-time purchases (e.g. kitchen equipment, technology, office furnishings), to recognize our 100+ volunteers for their service to older adults and our larger community, and for many other supplies and services.

**Recommendation:** I recommend that the Board of Selectmen authorize the Chair to sign the attached contract with EOEA to accept the FY 2021 Formula Grant award to the Town of Harwich in the amount of \$55,548.00.

# COMMONWEALTH OF MASSACHUSETTS ~ STANDARD CONTRACT FORM



This form is jointly issued and published by the Office of the Comptroller (CTR), the Executive Office for Administration and Finance (ANF), and the Operational Services Division (OSD) as the default contract for all Commonwealth Departments when another form is not prescribed by regulation or policy. The Commonwealth deems void any changes made on or by attachment (in the form of addendum, engagement letters, contract forms or invoice terms) to the terms in this published form or to the **Standard Contract Form Instructions and Contractor Certifications**, the **Commonwealth Terms and Conditions for Human and Social Services** or the **Commonwealth IT Terms and Conditions** which are incorporated by reference herein. Additional non-conflicting terms may be added by Attachment. Contractors are required to access published forms at CTR Forms: <https://www.ma.comptroller.org/forms>. Forms are also posted at OSD Forms: <https://www.mass.gov/lists/osd-forms>.

<b>CONTRACTOR LEGAL NAME: TOWN OF HARWICH</b> (and d/b/a):		<b>COMMONWEALTH DEPARTMENT NAME: EXECUTIVE OFFICE OF ELDER AFFAIRS</b> MMARS Department Code:	
Legal Address: (W-9, W-4): 732 MAIN ST HARWICH, MA 02645-2717		Business Mailing Address: 1 ASHBURTON PL BOSTON, MA 02108	
Contract Manager: EMILY MITCHELL	Phone: 508-430-7550	Billing Address (if different):	
E-Mail: emitchell@town.harwich.ma.us	Fax:	Contract Manager: STACEY ANNE OCONNELL	Phone: 617-222-7419
Contractor Vendor Code: VC6000191822		E-Mail: STACEY.OCONNELL@MASS.GOV	Fax: 617-727-9368
Vendor Code Address ID (e.g. "AD001"): AD 001. (Note: The Address ID must be set up for EFT payments.)		MMARS Doc ID(s): FY21COAHARWICH000000	
		RFR/Procurement or Other ID Number: BD-21-1040-1040C-1040L-57550	

<p style="text-align: center;"><input checked="" type="checkbox"/> <b>NEW CONTRACT</b></p> <p><b>PROCUREMENT OR EXCEPTION TYPE: (Check one option only)</b></p> <p><input type="checkbox"/> Statewide Contract (OSD or an OSD-designated Department)</p> <p><input type="checkbox"/> Collective Purchase (Attach OSD approval, scope, budget)</p> <p><input type="checkbox"/> Department Procurement (includes all Grants - 815 CMR 2.00) (Solicitation Notice or RFR, and Response or other procurement supporting documentation)</p> <p><input type="checkbox"/> Emergency Contract (Attach justification for emergency, scope, budget)</p> <p><input type="checkbox"/> Contract Employee (Attach Employment Status Form, scope, budget)</p> <p><input checked="" type="checkbox"/> Other Procurement Exception (Attach authorizing language, legislation with specific exemption or earmark, and exception justification, scope and budget)</p>	<p style="text-align: center;"><input type="checkbox"/> <b>CONTRACT AMENDMENT</b></p> <p>Enter Current Contract End Date <u>Prior</u> to Amendment: _____, 20__.</p> <p>Enter Amendment Amount: \$ _____. (or "no change")</p> <p><b>AMENDMENT TYPE: (Check one option only. Attach details of amendment changes.)</b></p> <p><input type="checkbox"/> Amendment to Date, Scope or Budget (Attach updated scope and budget)</p> <p><input type="checkbox"/> Interim Contract (Attach justification for Interim Contract and updated scope/budget)</p> <p><input type="checkbox"/> Contract Employee (Attach any updates to scope or budget)</p> <p><input type="checkbox"/> Other Procurement Exception (Attach authorizing language/justification and updated scope and budget)</p>
--	--

The Standard Contract Form Instructions and Contractor Certifications and the following Commonwealth Terms and Conditions document are incorporated by reference into this Contract and are legally binding: (Check ONE option):  Commonwealth Terms and Conditions  Commonwealth Terms and Conditions For Human and Social Services  Commonwealth IT Terms and Conditions

**COMPENSATION:** (Check ONE option): The Department certifies that payments for authorized performance accepted in accordance with the terms of this Contract will be supported in the state accounting system by sufficient appropriations or other non-appropriated funds, subject to intercept for Commonwealth owed debts under 815 CMR 9.00.

Rate Contract. (No Maximum Obligation) Attach details of all rates, units, calculations, conditions or terms and any changes if rates or terms are being amended.)

Maximum Obligation Contract. Enter total maximum obligation for total duration of this contract (or *new* total if Contract is being amended). \$ 55,548.00.

