

SELECTMEN'S MEETING AGENDA*

Donn B. Griffin Room, Town Hall
732 Main Street, Harwich, MA
Executive Session 6:00 P.M.
Regular Meeting 6:30 P.M.
Monday, July 13, 2020

REMOTE PARTICIPATION ONLY
OPEN PUBLIC FORUM – NEW STEPS – PLEASE READ

1. First, send an email [to comment@town.harwich.ma.us](mailto:to_comment@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.

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I. CALL TO ORDER

II. EXECUTIVE SESSION

- A. Pursuant to MGL, c. 30A section 21 (a) paragraph 3 to discuss with respect to collective bargaining for Harwich Employees Association (HEA) and the Highways and Maintenance Employees Association (HEMA) if an open session would have a detrimental effect on the town’s bargaining position and the chair so declares;
- B. Pursuant to MGL, c. 30A section 21 (a) paragraph 2 to conduct strategy sessions for contract negotiations for nonunion personnel – Finance Director, Fire Chief-Designate and Police Chief

III. PLEDGE OF ALLEGIANCE

IV. REORGANIZATION OF THE BOARD

V. WEEKLY BRIEFING

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

VI. PUBLIC COMMENTS/ANNOUNCEMENTS

VII. CONSENT AGENDA

- A. Minutes for Approval:
 1. October 28, 2019
 2. May 11, 2020
- B. Vote to approve the Interim Town Administrator’s recommendation to grant permission of NSTAR Electric Company D/B/A Eversource Energy Eversource for the purpose of the installing approximately 28’ of conduit and cable and 1 handhold #61/H22C in town road to provide service to customer at 119 Julien Road subject to conditions from staff

VIII. PUBLIC HEARING/PRESENTATIONS (Not earlier than 6:30 P.M.)

- A. Vote to approve the modification/addition to the entertainment license for Phoenix Park Inc. DBA Cape Cod Irish Pub – 126 Route 28, West Harwich – Weekday Entertainment 3 – 8PM outside, 3 – 1AM inside and Sunday 3 – 8PM outside

IX. NEW BUSINESS

- A. Discussion and possible vote to accept the Subordination Agreement for CVEC Solar Array on Monomoy High School Roof
- B. Vote to approve 2020 Annual Committee Re-Appointments – As listed in the packet
- C. Discussion and possible vote Fiscal Year 2020 Budget Transfers & Monthly Spending Plan for August, September & October
- D. Vote to refer the zoning amendment relative to “Essential Services” to the Planning Board for required public hearing
- E. Vote to approve the Assistant Town Administrator’s Step Increase – from M7, Step 7 to Step 8 with corresponding increase salary from \$109,351 to \$112,086 retroactive to May 20, 2020 (one-year anniversary date)

X. OLD BUSINESS

- A. Town Administrator Search Committee Presentation of Selected Candidates
- B. Discussion and possible vote – Annual Non-Resident Taxpayers Meeting - selection of presenters and meeting details.

XI. CONTRACTS

XII. TOWN ADMINISTRATOR’S REPORTS

- A. Departmental Reports

XIII. SELECTMEN’S REPORT

XIV. ADJOURNMENT

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

Authorized Posting Officer:

Posted by: _____

Town Clerk

Date: _____

Patricia Macura, Admin. Secretary

July 9, 2020

Consent Agenda

**MINUTES
SELECTMEN'S MEETING
GRIFFIN ROOM, TOWN HALL
Monday, October 28, 2019
6:30 P.M.**

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

ALSO PARTICIPATING: Town Administrator Christopher Clark, Assistant Town Administrator Joseph Powers.

Mr. Ballantine reopened the meeting at 6:30 pm. He explained he first called the meeting to order at 5:45 pm for Executive Session. They continued the discussion about a strategy concerning a potential agreement with non-union personnel. They will continue the conversation for at least one more week.

WEEKLY BRIEFING

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

Mr. Christopher Clark provided an update on the sewer work which continues to progress along. For this week they are looking to continue the mainline sewer crew on Route 39 and the mainline sewer crew #2 will continue on Route 137. Both of those will have detours. It does look like going into the week of 11/4 - 11/8, the same work will continue and then from the 11/11 through 11/15, it also will be the same. They have had some conversation as they come up on the holidays. For the Thanksgiving holiday week itself, they have asked for a reprieve, so there will be a limited amount of work at the beginning of the week, and then no work to the end of the week. Mr. Clark does have a meeting tomorrow and should be able to provide additional updates at next week's meeting.

Mr. Ballantine said he does have a concern, because he lives in the neighborhood. He directed his question to Chief Guillemette, who was in the audience. Mr. Ballantine asked about the bottleneck that happens, where Church Street comes down to Route 39 and 137, by the Corner Store. He would like to know if the availability of police helping to direct traffic help in

that area, or is there nothing that can be done. Chief Guillemette said he knows where Mr. Ballantine is talking about and it has been a concern. Lieutenant Sullivan has been on top of it. They have determined that it is more of a volume thing, and will continue to work through it.

- B. Ms. Carolyn Carey, Director of the Community Center, announced that on Thursday they will be having the Halloween party at the Community Center. It starts at 4:30 pm, and is free for everyone. They have trick-or-treating inside, a costume parade and dinner for everyone. Please come by, it is a great time. Also, it is that time of year for Cape Cod Cares for Our Troops. Any donations that you might have will need to be in by November 15th. There is a list on the website for items that they are looking for.
- C. Fire Chief Norm Clark announced that on November 30th, they will be having the long-awaited ribbon cutting for the new Fire Station #2 in East Harwich. It will be held at 10:00 am. They felt it was important to have it on a Saturday, when more people could attend.
- D. Ms. Erica Strzepek, Program Aide for the Cultural Center, said that after the ribbon cutting, on November 30th from 10:00 am to 1:00 pm, they will have their third annual holiday bazaar at the Cultural Center. They will have local craftsman upstairs in the former library space. They have a few tables left and she has flyers in the back and information can be found online.
- E. Ms. Cyndi Williams, Harwich Chamber of Commerce, announced that November 30th is also small business Saturday, so please shop local.
- F. Mr. MacManus announced that at the Community Center on November 30th from 9:00 am to 2:00 pm, the Lower Cape Eastham Kiwanis Club is having their annual after-Thanksgiving Market in the gymnasium at the Community Center. There will be a bake table and there should be about 40 different vendors.
- G. Ms. Virginia Hewitt, Library Director, announced that on Thursday, they will have their annual Halloween Parade at 10:30 am. This is for babies, toddlers and preschoolers, to get a chance for an early start for trick-or-treating. They will be going over to Town Hall. There are also a couple of other events; on November 3rd at 2:00 pm they have Barbara Semple presenting a travel log, highlighting women's voyages at sea in the 1800's and on Thursday

November 14th at 6:00 pm, they have Meteorologist Phil Burt coming and he will be talking about Tornados. That is something that will be of interest to everyone in Harwich. Also, on November 21st at 2:00 pm they are hosting a community conversation on preparing for extreme weather events.

PUBLIC COMMENTS/ANNOUNCEMENTS

- A. Proposal by Lily Daniels-Diehl to Recreation Committee to restore the Hollow at Brooks Park

Mr. Ballantine said that he put this on the agenda because high school student, Lily Daniels-Diehl, made a presentation to the Recreation Committee last week, and it was very well received. He asked if he could put it in the packet, so that the information is widely available. She is a junior at Monomoy High School and once others look at what she put together, it will give them a chance to applaud on of their students, that has done a terrific job in putting together this proposal. The Recreation Committee is taking this very seriously as a way to restore that property.

- B. Mr. McManus announced again, that they will be having the Cranberry Festival meeting, at the Community Center on Wednesday at 6:30 pm. He would like to encourage people to come, they are looking for new recruits and volunteers to ensure it can continue to be put on.

- C. Mr. Ballantine shared that it was National First Responder's Day. This year, even more than other years, with Tornadoes and such, he wants to say how much they are appreciated for what they do for the town.

CONSENT AGENDA

- A. Vote to approve Town Administrators recommendation on Ember's Disciplinary Hearing held on September 9, 2019

Mr. Ford moved to approve the Town Administrator's recommendation on Ember's Disciplinary Hearing held on September 9, 2019. Seconded by Mr. MacAskill.

Mr. Clark provided a recap from the hearing and that he appreciated the police department, for the information they provided. The decision, that Mr. Clark recommended to the board from the violations deliberated at the September 9, 2019 public hearing, was first, that Ember should have its 2020 entertainment license for Sunday, June 28, 2020 and Sunday, July 12, 2020 be suspended and not be allow any outside entertainment on these two days. Furthermore, for the five Sundays in August 2020, consisting of August 2, 9, 16, 23 and 31, that entertainment on these days be specifically limited to acoustical performances only with no amplification allowed. Mr. Clark also noted, as a follow up that there will be a second hearing for the additional violations. So, there will most likely be a recommendation to build upon this.

All in favor, motion carried by unanimous vote.

PUBLIC HEARINGS/PRESENTATIONS

A. Presentation - Community Development Partnership – Jay Coburn, Chief Executive Officer

Mr. Jay Coburn was present to provide an update on the programs offered by the Community Development Partnership. As well as some of the findings in the strategic planning process, that they are engaged in. He is also interested in hearing some input from the board, as they identify some new program priorities. He would like to thank Angelina Bologna, a member on the Board of Directors and a Harwich resident. Also, Pelinda Deegan, that provides the housing consulting services to the town, under the contract they have with the Town of Harwich.

Since 1992, the Community Development Partnership has worked to provide opportunities for people to live, work and thrive on the lower Cape. They are a non-profit Community Development Corporation, and they work to support strong local business, as well as providing safe, stable and affordable housing in the region.

Of the services they offer, they are probably best known for their small business training and technical assistance and lending. They provided workshops throughout the year on financial record keeping, HR management and topics important for small businesses. New this Fall, has been providing

one-on-one technical assistance for small businesses at the Harwich Cultural Center. Finally, they offer their Micro Lending Program. For the last 20 years they have lent over \$3.25 million to over 200 small business on the Cape. They provide loans to small business that aren't able to get loans from a bank, due to credit score or because they may be a new business. They are able to provide loans up to \$40,000 for small businesses, and they do that with a lot of technical assistance and support, to help ensure they are successful.

They also have a partnership with Cape Cod Fisheries Trust, which benefits several fisherman that fish out of Harwich. They operate a scallop quota bank, that helps local day boat fisherman to meet the capital requirements. Due to the complex ways that fisheries are regulated, this allows them to be able to compete with big corporate boats. As a result of making this available, they keep about \$10 million recirculating into the local economy.

In the area of Safe, Stable & Affordable Housing, they have 70 units of rental housing available for low to moderate income residents. About 22 of those units are in Harwich at Thankful Chases Pathway, 836 Main Street and Robert Lane. Those are all deed restricted affordable rental properties that are rented to families that income qualify.

New this year, in Provincetown, they are managing a 28-unit community housing project. This meets a need that exists all over the Cape, to assist folks who earn too much money to qualify for traditional affordable housing. Given the pressures of the housing stock, that limits the rental properties, this helps to make housing available. They are also expanding their Property Management Department, and seeking additional properties to manage.

They run a Housing Rehabilitation Loan Program, which is funded through a community development block grant. That program currently serves Harwich, Eastham, Truro and Provincetown. They are able to help low to moderate income homeowners make much needed repairs to their homes. With a \$40,000, no interest, no payment, forgivable loan. As long as they continue to own home their home for 15 years, that loan turns into a grant. The added benefit is also the use of local contractors to do the work. This has pumped over \$10 million into the hands of local contractors, over the past 20 years.

A new program that was launched two years ago, and Harwich has been very involved in, is the Community Housing Partnership. They run a housing

institute each Fall and several members of appointed and elected boards, the Town Administrator, and the Town Planner have all been involved. They provide consulting services for Harwich, Chatham and Wellfleet. Over the last two town meetings, the eight lower Cape towns have approved \$15 million in local funds toward affordable housing.

Last Spring, they launched a public media campaign, to try and dispel some of the myths of who lives in affordable housing. In this case, it features a Wellfleet Firefighter and Paramedic, a Health Assistant from Outer Cape Health Services and a Teacher for Nauset Schools, all of whom are challenged with housing. This is to help people understand, that the people who live in affordable housing are really vital members of our year-round community and our year-round work force.

In terms of the Community Housing Partnership, they had \$15 million in local funding. They had 43 housing related articles, including accessory dwelling units' by-laws here in Harwich, Chatham Orleans, Eastham and Wellfleet. The Town of Orleans, actually created an affordable housing trust, where they passed a proposition 2 ½ override and putting 1% of their town budget, about \$275,000 a year from general tax revenue into that trust.

They also offer first time homebuyer education, and last year they were able to reach 49 families. In Orleans, in partnership with Gosnold, they operate an 8-bed sober living residence.

They have a \$3,718,347 budget. About \$1.8 million is from grants and contracts from federal, state and local governments. They receive \$170,000 each year from Cape & Islands license plates program and \$1 million is from earned income, rent and interest through lending programs. Also, \$645,081 comes from private grants and contributions.

Over the last couple months, they have been working with their board and staff on a five-year strategic plan that is focusing on two important priorities that he wanted to share. The first is to look at the development and implement new strategies & infrastructure for creating year-round jobs with a livable wage. They are exploring to expand Business Development Offices in Provincetown, Harwich and Eastham.

The second area is looking at sub regions for the economic development plan, to pull together the strengths of our individual towns. Part of that could be training & technical assistance to towns to remove regulatory barriers to creating new businesses. They are developing support programs and incentives for people to move to the Outer & Lower Cape with their jobs, and working from home. In a couple of towns on the lower cape it is actually a prohibition of zoning laws to have a home business, in which you have one or two employees. That doesn't seem to be a pro-business regulation.

In the area of housing, the last time the CDP developed an affordable housing community was in partnership with Harwich. This was the Thankful Chase Pathways, with 12-units on the Dennis/Harwich border and it won several awards. They haven't done one since then, so the board is exploring options. Especially, now that all eight lower Cape towns have at least one parcel in the early stages of the development pipeline, to create new affordable housing. They would like to position the community for the CDP to be the developer, so they can make sure that it is consistent with the community culture and values.

They are also supporting homeowners in creating accessory dwelling units, and finally looking to expand their property management services. He welcomes input, feedback and questions.

Mr. Ballantine asked about the business plan. A few years ago, they had a lot of interest in Open Cape, which has died out, is that part of the CDP's thinking to revitalize that.

Mr. Coburn said that the infrastructure of Open Cape had attracted bigger companies, and they have thought about replicating that. They are looking to see how they can create an environment where people can move here, while keeping city jobs with telecommuting. This brings a need for a quality internet. Working with Open Cape to create more bandwidth is important to attract people to move here with their job.

Mr. Ballantine asked about incentivizing tax breaks for business coming in. Mr. Coburn said it is important to create more of a culture of yes, to not squash business opportunities.

NEW BUSINESS

A. Annual Meetings with the Board:

1. Brooks Free Library Board of Trustees

Ms. Mary Warde, Chair, Brooks Free Library Board of Trustees, began by introducing the members of the board in attendance.

They had a change in the composition of the Board this year. After completing two terms as a Trustee, this year Ann Emerson decided not to run for a new term on the Board of Trustees, they thank her for her service. Bernadette Waystack was elected to the vacant position at the May 2019 election and Trustee William Crowell was re-elected. All members of the Board of Trustees have completed the state mandated Ethics Training. The Trustees regularly scheduled meetings are held at the Library on the second Wednesday of the month at 7:00 pm and the public is welcome to attend. The agenda and full packets of minutes and reports are posted online on the Town and Library website, brooksfreelibrary.org.

Ms. Warde explained that the report presented in their packet is quite detailed but due to the full agenda, she will just detail a few things. First with respect the Library building and grounds. The exterior preservation has been completed. This was eight years of work and was managed by the DPW Facilities Manager, Sean Libby and they appreciated his dedication to ensure it was done well. They are extremely grateful for the Community Preservation Act funding for the project and for the support of the Selectmen, Finance Committee, Capital Outlay Committee and the voters of the town. The feedback from the community and from visitors this summer had been extremely positive.

They were extremely grateful to have a full building generator in place when the tornado occurred on July 23rd. The generator had just been installed in April, so this was the first opportunity to put it to use. They would have been closed for 2 ½ days without the generator, but with it they were able to open, and to open with expanded hours. The Library

was packed each day with large numbers of residents and visitors using the internet, charging their devices, and taking advantage of all the normal library services like borrowing books, puzzles, games and programs. The opportunity to be out in a public community space and to talk to others and share their experiences was extremely important. Disaster preparedness workshops have always stated that open public institutions are very reassuring to community members after a disaster. The experience of many in the community after the tornado would have been very different if they hadn't been able to be open. They very much appreciate the support of the Selectmen for the generator, as well as the Finance Committee, Capital Outlay and of course the voters for approving that funding.

This year, the Friends of Brooks Free Library, paid for improvements to the landscaping on the parking lot side of the building and along Bank Street. They also had an underground sprinkler system installed to the gardens. The new plantings look lovely and gave the preservation project on the building a finished look. The Harwich Garden Club has maintained the beautiful garden in the parking lot island for many years and has agreed to assume responsibility for the new landscaped beds. They are grateful to both the Friends and the Garden Club for the improvements to the grounds.

The Friends completed another major project this year, remodeling the meeting room and the basement lobby. New storage cabinets were created in the meeting room and basement lobby and the entire space was freshly painted. These changes made the meeting room a much more welcoming space for everyone who attends a meeting or program.

On another note, which might be an opportunity to update those of you interested in the conservation treatment plan for our 26 Historic Rogers Groups statues.

Utilizing CPC funding, a contract for our deteriorating collection, was awarded to Skylight Studios of Woburn, MA for \$ 19,580, which is within the funding available for the project. They anticipate having a celebration event to show the conserved sculptures off to the community when the sculptures are returned to use next year.

A couple of minutes on Library Services and Operations. Brooks Free Library remains the second busiest library on the Cape and the islands. They had 227,722 items checked out, including physical items, e-books and e-audio, over 5,6550 inter-library loans were processed, 18,780 reference questions were addressed and a total of 1,251 adult youth and children's programs were held, with a total attendance of 19,486 people.

They continue to look for opportunities to enhance resources for local information and research, such as arranging for the digitization of the Harwich Town Reports, dating back to 1866. Electronic versions are posted on the internet archive, so they can be read and used for research without the need to come to the Library. In the first six months the reports were available online, they were accessed and read 2,928 times. Readers can find the link to the Town Reports on the e-Library section of our webpage. Also, this year, they used Community Preservation Act funding to digitize the Harwich Oracle newspaper. They are currently working on rolling out that product and are looking at ways to make the content available online.

