

## SELECT BOARD MEETING AGENDA\*

Donn B. Griffin Room, Town Hall

732 Main Street, Harwich, MA

Executive Session 5:00 P.M.

Regular Meeting 6:00 P.M.

Monday, July 10, 2023

### **Remote Participation Optional:**

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

<https://meet.goto.com/412970469>

You can also dial in using your phone.

Access Code: 412-970-469

United States: [+1 \(872\) 240-3311](tel:+18722403311)

*\*As required by Open Meeting Law, you are hereby informed that the Town will be video and audio taping as well as live broadcasting this public meeting. In addition, anyone in the audience who plans to video or audio tape this meeting must notify the Chairman prior to the start of the meeting.*

#### I. **CALL TO ORDER**

#### II. **EXECUTIVE SESSION**

- A. Pursuant to G.L. c. 30A, sec. 21(a)(2) to conduct strategy sessions in preparation for negotiations with non-union personnel and to conduct contract negotiations with non-union personnel: Town Administrator
- B. Pursuant to MGL c.30A section 21 (a)(3) to discuss with respect to collective bargaining for all town unions and the Chair has determined that open session would have a detrimental effect on the town's bargaining position; Harwich Employees Association (HEA)

#### III. **PLEDGE OF ALLEGIANCE**

#### IV. **PUBLIC COMMENTS/ANNOUNCEMENTS**

- A. Select Board Open Hours July 20<sup>th</sup> 5:30-7:30 p.m. at Brooks Free Library. Jeff Handler and Mary Anderson will be available to listen to people's thoughts or concerns. No appointments needed

#### V. **CONSENT AGENDA**

- A. Approve Select Board Meeting Minutes for June 26, 2023

#### VI. **NEW BUSINESS**

- A. Affirm the appointment of Carrie Schoener as the Health Director
- B. Discussion on Select Board priorities
- C. Discussion and confirm next Select Board Working Group Session will be Monday, July 17, 2023, 6:00 p.m.
- D. Approve a new 2023 Annual Common Victuallers license – Capeside Kitchen Family d/b/a Capeside Kitchen – 537 Route 28
- E. Approve a new 2023 Junk Dealer license for Aruaam, LLC d/b/a Harwich Antique Center, 10 Route 28
- F. Approve a Special Permit application for one day entertainment and one day wines and malt license for Reciprocity Artisans Market, 4 Cross Street, Monday, September 4, 2023, 4:00 p.m. to 7:30 p.m., live/recorded music outside
- G. Approve the following Special Permit applications for Harwich Cranberry Festival, event to be held at 204 Sisson Road;
  - 1. One day wines and malt permit – July 13, 20, 27, 2023 and August 3, 10, 17, 24, 31, 2023 – 6:00 p.m. to 9:00 p.m.
  - 2. One day wines and malt permit – September 16, 2023, 12:00 p.m to 7:00 p.m. and September 17, 2023, 12:00 p.m. to 3:00 p.m.
- H. Discussion and possible vote to approve the waiving of the Treasure Chest Sticker fee for the Treasure Chest Volunteers

#### VII. **OLD BUSINESS**

- A. Town Administrator to provide an update on the disposition of 276 Queen Anne Road

#### VIII. **CONTRACTS**

- A. Discussion and possible vote to authorize the Chair to execute a contract for dog impoundment services with the Animal Rescue League - \$7,000

#### IX. **TOWN ADMINISTRATOR'S REPORT**

#### X. **SELECT BOARD'S MEMBER REPORT**

#### XI. **CORRESPONDENCE**

#### XII. **ADJOURNMENT**

*\*Per the Attorney General's Office: The Select Board 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 Select Board's Office at 508-430-7513.*

**Authorized Posting Officer:**

\_\_\_\_\_  
Danielle Freiner, Executive Assistant

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

**Date:** \_\_\_\_\_  
July 6, 2023

**PUBLIC**  
**COMMENTS /**  
**ANNOUNCEMENTS**

Select Board Office Hours  
held by Mary Anderson & Jeff Handler  
July 20, 2023  
5:30 p.m. to 7:30 p.m.  
Brooks Free Library  
No appointment needed

# **CONSENT AGENDA**

**MINUTES  
SELECT BOARD  
DONN B. GRIFFIN ROOM TOWN HALL  
732 MAIN STREET, HARWICH, MA  
EXECUTIVE SESSION 5:00PM  
REGULAR MEETING 6:00PM  
MONDAY, JUNE 26, 2023**

**MEMBERS PARTICIPATING:** Mary Anderson, Chair Julie Kavanagh, Vice Chair, Jeff Handler, Clerk, Michael MacAskill and Don Howell

**ALSO PARTICIPATING:** Joseph Powers, Town Administrator

**CALL TO ORDER:**

Ms. Anderson called the meeting of the Harwich Select Board back to order on June 26, 2023 at 6:00PM after meeting in Executive Session.

**EXECUTIVE SESSION:**

- A. Pursuant to G.L. c. 30A, sec. 21(a)(1) to discuss a complaint brought against employees
- B. Pursuant to MGL c. 30A section 21 (a)(3) to discuss with respect to collective bargaining for all town unions and the Chair has determined that open session would have a detrimental effect on the town's bargaining position: Harwich Employees Association (HEA)
- C. Pursuant to G.L. c. 30A, sec. 21(a)(2) to conduct strategy sessions in preparation for negotiation wit non-union personnel and to conduct contract negotiations with non-union personnel: Fire Chief and Town Administrator

Ms. Anderson noted that in Executive Session they discussed the three items noted. An employment contract was signed with the Fire Chief, no action take on the other items.

**PLEDGE OF ALLEGIANCE:**

Ms. Anderson invited all attendees to join in the Pledge of Allegiance.

**PUBLIC COMMENTS/ANNOUNCEMENTS**

- A. Town of Harwich has been awarded three Silver Awards from Cape Life Publications for Red River Beach, Harwich Port Stroll and Cranberry Arts and Music Festival

Anita Doucette, President of the Harwich Historical Society informed the Board and the community that they were contacted by Channel 5 The Chronicle, **and** noted interviews that were conducted. She is unsure when it will be aired. She also noted walking tours and that the information will be on their website.

June 26, 2023

Jill Mason of Harwich Port shared safety concerns of Route 28 in Harwich Port and sign violations.

Ms. Anderson noted that those concerns have been referred to the Traffic Safety Committee.

Mr. MacAskill noted that the Town Administrator is also aware of her concerns.

Cindy Williams, Executive Director of the Chamber of Commerce noted the Chronicle show and also noted other places they had visited. She also noted that the music will start in Harwich Port next week.

Carolyn Carey, Community Center Director noted July Events and shared details.

Mr. Powers commented on and gave details of the three awards received by the Town of Harwich.

**CONSENT AGENDA:**

- A. Affirm the appointment of Police Officer Richard Pellegrino to the Harwich Police Department as recommended by Chief Guillemette
- B. Accept the resignation of Officer Christopher Arrigo, Harwich Police Department
- C. Accept the resignation of David Spitz, Brooks Academy Museum Commission, effective June 30, 2023
- D. Accept the resignation off Carol Thayer, Harwich By-0Law Charter Review effective immediately
- E. Affirm the appointment of Allan Peterson for the following:
  - 1. From alternate member to full member of the Planning Board, effective June 26, 2023 through June 30, 2023
  - 2. Affirm the appointment of Allan Peterson as full member of the Planning Board effective July 1, 2023 through June 30, 2026
- F. Affirm the appointment of Marcy Vigneau as the Harwich Housing Authority representative to Community Preservation Committee, term to expire June 30, 2026
- G. Approve the Select Board Meeting Minutes:
  - 1. June 5, 2023
  - 2. June 20, 2023

Chief David Guillemette introduced Officer Richard Pellegrino and gave a history of his experience and education.

Mr. Handler moved to accept the appointment of Officer Pellegrino, seconded by Ms. Kavanagh.