**PROMPT PAYMENT DISCOUNTS (PPD):** Commonwealth payments are issued through EFT 45 days from invoice receipt. Contractors requesting **accelerated** payments must identify a PPD as follows: Payment issued within 10 days \_\_\_% PPD; Payment issued within 15 days \_\_\_% PPD; Payment issued within 20 days \_\_\_% PPD; Payment issued within 30 days \_\_\_% PPD. If PPD percentages are left blank, identify reason:  agree to standard 45 day cycle  statutory/legal or Ready Payments (M.G.L. c. 29, § 23A);  only initial payment (subsequent payments scheduled to support standard EFT 45 day payment cycle. See Prompt Pay Discounts Policy.)

**BRIEF DESCRIPTION OF CONTRACT PERFORMANCE OR REASON FOR AMENDMENT:** This contract is to distribute a formula grant award to the Councils on Aging of the municipalities of the Commonwealth, as appropriated in the Chapter 227 of the Acts of 2020. The award amount is determined by a census-based allocation of available grant funding. The performance period for this award is 7/1/20-6/30/21. The municipality certifies that the funds will be used for COA activities, and will complete a final fiscal report accounting for how these grant funds were applied. All approved obligations incurred prior to the effective date of this agreement (for which payment obligations have been triggered) and are intended to be part of this agreement, are to be funded from the total amount awarded under this agreement. This contract, once executed by both parties, will be treated as the sole invoice for the maximum obligation of this contract. COAs are responsible for returning this executed contract by no later than June 30, 2021.

**ANTICIPATED START DATE:** (Complete ONE option only) The Department and Contractor certify for this Contract, or Contract Amendment, that Contract obligations:

1. may be incurred as of the Effective Date (latest signature date below) and **no** obligations have been incurred **prior** to the Effective Date.

2. may be incurred as of \_\_\_\_\_, 20\_\_, a date **LATER** than the Effective Date below and **no** obligations have been incurred **prior** to the Effective Date.

3. were incurred as of JULY 1, 20 20, a date **PRIOR** to the Effective Date below, and the parties agree that payments for any obligations incurred prior to the Effective Date are authorized to be made either as settlement payments or as authorized reimbursement payments, and that the details and circumstances of all obligations under this Contract are attached and incorporated into this Contract. Acceptance of payments forever releases the Commonwealth from further claims related to these obligations.

**CONTRACT END DATE:** Contract performance shall terminate as of JUNE 30, 20 21, with no new obligations being incurred after this date unless the Contract is properly amended, provided that the terms of this Contract and performance expectations and obligations shall survive its termination for the purpose of resolving any claim or dispute, for completing any negotiated terms and warranties, to allow any close out or transition performance, reporting, invoicing or final payments, or during any lapse between amendments.

**CERTIFICATIONS:** Notwithstanding verbal or other representations by the parties, the "Effective Date" of this Contract or Amendment shall be the latest date that this Contract or Amendment has been executed by an authorized signatory of the Contractor, the Department, or a later Contract or Amendment Start Date specified above, subject to any required approvals. The Contractor certifies that they have accessed and reviewed all documents incorporated by reference as electronically published and the Contractor makes all certifications required under the Standard Contract Form Instructions and Contractor Certifications under the pains and penalties of perjury, and further agrees to provide any required documentation upon request to support compliance, and agrees that all terms governing performance of this Contract and doing business in Massachusetts are attached or incorporated by reference herein according to the following hierarchy of document precedence, the applicable Commonwealth Terms and Conditions, this Standard Contract Form, the Standard Contract Form Instructions and Contractor Certifications, the Request for Response (RFR) or other solicitation, the Contractor's Response (excluding any language stricken by a Department as unacceptable, and additional negotiated terms, provided that additional negotiated terms will take precedence over the relevant terms in the RFR and the Contractor's Response only if made using the process outlined in 801 CMR 21.07, incorporated herein, provided that any amended RFR or Response terms result in best value, lower costs, or a more cost effective Contract.

**AUTHORIZING SIGNATURE FOR THE CONTRACTOR:**

X: \_\_\_\_\_ Date: \_\_\_\_\_  
(Signature and Date Must Be Handwritten At Time of Signature)

Print Name: \_\_\_\_\_  
Print Title: \_\_\_\_\_

**AUTHORIZING SIGNATURE FOR THE COMMONWEALTH:**

X: \_\_\_\_\_ Date: \_\_\_\_\_  
(Signature and Date Must Be Handwritten At Time of Signature)