They also continue to expand e-content for users, such as the addition of online magazines to our Overdrive subscription, providing a free image edition of Cape Cod Times through Newsbank subscription and the ability to borrow e-books and downloaded books through library consortiums around Massachusetts. This is guided by Carla Burke, our Assistive Technology Coordinator. Ms. Burke was honored in June by the Carroll Center for the Blind and the Mass. Commission for the Blind as the Blind Employee of the Year for the Commonwealth of Massachusetts. This is quite a prestigious award. Many other libraries now offer assistive technology as a result of her advocacy. She was also recently the featured speaker at the Sight Loss Services Annual Dinner. Ms. Burke continues to expand opportunities for people with vision loss. As a result, they are expanding their collaboration with Sight Loss Services and the Council on Aging, and have begun holding a monthly Living with Vision Loss program at the Community Center. Each program will be immediately followed by the Sight Loss Services Support Group meeting.

Other examples of collaborative efforts are that they partnered with the Voter Information Committee to host an informative session on the basics of municipal finance, municipal finance 101, led by our Finance Director, Carol Coppola. Based on the success of this presentation, they are currently planning more collaborative events with the Voter Information Committee for this winter-spring. They are planning to expand on this type of programming and help residents understand how town government works.

They are continuing leadership in the Device Advice sessions provided monthly at the Council on Aging. Providing a collection of recreational reading for the Recreation Department's summer camp program, along with hosting field trips to our Summer Reading Program events and activities for the camp.

They are continuing to work closely with the Harwich Elementary School. The Youth Services Librarian visits 1st, 2nd, 3rd and 4th grade classrooms each week to read a story, do a book talk and promote reading. On Mondays they host a field trip for the 2nd and 4th graders from the Laurel School and their kindergarten class visits on Fridays. They also offer activity clubs and book groups for homeschoolers on Tuesdays.

The Youth Services Librarian, Ann Carpenter serves on the Elementary School's School Council and our Assistant Director, Emily Milan serves on the Middle School's School Council.

They also continue to support the efforts of the Cape Verdean Oral History Project and continue to work with them to provide additional programming on Cape Verdean culture.

In closing, the trustees would like to commend Virginia, Emily and the entire staff at the library for their ongoing excellence this past year. They all serve the community in extraordinary ways. Dealing with the ordinary and the unexpected. They are grateful for their expertise and professionalism. They thank the volunteers again, and over and over! The 83 volunteers performed 3,740 hours of volunteer services in FY19. Without their invaluable assistance the library would not be able to provide the services they do.

They again thank the Friends Group, a strong and vibrant organization. The group runs the book store, provides Sunday programs and manage the Books on Wheels homebound delivery service. Also, thanks to the Garden Club, for the care they give the garden. They also provide attractive floral arrangements every month that welcome patrons as soon as they enter the main floor of the Library.

Ms. Warde concluded by saying it takes a dedicated staff and a community seriously committed to excellence in library services to support and maintain this noble historic public resource. As trustees, they recognize that they are entrusted by the community to guide the program forward. They continuously advocate for the needs for the library, so that free and equal access of information is available for the town.

Mr. Ballantine complimented the staff and the recognition they have received.

Mr. Howell said that they are not only the busiest library, but they also offer the most robust array of services. He commends the cooperation of the Council of Aging and the Library. Mr. McManus complimented that the hallmark of the library is the personal touch and for his own family the library was a haven.

Mr. MacAskill thanked Ms. Warde for her report and Mr. Ford said that his memory goes back a long way, when his mother was an assistant there.

2. Water Commissioners

Mr. Allin Thompson, Chairman of the Board of Water Commissioners introduced Judith Underwood, Vice Chairman and Dan Pelletier, Superintendent that was present in the audience

The Board of Water Commissioners is a three-member elected board. They are responsible for the Town of Harwich to establish, construct, enlarge, improve, maintain, equip, operate and regulate the Harwich Water Department. This includes all the faculties and the assets of the

department. They are also responsible for the fiscal management of the facilities assets with specific development issues, such as capital improvement and land acquisitions. Meetings are generally held bi-weekly on Thursday morning at the Water Department conference room. If you have any business, get on the agenda and they would be glad to deal with it.

They always have projects that they are working on. Currently they are working on the Lothrop Avenue water main, which had a lineal crack in the water main. The pipe was repaired, the project included horizontal drilling approximately 350 linear feet of 16" HTPE pipe that was installed under the culvert on Lothrop Avenue. Most of the work was completed by the department staff, offering considerable savings. They completed re-paving of the well access roads, with funding approved at last year's Town Meeting. They also paved the access roads at T1, the main facility located on Chatham road and well 10 on North Westgate Road. Also, ahead of the paving they revised the road layout to address drainage issues and installed town water retention ponds and multiple conduits for future use. The conduits are intended to bring electrical services underground, to help minimize electrical outages.

The Water Services Renewal Project just renewed a contract for work along the streets disturbed by the new high-pressure gas main installations and is being done prior to the curb to curb paving due to take place next year. The work is scheduled to start November 4th. They are connecting right to the water main and some have been there for years, and tend to let go, so they are trying to do this along with the other projects.

The new sewers exploration, is part of their current capital outlay program. They are requesting funds at the 2020 annual Town Meeting for purposes of well exploration. The department currently operates 14 drinking water wells with a total pumping capacity of 6,000 gallons per minute. The newest well was installed in 1998 on Pleasant Bay, and the oldest is on Chatham Road and dates back to 1935. Peak day demands have increased from 4.7 million gallons in 1998 to over 6.5 million in recent years. The addition of a new drinking water well will

aid in the peak season demands. Goal is to go above the Mid-Cape highway.

The Pleasant Lake Ave pipe replacement will include increasing the diameter of the fill pipe and transmission main to the base of the tank bowl. The tank must be drained and isolated to complete the project. This will elevate pressure pikes during pumping and increase storage capacity of the tank. As it is, the current pipe size prohibits the tank from filling and operating at full capacity. The tank was built with a 10-inch main and we are going to replace with a 16-inch. This was approved, but they will need to amend the request to fund the project from water retained earnings at the annual Town Meeting.

Water sampling and testing does 900 routine water samples annually. They also conducted water quality testing for a multitude of other contaminants. Over the last 10 years the Water Department has won the Water Suppliers Award. In May, they attended an award ceremony hosted by Mass DEP and were given the 2019 Public Water Supply Award. This is only given to 17 other of medium-large category water suppliers. There are over 300 to 400 in the State.

A message to our water customers about pumpage and consumption. So far in 2019, the department has pumped over 660 million gallons of water, that is approximately 42 million gallons less then this time last year. Our website provides customers with many conservation tips and we encourage customers to practice water conservation on a regular basis.

The department offers a service type protection plan, which provides coverage for repair and replacement of the water service connection from the property line to the shut off valve in the basement. Water service belongs to the homeowner. It is a reasonable fee, like an insurance fee and they come and take care of you. Otherwise, they come and charge you. For seasonal properties, they provide seasonal turn on and off services, and they highly encourage seasonal winterization measures to ensure the safety of the waterlines and meters. Conservation is considered for irrigation use customers, and they should be aware of meter location and how to read the meter. This is important measure to monitor water consumption. Also provides an

opportunity to catch a water leak. In conclusion, they would like to thank the water department staff who are outstanding for their team work and dedication to the department and the boards, committees, town management, and town departments for their continued support and services to the water department. Also, the superintendent for his outstanding job since he has been there, leading and assisting the department and also the upcoming sewer department.

Mr. Ballantine expressed his thanks for their work and also asked if the extensive list of capital projects would foresee a significant rate increase? Mr. Thompson said he does foresee rate increases with the many projects ahead of them.

3. Housing Authority

No one present to provide report.

B. Vote to approve annual renewal of Mooring Servicing Agent Permits for AGL Mooring, Harwich Port Boat Yard and Allen Harbor Marine Service.

Mr. John Rendon, Harbormaster, reported that they have three mooring servicing agents that manage the mooring fields throughout Harwich. They are Allen Harbor Marine Service, AGL Mooring and Harwich Port Boat Yard. They are currently under a license agreement with the town that runs through the end 2020. That agreement says that the town will review on an annual basis the performance of the mooring services agent. As he included in the memo in the packet, he thinks they have done a fine job and he recommends that the board allows them to continue to serve under the license agreement.

Mr. MacAskill moves to approve annual renewal of Mooring Servicing Agent Permits for AGL Mooring, Harwich Port Boat Yard and Allen Harbor Marine Service. Seconded by Mr. McManus. All in favor, motion carried by unanimous vote.

- C. Request for approval for one (1) one day alcohol license permit for an event at the South Harwich Meetinghouse to be held on 11/2/19 from 1:00 PM to 3:00 PM - Serving beer and wine only

Mr. MacAskill moved to approve the (1) one day alcohol license permit for an event at the South Harwich Meetinghouse to be held on 11/2/19 from 1:00 PM to 3:00 PM - Serving beer and wine only. Seconded by Mr. McManus. All in favor, motion carried by unanimous vote.

- D. Accept the gift of a \$6,000.00 value for a Harley-Davidson motorcycle for police purposes

Mr. MacAskill moved to approve the gift of a \$6,000.00 value for a Harley-Davidson motorcycle for police purposes. Seconded by Mr. McManus.

Mr. Howell was curious about what this means, is it a motorcycle worth \$6,000.

Chief Guillemette responded that it is a motorcycle that is valued at \$6,000. It is a 2013 Harley Davidson Police package motorcycle that is being offered as a gift to the Harwich Police Department. Victor Petkauskos has done this for a couple of other communities on the Cape and it has worked out great. They have had the bike checked out and it is in good condition and this will afford them more flexibility for traffic enforcement and accessing areas during the busy season. Chief Guillemette said that Officer Neil Nolan is standing behind him and can answer questions. To his distinct credit, Officer Nolan is the only certified police motorcycle instructor on the Cape and he belongs to Harwich. They can train other officers pretty cheaply and this will be an asset to the department. Mr. McManus asked how the value was determined, and Officer Nolan said it was the purchase price.

All in favor, motion carried by unanimous vote.

- E. Accept the gift of a bus from Cape Destination for the Council on Aging

Mr. MacAskill moved to accept the gift of a bus from Cape Destination for the Council on Aging. Seconded by Mr. Howell.

Mr. MacAskill added that they should send Cape Destinations a thank you letter for the gift. They also need to put it on as a reminder that they are waiting for someone to drive the said bus, that was one of the jobs that was to be posted. Ms. Emily Mitchell, Director Council on Aging, wanted to thank Jay Kavanaugh for this offer. They were in an unexpected bind losing their big bus and he stepped in to help and they are grateful.

Mr. McManus mentioned following up on Mr. MacAskill's suggestions that they should also send a letter of thanks to the gentlemen who donated the motorcycle as well.

All in favor, motion carried by unanimous vote.

F. Budget Calendar: Reminder 10/21/19 – moved to 11/4/19

Mr. Clark added this as a reminder that on 10/21, they had an overview of the budget and were going to have the two schools come in and talk to the Board, as well as the Capital Outlay Committee and Finance Committee. They are reminding folks, that they are going to do a joint meeting to discuss the subject matter that was scheduled for 10/21, and now moved to 11/4.

G. Request to approve the waiving of building permit fees for the new Habitat for Humanity houses being built on Murray Lane

Mr. McManus moves to waive the building permit fees for the new Habitat for Humanity houses being built on Murray Lane. Seconded by Mr. Howell.

Mr. Clark noted that for the building permit fees, in past circumstance they have done 50% and plumbing fees they don't waive because those are fees that they have to pay to the contractor. Mr. Howell commented that he would rather waive the whole thing because it is affordable housing.

Mr. Ballantine and Mr. MacAskill said they would rather stick with past practices and to not put the burden on the building department.

All in favor to approve the reduced fee to 50%, motion carried by unanimous vote.

H. Harwich Elementary School Playground Discussion

Mr. Clark said they had the meeting, that was posted for last week and had 40 people in attendance. Mr. Howell, Mr. McManus and Mr. Ford were there.

It was determined that the playground presented a hazard to the kids. The School Committee voted to stop kids from using the playground and put a fence around it. Mr. Clark is posing to authorize the demolition of the playground, so that it is not an attractive thing to use. The school department will pay for the cost to ship off the materials. Mr. Howell said that right now they have nothing in writing, everything is verbal. This should go to next week for the School Committee to make the recommendation in writing. Mr. Clark believes the Superintendent Scott Carpenter will stand by this. Mr. Ford said that timing is important here, and it is important that the playground comes down. Mr. Ballantine agrees timing is important.

Mr. Howell said that the school has known for years this is a problem, what difference does a week make to get something in writing. Mr. Ballantine said we just found out about it and Mr. MacAskill asked isn't this on our property and shouldn't this be on us to take it down.

Mr. McManus made a motion to authorize the Director of Division of Highways and Maintenance to take the action necessary to demo the structure at Harwich Elementary School, with the condition of receiving a letter from the Superintendent of the School District, that they will reimburse the town for the expenses of the disposal. Seconded by Mr. MacAskill. All in favor, motion carried by unanimous vote.

Mr. Justin Tavano stood to speak about the playground. He introduced himself as a Harwich resident and also the Project Manager for the Harwich Community playground. He said there has been a lot of community discussion and it is important to move forward and not look backward about what was or wasn't done. Though, he wants to look back for just a moment to think about the millions of smiles that were brought to the kids faces over the years and to recognize Mr. Howell for bringing the playground to life many years ago, along with the rest of that committee. The Harwich Elementary School Council, the PTO and the Playground Committee have put a lot of work into this. From the information they received from the school

Principal, the safety audits and data from the school Nurse, they have recognized the urgent need to replace the playground. As they considered funding sources for the project, it was the committee's belief that it fell under CPC funding. Playgrounds are expensive, but they are also a very valuable asset to our community. Mr. Tavano is hoping to gain the support of the board and to come together, and bring the community together to get the kids what they need. Thank you for the opportunity and to the playground for 25 wonderful years.

Ms. Janell Brown said that there is no doubt that the playground needs to be replaced. As a former Selectmen, she goes through budget items line by line. The price of this estimate is exorbitant, so she went through it line by line, and has a lot of questions. She is here to ask these questions and point some things out. The first is a simple question, the application was made by the PTO. Mr. Ballantine said that her questions should likely go to the CPC, as it is their application. The board ways in, if they support it, though she makes a good point that there should be more competitive bidding, but she should start with the CPC.

Ms. Brown said she understood but wanted to add one point. The PTO is a nonprofit organization, it does not have a contract with the Town of Harwich. Her question is how can the PTO make an application to the Town of Harwich, when it is not a lessee, a simple legal question. Mr. Ballantine said that is an important question and something they can follow up on.

Ms. Brown said she will hold her other questions, but if the board would like to know her questions she can send an email. Mr. Ballantine said yes, it would be helpful for them to know here questions.

Mr. Howell just wanted to remind, as people go to the CPC, that there are existing lot lines in the lease right now that have been established. Mr. MacAskill said we will have out time to debate this and Ms. Brown had a good point. Though the PTO are volunteers, they are not being paid and looking at a daunting application and process. They just want to build a playground. There has been a lot of conversation and debate, but it is not fair to expect them to know the whole process. He thanks Mr. Tavano, and everyone else for putting it together. It is time for a new playground.

Mr. Ford agrees with Mr. MacAskill. The turnout at the meeting the other day was great. They are supportive of moving forward. It is all volunteer and they need to work it through expeditiously, and in a way we will be proud of.

CONTRACTS

- A. Vote to Approve - Champion Salt LLC – FY 20 road salt contract in the amount of \$107,780.00
- B. Award of Allen Harbor Jetty Project Contract — GEI Consulting - \$57,000.00

Mr. Powers said that neither of the Contract items have original ink from the vendors, and he asks the board to table both and bring them back next Monday the 11/4. Mr. MacAskill asked if they could get the supporting documents ahead of time.

Mr. Rendon said if it has to wait a week, though it has gone through legal to get this approved and they have already been waiting a month. Mr. MacAskill said that they can't vote on something without the paperwork.

OLD BUSINESS

- A. Dennis, Harwich, Yarmouth (DHY) Update – Governor signed legislation to create overview of Operating Agreement
- B. Re-phasing of CWMP Discussion – DHY necessitates changes

Dave Young and Mike Guidice, CDM Smith, were present to provide an overview.

Mr. Young explained that they provided a lot of information in the packet and happy to answer any questions. They are in the process of meeting with the three different towns, they met with Yarmouth last week and hoping to meet with Dennis in the next couple of weeks. The goal, also is to have a three-town selectman meeting in mid-December, to have the three boards together for a discussion and to see if there are any remaining items at that time. Mr. Young said that he was asked to come in and provide this update and give some highlights of the agreement Also, to talk about next steps, and get into discussion on the re-phasing of the Harwich CWMP program.

There is a lot of information posted on the www.dhycleanwaters.org website. He encourages the board and residents to go to the site to review the information. The DHY sub-group representatives, which Selectmen Ballantine, Howell and Town Administrator Clark have been attending monthly meetings for over two years. With the last grant they received, this central website was created, to post the latest documents, meeting minutes, presentations in the different communities and links to each community's waste water button. It is all centralized here.

This summarizes the flows of each community's comprehensive waste water management plan. This includes just under one million gallon per day for Harwich, because the rest of the flow is under the agreement with Chatham and will continue to go to Chatham. This is known as a build out flow and is allowed under current zoning. It also collects sufficient flow to restore your salt water estuaries to a healthy environment. The next figure aggregates the three communities into one and shows how it will be conveyed to a centralized treatment plant.

The chart shows a revised version of the Harwich plan, because you would be paying for a portion of the treatment plant, the thought was to collect some flow down here. Then move the second phase, at East Harwich, back one phase at this point. Also, this is trying to match into the borrowing schedules, was proposed, with evaluating the rate structures and bonding capacities.

Mr. MacAskill asked for clarification on the re-phasing East Harwich. Mr. Young explained that they are pushing what was proposed to be Phase 3, back one phase, to be Phase 4. Mr. MacAskill asked what the original timeline for that was with the CWMP and Mr. Young said it would have been starting in two to three years after completing this phase. Mr. Guidice further clarified that each phase is sequenced for five years apart. Two years for design and three years for construction. We are already in construction, so about two years out for starting that phase.

Mr. Young said that they will now go through some of the costs. He noted that the DHY subgroup, at the last meeting, put forth a proposal for a third-party pay review consultant, to look at the costs that have been generated for the DHY proposal and agreement. The thought was to use the services of Weston and Sampson and that is still in review.

The cost tables show the overall program costs, which are looking to be \$315 million for Harwich, which is higher than what was proposed. Mr. Young then went through the details of the cost of the regional, being the DHY, how the O&M was done and the Equivalent Annual Cost, which is the simplified. For this they take the capital and spread it over a 30-year bond at 2% interest and then add in the O&M to show the annual savings.