Vote 5:0 in favor.

Mr. Handler moved to accept the resignation of Officer Arrigo, seconded by Mr. Howell.

June 26, 2023

Vote 5:0 in favor.

Mr. Handler moved to approve items C-G on the Consent Agenda with one correction that the minutes to be approved are June 5, 2023 and June 12, 2023, seconded by Mr. Howell.

Mr. Powers noted that the minutes are for June 12, 2023 and June 20, 2023.

Vote 5:0 in favor.

Mr. MacAskill asked Chief Guillemette to thank Officer Arrigo for his years of service. He also thanked David Spitz and Carol Thayer for their service on the committees.

**NEW BUSINESS:**

A. Debrief on the June 20 Select Board Working Group Session

Ms. Anderson noted subjects discussed at the first Working Group Session. She created three documents that will be in next week's packet, priorities, agenda items and follow up topics.

Mr. MacAskill found the meeting to be very productive and he thanked Ms. Anderson for putting it together.

B. Vote to approve the acquisition through eminent domain the land containing 21.07 acres, more or less, located off Seth Whitefield Road and known as the Judah Eldredge property for conservation and open space purposes.

Mr. Handler moved to vote to approve the acquisition through eminent domain as presented, seconded by Mr. Howell.

Mr. MacAskill commented that this will take \$700,000 off the owed taxes list and they will now have another 20 acres.

Mr. Howell noted that it is an extremely important parcel of property, its's good to see it finally resolved.

Vote 5:0 in favor.

C. Approve and authorize the Chair to sign Budget Transfers as recommended by the Finance Director/Town Accountant.

Mr. Handler moved to vote to approve and to authorize the Chair to sign as presented, seconded by Ms. Kavanagh.

Kathleen Barrette, Finance Director/Town Accountant explained the transfers and the reasons for the transfers that have been recommended by the Finance Committee.

June 26, 2023



Mr. MacAskill began the discussion with budget transfers for C & D expenses noting that amount and the amount coming out of group health insurance. He questioned if they are overestimating the health insurance and then moving the money. He also asked that, if Mr. Powers doesn't have that information, that he get it for further discussion.

Mr. Powers replied with an explanation of how they had arrived at the estimates for health care. He also noted what is being done to not have overages and shortages next year.

Board members questioned specific amounts and asked for clarification on each. Also discussed was how they could better plan for retirements. Mr. Powers suggested what they could do going forward.

Mr. Powers thanked Ms. Barrette, Megan Green and the Accounting Department for all their efforts.

Vote 5:0 in favor.

D. Approve a new 2023 Annual Common victualers license - CDVT Corporation d/b/a/ Heart of the Sea - 1421 Orleans Harwich Road - *Pending Fire Department approval.*

Mr. Handler moved to approve a new Annual Victuallers license as presented, seconded by Mr. MacAskill.

Vote 5:0 in favor.

E. Discussion on letter dated June 13, 2023 from the ByLaw Charter Review Committee to the Select Board

Ms. Anderson moved this item to the July 10, 2023 agenda to give the Committee an opportunity to have a joint meeting. There was an article in the Chronicle that implied that the Select Board wasn't taking action. She clarified that they received the letter on June 15th, they are trying to work on it as quickly as they can and she didn't appreciate the shot over the bow.

F. Approve and authorize the Chair to sign a letter of support for the Town of Harwich and Harwich Conservation Trust Eco-Restoration project as request by Michael Lach, Executive Director, Harwich Conservation Trust.

Mr. Handler moved to approve and authorize the Chair to sign as presented, seconded by Mr. Howell.

Vote 5:0 in favor.

G. Discussion and possible vote to approve a fee waiver for 204 Sisson Road room rental fees for the Harwich Cranberry Festival Concerts in the amount of \$450.

June 26, 2023

Mr. Handler moved to vote to approve the fee waiver as presented, seconded by Ms. Kavanagh.

Mr. MacAskill expressed being against fee waivers and gave his reasons. Other members expressed why they are or are not in favor of this fee waiver.

Vote 4:1 against.

**OLD BUSINESS:**

Confirm the Select Board Committee Liaison List

Ms. Anderson noted that the list is included and is in the packet. This is a confirmation of the completion of that list.

**CONTRACTS:**

A. Community Preservation Act Grant Agreements:

1. Harwich Conservation Trust Herring River Land Preservation
2. Community Development Partnership Lower Cape Housing Institute
3. Harwich Fire Association 203 Bank Street Old Fire Station Preservation

Mr. Handler moved to accept and approve the Grant Agreements as presented, seconded by Mr. MacAskill.

Mr. Howell expressed concern about the Housing Institute things, in the long run and explained why he is concerned.

Vote 5:0 in favor.

B. Approve a contract with New England Recycling Company, Inc. for the removal of construction and demolition (C&D) waste. Contract based on a per-ton service fee with an annual estimated cost of \$1,214,000.00

Mr. Handler moved to approve the contract with New England Recycling Co. as presented, seconded by Mr. MacAskill.

Mr. MacAskill questioned the charge per-ton and discussion followed including a possible rate change.

Mr. Powers replied with options of what next steps would be if this contract is approved or not approved.

Mr. MacAskill requested that there be a line item on the next agenda for a fee increase for C&D based in this contract.

Mr. Handler noted that he does not like taking care of the fans and not taking care of the team. He feels they are not taking care of the Harwich residents by allowing other towns to come in.

June 26, 2023

Mr. Powers noted that the audit is almost completed and he explained his directive to the audit. It is a significant audit being conducted by strong financial background auditors that are familiar with Municipal operations in general and transfer and Municipal Waste Operations in particular. He suggested they target the July 24th meeting for that discussion.

Mr. MacAskill suggested that they deal with this as soon as possible and not wait for the audit.

Vote 5:0 in favor.

C. Approve a contract with Tighe & Bond in the amount of \$100,000.00 for the development of a stormwater asset management program for Town-owned culverts.

Mr. Handler moved to approve a contract with Tighe & Bond as presented, seconded by Mr. Howell.

Vote 5:0 in favor.

- D. Approve the following License Agreements for the Cultural Affairs Programming located at 204 Sisson Road:
- \* Holly Delaney - Studio 208A
  - \* Stephanie Rouault - Studio 210
  - \* Jon Latulipe - Studio A06

Mr. Handler moved to approve the License Agreements as presented, seconded by Mr. MacAskill.

Vote 5:0 in favor.

#### **TOWN ADMINISTRATOR'S REPORT:**

Mr. Powers announced that he has an accepted offer for the position of Executive Assistant to the Town Accountant. Crystal Norgeot will begin on July 3rd. Also, the Director of Cultural Affairs, has managed the Annual Human Services Grant Program, grants have been made for FY24. He thanked Kara Mewhinney for taking over the program. The requests for this cycle were in excess of \$120,000. He would like to have a conversation with the Board as they develop the budget for FY24 to see if they can provide more to the community. He named the grant recipients and the amounts requested and granted.

#### **SELECT BOARD'S MEMBER REPORT:**

Mr. MacAskill gave kudos to the employees at the dump, Linc Hooper does a great job running the dump, the fees that were discussed are outside of his control.

Ms. Anderson noted that one of their teachers, Sherry Anne Armstrong, is a rising star in the Cape and Islands' Workforce Board. She also noted that they will be going back into Executive

June 26, 2023

Session to finish the topics that they started earlier and they will not be reopening Open Session. They will be adjourning the entire meeting at the closing of Executive Session.

The next meeting is scheduled for Monday, July 10, 2023 in the Griffin Room.

**CORRESPONDENCE:**

No correspondence.

**ADJOURNMENT:**

Adjournment at the conclusion of Executive Session.