Print Name: \_\_\_\_\_  
Print Title: \_\_\_\_\_

# **OLD BUSINESS**



FULL CAPITAL OUTLAY PLAN FOR FISCAL YEARS 2022 THROUGH 2026

Department	Project	Funding Source	BOS/CPC Approved	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	NOTES						
<b>ADMINISTRATION</b>															
Admin	Harwich Center ADA Sidewalk Project	FC	\$	50,000											
	Harwich Center ADA Sidewalk Pro. ADA/CDBG Grant (\$1 Million)	Grant			\$	1,000,000			No activity underway to acquire grant						
Admin	Walkway Reconstruction Rte 28 SAQ to Harwichport (Supplemental)	FC	\$	200,000											
Admin	Walkway Reconstruction Rte 28 SAQ to Harwichport (Supplemental)GRANT	Grant	\$	400,000											
Admin	Green/Fuel Efficient Fleet Replacement Schedule (Need Revisions)	Oper.Budget	\$	30,000	\$	30,000	\$	32,000	\$	35,000	\$	35,000	To be deleted		
Admin	Walkway Reconstruction Bank Street Harwich Center to Rte 28		\$		\$	450,000									
Brooks Academy Museum Comm. (BAMC)	Brooks Academy Structural Improvements Project	CPC - HP4	\$	785,000											
Real Estate & Open Space (REOS) Committee	Hinckleys Pond Watershed Preservation Project	CPC - OS8	\$	360,000											
Bikeways Committee	Bikeways crossing lights at Depot Road South project	CPC - R11	\$	15,000											
Bikeways Committee	Old Colony Rail Trail Harwich/Chatham Town Border marker project	CPC - R12	\$	1,000											
<b>ADMIN SUB-TOTAL</b>				\$ -	\$	1,841,000	\$	1,480,000	\$	32,000	\$	35,000	\$	35,000	
<b>AFFORDABLE HOUSING TRUST (AHT)</b>															
AHT	AHT Funding for Housing and Part Time Coordinator (\$50K PT) [CH7]	CPC Housing	\$	50,000											
<b>AHT SUB-TOTAL</b>				\$ -	\$	50,000									
<b>CEMETERY</b>															
Cemetery Department	East Harwich Methodist Cemetery Gravestone Project	CPC Historic	\$	102,000											
Cemetery Department	Restoration of fence posts & rails at East Harwich Methodist Cemetery	CPC - HP2	\$	127,750											
Cemetery Department	Flag Poles project at Veterans Memorial Circle at Evergreen Cemetery	CPC - HP3	\$	28,209											
Cemetery	Island Pond Arboretum Implementation of Master Plan (Construction)	Grant					\$	100,000							
Cemetery	Island Pond Arboretum Master Plan (Study)	Grant				\$	43,000								
<b>Cemetery SUB-TOTAL</b>				\$	257,959	\$	43,000	\$	-	\$	100,000	\$	-		
<b>CHANNEL 18</b>															
Channel 18	Main Control (playback, servers)												\$	17,650	
Channel 18	Field Production Equipment						\$	4,388					\$	4,388	
Channel 18	Edit Computers												\$	2,859	
Channel 18	Production Studio: Cameras/Lighting	PEG Grant	\$	32,784											
Channel 18	Meeting Rooms (5 - various locations)	PEG Grant	\$	66,470	\$	66,470		\$	47,863						
<b>Channel 18 SUB-TOTAL</b>				\$	99,254	\$	66,470	\$	4,388	\$	47,863	\$	47,863	\$	24,897
<b>COMMUNITY CENTER</b>															
<b>COMMUNITY CENTER SUB-TOTAL</b>				\$	-										
<b>CONSERVATION</b>															
Conservation	Harwich Artificial Reef (Additional Project)	GRANT	\$	250,000											ITA researching
<b>CONSERVATION SUB-TOTAL</b>				\$ -	\$	250,000	\$	-	\$	-	\$	-	\$	-	
<b>ENGINEERING</b>															
Engineering	MS4 Municipal Surface Drainage Plan and Improvements [Per Permit]	Oper.Bud.	\$	200,000	\$	100,000	\$	40,000	\$	40,000	\$	100,000			
<b>ENGINEERING SUB-TOTAL</b>				\$	200,000	\$	100,000	\$	40,000	\$	40,000	\$	100,000		
<b>FACILITY MAINT.-DPW</b>															
Facility Main.-DPW	Brooks Library Roof	FC	\$	148,500											
Facility Main.-DPW	Implement Facilities Wide ADA Compliance Plan Improvements	FC	\$	11,605	\$	75,235									
Facility Main.-DPW	Implement Facilities Wide ADA Compliance Plan Improvements (MOD Grant)	GRANT	\$	350,000											
Facility Main.-DPW	S Bells Neck Roof Repair				\$	20,000									
Facility Main.-DPW	Cultural Center Systems Generator						\$	70,000							
Facility Main.-DPW	Cultural Center - Boiler Replacement						\$	160,000							
Facility Main.-DPW	Remove and Replace Privacy Fence	FC	\$	55,000											
Facility Main.-DPW	Cultural Center - Window Replacement Sash Windows that Failed								\$	200,000	\$	200,000	\$	200,000	
Facility Main.-DPW	Community Center Roof Replacement						\$	240,000	\$	-	\$	-	\$	-	
Facility Main.-DPW	Community Center - Boiler Replacement								\$	120,000	\$	-	\$	-	
Facility Main.-DPW	Community Center Systems Generator								\$	115,000	\$	-	\$	-	
Facility Main.-DPW	DPW Facilities and Mechanic Shop										\$	1,200,000	\$	1,200,000	
<b>FACILITY MAINTENANCE SUB-TOTAL</b>				\$	565,105	\$	95,235	\$	470,000	\$	435,000	\$	1,400,000		