The shared facilities, just to remind everyone, the DHY Clean Waters Community Partnership is only for the treatment plant and the recharge facilities. The collection system which is 75%+ of the community cost in the Waste Water Program remains fully under the authority domain and timeline of the town. This shows the Capital cost, O&M cost, and the equivalent annual costs, as we just went through on the larger program.

Mr. Howell said he really wanted to see some timeline for the 75% part of this. We are going to have to front the costs. His main concern is where the savings will be seen. Mr. Young said to hold that thought, and he will get to it.

A further breakdown of Harwich's \$316 million program costs, shows that \$236 million is in the collection system, which is fully within the domain implementation of the Town of Harwich. The treatment plant cost shown here would be \$68 million for Harwich alone, which includes \$6.8 million that the town is paying to the Town of Chatham. This is less than the \$12 million that was developed in the comprehensive waste water plan. Also, there have been allowances put in for non-traditional technologies.

Under the regional option, it cost a little more to move over to the Town of Dennis, which is reflected there. There are some costs for shared conveyance, looking for town input there, they are only paying 15% in the larger share. They had been sent a cost memo, where all these costs came from. These were developed off of the cost curves from the Cape Cod Commission book. They have issued two versions of it now, and it has been updated through the year 2022. This is the same for the O&M costs, that is how the curves were all developed. Also, there was a request from the town, to take out costs that were already incurred.

There was discussion of looking to decrease costs, possible to look at the Route 28, Herring River Water Shed. There is a proposed Massachusetts Department of Transportation project in that area and it would be good to dovetail on that project. The Mass DOT has indicated that if the town pays for the pipe, they would handle the roadwork.

As they already know and experienced, getting a 0% loan for phase two work, it is a complete process. They received the highest rating when they submitted it, in part because it was considered a regional program, with Chatham. If they are a part of DHY, they would continue to get points for being part of a regional program. While no guarantees, but it would help.

They are reviewing alternate routes, looking at Harwich pumping over to Route 28 and to Route 134. Yarmouth is looking at similar. If the DHY does own any common areas, Harwich would pay there 15%. They are looking at alternate routes and cheaper routes, possibly going up Depot Road. This would be shorter, but they would no longer be sharing costs, so the costs are basically equal. Similarly, Yarmouth and Dennis are looking at alternate routes. That is where we are with costs for DHY.

Mr. Young, then went through key points on the draft agreement. This has been discussed previously and at the three-town meeting. It is about economy of scale, and Harwich needs to decide what they want to commit in terms of flow. Currently they are showing at 15%, which equates to the first 4 phases to get there.

DHY signed a special legislation, that was signed a week ago by the Governor. It was modeled after MFN Regional Wastewater District, it allows you to form the DHY Clean Wastewaters Community Partnership.

It is a separate entity, where each community does maintain its own collection system. The make-up of the commission itself is proposed to be a 7-member commission. Three from Yarmouth and two each from Dennis and Harwich. The Board of Selectmen or designated authority, would appoint those Commissioners and also appoint an Executive Director, to oversee the day to day operations. The Commissioners could be appointed from any of these positions: Town Administrator, DPW Director, Waste Water superintendent, sewer commissioner, board of selectmen, finance committee, qualified town

resident. This would be a three-year term and a commissioner can be removed by their appointing authority.

The budget process, which was discussed back in the beginning of the year, was to put in place a three-town Board of Selectmen meeting. Once a draft budget is issued by the DHY Commissioners, it will be given to each town for initial discussions by November/December timeframe. Then they will hold the three-town meeting and it would require a two-thirds vote, by those Selectmen attending the meeting, to pass.

Some of the advantages of becoming a member of the DHY partnership include; cost savings, improvement of water bodies and overall aesthetics on the Cape, the ability to work with regulators, and to recharge effluent in beneficial locations like golf courses. It simplifies governance, instead of three treatments plants you would have one. It also simplifies staffing needs and gains you more points for helping to access the zero percent interest loan rates.

Legislation was passed on November 11, 2019 and they are moving forward with the schedule. Currently, they are continuing with sub group meetings and local meetings, like this one, to continue the discussions and the review of costs and the agreement. The three-town board meeting is being proposed for the end of December, to try and lock down the agreement by the end of the year. So, each town can then educate their town meeting voters in each community. The town meetings will occur in April or May, and they will vote on DHY. If positive, then agreements will be signed and in June/July communities will submit final CWMP, Notice of Project Change to MEPA.

Communities will appoint DHY Commissioners. The DHY partnership, also has a line item in the Environment Bond Bill that was passed last year, to access \$1 million, only the DHY partnership can access that money. Then they would be out pursuing the hiring of a part time Executive Director.

The town would then be looking at roughly a two-year design, followed by three years of construction and connections to the system. So, looking at five years out from next May's meeting, before this facility is up and running.

Mr. Young asked if the board had any questions or comments.

Mr. Howell said, he was still looking for an answer on when they would have to borrow money and how much to launch DHY, especially the dry pipe. He would like to know that the magnitude is.

With input from representatives and town staff, the approved phasing plan shows the 8 phases; one phase every five years of a 40-year program. Mr. Young pointed on the map where they were currently with Phase 2, then showed where Phase 3 and Phase 4 would be. That would have been another 10 years or so out.

The new phase plan that was to occur under the DHY, was presented to staff at a meeting and after review it was requested to look at other options for sewerage more of Route 28. They looked at four different options.

Mr. Young reviewed the details of the options that they are presenting, showing it as Expansions A, B, C, and D. The CWMP was looking to bond Phase 3 at \$19.5 million. That would bump up to \$29.4 million with the DYP, because that is not only sewerage but also the share of the treatment plant. If they chose to add in the expansion Phase A that would only add a couple of million, and if they chose B, that would bump it up to \$37.2 million.

Continuing down to expansion C, which is a larger area, would be \$45.4 million and the biggest area, D would be \$48.3 million. These are cumulative. The difference is in the flows and the number of parcels being connected along the way. The treatment capacities would need to be built in.

Mr. MacAskill asked about the additional costs. Mr. Young responded that being on Route 28, because it is a State road, is more expensive. Mr. MacAskill asked if there is a cost breakdown of the shares between the towns. Mr. Young will need to get that for him.

Mr. Ballantine said, his thought of extending down Route 28, was for future possible redevelopment. Mr. MacAskill asked what redevelopment, that he is not sure of the potential.

Mr. Young continued that he was going to try and answer Mr. Howell's question. He showed a chart that reflects the revised Phase 3 (not the extended options). This compared what was in the Comprehensive Wastewater Management Plan from what was on the first map. The green shows what

would be bonded put on the finance plan based upon the CWMP, as indicated this is your Phase 4. This is because it was bonding construction of the town's own treatment plant and sewers around that. They tried to mirror that as much as they could. Green is Harwich only and blue is the DHY, with revised plan. They have already incurred some costs, and they should focus on 2020 going forward. Mr. MacAskill asked if the chart reflected the \$8 million difference in East Harwich and Mr. Young said it did based in 2019.

Mr. Howell stated that this did not answer his question. For the town to put the dry pipe in, how much is that and when are we borrowing it? What is the magnitude of the borrowing. Mr. Young said he would need to know how long the pipe is and he would need guidance from the town to determine that number. Mr. Howell then asked about when they would be able to hook into a plant and Mr. Young replied, that would be online in five years, under the current program schedule.

Mr. Clark said it would be a million and a half for design and then \$17.4 million for their contribution for the plant in 2023. And then it is \$1.5 million in 2022 for design and \$11.2 for the pipe. The pipe in that \$11.2, some of that would move up and be done in 2024. The question is, how much of that is dry pipe that would be on Route 28 for 2024, and how much would be part of the 11.2?

Mr. Young said he would need to get back to them on that. Mr. Howell replied that when people get a tax bill, they need to know that answer.

Mr. Sandy McLardy of East Harwich stood to speak, and asked if there is a guarantee that all of the efforts are going to mitigate the problem completely with the nitrogen. He wanted to know if there is there a threshold that CDM guarantees that they will get below when all is said and done?

Mr. Ballantine responded that there is not a guarantee, but it is based on models that were put together by UMASS and the threshold levels are based on monitoring of other sites. Models with the water shed and the size of the plan gives them a best guess and best estimate. There are no guarantees, but it is one of the benefits of moving in phases, so it can be evaluated and improved when moving forward.

Mr. McLardy said that he lives on Pleasant Bay Road and he had reached out to the Mass Estuaries Project, but has not heard back. He is concerned about the work being done by the water and new developments that are looking to go in. He is also concerned about an article that came out a couple weeks ago overruling bribery charges against CDM Smith in Texas, and other areas. As a tax payer, and a local, he is concerned about the ethics of this company. Mr. McLardy did not feel like the research has been shared and he would like to ask the tough questions now in hopes to be educated or be ready to dig in his heels come May. He is asking that the Board educate the public and the raising taxes are a concern.

Mr. Ford responded that it was not fair to bring up the bribery charges from an article he read, without the company being able to respond. Mr. Ballantine had not heard that. Mr. Ballantine shared his email address to Mr. McLardy and said to reach out to him and he will send him information. Mr. Young commented that he would put CDM Smith's ethics above and beyond any other firms in this industry. He is not familiar with the Texas situation, but he is happy to get more information and answer questions.

Mr. Allin Thompson stood and commented about the modeling on the water, like Pleasant Bay. They had modeling done in in 1999 to 2000, and currently they are doing a program to upgrade the numbers in that water shed. So, they will have a better idea with checking water quality, and if it is working or not. That is ongoing right now.

Mr. Ballantine said he had one other comment that they need to get this out to the public. His direction was to get it to the board and then move on to a larger public meeting with the neighborhoods. Hopefully some people will watch this, but they will follow up with more public meetings.

Mr. MacAskill said that they need to show people what it means to them and not just with charts. Mr. Clark said this is all new information for the staff and they will be working on it further.

C. Discussion and possible vote to award the Phase 2 Contract 2 Sewer Project to RJV Construction Corp - \$6,621,306.25

Mr. Clark started the conversation, from the board meeting where they discussed about whether to do the award or not. There were questions that came out of that, which he passed on to Mr. Young. RJV is the contractor, and has currently put a bid in for \$900,000 less than the number two bidder, which was Robert Our. Our had won the other contract here, and is also in Chatham.

The first question being, if they will hold the contract number 2, which is the other portion of the Phase 2, East Harwich portion, until June 1st. Basically, they came back and said that with inflation costs they can't do that. They said that they would hold the 30-day bid extension, which would be through November 19th, so a decision has to be made in terms of that piece.

The second question was if the DEP hold zero interest on all the work until June 30th, and that seems to be positive, as long as they put in the formal request. In regards to how many connections there are, Contract 1 has already been awarded and already under way has 256 parcels. Contract number 2, with the alternatives which we have the ability to fund that if the board so chooses, has 179 and then Contract 3, which would require the \$8.4 million additional money would be 209. For a grand total of 644. If we wait, and try to go in May to put contract two and three together, the gist is that it is not recommended. The contractor RJV is trying to get into the market and came in with a lower bid. If we went to a larger bid, the fear is that there would be less contractors, less completion and potentially cost more money.

Mr. MacAskill expressed his concerns and opinions again on the issues with the bidding process and the loss of the \$8 million mistake. Also the lack of information to the public.

Mr. Guidice said in their experience they have had more luck with smaller bids over a combined larger ones.

Mr. Howell said that no one can know whether the bids will go up or stay the same, but what we do know is that we got stampeded into awarding the first contract. We also know we have broken trust with the public. We need to go back to town meeting and ask the public. In the past, they have been well served with getting real bids and showing up with a potential bidder as an awardee. The credibility of the board is not all that high and he is not sure that he can support this.

Mr. Stan Pastuszak of Nor'East Drive, was here two-weeks ago when they were discussing this. He revisited it through the Cape Cod Chronicle article and has been thinking about what was said. He just wanted to mention that they discussed the bad estimates and yes, they were way off. But that happened. Can't go back and do anything about it now. When they compared the different budgets that they did get for contract 1 and 2, they were all very close for each bid. Economic reality is what counts. The third item is why contract one was approved, if they knew they were behind the eight ball to begin with. He is wondering why they would delay the bid for contract 2 will Town Meeting. His question is to Mr. MacAskill especially and also to Mr. Howell, since they have stated that they don't support this. He would like to know where they are going with this? If they are planning on going back to a combined contract 2 and 3, are there economy of scales to do this? Are there facts or just opinions? He thinks it sounds like the costs will go up. Lastly what if they don't get the voter approval, what will they do? Time and time the people have been told they don't have a choice, they need to do the sewers. He doesn't see the need to delay further. If they have made mistakes, just don't make any more.

Mr. MacAskill responded about, if they are facts or opinions and said that they are all opinions, they have no facts.. There are a lot of people in East Harwich and a lot of opinions. He continued that they made a terrible mistake and a lot of people want them to go back to Town Meeting. There are a lot of opinions but they have not had the experts even involved.

Mr. MacAskill .. we made a terrible mistake; a lot of people want us to go back to town meeting .. a lot of people have opinions ... we have not had the experts involved.

Mr. Pastuszak said that this is his opinion and there should be more people here. He said he was feeling personally attacked by Mr. MacAskill and as a tax payer he has the right to speak, and he should listen to himself on this tape. Mr. MacAskill said he apologized.

Mr. Howell said he is representing the people whether they show up or not. In terms of facts, they were off by 43% and that is a major number. What would you have done if this was a school and you could only build a portion of it.

Mr. Craig Borden stood to ask if he had heard it was a \$6 million bid? How could anyone come in a million dollars lower on a bid? He would have thrown that out, because it does not make sense. They need to have an understanding of the costs overall and be able to answer questions to people like him. There is no continuity. He said that someone needs to lead this with continuity and wanted to know if that would be CDM's job.

Mr. Ford said what are the chances of getting a better bid or will it end up causing the tax payers a greater cost. Mr. Borden said if you see someone that is so much less, there is usually a reason why.

Mr. Howell said he is going to move to reject the bid and put out a combined contract with 388 connections ahead of town meeting so they have a known number. Seconded by Mr. MacAskill.

Mr. Ballantine is struggling a bit and he wants to be sure it all gets done. One question we didn't ask, was the impact on Chatham. Mr. Clark said that they had not been able to find out yet. They are paying that anyway.

Mr. Young said that both contractors work well together. If they go to bid on Phase 3, they will have two hungry contractors.

Mr. Howell repeated his motion that he is going to move to reject the bid and put out a combined contract with 388 connections ahead of town meeting so they have a known number. Mr. MacAskill seconded. Motion was not carried at a vote of 2-0-3, with Mr. Ballantine, Mr. Ford and Mr. McManus against.

MOTION: Authorize the Town Administrator to execute the Phase 2 Contract 2 CWSRF4424/2 to RJV Construction Corp in the amount of \$6,621,306.25

Mr. McManus made a motion to award the Phase 2 Contract 2 CWSRF4424/2 to RJV Construction Corp in the amount of \$6,621,306.25. Seconded by Mr. Ford and authorized by the Board of Selectmen.

Mr. MacAskill said that they are not even looking at a contract. Mr. Clark will need to put it together and bring it back. He would like to read the contract. The board will need to see the contract, but it can be signed by Mr. Clark.

Mr. MacAskill said that they needed to add the few important things that they have discussed.

Ballantine said that they will bring it back and vote it next time . Mr. Clark said that they should vote.

Motion carried at a vote of 3-0-2, with Mr. MacAskill and Mr. Howell against.

TOWN ADMINISTRATOR'S REPORTS

A. Overview Capital Budget FY21

Mr. Clark said he sent out at the last Thursday's meeting, Capital Outlay made some votes and he sent that out. He appreciated the Capital Outlay Committee for doing their due diligence to accelerate their review for the Board.

B. FEMA-4097-DR-MA Hurricane Sandy – acceptance of funds - \$46,865.49

Mr. Clark explained that from Hurricane Sandy, which was in 2012. Tom Gagnan had applied for this and we were just approved for \$46,865.49. A contract needs to be signed and he will put it in for signing.

C. Holiday Schedule FY 2020

Mr. Clark asked that the Board inform Patty of their schedule for meetings.

D. Departmental Reports

Mr. MacAskill said it would be nice to get written policy on the outcome of the noise violations for Ember, so it remains consistent. Consistency is important for the restaurants and bars. Mr. Clark said that is a good point and it also lends the board to possibly put conditions on licenses.

Mr. Ballantine announced the Budget Finance Workshop is being held tomorrow at the library at 5:00 pm.

ADJOURNMENT

Mr. MacAskill moved to adjourn at 9:35 pm. Mr. Howell seconded. Motion passed unanimously.

Respectfully submitted,

Lisa Schwab
Administrative Assistant

MINUTES
SELECTMEN'S MEETING
REMOTE PARTICIPATION ONLY
Monday, May 11, 2020
6:30 P.M.

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

ALSO PARTICIPATING: Interim Town Administrator Joseph Powers and Health Director Meggan Eldredge.

CALL TO ORDER

Mr. Ballantine opened the meeting at 6:30 pm, and called to order the Board of Selectmen. Roll call: Mr. MacAskill - Here, Mr. Ford - Here, Mr. Ballantine - Here, Mr. Howell - Here. Mr. McManus - Here. The Chairman declared a quorum is present.

WEEKLY BRIEFING

A. COVID-19 Updates: Presenters: Joe Powers, Interim Town Administrator; Meggan Eldredge, Health Director

Mr. Powers explained that he will give more information under the Town Administrator's report, but they received information today from the Governor from his press conference. This was about next steps for May 18th and beyond. This will be for the phasing for COVID-19 response and non-essential businesses.

There is a 4-phase approach and the governor has identified the 4 phases by names. The first phase is "Start", about limited industries resuming with severe restrictions. And then the second phase is "Cautious", the third phase is "Vigilant" and phase 4 is the "New Normal". This is relative to the work of the new Advisory Board, which is expected to give a report next week.

The Governor has made it clear that any business or entity that is operating must adhere to the safety standards of overall social guidance, mandatory safety standards and sector specific safety protocols.

Mr. Powers explained, that he and Ms. Eldredge have been working with the departments, Sean Libby and Lincoln Hooper at DPW. They have begun retrofitting Town Hall with plexiglass, where there were open counters. They have also been cleaning and disinfecting, the good news is they have been doing a lot of this already.

Mr. Powers then turned it over Ms. Eldredge for her report. She explained that what they are doing at Town Hall and all the town buildings for social distancing, hygiene protocols, staffing and operations, and cleaning and disinfecting. They are making most of these standards right now. These are things that are needed to be solidified in a training manual.

She has been offering training one on one, and putting in place protocols for those that are sick. These protocols need to be solidified and put in a training manual. They will establish a training for what social distancing is, face covers, cleaning and disinfecting and the differences of each. It just needs to be written down. Including, protocols for if they are sick, getting tested and getting back to work. Sanitizing stations are ordered and plexiglass is up in most places. They still have some work to do with the separation of areas, but they have a good handle on that.