Respectfully submitted,

Judi Moldstad  
Board Secretary

DRAFT

June 26, 2023

# **NEW BUSINESS**



Joseph F. Powers, *Town Administrator*  
Meggan M. Eldredge, *Assistant Town Administrator*

732 MAIN STREET, HARWICH, MA 02645

June 27, 2023

Ms. Carrie Schoener

Dear Ms. Schoener,

It is my pleasure to offer you the promotion to the position of Health Director for the Town of Harwich. I look forward to your positive contributions to the Town.

This conditional offer letter confirms our understanding of your pre-employment terms with the Town.

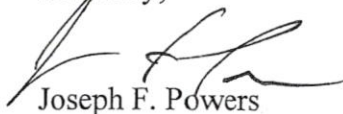
- Pursuant to the Town Charter, the Town Administrator makes the appointment for this position subject to confirmation by the Board of Selectmen. Your name will be put forth for confirmation on Monday, July 10, 2023. Successful confirmation will be needed to finalize appointment;
- Your probation period is six months from your appointment date. The town reserves the right, if necessary, to extend the probationary period by an additional three (3) months.

Please read this letter and confirm your understanding of the terms of your employment by signing the bottom of the letter and returning a copy to us for your personnel file.

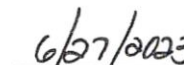
Your position title will be Health Director and is included in the Management Employees Association/SEIU 888 contract and your employment is subject to the rights and obligations included in it. Your starting annual salary is \$85,920.71 (Grade M4, Step1). Upon starting, you will receive a one time, lump-sum, non-pensionable stipend of \$750.00. After successful completion of six months of employment, a second stipend of \$750.00 will be provided.

I am pleased that you are continuing your professional career with us. Please feel free to contact me if you have any questions.

Sincerely,

  
Joseph F. Powers  
Town Administrator

  
Ms. Carrie Schoener

  
Date

cc: Town Treasurer  
Town Accountant  
Personnel File

FY 24 Priorities

Housing *	<ol style="list-style-type: none"> <li>1. Zoning changes needed for converting 1 family to 3 family and Apts over existing commercial space</li> <li>2. Impact on town services schools, fire, police etc</li> <li>3. Vail deed restriction</li> <li>4. Airbnb restrictions</li> </ol>	
Make Harwich Affordable *	<ol style="list-style-type: none"> <li>1. Sell Queen Anne Property</li> <li>2. Sell 5 properties that didn't sell at auction</li> <li>3. Continue with misc and unknown project,</li> <li>4. Regional sharing of equipment</li> <li>5. Prioritization of procurement list *</li> <li>6. Monomoy funding formula *</li> <li>7. CPA funding</li> </ol>	
Charter Revision		
Personnel	<ol style="list-style-type: none"> <li>1. Org chart</li> <li>2. Job descriptions</li> <li>3. Employee retention *</li> <li>4. TA &amp; Select Board to work more efficiently and effectively*</li> <li>5. Engineer</li> <li>6. HR Director</li> </ol>	
Committees*	<ol style="list-style-type: none"> <li>1. Training</li> <li>2. Consolidation</li> <li>3. Open house to solicit volunteers</li> <li>4. List of chairs with email addresses</li> </ol>	

- Indicates it was suggested as a working session topic



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

**APPLICATION FOR A NEW COMMON VICTUALLERS LICENSE**

Fee: \$50      Annual       # of seats 91  
Seasonal       Opening date open

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

Business Name CAPESEIDE KITCHEN FAMILY Phone 508-430-5150

Doing Business As (d/b/a) CAPESEIDE KITCHEN

Business Address 537 - RT 28 HARWICH PORT MA 02646

Mailing Address SAME Suite 1G

Email Address [REDACTED]

Name of Owner GREGORY LESTER

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

JENNIFER RICHARD CO-OWNER PARTNER

[Signature]  
Signature of applicant & title

[REDACTED]  
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.

CAPESEIDE KITCHEN FAMILY By [Signature]  
Signature of individual or corporate name      Corporate officer (if applicable)

**REGULATORY COMPLIANCE FORM**

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

DocuSigned by:  
Jack Nee  
Building Commissioner

DocuSigned by:  
Carrie Schaner  
Board of Health

DocuSigned by:  
Erin Young  
Fire Department

\*Application must include payment, Certificate of Insurance showing workers comp coverage and Workers Comp Affidavit. Any application missing information or documentation will be deemed incomplete and sent back to the applicant.





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

NEW APPLICATION FOR:  **Junk Dealer (\$35)**  
 **Junk Collector (\$35)**

In accordance with the provisions of the Statute relating thereto, application for the above-referenced is hereby made by:

Business Name Arvaam LLC <sup>DBA/</sup> Harwich Antiqua Center Phone 5084324220

Business Address 10 Route 28, W. Harwich MA

Mailing Address POB 11 Harwich Port MA 02646

Email Address [REDACTED]

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

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

Reter van Esselstyn [REDACTED]  
Steve Arve [REDACTED]

[Signature] Managing Partner [REDACTED]  
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] \_\_\_\_\_ By \_\_\_\_\_  
Signature of individual or corporate name Corporate officer (if applicable)

**REGULATORY COMPLIANCE FORM**

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

DocuSigned by:  
Jack Mee  
Building Commissioner

DocuSigned by:  
Carrie Schaner  
Board of Health

DocuSigned by:  
Ernie Young  
Fire Department

DocuSigned by:  
Kevin Conidine  
Police Department



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



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

### APPLICATION FOR A SPECIAL PERMIT

- One day Entertainment (\$25)
- One day Liquor License – All Alcohol (\$50)
- One day Liquor License – Wines & Malt (\$50)
- Craft Fair (\$50)
- Event (\$25)
- Road Race (\$50)
- Other (please specify) \_\_\_\_\_

Applicants Name Reciprocity Artisans Mkt Phone 203 731-7488  
Mailing Address 4 Cross Street Harwich Port  
Owners Name & Address Rebecca Ahrensfeld  
Email Address \_\_\_\_\_

#### **REQUIRED FOR ONE DAY ENTERTAINMENT – PLEASE PRINT**

- The date & time (I.E. 4 P.M. to 10 P.M.) you are requesting to have entertainment  
4:00 - 7:30 - September 4th - 2023
- Location of entertainment (Inside and/or outside)  
outside
- Address where entertainment will be playing  
4 Cross St Harwich Port

#### **REQUIRED FOR ONE DAY ENTERTAINMENT - ENTERTAINMENT TYPE: (Check all appropriate boxes)**

- Concert     Dance     Exhibition     Cabaret     Public Show     Other
- Dancing by Patrons
- Dancing by Entertainers or Performers
- Recorded or Live Music
- Use of Amplification System
- Theatrical Exhibit, Play or Moving Picture Show
- A Floor Show of Any Description
- A Light Show of Any Description

#### **REQUIRED FOR ROAD RACE/CRAFT FAIR/ANY OTHER EVENT**

Address of Event \_\_\_\_\_

Date & Time \_\_\_\_\_

Route/Location for Road Race \_\_\_\_\_

Provide any additional information necessary for the Board of Selectmen \_\_\_\_\_

Pursuant to MGL, Chapter 62C, Section 49A, I certify under the penalties of perjury that I, to the best of my knowledge and belief, have filed all State tax returns, and have paid all State taxes under the law.