FULL CAPITAL OUTLAY PLAN FOR FISCAL YEARS 2022 THROUGH 2026

Department	Project	Funding Source	BDS/CPC Approved	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	NOTES
<b>FIRE</b>									
Fire	Phased Police and Fire Radio System	FC		\$ 223,204					Fire Dept pursuing FY 22 grant for \$450,000
Fire	Air Pack Replacement Program - (Town Funded Portion)	FC							Full grant amount in FY'21 negates need
Fire	Ambulance Replacement Program				\$ 386,636	\$ 405,969	\$ -		
Fire	Air Pack Replacement Program - (Town Funded Portion)				\$ -				
Fire	Air Pack Replacement Program - (Federal/State Grant Funded Portion)								
Fire	Staff Car								Question if presently needed
Fire	<b>Pumper and Ladder Request converted to Pumper/Ladder called Quint</b>	DE		\$ 1,100,000					ITA needs to confirm
<b>FIRE SUB-TOTAL</b>				\$ 1,323,204	\$ 386,636	\$ 405,969	\$ -	\$ -	
<b>GOLF</b>									
Golf	Tree Work Front 9 (Final year of 6 Year Project)	Golf Im. Fund		\$ 35,000					
Golf	Design and Feasibility of 3 hole Practice and Putting Course	Golf Im. Fund		\$ 35,000					
Golf	Renovate Cart Path (Following Mungeam Plan) Hole 10 FY21 & Hole 1 FY 22	Golf Budget		\$ 14,500					
Golf	Various Mowing Equipment per Lease	Golf Budget		\$ 87,050	\$ 87,050	\$ 87,050	\$ 87,050		
Golf	Improvements to Nets at Driving Range (Back FY 22 & Main FY 23)	Golf Budget		\$ 30,870	\$ 34,800				
Golf	New Tee Box Improvements - Mungeam Plan (Two Year Project)	Golf Budget		\$ -	\$ -		\$ 149,000	\$ 149,000	
Golf	Golf Course Irrigation Update	Golf Funds		\$ 75,000	\$ 75,000	\$ 75,000	\$ 75,000	\$ 75,000	
<b>GOLF SUB-TOTAL</b>				\$ 277,420	\$ 196,850	\$ 162,050	\$ 311,050	\$ 224,000	
<b>HARBORMASTER</b>									
Harbormaster	Allen Harbor Jetty Reconstruction (Construction)						\$ 2,000,000		Voted 3-2 to push to FY '2025 (\$2M)
Harbormaster	Round Cove Bulkhead Replacement (Study, Design and Construction)			\$ -	\$ 42,000	\$ 42,000			
Harbormaster	Herring River Ramp Replacement (Study, Design and Construction)				\$ -	\$ 21,000	\$ 210,000		
Harbormaster	SAQ Harbor North & East Bulkhead (Offloading Area) Reconstruction						\$ 157,500		
Harbormaster	<b>Harbormaster Truck Replacement</b>						\$ 42,000		
<b>HARBORMASTER SUB-TOTAL</b>				\$ -	\$ 42,000	\$ 63,000	\$ 2,409,500	\$ -	
<b>LIBRARY</b>									
Library	Library Interior Modifications/Renovations				\$ -	\$ 40,000	\$ 150,000		Trustees voted to move to FY '24 (\$40,000)
<b>LIBRARY SUB-TOTAL</b>				\$ -	\$ -	\$ 40,000	\$ 150,000	\$ -	
<b>NATURAL RESOURCES</b>									
<b>NATURAL RESOURCES SUB-TOTAL</b>									
<b>PLANNING</b>									
<b>PLANNING SUB-TOTAL</b>									
<b>POLICE</b>									
Police	Digital Fingerprint Machine (Normal Replacement)			\$ 18,000					
Police	Taser Replacement (5 year Program - 3 of 3 years to Pay)			\$ -	\$ -	\$ 37,000	\$ 15,000	\$ 15,000	
Police	Replacement of Bullet Resistant Vests (Town Portion (Project 60%))			\$ -	\$ 24,000	\$ -	\$ -	\$ -	
Police	Replacement of Bullet Resistant Vests (Federal 40% State ? Has been 40%)			\$ -	\$ 16,000	\$ -	\$ -	\$ -	
Police	Ballistic Helmets			\$ -	\$ -	\$ -	\$ -	\$ 20,000	
Police	Electronic Sign Board			\$ -	\$ -	\$ 24,000			
<b>POLICE SUB-TOTAL</b>				\$ 18,000	\$ 40,000	\$ 61,000	\$ 15,000	\$ 35,000	
<b>PUBLIC WORKS</b>									
Public Works	5 Year Road Maintenance Plan (Traditionally funded by DE & Chapter 90)	DE		\$ 700,000	\$ 700,000	\$ 700,000	\$ 700,000	\$ 700,000	
Public Works	Harwich portion of State Gas Tax Allocation	Ch. 90		\$ 700,000	\$ 700,000	\$ 700,000	\$ 700,000	\$ 700,000	
Public Works	Route 39/Pleasant Bay Road Roundabout (If Needed)								Voted 5-0 to remove from plan (\$600k)
Public Works	West Harwich Route 28 Design(\$125K in FY 20 & Construction via Fed Funds)					\$ 50,000			Design questions for FY 2023
Public Works	West Harwich Route 28 Design(Construction via Fed Funds)					\$ 5,600,000			
Public Works	6 Wheel Dump Truck #7	FC		\$ 175,000					Deferred from FY 2021
Public Works	Ford E-250 Van #28	FC		\$ 35,000					Deferred from FY 2021
Public Works	Volvo	FC		\$ 200,000					
Public Works	Ford F-150 Pick Up	FC		\$ 50,000					
Public Works	Vehicle Listing (FY 22 to 26) Summary			\$ -	\$ 320,000	\$ 315,000	\$ 320,000	\$ 355,000	Volvo Loader \$200k and Ford F-150 (\$50k)
<b>PUBLIC WORKS SUB-TOTAL</b>				\$ 1,860,000	\$ 1,720,000	\$ 7,365,000	\$ 1,720,000	\$ 1,755,000	
<b>RECREATION &amp; YOUTH</b>									
Recreation Department	Brooks Park Lighting Project, Phase 5, Part 2	CPC - R13		\$ 125,000					
Recreation Department	Sand Pond Revitalization Project, Phase 2	CPC - R14		\$ 83,500					
Recreation Department	Senior Memorial Field fencing project	CPC - R15		\$ 40,181					
Recreation Department	Whitehouse Field Lighting project, Phase 2	CPC - R16		\$ 100,000					
Recreation Department	Cahoon Road Beach Restroom					\$ 125,000			
<b>RECREATION AND YOUTH SUB-TOTAL</b>				\$ 348,681	\$ -	\$ 125,000	\$ -	\$ -	
<b>TOWN CLERK</b>									
Town Clerk	Voting Machines - Updates & Enhancements			\$ -	\$ 32,500				
<b>TOWN CLERK SUB-TOTAL</b>				\$ -	\$ 32,500	\$ -	\$ -	\$ -	