For the numbers, Harwich currently has 121 positive cases, which was from the very beginning in March. 31 of those cases have recovered and 11 deaths. They had 7 at Wingate and 4 deaths were within town residence. The newest count at Wingate is 63. Ms. Eldredge has been in touch with Wingate nearly every day. If not her, then the Visiting Nurse Association of Cape Cod and the Department of Public Health. They give a daily update on the number of cases and staff cases. Nine staff members tested positive, though they were asymptomatic. They should be back to work by now. They talk to the Department of Public Health about supplies and they have put in requests to maintain PPE.

Mr. Ballantine asked if he is understanding correctly, that it is still just essential businesses for these standards. Ms. Eldredge said yes, these mandatory practices for work places are for the essential business, that are

currently open and any non-essential that the Governor gives the ok to open starting next week. Mr. Ballantine asked, when she does the training, if it will be put online or on the website. Ms. Eldredge said that she would do that.

Mr. Ballantine said that he heard that a town is considering blocking streets to allow more outdoor seating, and wondered if Harwich has had any thoughts on that?

Ms. Eldredge said that she has received a lot of calls about this. As long as the number of seats does not exceed their septic capacity, they won't have any issues, with consideration through Zoning and Planning Boards. They will need to have some relief on this. They will be meeting more on this to figure out how to let people to have outdoor dining, without jumping through hoops.

Mr. Powers said that one of the reasons they are waiting till next week, is that they are hoping they will receive guidance from the ABCC. Going for outdoor dining basically expands the license for alcohol and hopefully the State will be at the forefront of that, to make it easier for the Board to make those decisions.

Mr. MacAskill said that this should be flagged as a very important topic and be put it back on for conversation to try and help the restaurants. Mr. Ballantine said that safety is number one, but this is a close second.

Mr. Ballantine asked about the numbers, if they are plateauing now or if there are any trigger numbers they are watching. Ms. Eldredge responded that the hospital numbers are going down, only 4% of cases needing hospitalization. Going down to 4% is good news, it had been up to 11% at one point. If Wingate is taken out of the equation, Harwich is on a downward trend. It is really important that healthcare workers understand the safety protocols. There are so many that are asymptomatic and don't know they have it.

The State numbers, as a reminder, when looking at the 669 new cases in Massachusetts, these are Sunday's numbers. The total number is 78,462, with 129 new deaths, for a total of 5,108. To give an idea of Sunday's numbers versus a Tuesday or Wednesday, of the 669 new cases, these were from only 6,339 tests. In comparison, to Sunday, Saturday's numbers were from 11,852 tests, and over a thousand new cases. Most labs aren't testing on Sundays, so we need to see a full week to know if we are going in the right direction.

PUBLIC COMMENTS/ANNOUNCEMENTS

- A. Discussion and possible vote to allow Sewer Phase 2 Contract 1 Construction (Robert B. Our Co., Inc.) to extend beyond Memorial Day until June 26, 2020.
- B. Discussion and possible vote to allow Sewer Phase 2 Contract 2 Construction (RJV Construction Corporation) to extend beyond Memorial Day until June 26, 2020.

Mr. Powers explained that he provided a memo in the packet and building on the materials provided, both contractors are availing themselves of their right, under the contracts to request extensions. It has been vetted by every level of staff, as well as their two vendors, CDM Smith and Weston and Sampson. He concurs with the staff and vendor recommendations, and recommends that the Board of Selectmen approve the requests as outlined.

Mr. Griffin Ryder said that giving them the extension, based on the schedules they have provided, will allow them to get out of the roads. If they are allowed to work until the 26th, they will be able to be out of the roads for good and won't have to go back in September to open them up again which right now with the situation we are in, that is the way to go.

Mr. Ballantine said that if his memory is ok, when they repaved Route 137, they did allow the contractor to work until the end of June, and allowed them to extend.

Mr. Howell said he had one question. A few meetings ago, they extended the time within the day that they would allow the work to be done by Robert B. Our. Since that point, they have not availed themselves of that a heck of a lot. If they give this extra time, what times of the day are they planning to utilize? Also, if they do want the extended time, are they going to use it? Mr. Ryder responded that the hours will typically be 7:00 am to 4:00 pm, but sometimes it may be 7:00 am to 5:00 pm. Extending to the additional times of 7:00 am to 7:00 pm, would have cost additional money to the Town. So, they chose not to extend those additional hours, and they will continue to go that way.

Mr. MacAskill said he had one question, and asked if this was a matter of right. If no, work can be performed in June and July, do they have to take an

action on this or is a matter of right? Mr. Powers responded that this is something in the contract they have the right to ask for, but the Board has to take an affirmative action to grant it. Mr. MacAskill then said that he would assume that given the original plan, that they would be done by Memorial Day. He then asked if there would be a cost savings to the town, since they won't need to remobilize in the fall to come back? Has any cost savings been discussed? Mr. Ryder has asked that, and there has been no discussion of a credit or a cost for this extension. It is a unit cost contract, so they install and they pay for it.

Mr. MacAskill made a motion to approve the request allowing Sewer Phase 2 Contract 1 Construction (Robert B. Our Co., Inc.) to extend beyond Memorial Day until June 26, 2020, and he also moved to allow Sewer Phase 2 Contract 2 Construction (RJV Construction Corporation) to extend beyond Memorial Day until June 26, 2020. Seconded by Mr. McManus.

Roll Call Vote: Mr. Howell - Aye, Mr. MacAskill - Aye, Mr. Ford - Aye, Mr. McManus - Aye. Mr. Ballantine - Aye. Motion carried by unanimous vote.

OLD BUSINESS

- A Vote to approve Seasonal Wine & Malt Liquor License – Dockside Seafood Shack, LLC doing business as Dockside Seafood Shack, 715A Route 28, Harwich

Mr. Powers began the discussion, that he knows by secondhand, some of the anxieties from last year that caused the Town Engineer to work on the site plan review over the Fall and Winter.

He said he is working with the Planning Department for the as-laid site plan for their review. The season is fast approaching. So, in the packet is the license renewal form that was completed by the manager, the information by the Town Engineer, regarding the as-built plan, and the next steps that would take place for that and the original lease documents that were in consideration last year and still in effect.

He included in his memo, and to put it out there again for the Board, the statement of the facts as he understood them:

1. This establishment was in operation from Memorial Day until mid-October last year, with a seating capacity estimated to be upwards of 80 seats;
2. That review by the Board of Health put the allowable number of seats at 50;
3. That the Town Engineer's preliminary As-Built Plan is in the process of being submitted for Planning Board review;
4. Recognizing that the Planning Board/Department has previously referred to an allowance of approximately 16 seats;
5. And also, not knowing yet what the Governor is going to do after May 18th, if the operation is going to resume today, it will be take-out or curbside only, with allowable liquor sales for off-premise, beyond Town property in this instance.

His recommendation, first and foremost, is for the Board to renew the liquor license, the seasonal Wine and Malt. However, for discussion purposes he recommends that the Board should put it at 16-seats pending the Governor's orders and the Planning Department's review.

Mr. Ballantine said as a reminder, that they did sign a 5-year lease at this property. It is in their best interest to encourage a successful business here. He also asked what the timeframe is to move forward with the 50 seats?

Mr. Powers said that it depends on the as-built site plan process and Mr. Ryder is in the process of submitting the paperwork. He asked Mr. Ryder if he was able to give information on that. Mr. Ryder said he did not have any specific dates right now, a couple of months probably by the time it is submitted.

Mr. MacAskill said that he was a little confused by this and to preface the conversation that he voted no on this, he was against the Snack Shack from the beginning. He does not understand why the Town Engineer has been tasked with so many projects. Also, why vote on 16 seats and not vote on 50 seats. They voted against the 80 seats. In May there were several conversations with the lessee and with Ms. Eldredge, and they landed on 50 seats. This is important, they have been working on this site plan since at least July. He added, this is with no disrespect to Mr. Ryder, but he would

think the Board could vote to approve the 50 seats. Under the COVID-19, they would be limited anyway. For us to say two months, a month, or even three more weeks is a disgrace. They should work with the business owner. There were no complaints there last year, except for maybe a site plan and enough tape and rope can be used. This Board should give some latitude to let this business owner operate as they said he could.

Mr. Ford said that Mr. MacAskill pretty much said what he was going to say. Though he would not go as far as to say it is a disgrace, but it is a terrible message to send to businesses, if we don't allow the 50 seats. It has been a great addition to the town and he has heard nothing but compliments, both to the fact that it is there, and the addition to the town that it is there. The type of service and the type of food. He agrees with Mr. MacAskill, though he disagreed with him on the first vote, but appreciates that Mr. MacAskill has come back with support.

Mr. McManus said that he would like to make a motion to renew the Seasonal Wine & Malt Liquor License – Dockside Seafood Shack, LLC doing business as Dockside Seafood Shack, 715A Route 28, Harwich, with a seating of 50. Seconded by Mr. Ford.

Mr. Ballantine said that he could not agree more with what Mr. MacAskill and Mr. Ford said.

Mr. Howell said, though he realized that he was going to get colossally outvoted, he had just a couple of things for the record, so people remember how we got here. An RFP went out, which did not guarantee a liquor license. As soon as it came back with one offer, inexplicably no one that had the RFP understood that they were not going to be faced with being able to utilize three times as much property as they thought they would. Just so everyone knows and they don't get ahead of themselves, this colossal business that is going to help the town, is right next to a business that had to buy a location. Secondly, just to put it in perspective, the \$24,000 plus that he was paying for lease payments, if we were expecting that to defray the harbor it would take a 100 years for that to occur. Mr. Howell continued that he was not impressed to help out funding a two plus million-dollar site. It was Mr. Clark and Mr. Griffiths that walked the property and extended the property. When you set a liquor license up, you have to attach a site plan, the site plan approved by the Planning Board does not get you the 50 seats. They have stretched a lot of

things here, they opened without a certificate of occupancy last year, and he does not think other businesses would have been afforded. Mr. Howell said that he will vote against this, obviously it will pass four to one, but there is just so much wrong with this.

Mr. Ballantine asked Mr. Joe Griffiths, lessee, for comment. Mr. Griffith said he wanted to make one comment to Mr. Howell. He said that the perimeter of the operating area that the Shack operates in, is attached to the lease. It was clearly delineated from the time the bid went in and the lease subsequently was drafted, negotiated and signed by the town. So, no secrets there. He would appreciate a yes vote for all the reasons that Mr. MacAskill has enumerated, which saved him a lot of time and he appreciates the assistance. Mr. Griffith believes that he has been a good neighbor and has provided an operation that the town can be proud of. The people like it, and he plans on continuing that same quality. Also, the 50 seats will likely end up to be 25 or 30 this summer, due to the Governor's policies with COVID-19.

Mr. Ballantine told Mr. Howell that they could debate this for a long time. He agrees that there have been some mistakes, however it is a nice feature for Harwich Port. They don't need to debate this too much longer.

Mr. MacAskill said he has no debate. In the beginning of this he agreed with Mr. Howell, but they passed it. This is a town facility and at this point they have to pay for. He would just like to make it clear that he is fine with the motion, although they are not just allowing 50 seats. With COVID-19, it has to follow the Governor's guidelines and it also needs to pass through the Planning Board. If the Planning Board comes back and says it can only be 16 seats, then it will need to be revisited. This should not be held up; small businesses are suffering. They took their time to get this in front of the Planning Board, and he does not believe they should make this person wait four more weeks. They should support the motion as it is now.

Roll Call Vote: Mr. Ford - Aye, Mr. McManus - Aye, Mr. Howell - Nay, Mr. MacAskill - Aye, Mr. Ballantine - Aye. Motion carried by a vote of 4-0-1.

TOWN ADMINISTRATOR'S REPORTS

A. Update on Annual Town Meeting impact by COVID-19, special legislation and Governor's orders

Mr. Powers explained, that he had provided as much information as he had in the packet, but he had not received the information on the Governor's orders.

To note, the warrant discussion was not continued this evening, but he sent an email to the Board with some information regarding the legislation that could impact the Town Meeting, as well as, the way in which it is conducted.

This time last week, the Senate version of a bill passed, which would greatly strengthen the Boards ability to reduce, with the moderator's consent, the warrant down to a financial warrant itself. They have another call with the Lieutenant Governor tomorrow, about the phasing and about legislation. He also had asked staff to work on a financial warrant itself.

The update is that he spoke with counsel and needs to correct some of the statements that he made. Specifically, that until the Board executes a warrant, there is no restriction on the Board being able to push out town meeting. So, they have until June 8th to finalize a warrant in anticipation of a June 22nd Town Meeting. He would recommend that they have a draft warrant back in front of the Board on May 18th. He would like to be able to time it with any legislation that may be passed, so that the Board has the full information. It would be good to have a sense from the Board as to when they want to do next steps on that. If they do not commit to a warrant, they can continue the meeting for a success of 30-day periods.

Mr. Ballantine asked, if in terms of steps is Mr. Powers trying to have a couple of meetings and then try and finalize something by June 8th? Mr. Powers responded that yes, there is a document that has been created that gets to all of the financial articles that relates to the proposed legislation. So, if the legislation passed and the Board wanted to do the reduced quorum mechanism, they could then do a financial warrant. So, what he recommended is, if they hear something before Thursday of this week on legislation, they could start a conversation next week, otherwise they should wait until the May 26th.

Mr. Ballantine confirmed, if in terms of quorum, they can go to 10% below, if their quorum is 150, so a reduced quorum would be 149.

Mr. Howell had comments and questions about how the town funds through a variety of items and questioned what they are talking about being involved in only a financial town meeting.

Mr. Powers said that based on the Senate bill that passed, it simply says a financial warrant. Mr. Howell asked if the financial items he mentioned would all get covered in that. Mr. Powers explained that there is no definition in the present Senate bill. If you look at the legislation, the last line of that sentence says “and anything else that the Board of Selectmen puts on it”. So, what it is saying is, if the Board uses the reduced quorum mechanism, there are a couple of processes that would have to take place. This would include a 7-day notice for hearing. However, if the Board is going to avail themselves of that reduced quorum, it talks about limiting the warrant to financial matters only, but then adds the caveat for other articles to be added by the board.

Mr. Ford said the once they see a completed, and voted through House and Senate bill, then they should have a true definition that hopefully will answer Mr. Howell’s concerns. They all have the same concern, and need to know what it is for accepting the legislation relative to the quorum. They don’t have a clear definition tonight.

Mr. McManus said that he attended a virtual meeting on Tuesday with the Municipal Association Policy Committee and they reviewed this material. The MMA’s primary concern about this legislation is that it would make it impossible for matters such as zoning amendments and other types of bylaws to be enacted with a reduced quorum. With the language that came out of the Senate, there was considerable concern. MMA is continuing in their objection to it.

Mr. Ford said that he had a conversation with his brother, who is counsel to the Town of Orleans. They are looking at a wide range of solutions, if a lot of people show up. The auditorium at the middle school or screens in classrooms. They are also considering the field outside, with distancing circles with chairs in the middle. He also added that Wellfleet, Truro and Provincetown have all decided to push meeting to the Fall. Other towns are still considering having the meeting in June.

Mr. Ballantine asked Mr. Powers what options there are with considering moving to the Fall, if they so choose and what the positive and negatives would be.

Mr. Powers said that until the warrant is posted, the Moderator has the right to extend for 30 days. There is no limit on the number of 30-day extensions that a town could use. Assuming that they have not posted the warrant. Once it is posted then you can only use one 30-day extension. Mr. Powers also said that they are still waiting on guidance from Governor Baker on being able to have meetings greater than 10, 50 or 200 people. The reopening taskforce has Town Meetings and broad community events as one of the topics they are looking to speak about next week.

Mr. Ballantine said that it sounds like he is suggesting they work on a warrant for the June 8th deadline, to decide what we want to do. Mr. Powers said, it is his recommendation to go with a wait and see approach. They will have to wait and see what happens during the coming weeks. In the meantime, he is waiting on a draft.

Mr. Howell said, that as Mr. Powers pointed out, there is no answer to this. The town elections are scheduled for the week after this. Should they not avail themselves of things like warrant articles, that would have to be a follow-up on at Town Meeting, like the ones associated with the election, because that is not allowed.

Mr. MacAskill said that a couple of other towns threw their names in for Fall Town Meeting. Looking at the budget, he would like to know how far along the Town Administrator and staff are with potential budget reductions based on how much revenue the town may lose. He would like to know how much work has been done including the losses. Also, to reiterate his objection to the June Town Meeting; they are discussing limiting seating in restaurants and how many people are allowed on the beach. Town Meeting, as it is planned right now, is not far away and the numbers are not dropping fast enough for him to feel comfortable sitting in a room. Also, to Mr. Ford's point, in watching Orleans and other towns that are talking about outdoor Town Meetings, is a great idea.

Mr. Powers responded that they could resume a conversation on the finances and budget of the town, as soon as next week, if that is what they want to do.

Though he is trying to make sure they have an approach that covers everything; as well as, factoring in what they may hear, at any moment, from the Governor or the Legislature, which may impact everything they are doing. They are in a conversation, to have ongoing conversations and the numbers are changing, the information is changing. They do have documents that they can rely upon as a basis for these discussions.

Mr. Ballantine asked if this can be separated into two different discussions; one financial and one town warrant. Can they continue the financial discussions, but look to postpone the town meeting for the 30-day segments until they learn more?

Mr. Powers said it is a workable approach, the two driving factors have to be the legislature this week, and the Governor this week and on Monday.

Mr. McManus said that he wanted to reiterate something he has said many times over the years. That is that the analysis and discussions need to start with a very rigorous and intense understanding of what the projections of our revenues are going to be, as a starting point, before we start talking about what services we are going to fund.

Mr. Ballantine said that his direction would be to hold on the town warrant discussions until they know more and start a more formal financial discussion next week.

Mr. Howell said, he totally agrees with both Mr. McManus and Mr. MacAskill. If we start getting empowered to do 1/12 of the proceeding budget of a target that is allowable under state law, and that looks like that is what they are going to do, that does not mean that they should spend up to that amount. They should be looking at projected revenues, we have a fairer portion of what goes into our budget assuming everyone pays their real estate tax bills. Though there is still a fair amount of the town that is supported by fees, meals taxes and room taxes. His belief is, that those are not going to be as robust as they would have projected. They really need a plan B, as to how much they are allowed to spend, because they know they will not have revenues that will match up to that.

Mr. Ballantine said that they need a consensus on what their direction is to bring this back for discussion. Mr. Ford said that he agrees with all that has

been said, but we should be prepared for anything that lays ahead. We should have the option open to us to move forward with Town Meeting. Mr. McManus confirmed the need for the 14-day notice for Town Meeting.