[Signature]  
Signature of applicant & title

owner

Federal I.D. #

Signature of individual or corporate name

Federal I.D. #

Signature of Manager

Federal I.D. #

Signature of Partner

Federal I.D. #

**REGULATORY COMPLIANCE FORM**

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

[Signature]  
Building Commissioner

[Signature]  
Board of Health

[Signature]  
Fire Department

[Signature]  
Police Department

[Signature]  
Recreation Department

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

**Please note: This permit does not exempt the applicant from the Town of Harwich Chapter 189 Noise by-law**

Food Permits must be applied for 30 days in advance



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

**APPLICATION FOR A SPECIAL PERMIT**

- One day Entertainment (\$25)
- One day Liquor License – All Alcohol (\$50)
- One day Liquor License – Wines & Malt (\$50)
- Craft Fair (\$50)
- Event (\$25)
- Road Race (\$50)
- Other (please specify) \_\_\_\_\_

Applicants Name Harwich Cranberry Fest. Phone 508-527-7620  
 Mailing Address P.O. Box 555, Harwich Port 02646  
 Owners Name & Address Ed McManus [REDACTED]  
 Email Address [REDACTED]

**REQUIRED FOR ONE DAY ENTERTAINMENT – PLEASE PRINT**

- The date & time (I.E. 4 P.M. to 10 P.M.) you are requesting to have entertainment  
\_\_\_\_\_
- Location of entertainment (Inside and/or outside)  
\_\_\_\_\_
- Address where entertainment will be playing  
\_\_\_\_\_
- Event Information  
\_\_\_\_\_  
\_\_\_\_\_
- Indicate if there will be food service  
Yes \_\_\_\_\_  
No \_\_\_\_\_

**REQUIRED FOR ONE DAY ENTERTAINMENT - ENTERTAINMENT TYPE: (Check all appropriate boxes)**

- Concert  Dance  Exhibition  Cabaret  Public Show  Other
- Dancing by Patrons
- Dancing by Entertainers or Performers
- Recorded or Live Music
- Use of Amplification System
- Theatrical Exhibit, Play or Moving Picture Show
- A Floor Show of Any Description
- A Light Show of Any Description

**REQUIRED FOR ONE DAY LIQUOR/ROAD RACE/CRAFT FAIR/ANY OTHER EVENT**

Address of Event 204 Sisson Rd., Harwich  
 Date & Time July 13, 20, 27 August 3, 10, 17, 24, 31 6-9 p.m  
 Route/Location for Road Race \_\_\_\_\_

Indicate if there be food service

Yes \_\_\_\_\_  
No

Provide any additional information necessary for the Board of Selectmen \_\_\_\_\_  
*concerts in the courtyard*

Pursuant to MGL, Chapter 62C, Section 49A, I certify under the penalties of perjury that I, to the best of my knowledge and belief, have filed all State tax returns, and have paid all State taxes under the law.

*[Signature]*, Beverage Manager, Post President [REDACTED]  
Signature of applicant & title Federal I.D. #

\_\_\_\_\_  
Signature of individual or corporate name Federal I.D. #

\_\_\_\_\_  
Signature of Manager Federal I.D. #

\_\_\_\_\_  
Signature of Partner Federal I.D. #

**REGULATORY COMPLIANCE FORM**

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

DocuSigned by:  
*Jack Mee*  
Building Commissioner

DocuSigned by:  
*Larri Schwenner*  
Board of Health

DocuSigned by:  
*Ernie Young*  
Fire Department

DocuSigned by:  
*Kevin Considine*  
Police Department

DocuSigned by:  
*Eric Buh*  
Recreation Department

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

**Please note: This permit does not exempt the applicant from the Town of Harwich Chapter 189 Noise by-law**

*may p-d 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100*



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

**APPLICATION FOR A SPECIAL PERMIT**

- One day Entertainment (\$25)
- One day Liquor License – All Alcohol (\$50)
- One day Liquor License – Wines & Malt (\$50)
- Craft Fair (\$50)
- Event (\$25)
- Road Race (\$50)
- Other (please specify) \_\_\_\_\_

Applicants Name Harwich Cranberry Festival Phone 508-577-7620  
 Mailing Address P.O. Box 555, Harwich Port, 02646  
 Owners Name & Address Ed McManus - [REDACTED]  
 Email Address [REDACTED]

**REQUIRED FOR ONE DAY ENTERTAINMENT - PLEASE PRINT**

- The date & time (I.E. 4 P.M. to 10 P.M.) you are requesting to have entertainment  
\_\_\_\_\_
- Location of entertainment (Inside and/or outside)  
\_\_\_\_\_
- Address where entertainment will be playing  
\_\_\_\_\_
- Event Information  
\_\_\_\_\_
- Indicate if there will be food service  
Yes \_\_\_\_\_  
No \_\_\_\_\_

**REQUIRED FOR ONE DAY ENTERTAINMENT - ENTERTAINMENT TYPE: (Check all appropriate boxes)**

- Concert  Dance  Exhibition  Cabaret  Public Show  Other
- Dancing by Patrons
- Dancing by Entertainers or Performers
- Recorded or Live Music
- Use of Amplification System
- Theatrical Exhibit, Play or Moving Picture Show
- A Floor Show of Any Description
- A Light Show of Any Description

**REQUIRED FOR ONE DAY LIQUOR/ROAD RACE/CRAFT FAIR/ANY OTHER EVENT**

Address of Event 100 Oak St.  
 Date & Time Sept. 16 + 17 - Noon to 7 - Sat, Noon to 3 Sunday  
 Route/Location for Road Race \_\_\_\_\_

Indicate if there be food service

Yes \_\_\_\_\_  
No ✓

Provide any additional information necessary for the Board of Selectmen \_\_\_\_\_

Annual Cranberry Festival

Pursuant to MGL, Chapter 62C, Section 49A, I certify under the penalties of perjury that I, to the best of my knowledge and belief, have filed all State tax returns, and have paid all State taxes under the law.

[Signature], Beverage Manager, Past President [Redacted]  
Signature of applicant & title Federal I.D. #

\_\_\_\_\_  
Signature of individual or corporate name Federal I.D. #

\_\_\_\_\_  
Signature of Manager Federal I.D. #

\_\_\_\_\_  
Signature of Partner Federal I.D. #

**REGULATORY COMPLIANCE FORM**

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

DocuSigned by:  
Jack Mee  
Building Commissioner

DocuSigned by:  
Carrie Schauer  
Board of Health

DocuSigned by:  
Bruce Young  
Fire Department

DocuSigned by:  
Kevin Conidine  
Police Department

DocuSigned by:  
Eric Buh  
Recreation Department

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

**Please note: This permit does not exempt the applicant from the Town of Harwich Chapter 189 Noise by-law**

*Handwritten notes at the bottom of the page, including "100 Park St" and "Sept 16 + 15 - 51 + 11 + 1992".*

# **OLD BUSINESS**



## OFFICE OF THE TOWN ADMINISTRATOR

Joseph F. Powers, *Town Administrator*  
Meggan M. Eldredge, *Assistant Town Administrator*

Phone (508) 430-7513

Fax (508) 432-5039

732 MAIN STREET, HARWICH, MA 02645



# Memo

To: Select Board  
Joseph F. Powers, Town Administrator

From: Meggan Eldredge, Assistant Town Administrator *ME*

RE: Disposition of 276 Queen Anne Road

Date: July 7, 2023

---

This memorandum corresponds to *Old Business Item A. Town Administrator to provide an update on the disposition of 276 Queen Anne Road.*

Real Property disposition is governed by Chapter 30B which outlines the requirements for the disposal of Town-owned property. Before the property can be sold, it must be declared available for disposition. The Town Administrator requested input from all departments to determine if there is any need or use for this parcel of land. After no positive responses were received, the parcel was declared surplus and available for disposition. Town Meeting in May of 2023 voted to authorize the disposition of this property.

Chapter 30B requires proposals to be solicited, however we have the discretion to structure the solicitation so that it is, in effect, an Invitation for Bids (IFB). The difference being that an IFB is awarded to the proposer offering the highest price, regardless of any other factors. Should you determine that additional evaluation criteria be considered rather than highest price, then that criteria must be outlined in the solicitation.

In your packet is a draft solicitation for the disposition of 276 Queen Anne Road. The areas that are highlighted are those that require a determination by the Select Board on how you wish to proceed.

First, do you wish to have a minimum value inserted into the solicitation, a “minimum bid” amount?

Second, do you wish to structure this as a Request for Proposals or an Invitation for Bids. In other words, should the property be sold to the proposer offering the highest bid or should there be additional evaluation criteria. If additional criteria is desired, please discuss what that is. Examples of additional criteria include use restrictions such as affordable housing, recreation or open space.