## FULL CAPITAL OUTLAY PLAN FOR FISCAL YEARS 2022 THROUGH 2026

Department	Project	Funding Source	BOS/CPC Approved	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	NOTES
WASTEWATER									
Wastewater	Evaluate Phosphorus issues in Seymour Pond & Restoration				\$ 75,000		\$ 350,000		
Wastewater	DHY Community Partnership - CWMP Revisions								
Wastewater	DHY - CWMP Revisions Phase 3 Harwich Share of Treatment	DE*	\$ 1,500,000	\$ 17,400,000					All subject to change pending ongoing BOS discussions
Wastewater	DHY - CWMP Revisions Phase 3 Harwich Distribution & Connection		\$ 1,500,000		\$ 11,200,000				
Wastewater	CWMP Phase 2 Contract 3 Pleasant Bay South	DE*	\$ 8,400,000						
<b>WASTEWATER SUB-TOTAL</b>				\$ 11,400,000	\$ 17,475,000	\$ 11,200,000	\$ 350,000	\$ -	
WATER									
Water	Hydration stations for outdoor recreational facilities	CPC - R10	\$ -	\$ 20,000					Water Supt. Is Project Manager
Water	Acquisition of parcels adjacent to town wellfields		\$ 300,000						Reimbursable at 50% of cost; up to \$300k (DWSP grant)
Water	New Source Exploration (Planning 2021/Development 2023)	Retained Earnings	\$ 250,000						
Water	Route 28 Water Main Replacement Design [Construction FY 2023 (bond)]	Retained Earnings	\$ 500,000	\$ 7,500,000					Design increased from \$100,000 to \$500,000 per WS
Water	Station 8 Generator	Retained Earnings	\$ 50,000						
<b>WATER SUB-TOTAL</b>				\$ 1,120,000	\$ 7,500,000	\$ -	\$ -	\$ -	
<b>TOTALS OF CAPITAL REQUESTS</b>				\$ 19,610,623	\$ 29,103,191	\$ 19,905,407	\$ 3,203,913	\$ 3,573,897	