Mr. Ballantine said that they should focus on their financials and asked Ms. Carol Coppola, Finance Director, for input.

Ms. Coppola said that she is ready, whenever they are, to talk about revenues and move on to talk about expenditures as well.

Mr. Ballantine said they will be put on next week's agenda.

B. Update on Beach, Golf and Employee Return Resumption plans

Mr. Powers first will provide an update on the golf resumption plan that Mr. Roman Greer, Golf Director and Shawn Fernandez, Golf Superintendent, worked on when word came out from the Governor overnight on Wednesday/early Thursday morning that golf was still non-essential, but could continue. This essentially means that it became essential. They basically put a plan together on the fly, and were able to get everything in place. Cranberry Valley Golf Course was opened on Saturday, May 9th and Mr. Greer is on the call to provide additional updates.

Mr. Greer said it was wonderful to see golfers out on the golf course at Cranberry Valley on Saturday. They had inclement weather, which affected their numbers, and they opened with a limited schedule. They had 39 golfers on Saturday, 79 on Mother's Day and another 51 today. So, they are utilizing the golf course. Also, they had a demand come in membership sales. In the three days they were open they had 169 annual passes totally approximately \$98,000. So, there is a lot of pent up demand for golf. It was a good opening and everyone followed the guidelines that were strictly enforced to provide a safe environment for everyone. It was a big success.

Mr. MacAskill said it would be nice if the Board could see, and maybe through the Finance Director, when they start talking about finances, what he projects that they may not bring in for revenue and what percentage of memberships have renewed and what will they lose in cart fees. A projection on where he thinks they will be. Also, he would like to thank them for what they did to

get people out on the course. Mr. MacAskill asked if they have had any discussions about the cart lease and if there will be any savings because they are not going to be using them.

Mr. Greer first responded to the cart question. They have a revenue share agreement; so, when the carts don't go out there is no cost to the town. The town only pays for the carts when they go out on the golf course. So, there is no loss there. For the financials, he does not have all the numbers in front of him now, but in general they are at 507 annual passes at this point, and last year they were at 1141, so they are still off. Obviously in the month of April we sold no green fees. Coming into Memorial Day we are down 6 weeks, or so, of green fees. So, we are significantly down. He has been in touch with Ms. Coppola and Mr. Powers and has shared a spreadsheet outlining exactly where they stand and anticipates a conversation.

Mr. MacAskill said that he is sure they will get into that when they do their financial talks and revenue losses for the town. He has one last question for either Mr. Powers or Mr. Greer, on the decision not to rent push carts and not to allow single users to go out in the golf carts. Was that a town decision or the Governor's decision?

Mr. Powers responded, that it was a Governor's decision. Mr. Greer and Mr. Fernandez have been working throughout COVID-19, in the anticipation of opening again. The Governor didn't really change anything in the FAQ's, because it is still non-essential he put a number of restrictions on it. Golfers can walk, they can use their own push cart. They cannot rent push carts and they cannot rent carts. However, the Governor is changing things in regards to the carts, because of how it impacts the American's with Disabilities Act. There is some easing on the restriction of carts, but all of that comes from the Governor. He and Mr. Greer talked today, and they expect that could be in place for likely the next two weeks, but they hope the Governor will ease up on those restrictions. Mr. Greer and the staff have shown they are ready to have operations continue to move in a safe manner.

Mr. Ford said, he knows as it relates to the cart subject, a number of States throughout the country now are allowing carts to be used, but only by a single user. They can put two bags, but only one person in the cart. Hopefully the Governor will move to that.

Mr. Greer said he has been following what is happening nationally and Massachusetts is far behind what is happening nationally in golf. There are a lot of best practices, such as having a cart that is only allowed to be used once per day and by only per person with sanitizing procedures. It will take a lot of staffing to do this correctly, and a lot of product, but as soon as the Governor gives the ok they are ready to develop a plan.

Mr. Powers said that he has been working with Mr. Eric Beebe, Director of the Harwich Recreation Department, on the beach resumption plan. His only concern is if they go too deep into the plan, the Governor can likely change it. Therefore, they will have a document that the Board can review on the 18th, but just recognize that it could become completely mute by then.

Lastly, the employee resumption plan, they have had more staff returning to municipal buildings. They are utilizing the required protocols on face coverings, social distancing, hand washing and hand sanitizing. They are working very diligently on retrofitting the buildings so that when it is safe for the public to return, they can receive them.

C. Policy on Changing Fees as it relates to proposed Disposal Fee for FY 2021

Mr. Powers said that this is just a follow up to their discussion last week, on the disposal fees. There was a reference to policies, so he wanted to share this in the packet and get some guidance on next steps from the Board for the disposal fees.

In the packet, on page 30, is the latest version of the “Changes in the Rules, Regulations and/or Fees”. This talks about a 14-day notice. So, his question to the Board is if there is an expectation that they will be operating under this policy, because the policy talks about boards, commissions and committees. This is more of a department under the Board of Selectmen, so, he is looking for guidance and direction from the Board, based on that policy.

Mr. McManus said that the policy was written for all departments, committees, commissions and boards. The Board of Selectmen is a board, so it does apply. It also is a policy of the Board and is subject to be changed at any time.

Mr. Howell said that he agrees with Mr. McManus. That is how they have always done it, because it gives fair warning in a public hearing, so that people can give an opinion about what they do or don't want.

Mr. MacAskill added to Mr. Howell's point, that there was quite an analysis completed to the memo from Mr. Lincoln Hooper, Director of Highways and Maintenance. This analysis really tore into the expenses and depreciations, everything except for things like op-ed. In the chart the person broke it down to if they have a 13% decrease in trash going out, it would warrant the sticker price staying the way it is. If there was a decrease of 15%, would call for a reduction. To Mr. Hooper's point, when he spoke about a commercial solid waste intake, when they had a shutdown, when they didn't take any in. Also, to just go a little further, retail stores and restaurants have been closed for 45 days for the most part. Mr. MacAskill said he thinks they should do an independent study on what goes on at the dump. Should they continue to fight for other town's commercial solid waste and when will they get to the point that they really think about Harwich and why neighboring communities don't take this trash.

He thinks they should really look at these numbers. Reductions will be far more than 13% and the Board should take a hard look at this before they stick the residents with \$20 more for their dump sticker. The last point he will make is that Mr. Hooper, in his memo to the Board, mentions S&J in Dennis and Daniels in Orleans. Those should be taken right out of the analysis because they should not be comparing ourselves to for-profit businesses. If they are, they believe they are under the assumption they are doing this for profit. They need to do a full analysis of this.

Mr. Ford said that Mr. Hooper had answered many questions that he has had and his analysis appeared to be a pretty in-depth analysis. He would say that the individual that did this bang up 13-15% analysis, that it should be shared with the rest of the Board of Selectmen. He is not sure what the intent was on that. On another front, when there is a reduction in commercial MSW, it does not mean that the overall costs go down. You still have to pay to have the residential taken. Right now, as a result of the commercial MSW, Harwich does \$20 per ton net margin and \$50 per ton on the CND, which helps us subsidize what we pay as individual residents. But rather than debate this out here tonight, because there are some strong points of view on this, we should have Mr. Hooper back and let him talk through some of the things that have

been pointed out. Mr. Ford felt it was disappointing for individuals that have not spoken to Mr. Hooper, to provide an analysis of departments, with implications that somehow they are mismanaged. He thinks that Mr. Hooper and all department heads have always worked really hard to deliver the services that are needed for the tax payers. He takes exception to how this discussion has been approached and Mr. Hooper deserves a chance to come in and answer the additional questions.

Mr. MacAskill asked to respond, that he did not send that out specifically to the rest of the Board, because he felt it would be a chain deliberation and chain discussion. He did send it to Mr. Ballantine, Mr. Powers and Ms. Coppola and asked that it be brought before the Board for discussion. This resident wrote it based on Mr. Hooper's memo to the Board, with direct questions. So, he sent it to Mr. Ballantine to have a conversation with the full Board instead of an individual back and forth. He also has shared the questions, comments and concerns with Mr. Hooper, so he would be prepared for what the questions were.

Mr. Ballantine, said that although Mr. Hooper said this was not urgent, he would like to see this back on the agenda. Mr. Powers said that the earliest would be June 1st, for the notification to be in the Chronicle.

D. Fire Chief Hiring Process

Mr. Powers said that the memorandum in the packet, is pretty straight forward. The appointment of the Fire Chief, is an appointment by the Board of Selectmen. There are no restrictions or limitations on the process that could occur, neither in the Charter or Mass General Law c.48, § 42A.

In a conversation with the current Fire Chief, he indicated that the process that was used the last time, when he was appointed, the Board simply scheduled an agenda item. Therefore, Mr. Powers would recommend to the Board of Selectmen to schedule an agenda item for Monday, May 18, 2020, for the purpose of interviewing Deputy LeBlanc for the position, given that he has been recommended by Chief Clarke, for the promotion from Deputy to Chief. Deputy LeBlanc has also expressed a willingness to serve in the capacity of Fire Chief. Again, this is in accordance with past practices of the Board, so he puts it out there for the Board's consideration.

Mr. Ballantine asked if at this time, they agree to put this back on the agenda for May 18th. He will take questions or comments.

Mr. Ford said his question is, are they doing an interview at that point and voting on it? Mr. Powers said, that from what he knows the last time the Board went through the process to hire a Fire Chief, it was scheduled as an agenda item, and the Board met the candidate, had questions for the candidate, and then affirmed the candidate by a vote. So, he is putting it out there for the Board's consideration, as past practices. Mr. Ballantine agreed that is how he remembered it going. He thinks it worked out well last time.

Mr. Howell said he has had some people make comments in passing and he was there through the various Chief appointments over the years. When you have a department that has people who are ready and trained to move forward, it would send a bad message not to promote them. This department has historically developed talent, not only here but some that have moved on in other towns. It is premature to say how he will vote, but these are extraordinary times and it would be nice to have an overlap for a seamless transition.

Mr. McManus said when he was part of the Assembly of Delegates and met with the Fire Training Academy to look at its operation, he had the opportunity to meet a lot of Chief's from other towns. He was pleased to hear how highly regarded our department was, county wide. When you have an operation like that, developing talent from within are some of the practices you want to continue.

Mr. Ford replied that he was just wondering about the process, not the individual, and that has been cleared up. Mr. MacAskill said he is fine with bringing it back next week.

Mr. Ballantine said, with no objection, Mr. Powers, please put this on the agenda for next week.

OPEN PUBLIC FORUM

A. See dial in instructions above

Mr. Ballantine opened the Public Forum. The public was invited to call in and participate in the meeting to offer comments and/or questions. Mr. Ballantine asked Lieutenant Scott Tyldesly if anyone had called in. Lieutenant Tyldesly responded that there were no calls.

EXECUTIVE SESSION

A. Pursuant to MGL, c. 30A section 21 (a) paragraph 3 to discuss bargaining strategy for all town unions if an open session would have a detrimental effect on the town's bargaining position and the chair so declares

ADJOURNMENT

Mr. Howell moved that they adjourn at 8:08 pm and that they reassemble in executive session pursuant to MGL, c. 30A section 21 (a) paragraph 3 to discuss bargaining strategy for all town unions if an open session would have a detrimental effect on the town's bargaining position and the chair so declares. Seconded by Mr. MacAskill.

Roll Call Vote: Mr. Howell - Aye, Mr. MacAskill - Aye , Mr. Ford - Aye, Mr. McManus - Aye. Mr. Ballantine - Aye. Motion carried by unanimous vote.

Respectfully submitted,

Lisa Schwab
Administrative Assistant

OFFICE OF THE TOWN ADMINISTRATOR

Phone (508) 430-7513

Fax (508) 432-5039

Joseph F. Powers, Interim *Town Administrator*

732 MAIN STREET, HARWICH, MA 02645



MEMO

TO: Board of Selectmen

FROM: Joseph F. Powers, Assistant Town Administrator

RE: Utility Hearing July 7, 2020
NSTAR Electric dba Eversource Electric
119 Julien Road

DATE: July 7, 2020

A Utility Hearing was held on Tuesday, July 7, 2020 at 10:00 am via teleconference, at the request of NSTAR/Eversource for the purpose of the installing approximately 28' of conduit and cable and 1 handhold #61/H22C in town road to provide service to customer at 119 Julien Road, Harwich.

Legal ads were published and notifications were given. Jessica Elder, Right-of-Way Agent for Eversource was on the teleconference. There were no abutters. There were no objections to installing approximately 28' of conduit and cable and 1 handhold #61/H22C in town road to provide service to customer at 119 Julien Road, Harwich. However, Department of Public Works has no concerns beyond the fact that this is a 3 year old road surface with 2 years left on the "No Cut" moratorium. If this work can be completed without cutting the asphalt then they have our approval. Ms. Elder stated there should be no issues.

There were no other questions, concerns or objections and the Hearing was adjourned at 10:06 AM. After careful review, I recommend, subject to conditions stated by staff, that the Board approve Eversource Plan No. 2387488 Dated June 11, 2020 – WO#2387488.



TOWN OF HARWICH

Phone (508) 430-7513

Fax (508) 432-5039

732 MAIN STREET, HARWICH, MA 02645

MINUTES Utility Hearing – 119 Julien Road Tuesday, July 7, 2020

THOSE IN ATTENDANCE: Joseph Powers Assistant Town Administrator, Patti Macura, Administrative Secretary, Representatives from Eversource; Jessica Elder, Right of Way Agent. There were no abutters.

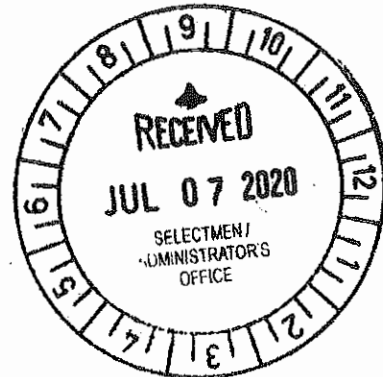
The Assistant Town Administrator called the hearing to order at 10:03 A.M. and read the Utility Hearing Notice; A petition by NSTAR Electric Company D/B/A Eversource Energy requesting permission to install and maintain underground cables, conduits and manholes, including the necessary sustaining and protecting fixtures, in, under, along and across the following public way or ways for the purpose of the installing approximately 28' of conduit and cable and 1 handhole #61/H22C in town road to provide service to customer at 119 Julien Road. Ms. Macura read a statement from Chris Nickerson, Road Manager, for the Town of Harwich, which stated that the Department of Public Works has no concerns beyond the fact that this is a 3 years old road surface with 2 years left on the "No Cut" moratorium. If this work can be completed without cutting the asphalt then they have the DPW approval. Ms. Elder stated that Eversource will be using directional drilling and would not be an issue. However, should there be any complications she will contact Mr. Nickerson for further guidance.

Having read all notices and statement from the Road Manager for the Town of Harwich, the Interim Town Administrator recommends the request as outlined from NSTAR Electric Company D/B/A Eversource Energy which is proposed to install approximately 28' of conduit and cable and 1 handhole #61/H22C in town road to provide service to customer at 119 Julien Road, subject to the conditions outlined by the Road Manager, Plan and Work Order # 2387488 dated June 11, 2020

The hearing was adjourned at 10:06 A.M.

Submitted by:
Patricia Macura
Administrative Secretary

Attachments



June 17, 2020

Town Administrators
732 Main Street
Harwich, MA 02653

Dear Board Members:

Enclosed is a petition to install approx. 28 feet of conduit/cable under town road in Julien Road, Harwich.

This proposed location is necessary to provide electrical service to customer at 119 Julien Road. This petition will require a notice to abutters and a hearing.

Will you please present this petition before the Board for customary action and approval?

If you have any questions, feel free to contact me at 508-790-9022 or the email address provided below.

Warm Regards,

Jessica Elder

Jessica Elder
Right of Way Agent
Jessica.Elder@Eversource.com
NSTAR Electric
d/b/a Eversource Energy

TOWN OF HARWICH
NOTICE OF PUBLIC HEARING
July 7, 2020

Pursuant to M.G.L. Ch. 166, § 22, the Interim Town Administrator will hold a Public Hearing at **10:00 AM on Tuesday July 7, 2020 via Teleconference** in reference to the following matter:

A petition by NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY requesting permission to locate underground cables, conduits and manholes, including the necessary sustaining and protecting fixtures, in, under, along and across the following public way or ways:

JULIEN ROAD, HARWICH

PROPOSED: To install approximately 28' of conduit and cable and 1 handhold #61/H22C in town road to provide electrical service to customer at 119 Julien Road, Harwich

All abutters and other interested persons are invited to dial in

TELECONFERENCE ACCESS INSTRUCTIONS

Underground Cable & Conduit Petition - 119 Julien Road - Public Hearing

Tue, Jul 7, 2020 10:00 AM - 10:30 AM (EDT)

Please join my meeting from your computer, tablet or smartphone

<https://global.gotomeeting.com/join/110492781>

You can also dial in using your phone

United States: [+1 \(571\) 317-3122](tel:+15713173122)

Access Code: 110-492-781

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<https://global.gotomeeting.com/install/110492781>