**TOWN OF HARWICH, MASSACHUSETTS  
REQUEST FOR PROPOSALS  
SALE OF REAL PROPERTY LOCATED AT  
276 QUEEN ANNE ROAD  
HARWICH, MASSACHUSETTES**

**July 20, 2023**

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**1.0 Notice of Real Property Disposition**

The Harwich Select Board, acting through the Town Administrator, hereby solicits proposals from qualified individuals or firms to purchase property located at 276 Queen Anne Road.

Property at Assessor’s Map 69, Parcel M1-0, is assessed at \$476,900. Minimum value is considered to be \$                     

All respondents are required to respond in written form to the Request for Proposals (RFP) and to submit documentation substantiating their qualifications to acquire the property as required. Failure to provide such information may result in a proposal being considered nonresponsive.

The solicitation documents may be obtained or examined at the Harwich Town Administrator’s Office, 732 Main Street, Harwich, MA 02645, during the business hours of Monday through Friday between 8:30 AM and 4:00 PM. For further information, contact Meggan Eldredge, Assistant Town Administrator at 508-430-7513 or [meldredge@harwich-ma.gov](mailto:meldredge@harwich-ma.gov). The RFP may also be viewed and downloaded from the Town website <https://www.harwich-ma.gov/home/pages/procurement>

**2.0 Overview of the Property Disposition**

***Proposal Due Date:***  
**Tuesday, August 29, 2023 at 2:00 p.m. EST**

**Proposals submitted to:**  
Office of the Town Administrator  
Harwich Town Hall  
732 Main Street  
Harwich, MA 02645

Competitive sealed proposals will be received by the Office of the Town Administrator, at the above-specified location, until the time and date cited.

Proposals must be in the actual possession of the Town on or prior to the exact time and date indicated above. INCOMPLETE, FAXED, ELECTRONICALLY MAILED, OR LATE BIDS WILL NOT BE CONSIDERED.

***Questions Due Date:***

August 21, 2023

Questions submitted in writing to the address above or via e-mail to:  
Meggan Eldredge, Assistant Town Administrator at the above address or  
at 508-430-7513 or [meldredge@harwich-ma.gov](mailto:meldredge@harwich-ma.gov)

***Response to Questions:***

The Town will issue a formal response to all questions that were submitted in writing by end of business on August 21, 2023 and will make these responses publicly available at <https://www.harwich-ma.gov/home/pages/procurement>

***RFP Addenda:***

The Town may issue addenda to this RFP as necessary in response to any new information, responses to questions, changes in conditions of the RFP, or other important information. Addenda will be made publicly available and will be posted on the town website at <https://www.harwich-ma.gov/home/pages/procurement>

***Site Visits:***

The Town of Harwich will host a site visits/informational session on Thursday, August 17, 2023 at 10 am. Attendance at any site visit hosted by the Town is not mandatory, but must be requested and reserved for one of those dates. Questions and subsequent answers to those questions will be made available to all interested parties.

***Information:***

The Town will post information, including any Addenda, to the following site:  
<https://www.harwich-ma.gov/home/pages/procurement>

***Chapter 30B:***

All procurement activities conducted by the Town are in conformance with the rules and regulations of Massachusetts General Laws, Chapter 30B. Accordingly, all materials provided as part of any RFP response are available for public review.

***Disposition Process:***

The site is owned by the Town of Harwich and was declared surplus by the Town Administrator. On May 1, 2023, Town Meeting authorized sale of the property.

Proposals will be evaluated for responsiveness and responsibility of proposers. The contract will be awarded to the qualified proposer offering the highest price for the property.

*Alternately:*

*The most advantageous proposal from a responsive and responsible proposer, taking into consideration all evaluation criteria set for in the solicitation, will be selected*

### **3.0 Property Description**

#### ***Site Information:***

The site is currently vacant and contains approximately 2.246 acres. Plan of land dated February 6, 1989 by Moran Engineering, Inc. attached as Exhibit A. Plan of land by Town of Harwich Engineering Department attaches as Exhibit B.

The site is located in an industrial zone along Queen Anne Road.

The property parcel ID is 69-M1-0 and recorded at the Barnstable County Registry of Deeds Book 11666, Page 103.

The site contains a 4" PVC irrigation well and a 100 AMP electric service.

#### ***Zoning:***

The Property is zoned **I-L**, Industrial Limited. See Table 1 of the Use Regulations of the Harwich zoning Bylaw (Exhibit C) for allowable uses.

Development plans must meet all applicable local, state, and federal regulations. At the local level, any improvements will be considered through current Zoning By-Laws and General By-Laws.

### **5.0 Financial Capacity**

The Town will consider the apparent financial capacity of the proposer and their ability to demonstrate the financial capacity for the acquisition of the property. Sources of capital and good standing with a bank or other financial institution will be considered.

A Proposal deposit of five (5) percent of the bid price is required.

## **6.0 Submission Requirements**

The following submission requirements represent the minimum information required to consider a proposal “responsive.” Applicants may reorganize the minimum information provided below and may provide additional information where said information is relevant to the selection criteria provided in Section 7.0. The burden is on the Proposer to provide information in a manner that allows to the Town to clearly determine whether the application is complete, and the Town reserves the right to reject any proposal it deems unresponsive.

All information and forms submitted must be printed in at least two [2] hard copies which shall be submitted with the hard copies.

Completed submission package shall consist of:

Letter of Intent with supporting documentation;  
Bid Price Proposal with signature page, two copies in separate, labeled envelope;  
Certificate of Non Collusion;  
State Taxes Certification Clause;  
Beneficial Interest Disclosure Statement

### ***Bid Price Proposal***

Respondent must submit a bid on the Bid Price Form. The Bid shall be submitted as two (2) copies, which shall be sealed in an envelope labeled “276 Queen Anne Road– Bid Price Proposal.”

### ***Letter of Intent:***

A letter of intent, signed by the proposer/bidder, that describes the proponent’s interest in the property. This letter shall also contain:

1. The name, address, telephone, email and fax number of the representative authorized to act and speak for the proponent.
2. The nature and status of the organization acting as the bidder (whether a non-profit or charitable institution, a corporation, a business association, or a joint venture) and the jurisdiction in which it is registered to conduct business.
3. ***The proposed use of the property.***

## **7.0 Evaluation and Selection Process**

***Selection Process:***

The Town Administrator or his designee will evaluate proposals, with the assistance of such additional consultants or Town officials or employees as he shall deem warranted.

The highest-priced proposal from a responsive and responsible proposer, will be selected.

The most advantageous proposal from a responsive and responsible proposer, taking into consideration all evaluation criteria set forth in the solicitation, will be selected.

The Town Administrator reserves the right to negotiate with the successful proposer as to the final terms and conditions of the agreement. Acceptance of the Bid shall be subject to the approval of the Harwich Town Administrator and then the Harwich Select Board.

***Minimum Threshold Requirements:***

1. Evidence, such as bank or other private equity commitments, to show Bidder’s ability to obtain financing;
2. A non-refundable bid deposit at 5% [five percent] of the Bid Price, which will be returned to the unsuccessful bidders; and,

***Evaluation Criteria***

The following selection criteria will be used to guide the selection of the successful Proposer

**1. Highest Bid Price**

- Highest Bid Price equal to, or exceeding \$-----].

**2. Proposed Use(s)**

- Highly Advantageous– The proposed use\*\*\*\*\*.
- Advantageous– The proposed uses do not include\*\*\*\*\*.
- Not Acceptable– The proposed uses \*\*\*\*\*.

**8.0 General Terms and Conditions**

The successful proposer will be expected to execute a Purchase and Sales Agreement as set out in this RFP within ninety (90) days of receiving the award.



If the Selected Proposer fails to deliver within the time specified except as may be extended by the agreement of both parties or occasioned by matters beyond the control of the Selected Proposer, or fails to make replacement of rejected articles when so requested, or fails to complete actions within the agreed on times or as reasonably requested by the town of Harwich, the Town may elect to cancel the agreement.