## FISCAL YEAR 2022 CAPITAL OUTLAY PLAN DRAFT AS OF DECEMBER 15, 2020

Department	Project	Funding Source	BOS/CPC Approved	FY 2022	NOTES
<b>ADMINISTRATION</b>					
Admin	Harwich Center ADA Sidewalk Project	FC		\$ 50,000	
	Harwich Center ADA Sidewalk Pro. ADA/CDBG Grant (\$1 Million)	Grant			No activity underway to acquire grant
Admin	Walkway Reconstruction Rte 28 SAQ to Harwichport (Supplemental)	FC		\$ 200,000	
Admin	Walkway Reconstruction Rte 28 SAQ to Harwichport (Supplemental)GRANT	Grant		\$ 400,000	
Admin	Green/Fuel Efficient Fleet Replacement Schedule (Need Revisions)	Oper.Budget		\$ 30,000	To be deleted
Brooks Academy Museum Comm. (BAMC)	Brooks Academy Structural Improvements Project	CPC - HP4		\$ 785,000	
Real Estate & Open Space (REOS) Committee	Hinckleys Pond Watershed Preservation Project	CPC - OS8		\$ 360,000	
Bikeways Committee	Bikeways crossing lights at Depot Road South project	CPC - R11		\$ 15,000	
Bikeways Committee	Old Colony Rail Trail Harwich/Chatham Town Border marker project	CPC - R12		\$ 1,000	
<b>ADMIN SUB-TOTAL</b>				\$ -	\$ 1,841,000
<b>AFFORDABLE HOUSING TRUST (AHT)</b>					
AHT	AHT Funding for Housing and Part Time Coordinator (\$50K PT) [CH7]	CPC Housing		\$ 50,000	
<b>AHT SUB-TOTAL</b>				\$ -	\$ 50,000
<b>CEMETERY</b>					
Cemetery Department	East Harwich Methodist Cemetery Gravestone Project	CPC Historic		\$ 102,000	
Cemetery Department	Restoration of fence posts & rails at East Harwich Methodist Cemetery	CPC - HP2		\$ 127,750	
Cemetery Department	Flag Poles project at Veterans Memorial Circle at Evergreen Cemetery	CPC - HP3		\$ 28,209	
Cemetery	Island Pond Arboretum Implementation of Master Plan (Construction)	Grant			COC voted 4-1 to move both items to FY '23
Cemetery	Island Pond Arboretum Master Plan (Study)	Grant			\$100k for construction; \$43k for master plan
<b>Cemetery SUB-TOTAL</b>				\$	257,959
<b>CHANNEL 18</b>					
Channel 18	Production Studio: Cameras/Lighting	PEG Grant		\$ 32,784	
Channel 18	Meeting Rooms (5 - various locations)	PEG Grant		\$ 66,470	
<b>Channel 18 SUB-TOTAL</b>				\$	99,254
<b>COMMUNITY CENTER</b>					
<b>COMMUNITY CENTER SUB-TOTAL</b>				\$	-
<b>CONSERVATION</b>					
Conservation	Harwich Artificial Reef (Additional Project)	GRANT		\$ 250,000	ITA researching
<b>CONSERVATION SUB-TOTAL</b>				\$ -	\$ 250,000
<b>ENGINEERING</b>					
Engineering	MS4 Municipal Surface Drainage Plan and Improvements [Per Permit]	Oper.Bud.		\$ 200,000	
<b>ENGINEERING SUB-TOTAL</b>				\$	200,000
<b>Facility Main.-DPW</b>					
Facility Main.-DPW	Brooks Library Roof	FC		\$ 148,500	
Facility Main.-DPW	Implement Facilities Wide ADA Compliance Plan Improvements	FC		\$ 11,605	
Facility Main.-DPW	Implement Facilities Wide ADA Compliance Plan Improvements (MOD Grant)	GRANT		\$ 350,000	
Facility Main.-DPW	5 Bells Neck Roof Repair	FC		\$ 20,000	
Facility Main.-DPW	Cultural Center Systems Generator	FC		\$ 70,000	
Facility Main.-DPW	Cultural Center - Boiler Replacement			\$ 160,000	
Facility Main.-DPW	Remove and Replace Privacy Fence			\$ 55,000	
<b>FACILITY MAINTENANCE SUB-TOTAL</b>				\$	815,105

## FISCAL YEAR 2022 CAPITAL OUTLAY PLAN DRAFT AS OF DECEMBER 15, 2020

Department	Project	Funding Source	BOS/CPC Approved	FY 2022	NOTES
<b>FIRE</b>					
Fire	Phased Police and Fire Radio System	FC		\$ 223,204	Fire Dept pursuing FY 22 grant for \$450,000
Fire	Air Pack Replacement Program - (Town Funded Portion)	FC			Full grant amount in FY'21 negates need
Fire	Staff Car				Question if presently needed
Fire	Pumper and Ladder Request converted to Pumper/Ladder called Quint	DE		\$ 1,100,000	ITA needs to confirm
<b>FIRE SUB-TOTAL</b>				\$ 1,323,204	
<b>GOLF</b>					
Golf	Tree Work Front 9 (Final year of 6 Year Project)	Golf Im. Fund		\$ 35,000	
Golf	Design and Feasibility of 3 hole Practice and Putting Course	Golf Im. Fund		\$ 35,000	
Golf	Renovate Cart Path (Following Mungeam Plan) Hole 10 FY21 & Hole 1 FY 22	Golf Budget		\$ 14,500	
Golf	Various Mowing Equipment per Lease	Golf Budget		\$ 87,050	
Golf	Improvements to Nets at Driving Range (Back FY 22 & Main FY 23)	Golf Budget		\$ 30,870	
Golf	Golf Course Irrigation Update	Golf Funds		\$ 75,000	
<b>GOLF SUB-TOTAL</b>				\$ 277,420	
<b>HARBORMASTER</b>					
Harbormaster	Allen Harbor Jetty Reconstruction (Construction)				Voted 5-0 to push to FY '2024 (\$2M)
<b>HARBORMASTER SUB-TOTAL</b>					
<b>LIBRARY</b>					
Library	Library Interior Modifications/Renovations				Trustees voted to move to FY '24 (\$40,000)
<b>LIBRARY SUB-TOTAL</b>				\$ -	
<b>NATURAL RESOURCES</b>					
<b>NATURAL RESOURCES SUB-TOTAL</b>					
<b>PLANNING</b>					
<b>PLANNING SUB-TOTAL</b>					
<b>POLICE</b>					
Police	Digital Fingerprint Machine (Normal Replacement)			\$ 18,000	
<b>POLICE SUB-TOTAL</b>				\$ 18,000	
<b>PUBLIC WORKS</b>					
Public Works	5 Year Road Maintenance Plan (Traditionally funded by DE & Chapter 90)	DE		\$ 700,000	
	Harwich portion of State Gas Tax Allocation	Ch. 90		\$ 700,000	
Public Works	Route 39/Pleasant Bay Road Roundabout (If Needed)				Voted 5-0 to remove from plan (\$600k)
Public Works	6 Wheel Dump Truck #7	FC		\$ 175,000	Deferred from FY 2021
Public Works	Ford E-250 Van #28	FC		\$ 35,000	Deferred from FY 2021
Public Works	Vehicle Listing (FY 22 to 27) Summary			\$ 250,000	Volvo Loader \$200k) and Ford F-150 (\$50k)
<b>PUBLIC WORKS SUB-TOTAL</b>				\$ 1,860,000	
<b>RECREATION &amp; YOUTH</b>					
Recreation Department	Brooks Park Lighting Project, Phase 5, Part 2	CPC - R13		\$ 125,000	
Recreation Department	Sand Pond Revitalization Project, Phase 2	CPC - R14		\$ 83,500	
Recreation Department	Senior Memorial Field fencing project	CPC - R15		\$ 40,181	
Recreation Department	Whitehouse Field Lighting project, Phase 2	CPC - R16		\$ 100,000	
<b>RECREATION AND YOUTH SUB-TOTAL</b>				\$ 348,681	
<b>TOWN CLERK</b>					
<b>TOWN CLERK SUB-TOTAL</b>					