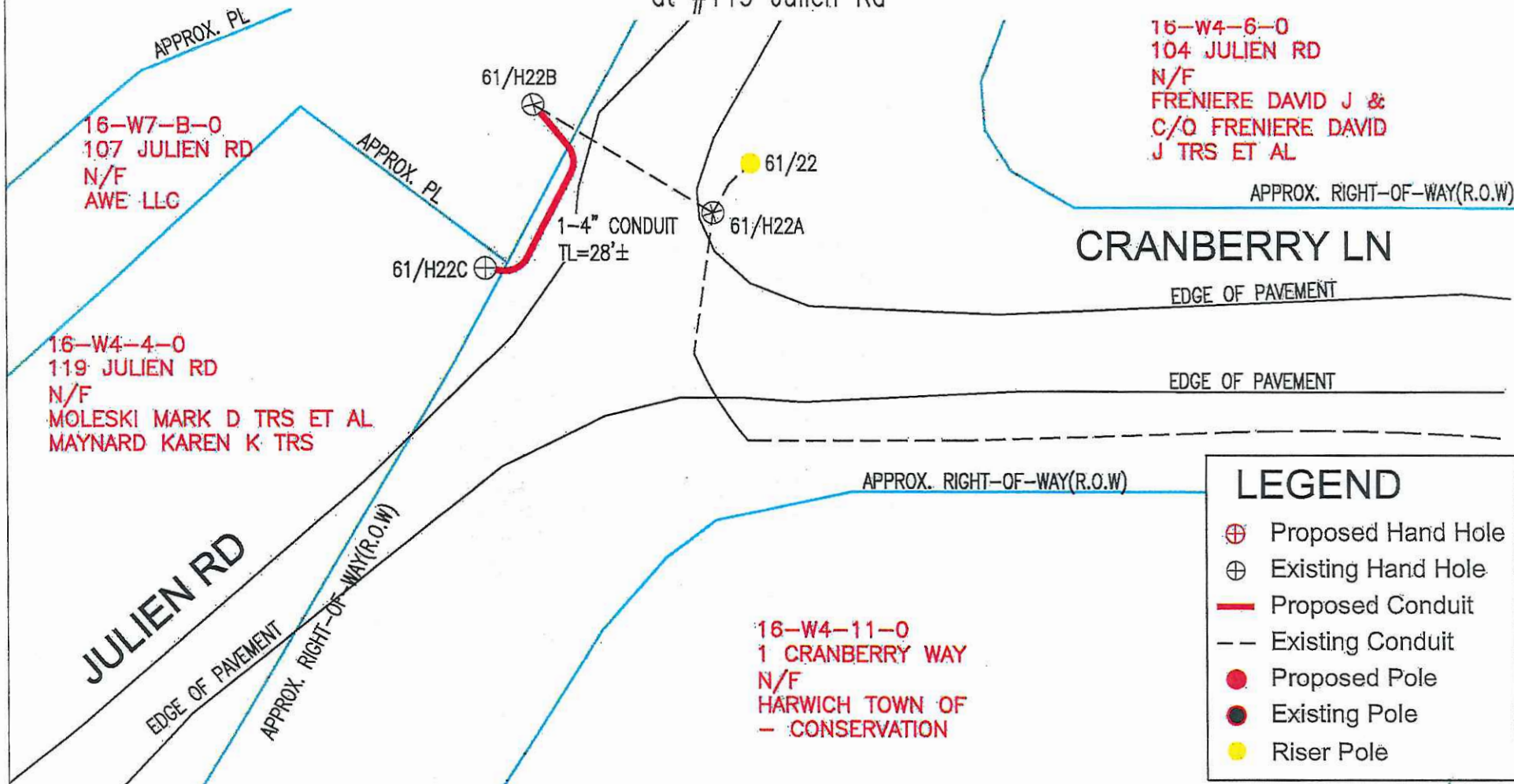
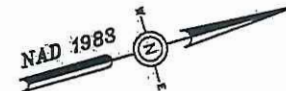
For further information, please call the Town Administrator's Office at (508) 430-7513 x 3319

Joseph F. Powers
Interim Town Administrator

Cape Cod Chronicle
June 25, 2020

#105

Plan to accompany petition of **EVERSOURCE ENERGY**
 To install approximately 28' of conduit in public road from handhole
 61/H22B to handhole 61/H22C to provide electric service for customer
 at #119 Julien Rd



BY YOUR USE OF THE INFORMATION CONTAINED IN THIS MAP, YOU AGREE THAT NO WARRANTY OF ANY KIND, EXPRESS OR IMPLIED, IS GIVEN WITH RESPECT TO THE INFORMATION. NEITHER NSTAR ELECTRIC COMPANY, NSTAR GAS COMPANY NOR ITS PARENTS, AFFILIATES, OFFICERS, DIRECTORS, SHAREHOLDERS, EMPLOYEES OR AGENTS (COLLECTIVELY THE "NSTAR ENTITIES") SHALL BE LIABLE FOR ANY LOSS OR INJURY CAUSED IN WHOLE OR IN PART BY USE OF THIS INFORMATION OR IN RELIANCE UPON IT, TO THE MAXIMUM EXTENT ALLOWED BY LAW, YOU AGREE BY YOUR ACCEPTANCE OF THE INFORMATION TO RELEASE, INDEMNIFY AND HOLD THE NSTAR-ENTITIES HARMLESS FROM ANY SUCH LOSS OR INJURY.

THE INFORMATION MAY NOT REPRESENT A SURVEY, MAY NOT BE THE MOST COMPLETE AND IS SUBJECT TO CHANGE WITHOUT NOTICE. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE INFORMATION, EITHER EXPRESSED OR IMPLIED. UNAUTHORIZED ATTEMPTS TO MODIFY THE INFORMATION OR USE THE INFORMATION FOR OTHER THAN ITS INTENDED PURPOSES ARE PROHIBITED.

MASS. LAW

REQUIRES 72 HOURS ADVANCE NOTICE TO UTILITY COMPANIES BEFORE DIGGING BY ANYONE. CALL DIG-SAFE 1-888-344-7233

Plan #	2387488
Ward #	-
Work Order #	2387488
Surveyed by:	-
Research by:	JC
Plotted by:	GC
Proposed Structures:	TL
Approved:	A DEBENEDICTIS
P#	

NSTAR EVERSOURCE
 ELECTRIC
 d/b/a
 1165 MASSACHUSETTS AVE. DORCHESTER, MASS. 02125

Plan of JULIEN ROAD, HARWICH

Showing PROPOSED CONDUIT LOCATION

Scale 1"=20' Date JUNE 11, 2020

SHEET 1 of 1

**TOWN OF HARWICH
NOTICE OF PUBLIC HEARING
JULY 7, 2020**

Pursuant to M.G.L. Ch. 166, § 22, the Interim Town Administrator will hold a Public Hearing at **10:00 AM on Tuesday July 7, 2020 via Teleconference** in reference to the following matter:

A petition by NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY requesting permission to locate underground cables, conduits and manholes, including the necessary sustaining and protecting fixtures, in, under, along and across the following public way or ways:

JULIEN ROAD, HARWICH

PROPOSED: To install approximately 28' of conduit and cable and 1 handhold #61/H22C in town road to provide electrical service to customer at 119 Julien Road, Harwich

All abutters and other interested persons are invited to dial in

TELECONFERENCE ACCESS INSTRUCTIONS

Underground Cable & Conduit Petition -

119 Julien Road - Public Hearing

Tue, Jul 7, 2020 10:00 AM - 10:30 AM (EDT)

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

<https://global.gotomeeting.com/join/110492781>

You can also dial in using your phone

United States: +1 (571) 317-3122

Access Code: 110-492-781

New to GoToMeeting? Get the app now and be ready when your first meeting starts: <https://global.gotomeeting.com/install/110492781>

For further information, please call the Town Administrator's Office at (508) 430-7513 x 3319

Joseph F. Powers
Interim Town Administrator

The Cape Cod Chronicle
June 25, 2020

mailed 4/23/20

YASUNA ELTON &
YASUNA MILDRED
700 JOHN RINGLING BLVD
UNIT 1201
SARASOTA, FL 34236-1551

16-W4-3-0-R

MOLESKI MARK D TRS ET AL
MAYNARD KAREN K TRS
6 LEDGEWOOD DR
LITCHFIELD, NH 03052-2332

16-W4-4-0-R

FRENIERE DAVID J TRS ET AL
FRENIERE DIANE C TRS
72 ABBOTT RD
WELLESLEY, MA 02481

16-W4-6-0-R

16-W4-11-0-E

HARWICH TOWN OF - CONSERVATION
732 MAIN ST
HARWICH, MA 02645

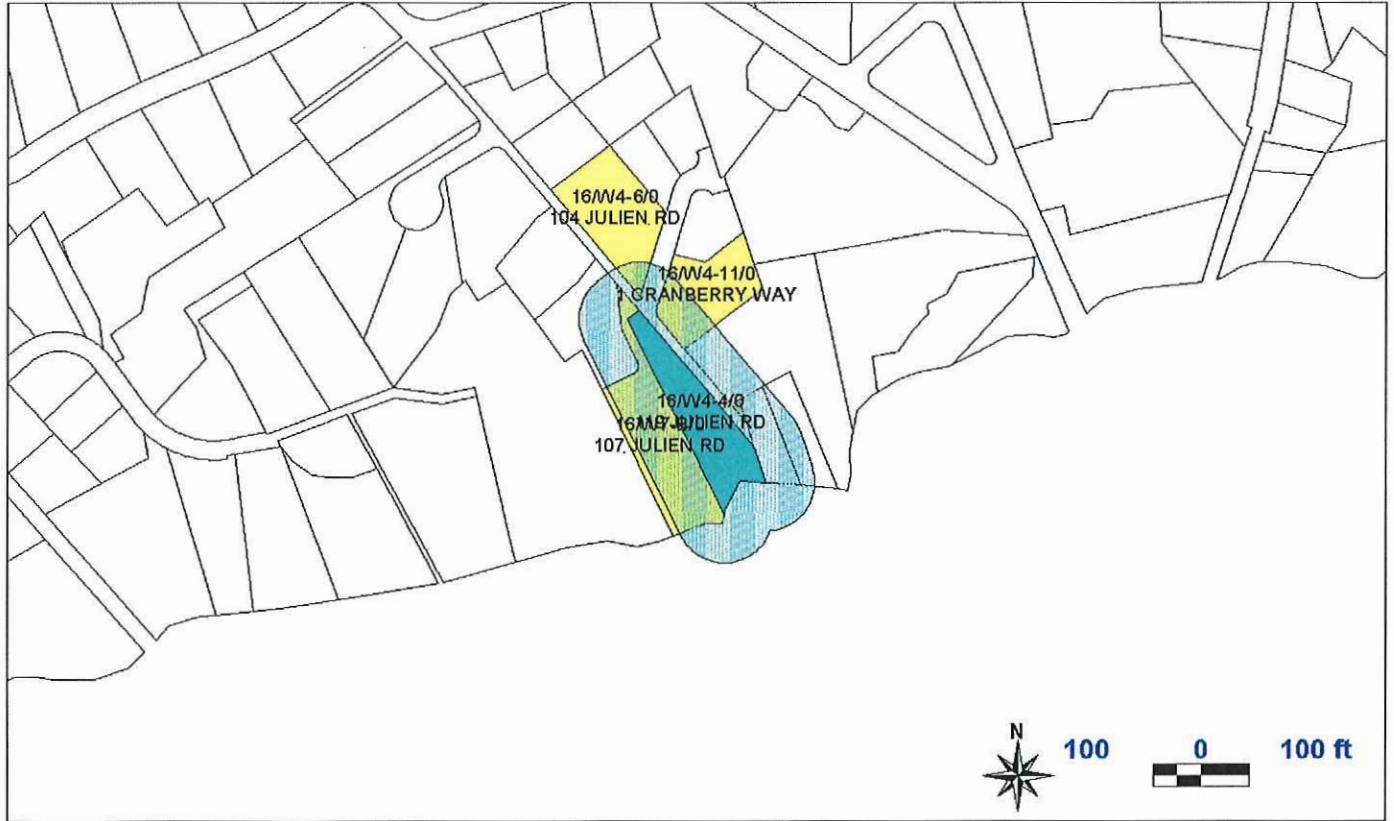
AWE LLC
880 MILL HILL RD
SOUTHPORT, CT 06890

16-W7-B-0-R



TOWN OF HARWICH, MA
 BOARD OF ASSESSORS
 732 Main Street, Harwich, MA 02645

Abutters List Within 100 feet of Parcel 16/W4-4/0



Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
2715	16-W4-3-0-R	YASUNA ELTON & YASUNA MILDRED	116 JULIEN RD	700 JOHN RINGLING BLVD UNIT 1201	SARASOTA	FL	34236-1551
8866	16-W4-4-0-R	MOLESKI MARK D TRS ET AL MAYNARD KAREN K TRS	119 JULIEN RD	6 LEDGEWOOD DR	LITCHFIELD	NH	03052-2332
2718	16-W4-6-0-R	FRENIERE DAVID J TRS ET AL FRENIERE DIANE C TRS	104 JULIEN RD	72 ABBOTT RD	WELLESLEY	MA	02481
10571	16-W4-11-0-E	HARWICH TOWN OF - CONSERVATION	1 CRANBERRY WAY	732 MAIN ST	HARWICH	MA	02645
2731	16-W7-B-0-R	AWE LLC	107 JULIEN RD	880 MILL HILL RD	SOUTHPORT	CT	06890

Public Hearings/Presentations



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

APPLICATION FOR ENTERTAINMENT LICENSE

- Weekday Entertainment (\$75) _____ 1 day (\$25)
- Batters Box (\$50)
- Go Carts (\$50)
- Miniature Golf (\$50)
- Trampolines (\$25)
- Theater (\$150 per cinema)

- New application
- Renewal
- Annual
- Seasonal
- Opening Date _____

Automatic Amusement:

- Juke Box (\$100 each)
- Video Games (\$100 each) Other _____

Business Name PHOENIX PARK INC Phone 508 432-8808
 Business Address CAPE COD IRISH PUB 126 RTE 28 W. HARWICH MA
 Mailing Address Box 106 W. HARWICH MA 02671
 Email Address Isaharringtonspub@gmail.com
 Managers Name & Address BRENDAN O'REILLY

TIMES AND DAYS OF WEEK FOR ENTERTAINMENT (This application does not cover Sundays).

Outdoor, on the deck, - Live - 3-8 pm

ENTERTAINMENT TYPE: (Check all appropriate boxes)

- Dancing by Patrons
- Dancing by Entertainers or Performers
- Recorded or Live Music
- Use of Amplification System
- Concert
- Other (Describe)



Days/Hours of Business Operation _____

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.

Brendan O'Reilly
 Signature of applicant & title 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.



Building Commissioner



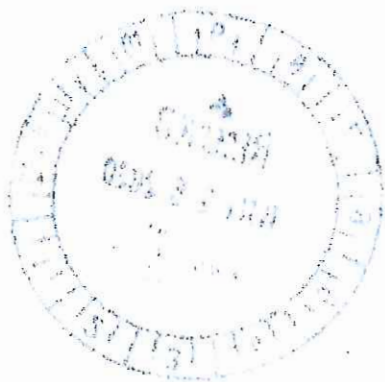
Board of Health



Fire Department

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


Police Department





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

APPLICATION FOR ENTERTAINMENT LICENSE

- Weekday Entertainment (\$75) _____ 1 day (\$25)
 - Batters Box (\$50)
 - Go Carts (\$50)
 - Miniature Golf (\$50)
 - Trampolines (\$25)
 - Theater (\$150 per cinema)
 - Automatic Amusement:
 - Juke Box (\$100 each)
 - Video Games (\$100 each) Other _____
- New application
Renewal _____
Annual _____
Seasonal
Opening Date _____

Business Name PHOENIX PARK INC. Phone 432-8808
 Business Address CAPE COD IRISH PUB 126 RTE. 28 W. HARWICH 02167
 Mailing Address Box 106 W. HARWICH 02671
 Email Address _____

Managers Name & Address BRENDAN O'REILLY

TIMES AND DAYS OF WEEK FOR ENTERTAINMENT (This application does not cover Sundays).

SATURDAYS INDOORS 3-7.00

ENTERTAINMENT TYPE: (Check all appropriate boxes)

- Dancing by Patrons
- Dancing by Entertainers or Performers
- Recorded or Live Music
- Use of Amplification System
- Concert
- Other (Describe) _____



Days/Hours of Business Operation _____

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.

Brendan O'Reilly
Signature of applicant & title 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.

[Handwritten signature]

Building Commissioner

[Handwritten signature]

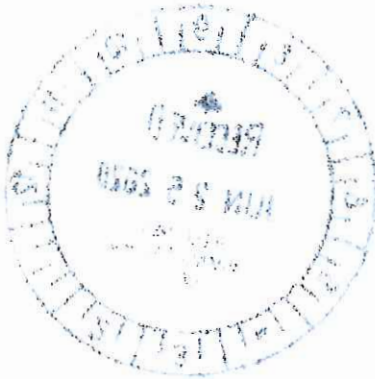
Board of Health

[Handwritten signature]

Fire Department

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

[Handwritten signature]
Police Department





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

APPLICATION FOR SUNDAY ENTERTAINMENT LICENSE

- Music 1PM or After (Municipal Fee \$85/State \$50) New application
 Music prior to 1PM (Municipal Fee \$175/State \$100) Renewal
 Go Carts (\$50) Annual
 Miniature Golf (\$50) Seasonal
 Trampolines (\$25) Opening Date
 Theater (\$150 per cinema)
 Automatic Amusement (\$100)
 Juke Box (\$100 each)
 Video Games (\$100 each) Other

Business Name PHOENIX PARK INC Phone 432-8808

Business Address 126 Rte. 28 W. Harwich MA 02671

Mailing Address Box 106 W. Harwich MA 02671

Owners Name & Address _____

Email Address lisaharringtonspub@gmail.com

Managers Name & Address BRENDAN O'REILLY

TIMES OF ENTERTAINMENT (Please specify where music will be located on your property and what type of entertainment such as live, DJ, recorded)

Outdoor @, on the deck - Live - 3-8 PM

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
 Any Other Dynamic Audio or Visual Show, Whether Live or Recorded



At any time during this concert, dance exhibition, cabaret or public show, will any person(s) be permitted to appear on the premises in any manner or attire as to expose to the public view any portion of the body as described in Mass. General Laws Chapter 140, Section 183A, Para. 3.

___ Yes No

If Yes, answer questions 1 through 4 below. Attach a separate sheet and/or exhibits if necessary:

1. Describe in complete detail the extent of exposure during the performance and the nature of the entertainment: _____

2. Furnish additional information concerning the condition of the premises and how they are suitable for the proposed entertainment: _____

3. Fully describe the actions you will take to prevent any adverse effects on public safety, health, or order: _____

4. Identify whether and how you will regulate access by minors to the premises: _____

Days/Hours of Business Operation _____

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.

Brian O'Reilly
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.



[Signature]
Building Commissioner

[Signature]
Board of Health

[Signature]
Fire Department

[Signature]
Police Department comments: _____

New Business

**Awaiting Documents
From
Town Counsel**

TOWN OF HARWICH

The Selectmen’s Interview/Nomination Sub-committee submitted the following list of annual committee/board/commission re-appointments. The Selectmen approved all reappointments on Monday, July 13, 2020

I, do solemnly swear that I will perform the duties of Position/Committee, to which I have been APPOINTED, I will faithfully and impartially, to the best of my knowledge and ability. Signed under the penalties of perjury.

COMMITTEE:	NAME	SIGNATURE	DATE SWORN IN:	EXP. DATE
Board of Health	Matt Antoine			6/30/2023
Waterways Committee	Mathew Hart			6/30/2023
Agricultural Committee	Brent Hemeon - Alternate			6/30/2023

Larry G. Ballantine

Edward J. McManus

Stephen P. Ford

Donald F. Howell

Michael D. MacAskill

HARWICH BOARD OF SELECTMEN



TOWN OF HARWICH
OFFICE OF THE FINANCE DIRECTOR/TOWN ACCOUNTANT
732 MAIN STREET, HARWICH, MA 02645 TEL: 508-430-7518 FAX: 508-432-5039

MEMO

To: Board of Selectmen

From: Carol Coppola, Finance Director

CC: Dana Decosta, Chairman Finance Committee
Joseph Powers, Interim Town Administrator

Date: July 9, 2020

Re: Fiscal Year 2020 Budget Transfers & August - October 2020 Monthly
Spending Plan

Fiscal Year 2020 Budget Transfers

Please find enclosed proposed budget transfers for the previous fiscal year. The Finance Committee has scheduled a meeting this evening, Thursday, July 9th to, in part, review and vote on the budget transfers as presented.