**THE TOWN RESERVES THE RIGHT TO TERMINATE ANY AGREEMENT PROCURED HEREUNDER UPON 60 DAYS WRITTEN NOTICE TO PROPOSER.**

The bid to the Town of Harwich shall remain valid for 90 days past the submission deadline, unless extended by mutual agreement. Proposals will be opened on the date, and at the time and place indicated in Section 7.0. The name of each proposer and the bid price of each proposal shall be recorded. Proposals become public information when they are opened.

Proposals shall provide all the information required in this request for proposals and the attached forms, and may include additional information such as narrative summaries, business brochures, letters of recommendation, etc.

Any agreement resulting from this RFP shall be awarded to the proposer(s) whose proposal(s) is (are) deemed to be the most advantageous to the Town based on the evaluation criteria and price. The Town will be the sole judge in determining whether a proposal satisfies the requirement of this RFP and whether or not a proposal will prove to be the most advantageous to the Town. successful Proposer(s) will be bound to the terms of the Purchase and Sales Agreement, as well as, the terms and provisions of any documents listed or referred to thereunder.

If any changes are made to this RFP, an addendum will be posted on the Town's website, under Bids & RFPs. It is the sole responsibility of the Proposer to ascertain the existence of any addendum and/or modifications issued by the Town. As this RFP has been published on the Town's website <https://www.harwich-ma.gov/home/pages/procurement> all Proposers are responsible for checking the website for any addendum and/or modifications that are subsequently made to this RFP.

The Town accepts no liability for and will provide no accommodations to Proposers who fail to check for amendments and/or modifications to this RFP and subsequently submit inadequate or incorrect responses. Bidders may not alter (manually or electronically) the RFP language or any RFP component files. Modifications to the body of the IFB, terms and conditions, or which change the intent of this RFP are prohibited and may disqualify a response.

***Affirmative Action:***

It is understood and agreed that it shall be a material breach of any contract resulting from this proposal for the contractor to engage in any practice which shall violate any provision of Massachusetts General Laws, Chapter 151B, relative to discrimination in hiring, discharge, compensation, or terms, conditions or privileges of employment because of race, color, religious creed, national origin, sex, age or ancestry.

***Indemnification:***

The vendor agrees to indemnify the Town of Harwich, its successors, agents, servants, employees, or assigns against any and all claims for loss, liability, or damage arising out of or in connection with the work done or to be performed and in connection with or arising out of the acts or negligent omission of the Proposer’s employees, whether negligent or intentional, foreseeable or unforeseeable, within or without the scope of his employment, while said employees are upon, entering, or leaving the premises upon which this agreement is being performed.

***Equal Opportunity Compliance:***

The Vendor shall carry out the obligation of this Contract in compliance with all of the requirements imposed by or pursuant to Federal, State and local ordinances, statutes, rules, and regulation prohibiting discrimination in employment, including, but not limited to, Title VII of the Civil Rights Act of 1964; the Age Discrimination in Employment Act of 1967; Section 504 of the Rehabilitation Act of 1973, and M.G.L. c.151B, Massachusetts Executive Order 74, as amended by Executive Orders 116, 143, and 227, and any other executive orders, rules, regulations, and requirements relating thereto enacted by the Commonwealth of Massachusetts as they may from time to time be amended. The Vendor shall not discriminate against any qualified employee or applicant for employment because of race, color national origin, ancestry, age, sex, religion, physical or mental handicap, or sexual orientation.

**9.0 Forms and Appendices**

Bid Price Proposal Form

Bid Signature Page

Certificate of Non Collusion Form

State Taxes Certification Clause

Legal Advertisement

Beneficial Interest Disclosure Statement

Exhibit A-Plan of Land, Moran Engineering

Exhibit B- Plan of Land, Town of Harwich Engineering Department

**BID PRICE PROPOSAL FORM – 276 QUEEN ANNE ROAD- HARWICH**

Pricing Structure – Fixed Costs

Purchase Price of Town Property at 276 Queen Anne Road

In words: \_\_\_\_\_

Numerical: \$ \_\_\_\_\_

Bid Deposit amount: \$ \_\_\_\_\_

The undersigned agrees to abide by the terms and conditions of this pricing sheet and fully understands the obligations they are making to the Town of Harwich by signing this form.

\_\_\_\_\_  
Company

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Name and Title

\_\_\_\_\_  
Date

**BID SIGNATURES PAGE**

**Signature for Individual**

\_\_\_\_\_  
Name of Company

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
Name and Title of Individual  
Authorized to Sign

\_\_\_\_\_  
email address

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**Signature for Partnerships** (must be signed by ALL general partners)

\_\_\_\_\_  
Name of Partnership

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name and Title of Partner

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name and Title of Partner

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name and Title of Partner

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
email address

**BID SIGNATURES PAGE**

**Signatures for Corporation**

\_\_\_\_\_  
Name of Corporation

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name and Title of Duly  
Officer Corporate Seal (affix below)

\_\_\_\_\_  
Signature Authorized Company

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
Fax Number

\_\_\_\_\_  
E-Mail Address

\_\_\_\_\_  
FID Number

\_\_\_\_\_  
Signature of Clerk

Please furnish the following additional information:

Incorporated in what state? \_\_\_\_\_

President: \_\_\_\_\_

Treasurer: \_\_\_\_\_

Secretary: \_\_\_\_\_

**CERTIFICATE OF NON-COLLUSION**

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

\_\_\_\_\_  
Signature of individual submitting bid or proposal

\_\_\_\_\_  
Name of business

**TAX COMPLIANCE CERTIFICATION**

Pursuant to M.G.L. ch. 62C§49A, I certify under the penalties of perjury that, to the best of my knowledge and belief, I am in compliance with all the laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting child support.

\_\_\_\_\_  
Authorized signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name of person signing above (please print)

\_\_\_\_\_  
Acknowledgement of  
Addendum(s) received, if any

\_\_\_\_\_  
Name of business

\_\_\_\_\_  
Business address

\_\_\_\_\_  
City/State/Zip Code

\_\_\_\_\_  
Telephone number

\_\_\_\_\_  
Tax I.D.

\*\*\*\*\*

## LEGAL ADVERTISEMENT FOR BID

The Town of Harwich, Massachusetts, is offering developers or individuals a unique opportunity to purchase a publicly owned parcel located at 276 Queen Anne Road, to be privately owned. Specifications may be received at, and proposals are to be sent to the Town Administrators office, 732 Main Street, Harwich, MA 02645, Proposals must be clearly marked on the outside of envelope: **“Sale of Town Property at 276 Queen Anne Road.” All proposals must be in the Town Administrators office no later than Tuesday, August 29, 2023 at 2:00 pm.** No bids will be accepted after the above stated date and hour. The Town of Harwich reserves the right to accept or reject any or all proposals if it appears to be in the public interest to do so. The Town of Harwich is an affirmative action/equal opportunity employer (M/F/H) which encourages utilization of minority and women owned enterprises. RFP specifications can be found at <https://www.harwich-ma.gov/home/pages/procurement> under Bid and RFPs.

Joseph F. Powers, Town Administrator



**DISCLOSURE STATEMENT FOR  
TRANSACTION WITH A PUBLIC AGENCY CONCERNING REAL PROPERTY  
M.G.L. c. 7C, s. 38 (formerly M.G.L. c. 7, s. 40J)**

**INSTRUCTION SHEET**

**NOTE:** The Division of Capital Asset Management and Maintenance (DCAMM) shall have no responsibility for insuring that the Disclosure Statement has been properly completed as required by law. Acceptance by DCAMM of a Disclosure Statement for filing does not constitute DCAMM's approval of this Disclosure Statement or the information contained therein. Please carefully read M.G.L. c. 7C, s. 38 which is reprinted in Section 8 of this Disclosure Statement.