## FISCAL YEAR 2022 CAPITAL OUTLAY PLAN DRAFT AS OF DECEMBER 15, 2020

Department	Project	Funding Source	BOS/CPC Approved	FY 2022	NOTES
<b>WASTEWATER</b>					
Wastewater	DHY Community Partnership - CWMP Revisions				
Wastewater	DHY - CWMP Revisions Phase 3 Harwich Share of Treatment	DE*		\$ 1,500,000	All subject to change pending ongoing BOS discussions
Wastewater	DHY - CWMP Revisions Phase 3 Harwich Distribution & Connection			\$ 1,500,000	
Wastewater	CWMP Phase 2 Contract 3 Pleasant Bay South	DE*		\$ 8,400,000	
<b>WASTEWATER SUB-TOTAL</b>				\$ 11,400,000	
<b>WATER</b>					
Water	Hydration stations for outdoor recreational facilities	CPC - R10	\$ -	\$ 20,000	Water Supt. Is Project Manager
Water	Acquisition of parcels adjacent to town wellfields			\$ 300,000	Reimbursable at 50% of cost; up to \$300k (DWSP grant)
Water	New Source Exploration (Planning 2021/Development 2023)	Retained Earnings		\$ 250,000	
Water	Route 28 Water Main Replacement Design [Construction FY 2023 (bond)]	Retained Earnings		\$ 500,000	Design increased from \$100,000 to \$500,000 per WS
Water	Station 8 Generator	Retained Earnings		\$ 50,000	
<b>WATER SUB-TOTAL</b>				\$ 1,120,000	
<b>SUBTOTALS OF CAPITAL REQUESTS</b>				\$ 19,860,623	
<b>Non-Town/Private CPC Applications</b>					
Community Development Partnership (CDP)	Lower Cape Community Housing Institute	CPC - CH5		\$ 7,500	
Cape & Islands Veterans Outreach Ctr	Veterans Home (to be located in Dennis, MA)	CPC - CH6		\$ 20,000	
Harwich Conservation Trust (HCT)	Harwich Natural Heritage Trail Project (Phase 1)	CPC - R9		\$ 150,000	
Other/Private	TOTAL CPC Requests			\$ 177,500	
<b>GRAND TOTALS (Including Other/Private CPC Listed below)</b>				\$ 20,038,123	

## ANTICIPATED FUNDING SOURCES

Source	Amount
Chapter 90 Funds	\$ 700,000
Community Preservation Comm.	\$ 2,015,140
Debt Exclusions (proposed)	\$ 11,700,000
Free Cash	\$ 933,309
Golf Funds	\$ 277,420
Operating Budget	\$ 230,000
Potential Grants	\$ 1,000,000
Public Education & Gov't Grant	\$ 99,254
Unclassified	\$ 2,283,000
Retained Earnings	\$ 800,000
	\$ 20,038,123

Total Unclassified + FC = \$3,216,909

**TOWN**  
**ADMINISTRATOR'S**  
**REPORT**

3225 MAIN STREET • P.O. BOX 226  
BARNSTABLE, MASSACHUSETTS 02630

(508) 362-3828 • Fax (508) 362-3136 • [www.capecodcommission.org](http://www.capecodcommission.org)



January 14, 2021

Board of Selectmen  
Joseph F. Powers, Interim Town Administrator  
Town of Harwich  
732 Main Street  
Harwich, MA 02645

Dear Selectmen and Mr. Powers:

As you know, the Cape Cod Commission, through its review of Developments of Regional Impact (DRIs), can allow and/or require applicants to mitigate some of their projects' impacts through cash payments. The DRI decisions specify the activities for which the town may use the mitigation funds, such as to provide for open space or traffic improvements. In the case of Harwich, \$392,370 has been provided and \$201,946 is currently available for various purposes, although some of these funds have previously been committed to existing projects. Please see the enclosed list.

Commission staff would welcome an opportunity to assist you in utilizing these funds. Typically, after an initial assessment to determine if funds can be used for a particular purpose, a scope of work is developed, a Memorandum of Agreement is executed, and funds are provided to the Town on a reimbursement basis.

Please let me know if you have any questions or wish to utilize any of the available funds.

Sincerely,

DocuSigned by:

*Kristy Senatori*

37115EEF542C4DA...