Budget Transfer #1:

- a) To fund vacation buy back for Administration,
- b) To fund CVEC administration expenses for round 4 and 5 for new solar initiative.

Budget Transfer #2:

- a) To fund increase in gas inspector wages due to increased inspections for the new Cape Cod Regional Technical High School and fire station #2,
- b) To fund stipend paid to employee for work completed during the fiscal year with the Town Engineer.

Budget Transfer #3:

- a) To fund shortfall in the town's portion of Medicare associated with wages paid to employees. The Town's share is 1.45% of wages,

- b) To fund principal and interest associated with the final bonding for Saquatucket Harbor. The bonds were sold in June 2019 after the budget was authorized.

Budget Transfer #4:

- a) To fund shortfall in the Cemetery Administrator’s salary for June 29 - 30th payroll,
- b) To fund Sunday coverage at Community Center when it was open to the public.

The summary provided below may be useful for discussion and potential approval of the year end transfers.

Trans #	Description	Transfer To	Trans #	Description	Transfer From
1	Administration - S&W	450	1	Assessor S&W	450
1	Administration Prof/Tech Svc	1,100	1	Selectmen Dues	1,100
2	Gas Inspection S&W	8,900	2	Building S&W	8,900
2	Engineering S&W	3,400	2	Assessor S&W	3,400
3	Medicare	2,200	3	Sick Leave Buy Back	2,200
3	Principal on Long Term Debt	18,150	3	Short Term Interest	29,364
3	Interest on Long Term Debt	11,214			
4	Cemetery S&W	610	4	Assessor S&W	610
4	Community Center S&W	110	4	Assessor S&W	110
	Total	46,134		Total	46,134

FY 2021 – Monthly Spending Plan – August - October 2020

Presented, as an enclosure, for your review and consideration are the spending plans for August - October 2020. The plans were prepared in accordance with the Department of Revenue’s May 2020 Bulletin, BUL-2020-6.

The monthly spending plans for the General and Sewer Enterprise Funds contain and consider the following matters:

1. Begin with the Fiscal Year 2020 Tax Rate Recapitulation,
2. Subtract Fiscal Year 2019 Free Cash appropriated at the 2019 Annual Town Meeting to fund snow and ice shortfalls,
3. Divide the difference by 12 – the July 2020 monthly spending plan must be equal to or greater than this end result,
4. Use FY 2020 as the base for the budget,
5. Include FY 2021 proposed budgets by regional school districts,

6. Analyze prior years' spending in August - October to determine typical spending levels,
7. Consider expenses for the following categories:
 - August
 - a. Cape Cod Regional Technical High School assessment,
 - b. Anticipated employee retirements,
 - c. Annual payments to Barnstable County Sheriff, Cape & Islands EMS, Clams library membership, Department of Veterans Services, and
 - d. The purchase of necessary equipment for the golf department.
 - September
 - a. Monomoy Regional School District Assessment,
 - b. Annual insurance premiums for property and liability coverage, and
 - c. Annual Town Meeting expenses.
 - October
 - a. Annual Town Meeting expenses.
8. Develop a format to submit to the Department of Revenue.

The monthly spending plan for July was submitted to the Department of Revenue on Tuesday, June 23rd and approved the following day. The Department recommended, when/if the spending plans fall short of the base budget amount, then a new line item be established within the Board of Selectmen's authority to expend when necessary. In accordance with their recommendation, I have established the Board of Selectmen Reserve to be utilized when the monthly spending plans fall below the 1/12th budget. I believe the monthly plans represent the necessary spending for the Town of Harwich for the months of August, September and October.

The Water Commissioners will address the monthly spending plans for the same periods listed above at their next regularly scheduled meeting. The Board of Selectmen need only approve the monthly spending plans for the General and Sewer Enterprise Funds.

Once the Board of Selectmen have approved the plans then notification should be provided to the Town Clerk of such authorization. I have provided sample documents for your consideration.



Town of Harwich
REQUEST FOR BUDGET FY 2020 TRANSFER

MGL CH. 44s/s 33B

Board of Selectmen
Finance Committee
Town of Harwich

Date 7/6/2020

Dear Sir/Madam:

Request is hereby made for the following transfer in accordance with Chapter 44, Section 33B of the Massachusetts General Laws:

Amount requested:


See Attached

To be transferred to #	011491/511900	Administration S&W	\$ 450.00
	Account Number	Name of Appropriation	
To be transferred from #	011411/511900	Assessor S&W	\$ 450.00
		Name of Appropriation	
To be transferred to #	011492/530900	Administration Prof/Tech Services	\$ 1,100.00
	Account Number	Name of Appropriation	
To be transferred from #	011222/573000	Selectmen Dues & Subscriptions	\$ 1,100.00
	Account Number	Name of Appropriation	

To transfer funds to cover vacation buyback and CVEC administrative expenses authorized by BOS 10/7/19.



Finance Director/ Town Accountant



Town Administrator

Action of Finance Committee

Action of Board of Selectmen

Date of Meeting

Number of present & voting 6, 6

Number of present & voting _____

Transfer approved

Transfer approved

 7/9/2020

Chairman, Finance Committee Date

Chairman, Board of Selectmen Date

Town of Harwich

REQUEST FOR BUDGET FY 2020 TRANSFER

MGL CH. 44s/s 33B

Board of Selectmen
Finance Committee
Town of Harwich

Date 7/6/2020

Dear Sir/Madam:

Request is hereby made for the following transfer in accordance with Chapter 44, Section 33B of the Massachusetts General Laws:

Amount requested:

To be transferred to #	012421/511800	Gas Inspection S&W	\$ 8,900.00
	Account Number	Name of Appropriation	
To be transferred from #	012411/511800	Building S&W	\$ 8,900.00
		Name of Appropriation	
To be transferred to #	014111/511900	Engineering S&W	\$ 3,400.00
	Account Number	Name of Appropriation	
To be transferred from #	011411/511900	Assessor S&W	\$ 3,400.00
	Account Number	Name of Appropriation	

To transfer funds to support additional gas inspections due to CCRTHS and other construction projects.

To transfer funds to support executive assistant stipend.



Finance Director/Town Accountant



Town Administrator
Interim

Action of Finance Committee

Action of Board of Selectmen

Date of Meeting

Number of present & voting 6, 6

Number of present & voting _____

Transfer approved

Transfer approved



Chairman, Finance Committee 7/9/2020
Date

Chairman, Board of Selectmen Date

Town of Harwich

REQUEST FOR BUDGET FY 2020 TRANSFER

MGL CH. 44s/s 33B

Board of Selectmen
Finance Committee
Town of Harwich

Date 7/6/2020

Dear Sir/Madam:

Request is hereby made for the following transfer in accordance with Chapter 44, Section 33B of the Massachusetts General Laws:

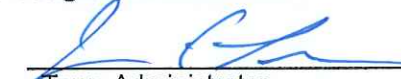
Amount requested:

To be transferred to #	011482/517500	Medicare	\$ 2,200.00
	<u>Account Number</u>	<u>Name of Appropriation</u>	
To be transferred from #	011482/515005	Sick Leave Buy Back	\$ 2,200.00
		<u>Name of Appropriation</u>	
	017767/591000	SAQ - Principal	\$ 18,150.00
To be transferred to #	017767/591500	SAQ - Interest	\$ 11,214.00
	<u>Account Number</u>	<u>Name of Appropriation</u>	
To be transferred from #	017997/592500	Short Term Debt Interest	\$ 29,364.00
	<u>Account Number</u>	<u>Name of Appropriation</u>	

To transfer funds to cover additional employer share of medicare (1.45% of wages)

Transfer funds from short term interest to cover final borrowing for Saquatucket Construction, bonds sold June 2019 after FY 20 budget was authorized.


Finance Director/ Town Accountant


Town Administrator
Interim

Action of Finance Committee

Action of Board of Selectmen

Date of Meeting

Number of present & voting 6, 6

Number of present & voting _____

Transfer approved

Transfer approved


Chairman, Finance Committee Date

Chairman, Board of Selectmen Date

Town of Harwich

REQUEST FOR BUDGET FY 2020 TRANSFER

MGL CH. 44s/s 33B

Board of Selectmen
Finance Committee
Town of Harwich

Date 7/6/2020

Dear Sir/Madam:

Request is hereby made for the following transfer in accordance with Chapter 44, Section 33B of the Massachusetts General Laws:

Amount requested:

To be transferred to # 014911/511900 Cemetery S&W \$ 610.00

Account Number Name of Appropriation

To be transferred from # 011411/511900 Assessor S&W \$ 610.00

Name of Appropriation

To be transferred to # 015401/511800 Community Ctr S&W \$ 110.00

Account Number Name of Appropriation

To be transferred from # 011411/511900 Assessor S&W \$ 110.00

Account Number Name of Appropriation

To transfer funds to cover Cemetery Administrator salary for June 29 - 30th and Sunday coverage for part-time staff at the Community Center.


Finance Director/ Town Accountant


Town Administrator
Interim

Action of Finance Committee

Action of Board of Selectmen

Date of Meeting

Number of present & voting 6,6

Number of present & voting _____

Transfer approved

Transfer approved


Chairman, Finance Committee Date 7/9/2020

Chairman, Board of Selectmen Date

**Town of Harwich
FY 2021 1/12th Budget**

FY 2020 Tax Recap

Page 1 line 1a	\$ 78,644,549
Subtract Free Cash Appropriation for FY 19	\$ 137,500
Divided Monthly	\$ 6,542,254

	<u>July 1/12th Budget</u>	<u>Aug 1/12th Budget</u>	<u>Sept 1/12th Budget</u>	<u>Oct 1/12th Budget</u>
General Government:				
Salaries & Wages	225,120	225,120	229,120	225,120
Expenses	177,880	193,280	180,280	155,280
Capital Outlay	458	458	458	458
Board of Selectmen Reserve		2,476,682		3,277,604
Finance Committee Reserve Fund	10,417	10,417	10,417	10,417
Total General Government	<u>413,875</u>	<u>2,905,958</u>	<u>420,276</u>	<u>3,668,880</u>
Public Safety:				
Salaries & Wages	738,737	738,737	738,737	738,737
Expenses	103,443	212,307	103,443	103,443
Capital Outlay	7,376	7,376	7,376	7,376
Total Public Safety	<u>849,556</u>	<u>958,420</u>	<u>849,556</u>	<u>849,556</u>
Public Works:				
Salaries & Wages	254,919	254,919	254,919	254,919
Expenses	290,672	290,672	290,672	290,672
Total Public Works	<u>545,591</u>	<u>545,591</u>	<u>545,591</u>	<u>545,591</u>
Human Services:				
Salaries & Wages	81,822	81,822	81,822	81,822
Expenses	42,236	85,114	42,236	42,236
Total Human Services	<u>124,058</u>	<u>166,936</u>	<u>124,058</u>	<u>124,058</u>
Culture & Recreation:				
Salaries & Wages	296,039	296,039	296,039	296,039
Expenses	162,767	183,035	162,767	162,767
Capital Outlay	10,200	27,075	10,200	10,200
Total Culture & Recreation	<u>469,006</u>	<u>506,149</u>	<u>469,006</u>	<u>469,006</u>

**Town of Harwich
FY 2021 1/12th Budget**

FY 2020 Tax Recap

Page 1 line 1a	\$ 78,644,549
Subtract Free Cash Appropriation for FY 19	\$ 137,500
Divided Monthly	\$ 6,542,254

	<u>July 1/12th Budget</u>	<u>Aug 1/12th Budget</u>	<u>Sept 1/12th Budget</u>	<u>Oct 1/12th Budget</u>
Debt Service	341,184	68,200	174,250	15,500
State/County Assessments:				
State Assessments	25,075	25,075	25,075	25,075
BC Retirement Assessment	3,144,894	-	-	-
BC Assessment - Other	38,639	38,639	38,639	38,639
Total State/County Assessments	<u>3,208,608</u>	<u>63,714</u>	<u>63,714</u>	<u>63,714</u>
Insurances:				
Health Insurance	550,000	399,172	399,172	399,172
Unemployment Insurance	1,667	1,667	1,667	1,667
General Insurances	123,740	1,818	732,548	1,818
Total Insurances	<u>675,407</u>	<u>402,657</u>	<u>1,133,387</u>	<u>402,657</u>
Regional School Districts:				
Monomoy Regional	3,881,949	-	3,881,949	-
Cape Cod Regional Technical High School	-	521,336	-	-
Total Regional School Districts	<u>3,881,949</u>	<u>521,336</u>	<u>3,881,949</u>	<u>-</u>
Enterprise Funds:				
Water Enterprise Fund	361,155	361,155	361,155	361,155
Sewer Enterprise Fund	42,137	42,137	42,137	42,137
Total Enterprise Funds	<u>403,292</u>	<u>403,292</u>	<u>403,292</u>	<u>403,292</u>
Grand Total	10,912,526	6,542,254	8,065,079	6,542,254
Less Water Enterprise Fund (voted separately by Water Commissioners)	361,155	361,155	361,155	361,155

**Town of Harwich
FY 2021 1/12th Budget**

FY 2020 Tax Recap

Page 1 line 1a	\$ 78,644,549
Subtract Free Cash Appropriation for FY 19	\$ 137,500
Divided Monthly	\$ 6,542,254

	<u>July 1/12th Budget</u>	<u>Aug 1/12th Budget</u>	<u>Sept 1/12th Budget</u>	<u>Oct 1/12th Budget</u>
Total General Fund and Sewer Enterprise Fund (to be voted by Board of Selectmen)	10,551,371	6,181,099	7,703,924	6,181,099

Note: Each 1/12th budget must be greater than or equal to the FY 2020 Tax Rate Recap line 1a

Is the month greater than or equal to 1/12th of line 1a?	Yes	Yes	Yes	Yes
--	------------	------------	------------	------------

Explain significant changes

July:

Annual Barnstable County Retirement Contribution due	3,144,894
Annual insurance premiums for Injured on Duty and M&A	123,740
Assessment for Monomoy Regional School District	3,881,949

August:

Board of Selectmen Reserve Fund	2,476,682
Assessment for Cape Cod Regional Technical High School	521,336
Anticipated employee retirement(s)	70,000
Barnstable County Sheriff	101,944
Cape & Islands EMS	6,920
Department of Veterans Services - Harwich Annual Assessment	42,878
Clams Library Membership	20,268
Golf Department equipment purchase	16,875

September:

**Town of Harwich
FY 2021 1/12th Budget**

FY 2020 Tax Recap

Page 1 line 1a	\$ 78,644,549
Subtract Free Cash Appropriation for FY 19	\$ 137,500
Divided Monthly	\$ 6,542,254

	<u>July</u> <u>1/12th Budget</u>	<u>Aug</u> <u>1/12th Budget</u>	<u>Sept</u> <u>1/12th Budget</u>	<u>Oct</u> <u>1/12th Budget</u>
Assessment for Monomoy Regional School District			3,881,949	
Annual insurance premiums for property and liability coverage			730,730	
Annual Town Meeting expenses			61,000	
October:				
Board of Selectmen Reserve Fund				3,277,604
Annual Town Meeting expenses				32,000



TOWN OF HARWICH
BOARD OF SELECTMEN

732 MAIN STREET, HARWICH, MA 02645 TEL: 508-430-7513 FAX: 508-432-5039

MEMO

To: Anita Doucette, Town Clerk
From: Chairman Board of Selectmen
CC: Dana Decosta, Chairman Finance Committee
Joseph Powers, Interim Town Administrator
Carol Coppola, Finance Director
Date: July 13, 2020
Re: August 2020 Monthly Spending Plan

In accordance with the Massachusetts Department of Revenue's May 2020 Bulletin, BUL-2020-6, I am writing to inform you that on July 13, 2020 the Board of Selectmen met in regular session and voted to approve the monthly spending plan for the month of August 2020 for the General Fund and Sewer Enterprise Fund in the amount of \$6,181,099 and authorized the Chairman to prepare and sign this correspondence on behalf of the Board of Selectmen.

Respectfully,

X

Chairman, Board of Selectmen



TOWN OF HARWICH
BOARD OF SELECTMEN

732 MAIN STREET, HARWICH, MA 02645 TEL: 508-430-7513 FAX: 508-432-5039

MEMO

To: Anita Doucette, Town Clerk
From: Chairman Board of Selectmen
CC: Dana Decosta, Chairman Finance Committee
Joseph Powers, Interim Town Administrator
Carol Coppola, Finance Director
Date: July 13, 2020
Re: September 2020 Monthly Spending Plan

In accordance with the Massachusetts Department of Revenue's May 2020 Bulletin, BUL-2020-6, I am writing to inform you that on July 13, 2020 the Board of Selectmen met in regular session and voted to approve the monthly spending plan for the month of September 2020 for the General Fund and Sewer Enterprise Fund in the amount of \$7,703,924 and authorized the Chairman to prepare and sign this correspondence on behalf of the Board of Selectmen.

Respectfully,

X

Chairman, Board of Selectmen



TOWN OF HARWICH
BOARD OF SELECTMEN

732 MAIN STREET, HARWICH, MA 02645 TEL: 508-430-7513 FAX: 508-432-5039

MEMO

To: Anita Doucette, Town Clerk
From: Chairman Board of Selectmen
CC: Dana Decosta, Chairman Finance Committee
Joseph Powers, Interim Town Administrator
Carol Coppola, Finance Director
Date: July 13, 2020
Re: October 2020 Monthly Spending Plan

In accordance with the Massachusetts Department of Revenue's May 2020 Bulletin, BUL-2020-6, I am writing to inform you that on July 13, 2020 the Board of Selectmen met in regular session and voted to approve the monthly spending plan for the month of October 2020 for the General Fund and Sewer Enterprise Fund in the amount of \$6,181,099 and authorized the Chairman to prepare and sign this correspondence on behalf of the Board of Selectmen.

Respectfully,

X

Chairman, Board of Selectmen

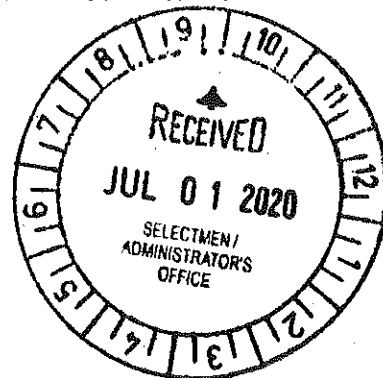
PLANNING BOARD • 732 Main Street, Harwich, MA 02645



ph: 508-430-7511 • fax: 508-430-4703

July 1, 2020

To: Board of Selectmen
From: Planning Board
Re: Proposed Zoning Bylaw Amendment – “Essential Services”



This may look familiar to the Board of Selectmen. Due to the postponement of Town Meeting, the Planning had to take this proposed zoning amendment back up again. Originally this bylaw was referred to the Planning Board to begin the public hearing in January 2020. The Planning Board did hold a hearing for the proposed zoning amendments related to the term “Essential Services” on February 25, 2020; however, pursuant to MGL c.40A, §5 “*If a...town meeting fails to vote to adopt any proposed by-law within six months after the planning board hearing, no action shall be taken thereon until after a subsequent public hearing is held with notice...*” That 6 month period will expire on August 25, 2020.