**Section (1):** Identify the real property, including its street address, and city or town. If there is no street address then identify the property in some other manner such as the nearest cross street and its tax assessors' parcel number.

**Section (2):** Identify the type of transaction to which this Disclosure Statement pertains --such as a sale, purchase, lease, etc.

**Section (3):** Insert the exact legal name of the Public Agency participating in this Transaction with the Disclosing Party. The Public Agency may be a Department of the Commonwealth of Massachusetts, or some other public entity. Please do not abbreviate.

**Section (4):** Insert the exact legal name of the Disclosing Party. Indicate whether the Disclosing Party is an individual, tenants in common, tenants by the entirety, corporation, general partnership, limited partnership, LLC, or other entity. If the Disclosing Party is the trustees of a trust then identify the trustees by name, indicate that they are trustees, and add the name of the trust.

**Section (5):** Indicate the role of the Disclosing Party in the transaction by checking one of the blanks. If the Disclosing Party's role in the transaction is not covered by one of the listed roles then describe the role in words.

**Section (6):** List the names and addresses of every legal entity and every natural person that has or will have a direct or indirect beneficial interest in the real property. The only exceptions are those stated in the first paragraph of the statute that is reprinted in Section 8 of this Disclosure Statement. If the Disclosing Party is another public entity such as a city or town, insert "inhabitants of the (name of public entity)." If the Disclosing Party is a non-profit with no individual persons having any beneficial interest then indicate the purpose or type of the non-profit entity. If additional space is needed, please attach a separate sheet and incorporate it by reference into Section 6.

**Section (7):** Check "NONE" in the box if none of the persons mentioned in Section 6 is employed by DCAMM or an official elected to public office in the Commonwealth of Massachusetts. Otherwise list any parties disclosed in Section 6 that are employees of DCAMM or an official elected to public office.

**Section (8):** The individual signing this statement on behalf of the Disclosing Party acknowledges that he/she has read the included provisions of Chapter 7C, Section 38 (formerly Chapter 7, Section 40J) of the General Laws of Massachusetts.

**Section (9):** Make sure that this Disclosure Statement is signed by all required parties. If the Disclosing Party is a corporation, please make sure that this Disclosure Statement is signed by a duly authorized officer of the corporation as required by the statute reprinted in Section 8 of this Disclosure Statement.

DCAMM's acceptance of a statement for filing does not signify any opinion by DCAMM that the statement complies with applicable law.

This completed and signed Disclosure Statement should be mailed or otherwise delivered to:

Deputy Commissioner for Real Estate  
Division of Capital Asset Management and Maintenance  
One Ashburton Place, 15<sup>th</sup> Floor, Boston, MA 02108

The undersigned party to a real property transaction with a public agency hereby discloses and certifies, under pains and penalties of perjury, the following information as required by law:

(1) REAL PROPERTY:

(2) TYPE OF TRANSACTION, AGREEMENT, or DOCUMENT:

(3) PUBLIC AGENCY PARTICIPATING in TRANSACTION:

(4) DISCLOSING PARTY'S NAME AND TYPE OF ENTITY:

(5) ROLE OF DISCLOSING PARTY (Check appropriate role):

\_\_\_\_ Lessor/Landlord

\_\_\_\_ Lessee/Tenant

\_\_\_\_ Seller/Grantor

\_\_\_\_ Buyer/Grantee

\_\_\_\_ Other (Please describe): \_\_\_\_\_

(6) The names and addresses of all persons and individuals who have or will have a direct or indirect beneficial interest in the real property excluding only 1) a stockholder of a corporation the stock of which is listed for sale to the general public with the securities and exchange commission, if such stockholder holds less than ten per cent of the outstanding stock entitled to vote at the annual meeting of such corporation or 2) an owner of a time share that has an interest in a leasehold condominium meeting all of the conditions specified in M.G.L. c. 7C, s. 38, are hereby disclosed as follows (attach additional pages if necessary):

NAME

RESIDENCE

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(7) None of the above- named persons is an employee of the Division of Capital Asset Management and Maintenance or an official elected to public office in the Commonwealth of Massachusetts, except as listed below (Check "NONE" if NONE):

NONE

NAME:

POSITION:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

- 
- 
- (8) The individual signing this statement on behalf of the above-named party acknowledges that he/she has read the following provisions of Chapter 7C, Section 38 (formerly Chapter 7, Section 40J) of the General Laws of Massachusetts:

*No agreement to rent or to sell real property to or to rent or purchase real property from a public agency, and no renewal or extension of such agreement, shall be valid and no payment shall be made to the lessor or seller of such property unless a statement, signed, under the penalties of perjury, has been filed by the lessor, lessee, seller or purchaser, and in the case of a corporation by a duly authorized officer thereof giving the true names and addresses of all persons who have or will have a direct or indirect beneficial interest in said property with the commissioner of capital asset management and maintenance. The provisions of this section shall not apply to any stockholder of a corporation the stock of which is listed for sale to the general public with the securities and exchange commission, if such stockholder holds less than ten per cent of the outstanding stock entitled to vote at the annual meeting of such corporation. In the case of an agreement to rent property from a public agency where the lessee's interest is held by the organization of unit owners of a leasehold condominium created under chapter one hundred and eighty-three A, and time-shares are created in the leasehold condominium under chapter one hundred and eighty-three B, the provisions of this section shall not apply to an owner of a time-share in the leasehold condominium who (i) acquires the time-share on or after a bona fide arms length transfer of such time-share made after the rental agreement with the public agency is executed and (ii) who holds less than three percent of the votes entitled to vote at the annual meeting of such organization of unit owners. A disclosure statement shall also be made in writing, under penalty of perjury, during the term of a rental agreement in case of any change of interest in such property, as provided for above, within thirty days of such change.*

*Any official elected to public office in the commonwealth, or any employee of the division of capital asset management and maintenance disclosing beneficial interest in real property pursuant to this section, shall identify his position as part of the disclosure statement. The commissioner shall notify the state ethics commission of such names, and shall make copies of any and all disclosure statements received available to the state ethics commission upon request.*

*The commissioner shall keep a copy of each disclosure statement received available for public inspection during regular business hours.*

- (9) This Disclosure Statement is hereby signed under penalties of perjury.

---

PRINT NAME OF DISCLOSING PARTY (from Section 4, above)

---

AUTHORIZED SIGNATURE of DISCLOSING PARTY      DATE (MM / DD / YYYY)

---

PRINT NAME & TITLE of AUTHORIZED SIGNER

# **CONTRACTS**



ANIMAL  
RESCUE  
LEAGUE  
of BOSTON



Workers' Compensation      Minimum limit of \$500,000

The Town shall be named as an additional insured on the aforementioned policies, and ARL shall be required to provide the Town with a certificate of such insurance upon request.

6. ARL agrees to indemnify and render harmless the Town for any and all claims of every name and nature as may arise during the term hereof or at any time thereafter as a result of or related to the services to be provided by ARL hereunder. No person providing service hereunder shall under any condition be considered an employee of the Town but rather shall be an employee of ARL. For purposes of this Agreement and of this paragraph, the term claim shall include but not be limited to medical and workers' compensation matters.

The following completed forms will become a part of this contract: Certificate of Non-Collusion, Certificate of Tax Compliance, and Acknowledgement of Principal.

IN WITNESS WHEREOF the Town of Harwich has caused this instrument and one of like tenor be executed by the Town Administrator and the Animal Rescue League of Boston has caused said instrument to be executed by Karen D. Williams, Vice President of Finance & Accounting, thereunto duly authorized.