Kristy Senatori  
Executive Director

Cc: Charleen Greenhalgh  
Lincoln Hooper  
Jacqueline Etsten





## Harwich Mitigation Funds

<u>Project</u>	<u>Released</u>	<u>Available 1/1/2021</u>	<u>Purpose</u>
WJG/Harwich Commons		\$ 5,742	Alternate modes of transportation/trip reduction *
		\$ 5,879	Board of Health OMCP
		\$ 139,069	Open Space
	\$ 45,126		7/5/05 MOA planning/design/construction of sidewalks
	\$ 19,732		9/20/06 MOA Rte 124/Queen Anne's Rd intersection improvements
	\$ 34,490		8/6/09 MOA Long Pond Drive widening
	\$ 163,069		10/18/17 MOA Main Street Corridor Improvements
TRT Harwich		\$ 14,141	Transportation Improvements *
Sprint		\$ 37,114	Open Space
Cape Cod National Golf	\$ 5,997		7/5/05 MOA planning/design/construction of sidewalks
	\$ 2,096		
Harwich Shaw's	\$ 983		7/5/05 MOA planning/design/construction of sidewalks
	\$ 4,167		6/29/05 MOA BOH Long Pond Medical Ctr/Harwich Shaw's OMCP; and assessment of the Herring River
	\$ 35,202		9/20/06 MOA Rte 124/Queen Anne's Rd intersection improvements
Long Pond Medical	\$ 15,962		9/20/06 MOA Rte 124/Queen Anne's Rd intersection improvements
	\$ 5,545		6/29/05 MOA BOH Long Pond Medical Ctr/Harwich Shaw's OMCP; and assessment of the Herring River
	\$ 60,000	\$ -	4/15/04 Land Bank account
	\$ 392,370	\$ 201,946	

\*Funds Encumbered to the following project

10/18/17 MOA for Main Street/Route 28 Corridor Improvements Project - extended through 12/31/2024

Total agreement - \$175,658; balance \$12,588



**TOWN OF HARWICH**  
OFFICE OF THE TREASURER/COLLECTOR  
732 MAIN STREET, HARWICH, MA 02645  
TEL: 508-430-7501 FAX: 508-430-7504

Amy Bullock  
Treasurer / Collector

Nancy Knepper  
Assistant Treasurer/Collector

**Monthly Report to the Board of Selectmen**

**December 2020**

Along with our regular weekly duties and responsibilities, which include but are not limited to processing payroll, receiving, reporting and depositing tax/water payments and departmental receipts, processing accounts payable checks, assisting Taxpayers and Employees with any requests and other various customer service, the following took place:

**Collections**

	FY 2021	FY 2020
Tax/Water Collections:	\$486,520.87	\$404,510.96
Tax lien Collections:	\$17,973.43	\$17,821.97
Departmental turnovers:	\$2,017,818.78	\$1,688,810.51
<b>Total:</b>	<b>\$2,522,313.08</b>	<b>\$2,111,143.44</b>

**Disbursements**

	FY 2021	FY 2020
Accounts Payable	\$3,673,846.98	\$1,208,897.05
Payroll	\$1,768,284.60	\$1,430,039.26
<b>Total:</b>	<b>\$5,442,131.58</b>	<b>\$2,638,936.31</b>

Respectfully submitted,  
Amy Bullock  
Treasurer/Collector

TOWN OF HARWICH, MASSACHUSETTS  
SEWERAGE WORKS IMPROVEMENTS PHASE 2 – CONTRACT #2

CONSTRUCTION SCHEDULE – WEEKLY UPDATE

**One Week Look Ahead (01/18-01/22)**

- Sewer Crew #1
  - Continue work on Church Street North pump station (CD-3)

**Two Week Look Ahead (01/25-01/29)**

- Sewer Crew #1
  - Continue work on Church Street South pump station (CD-2)

**Three Week Look Ahead (02/01-02/05)**

- Sewer Crew #1
  - Continue work on Church Street South pump station (CD-2)

**Please note that this is a projected schedule and will be adjusted accordingly based on the Contractor's actual progress and the weather. On an as needed basis auxiliary crews will be performing testing, installing inverts, raising castings, paving , and performing general cleanup at various locations throughout the project area.**

TOWN OF HARWICH, MASSACHUSETTS  
SEWERAGE WORKS IMPROVEMENTS PHASE 2 – CONTRACT #1  
ROBERT B. OUR COMPANY  
SEWER PROJECT

CONSTRUCTION SCHEDULE – WEEKLY UPDATE

Date Submitted: January 18, 2021

**One Week Look Ahead (01/18/21-01/22/21)**

- Pump Station Crew # 1
  - Continue Working on Spence's Trace & RT 137 Pump Station Site
  - Continue Working on the Parshall Flume

**Two Week Look Ahead (01/25/21-01/29/21)**

- Pump Station Crew # 1
  - Continue Working on Spence's Trace & RT 137 Pump Station Site
    - Estimated delivery and Installation of Spence's Trace P.S
  - Continue Working on the Parshall Flume

**Two Week Look Ahead (02/01/21-02/05/21)**

- Pump Station Crew # 1
  - Continue Working on Spence's Trace & RT 137 Pump Station Site
  - Continue Working on the Parshall Flume

**Please note that this is a projected schedule and will be adjusted accordingly based on the Contractor's actual progress and the weather. On an as needed basis auxiliary crews will be performing testing, installing inverts, raising castings, paving , and performing general cleanup at various locations throughout the project area.**