TOWN OF HARWICH

ANIMAL RESCUE LEAGUE of BOSTON

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

By: Karen D. Williams

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

Name: Karen D. Williams

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

Title: Vice President of Finance & Accounting

Date: \_\_\_\_\_

Date: 6/23/23

APPROVED AS TO APPROPRIATION:

By: \_\_\_\_\_  
Town Accountant

Source: \_\_\_\_\_



ANIMAL  
RESCUE  
LEAGUE  
of BOSTON



**CERTIFICATE OF NON-COLLUSION**

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

Karen D. Williams  
Vice President of Finance & Accounting  
Animal Rescue League of Boston

6/22/23

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**CERTIFICATE OF TAX COMPLIANCE**

Pursuant to Chapter 62C, Section 49A of the Massachusetts General Laws, as amended, I Karen D. Williams, Vice President of Finance & Accounting, authorized signatory for Animal Rescue League of Boston, whose principal place of business is at 10 Anna's Place, Dedham MA 02026, do hereby certify under the pains and penalties of perjury that Animal Rescue League of Boston has complied with all laws of the Commonwealth relating to taxes.

ANIMAL RESCUE LEAGUE OF BOSTON  
Federal ID Number 04-2103714

By:

Karen D. Williams  
Vice President of Finance & Accounting

6/22/23





ANIMAL  
RESCUE  
LEAGUE  
of BOSTON



**ACKNOWLEDGEMENT OF PRINCIPAL**

State of Massachusetts

County of Suffolk SS:

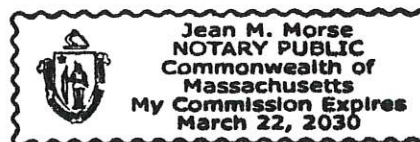
On this 22 day of JUNE, 2023, before me personally came and appeared Karen D. Williams to me known, who, being by me duly sworn, did depose and say to me that she resides at 1 Grove St., Wakefield MA 01880, that she is Vice President of Finance & Accounting of the Animal Rescue League of Boston, the corporation described in and which executed the foregoing instrument; that she knows the seal of said corporation; that one of the impressions affixed to said instrument is an impression of such seal; that it was so affixed by the order of the directors of said corporation, and that she signed her name thereto by like order.

  
Contractor's Signature

(SEAL)

  
Notary Public Signature

My Commission expires on: MARCH 22, 2030



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

**Town of Harwich  
Board of Selectmen Committee Vacancies  
July 1, 2023**

Agricultural Commission (4 Full/1 Alternate)	5
Brooks Academy Museum Commission	1
By-Law Charter Review Committee	1
Capital Outlay Committee (Select Board/Town Administrator Appointee)	2
Community Center Facilities Committee	1
Conservation Commission (1 Alternate/1 Full)	2
Council on Aging	2
Community Preservation Committee	2
Harwich Accessibility Rights Committee ( 2 Alternate)	2
Harwich Cultural Council	1
Harwich Energy and Climate Action Committee (1 Full/2 Alternate)	3
Harwich Housing Authority	1
Harwich Housing Committee	2
Historic District/Historical Commission (2 Full Members- 1 Associate Member)	3
Local Planning Committee	1
Planning Board (2 Alternates)	2
Real Estate and Open Space Committee	1
Recreation and Youth Committee	1
Voter Information Committee	3
Youth Services (1 Full/1 Alternate)	2
Zoning Board of Appeals (2 Alternate)	2

**Citizen's Committee Vacancy Forms are available on our website**

# Weight Room Revolving Fund April, May & June 2023

## Deposited Revenue: \$9,960.00

- Membership is \$15 per person for 30 days
- Revenue from Silver Sneakers insurance payments not included in this report

## Part Time Salaries (Weight Room Coverage): \$11,555.02

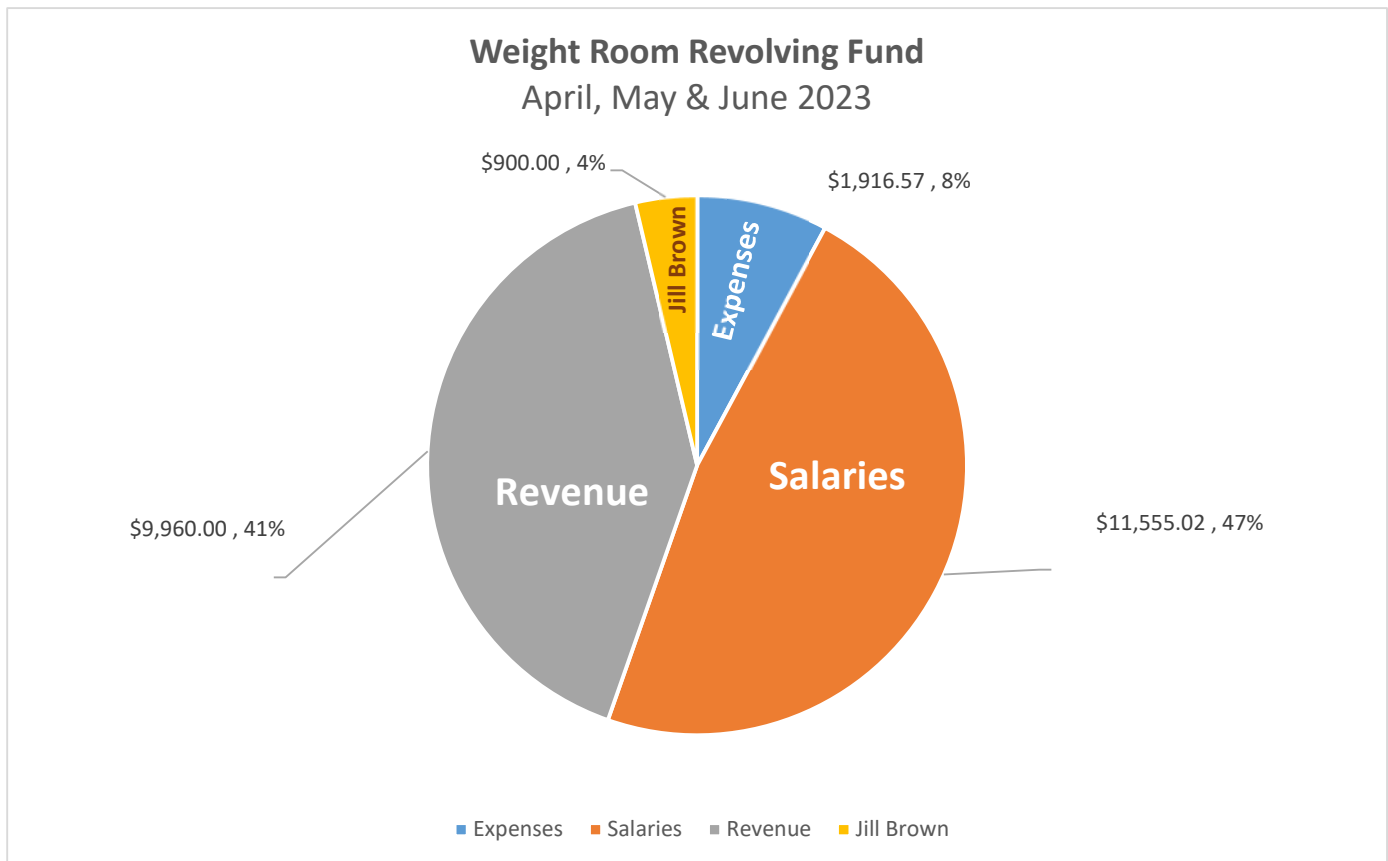
- Includes coverage from 6AM-9PM (Tuesday, Wednesday, Thursday & Friday)
- Monday: 6AM-6PM
- Also fills in for other staff openings

## Expenses (Weight Room): \$1,916.57

- Expenses include 4 pieces of equipment needing repair, and cleaning supplies wipes.

## Personal Trainer – Jill Brown: \$900.00

- Jill Brown offers free personal training advice to all weight room members. She works Monday & Thursday, 9:15AM-11:15AM.



### Revenue Breakdown

**Total Cash Payments:** \$7,265.00 (484 Memberships)  
**Total Check Payments:** \$2,695.00 (179 Memberships)  
**Total Memberships Sold:** 663 Monthly Memberships