All that being said, at the duly posted Planning Board meeting held June 25, 2020, the Board Members present voted unanimously to refer the attached zoning bylaw amendment to the Board of Selectmen so that the required public hearing process can begin and so that this article is included in the Annual Town Meeting Warrant.

The proposed zoning bylaw amendment is relative to the deletion of the definition of “Essential Services” and removing said use from the Zoning Use Table.

At this time the Planning Board requests that the Board of Selectmen vote to refer this proposed zoning amendment back to the Planning Board so that the Planning Board can begin the required public hearing process pursuant to M.G.L. c.40A §5. Attached please find this provision.

Please note, that pursuant to MGL c.40A §5, the Board of Selectmen has 14-day to refer the proposed bylaw amendment to the Planning Board.

If you have any questions, please do not hesitate to contact the Board or Town Planner Charleen Greenhalgh.

Recommended Motion:

Move that the Board of Selectmen refer the zoning amendment relative to “Essential Services” to the Planning Board for the required public hearing.

Enc. (2)

Article ___: To see if the Town will vote to amend the Code of the Town of Harwich – Zoning by deleting the definition of “Essential Services” within §325-2 – Definitions and by deleting within §325-13 – Table 1, Paragraph II – Public and Quasi Public Uses, Item 3 – Essential services; facility, utilities.

Explanation:

The existing definition of *ESSENTIAL SERVICES*: “*Services and appurtenant structures, facilities, uses or equipment provided by governmental agencies, including the Town of Harwich, or provided by public utility or public service companies, including but not limited to water distribution systems, Town-owned marinas, docking areas, fish piers, off-loading facilities, retaining walls, jetties and similar structures, gas and electric distribution, systems for telecommunications and sewerage systems.*” and the definitions of *MUNICIPAL USE*: “*A use, whether in a structure and/or on a parcel of land, owned and/or operated by the Town of Harwich.*” are in conflict with one another. All Municipal Uses are allowable by right, as are public utility uses (i.e. gas, electric, cable, cell). By deleting the definition of Essential Services it would eliminate this unnecessary conflict.

MGL c.40A, §5: Adoption or change of zoning ordinances or by-laws; procedure

Section 5. Zoning ordinances or by-laws may be adopted and from time to time changed by amendment, addition or repeal, but only in the manner hereinafter provided. Adoption or change of zoning ordinances or by-laws may be initiated by the submission to the city council or board of selectmen of a proposed zoning ordinance or by-law by a city council, a board of selectmen, a board of appeals, by an individual owning land to be affected by change or adoption, by request of registered voters of a town pursuant to section ten of chapter thirty-nine, by ten registered voters in a city, by a planning board, by a regional planning agency or by other methods provided by municipal charter. The board of selectmen or city council shall within fourteen days of receipt of such zoning ordinance or by-law submit it to the planning board for review.

No zoning ordinance or by-law or amendment thereto shall be adopted until after the planning board in a city or town, and the city council or a committee designated or appointed for the purpose by said council has each held a public hearing thereon, together or separately, at which interested persons shall be given an opportunity to be heard. Said public hearing shall be held within sixty-five days after the proposed zoning ordinance or by-law is submitted to the planning board by the city council or selectmen or if there is none, within sixty-five days after the proposed zoning ordinance or by-law is submitted to the city council or selectmen. Notice of the time and place of such public hearing, of the subject matter, sufficient for identification, and of the place where texts and maps thereof may be inspected shall be published in a newspaper of general circulation in the city or town once in each of two successive weeks, the first publication to be not less than fourteen days before the day of said hearing, and by posting such notice in a conspicuous place in the city or town hall for a period of not less than fourteen days before the day of said hearing. Notice of said hearing shall also be sent by mail, postage prepaid to the department of housing and community development, the regional planning agency, if any, and to the planning board of each abutting city and town. The department of housing and community development, the regional planning agency, the planning boards of all abutting cities and towns and nonresident property owners who may not have received notice by mail as specified in this section may grant a waiver of notice or submit an affidavit of actual notice to the city or town clerk prior to town meeting or city council action on a proposed zoning ordinance, by-law or change thereto. Zoning ordinances or by-laws may provide that a separate, conspicuous statement shall be included with property tax bills sent to nonresident property owners, stating that notice of such hearings under this chapter shall be sent by mail, postage prepaid, to any such owner who files an annual request for such notice with the city or town clerk no later than January first, and pays a reasonable fee established by such ordinance or by-law. In cases involving boundary, density or use changes within a district, notice shall be sent to any such nonresident property owner who has filed such a request with the city or town clerk and whose property lies in the district where the change is sought. No defect in the form of any notice under this chapter shall invalidate any zoning ordinances or by-laws unless such defect is found to be misleading.

Prior to the adoption of any zoning ordinance or by-law or amendment thereto which seeks to further regulate matters established by section forty of chapter one hundred and thirty-one or regulations authorized thereunder relative to agricultural and aquacultural practices, the city or town clerk shall, no later than seven days prior to the city council's or town meeting's public hearing relative to the adoption of said new or amended zoning ordinances or by-laws, give notice of the said proposed zoning ordinances or by-laws to the farmland advisory board established pursuant to section forty of chapter one hundred and thirty-one.

No vote to adopt any such proposed ordinance or by-law or amendment thereto shall be taken until a report with recommendations by a planning board has been submitted to the town meeting or city council, or twenty-one days after said hearing has elapsed without submission of such report. After such notice, hearing and report, or after twenty-one days shall have elapsed after such hearing without

submission of such report, a city council or town meeting may adopt, reject, or amend and adopt any such proposed ordinance or by-law. If a city council fails to vote to adopt any proposed ordinance within ninety days after the city council hearing or if a town meeting fails to vote to adopt any proposed by-law within six months after the planning board hearing, no action shall be taken thereon until after a subsequent public hearing is held with notice and report as provided.

No zoning ordinance or by-law or amendment thereto shall be adopted or changed except by a two-thirds vote of all the members of the town council, or of the city council where there is a commission form of government or a single branch, or of each branch where there are two branches, or by a two-thirds vote of a town meeting; provided, however, that if in a city or town with a council of fewer than twenty-five members there is filed with the clerk prior to final action by the council a written protest against such change, stating the reasons duly signed by owners of twenty per cent or more of the area of the land proposed to be included in such change or of the area of the land immediately adjacent extending three hundred feet therefrom, no such change of any such ordinance shall be adopted except by a three-fourths vote of all members.

No proposed zoning ordinance or by-law which has been unfavorably acted upon by a city council or town meeting shall be considered by the city council or town meeting within two years after the date of such unfavorable action unless the adoption of such proposed ordinance or by-law is recommended in the final report of the planning board.

When zoning by-laws or amendments thereto are submitted to the attorney general for approval as required by section thirty-two of chapter forty, he shall also be furnished with a statement which may be prepared by the planning board explaining the by-laws or amendments proposed, which statement may be accompanied by explanatory maps or plans.

The effective date of the adoption or amendment of any zoning ordinance or by-law shall be the date on which such adoption or amendment was voted upon by a city council or town meeting; if in towns, publication in a town bulletin or pamphlet and posting is subsequently made or publication in a newspaper pursuant to section thirty-two of chapter forty. If, in a town, said by-law is subsequently disapproved, in whole or in part, by the attorney general, the previous zoning by-law, to the extent that such previous zoning by-law was changed by the disapproved by-law or portion thereof, shall be deemed to have been in effect from the date of such vote. In a municipality which is not required to submit zoning ordinances to the attorney general for approval pursuant to section thirty-two of chapter forty, the effective date of such ordinance or amendment shall be the date passed by the city council and signed by the mayor or, as otherwise provided by ordinance or charter; provided, however, that such ordinance or amendment shall subsequently be forwarded by the city clerk to the office of the attorney general.

A true copy of the zoning ordinance or by-law with any amendments thereto shall be kept on file available for inspection in the office of the clerk of such city or town.

No claim of invalidity of any zoning ordinance or by-law arising out of any possible defect in the procedure of adoption or amendment shall be made in any legal proceedings and no state, regional, county or municipal officer shall refuse, deny or revoke any permit, approval or certificate because of any such claim of invalidity unless legal action is commenced within the time period specified in sections thirty-two and thirty-two A of chapter forty and notice specifying the court, parties, invalidity claimed, and date of filing is filed together with a copy of the petition with the town or city clerk within seven days after commencement of the action.

Approve the increase from M7, Step 7 to Step 8 with the corresponding increase in salary from \$109,351 to \$112,086 retroactive to May 20, 2020, (one-year anniversary date). This increase is in line with Part 6 of the Town of Harwich Personnel By-Law copied below.

Joe has met or exceeded position requirements during his first year as Assistant Town Administrator.

Part 6

RATE INCREASES AND LONGEVITY

Section 1. Step Rate Increases: Every employee in an appointive position for which step rate increases are provided under the Compensation Plan may be considered for an increase to the first or next higher step rate, as the case may be, within his compensation grade. Any such increase shall be effective on the anniversary date of his last employment or date of reclassification, whichever is later, until the maximum rate is reached. Such step rate increases shall be made only with approval of the Department Head and Town Administrator that the employee has performed satisfactorily for the previous twelve (12) months. An employee may receive a two-step increase for exceptional work at his or her anniversary date with the approval of both the department head and the Town Administrator.

OLD BUSINESS

To Larry Ballantine, Chair Harwich Board of Selectmen
From Norm Clarke, Chair Town Administrator Search Committee
Date 7/10/2020
RE Report on Finalists

In January, 2020 the Committee was tasked by the Board of Selectmen to conduct a search for the important role of Town Administrator. We have completed this charge. Consisting of Dan Wolf, Julie Kavanagh, Michael Hurley, Linda Cebula and me, the committee worked diligently on this process. Additionally, we received guidance and counsel from Michele Randazzo of KP Law, Harwich's town counsel. We would also like to thank Anita Doucette, Town Clerk, for her assistance in maintaining the confidentiality of this search and Scott Tyldesley of the Harwich Fire Department for his help with the remote participation logistics.

The committee followed the requirements of the Charter while completing the following:

- *Reviewed the Position Description, identifying key attributes needed for the successful applicants
- *Developed the language for the position advertisement
- *Advertised the position in the MMA Beacon, Boston Globe and Cape Cod Times
- *Received and reviewed 44 applications against the Position Description for applicability. There were two applications that were received after the deadline and these were not considered.
- *Requested written responses to two questions from applicants
- *Selected 7 for personal interviews (done via the Go2Meeting platform)
- *After selecting the finalists, ensured that each finalist desired to continue the process (i.e., the names would be made public)
- *Submitted 4 finalists to Board of Selectmen.

Finalists, in alphabetical order:

Kenneth Gray
Thomas Guerino
Joseph Powers
Cathy Ann Viveiros

Please advise if there are any additional tasks that the Committee should undertake. The Committee members appreciate the opportunity to serve our community.

Attachments: finalists' applications and resumes

To Applicant

From Town Administrator Search Committee, Harwich MA

Date 06 21 2020

RE request for written responses

Thank you for your interest in the position of Town Administrator for the Town of Harwich. You have been selected to move forward in the search process: next steps are written responses to the questions below and individual interviews. In this pandemic environment, the Committee will be conducting all interviews using an internet platform. The timing for the interviews is still in the process of being scheduled.

We would like you to respond to these questions:

As a new manager, how did you build trust and credibility with the Board you reported to, the employees you were directly responsible for, and other stakeholder groups such as taxpayers and the business community? How did you develop relationships? Share an example as to how you built a coalition with stakeholders who may not agree with one another.

From your perspective, how do you think the Federal, State and Local governments have addressed the current pandemic and recent climate disasters? What have been the strengths and weaknesses? What actions would you recommend to our Board of Selectmen to address this situation now and going forward?

Length no more than 1-2 paragraphs per question

Due by end of day 06 26 2020

Respond directly to taresume@townofharwich.us

We thank you for your interest and look forward to meeting you, alas via a screen!

Kenneth Gray
9 Riverview Heights
Amesbury, MA 01913
kgray@northwavetech.com
508-633-0091 (cell/text)

May 22, 2020
Harwich Town Administrator Search Committee
Harwich Board of Selectmen
732 Main Street
Harwich, MA 02645

Dear Committee and Board Members,

In response to your search for Harwich's next Town Administrator, please find my resume below. My application and references are attached.

I am an experienced C level senior executive with a strong skill set and a demonstrated record of success leading and managing both private sector and municipal organizations.

My most recent and relevant experience is as the Mayor of Amesbury, MA, a small city of approximately 18,000 inhabitants, having served in that capacity from January of 2014 until January of 2020. In Amesbury's "strong Mayor" form of government, the Mayor is the CEO and as such directly manages all city departments, with the exception of the Clerk's office, and is Chair of the District School Committee.

Prior to becoming Mayor I spent over 20 years in the private sector. I held a series of positions with continuously increasing responsibility in successful private and publically traded companies in one of the country's most dynamic and cyclical business sectors, semiconductors. My private sector experience culminated with me starting my own technology company in 2001.

Although the objectives of private businesses are generally quite different from those of municipalities, many of the operational skills that are needed for success are common to both and are transferable. Skills that I have developed such as budgeting and finance, forecasting, communications, negotiating, goal setting, strategic planning, and problem solving, as well as management and leadership skills are critical to success in a senior management role in both the public and private sectors.

I should also mention the importance of conflict resolution skills. In any senior management job, but especially in the public sector, there are conflicts almost daily that need strong resolution skills.

In addition to skills, I bring strong personal, professional, and work ethics as well as a private sector sense of urgency to municipal management. I'm a hands-on manager who leads by example and comes to work every day prepared to meet the challenges before me.

During my tenure as Mayor, the city developed many positive working relationships with senior executives in state government as evidenced by our record of success in receiving grants, for example, MassWorks (\$5.7million through EOHEd), CDBG (2.4 million through EOHCD), Green Communities (\$1.2 million through EOEEA), and TIP (\$12 million through MA DOT).

Over those six years, we enjoyed a relationship with the local press and other media which was built based on credibility, trust and respect. Concurrently, the city developed a strong communications and social media presence.

And I am proud of the relationships my team was able to build with our city councilors which resulted in our collective ability as governing bodies to tackle and resolve our most pressing issues, some of which had separated our community for decades, which enabled Amesbury to move forward, together, in a positive direction.

Currently, dealing with the Covid-19 pandemic is the most challenging and important aspect of municipal leadership and management. The first priority of any community should always be the protection of the health and safety of its people. That being said, there is much we do not know about the virus, so leaders are naturally being very cautious as we learn more about the disease every day.

Each community is affected differently; infection rates vary substantially depending on many factors and the impact on local businesses likewise varies significantly. For example, those economies heavily dependent on tourism, such as Harwich, have been hit particularly hard and as the weather gets better there is increasing pressure on local government to act and to help businesses and their employees.

The challenge for each local government is to balance the needs of the people in their particular community; to be vigilant in the protection of their most vulnerable while actively and creatively finding ways to help businesses open within the constraints of federal and state mandates.

It's important in this context that local leaders continuously communicate a unified message that is honest yet optimistic with the community, local businesses and state government

I'm attracted to the Harwich opportunity for a number of reasons. Professionally, I believe that although the issues and challenges are quite different, my experience, knowledge, and skill set, which have served Amesbury well, would do the same for Harwich. Personally, through my wife Donna, my children and grandchildren can directly trace their roots back to Harwich, where generations of their ancestors lived, having left for Canada shortly after the Revolutionary War. More importantly, we both love the Cape. We visit Harwich regularly and would be thrilled to make it our future home.

Thank you for your consideration and I look forward to meeting and discussing the opportunity and how I might fit into Harwich's future.

Sincerely,



Ken Gray

Additional Reference information

Since the Town Administrator Position Profile focuses heavily on skills and personal qualities, I've provided links to a few documents that give examples of how I've been able to put to use some of the skills I've acquired over the course of my career.

Case Study 1, Problem Solving and Controlling Property Taxes

Link: https://drive.google.com/file/d/1s199jqmVsTfoeQr0FhkEt8IDAC83dC_C/view?usp=sharing

Skills Demonstrated: Goal setting, Strategic planning, Fiscal management, Complex problem solving, Leadership, Economic development

Case Study 2, Procurement problem and the Fireboat story

Link: https://drive.google.com/file/d/1d_Ozw3jTtkCFJg3aatYDdbdCOHqncowjB/view?usp=sharing

Skills Demonstrated: Fiscal management, Procurement management, Complex problem solving, Personnel problem management, Negotiating, Communications, Conflict resolution

Listing of Accomplishments from 2014-2020

Link: <https://drive.google.com/file/d/1T0UoP4FLrtmFDIJ15EJxVYmJMWIZvjUj/view?usp=sharing>

This is a summary of accomplishments by category from 2014-2020. Categories include Economic Development, Housing, Roads and infrastructure, Energy and the environment, Education, and Quality of life.

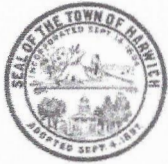
Full FY2020 Amesbury Budget

https://www.amesburyma.gov/sites/amesburyma/files/uploads/budget_final_revised_for_peg.pdf

Skills Demonstrated: Budget development, Finance and fiscal management, Goal setting and progress measurement, Communication, Leadership, and Balance.

FY2019-FY2023 Capital Improvement Plan

https://www.amesburyma.gov/sites/amesburyma/files/uploads/capital_improvement_plan_2019_-_2023.pdf



Town of Harwich ~ Employment Application

732 Main St. Harwich, MA 02645

Telephone (508) 430-7513 Fax (508) 432-5039

An Equal Opportunity Employer

PLEASE READ BEFORE FILLING OUT THIS APPLICATION

It is the policy of the Town of Harwich to afford equal employment opportunity to all qualified persons regardless of race, color, religion, national origin, age, military status, sexual orientation, disability, or gender, except where age or sex is a bona fide occupational qualification as allowed by the Civil Rights Act of 1964.

To be sure that your application is properly evaluated, all questions should be answered clearly, completely and accurately.

If you need more space, please attach a separate sheet.

Please print clearly in black or blue ink. Also, "see resume" is not acceptable in any field.

Please attach resume and letter of interest if required.

I. CONTACT and PERSONAL INFORMATION

DATE May 21, 2020

Name Gray Last Charles First Kenneth Middle

Address 9 Riverview Heights, Amesbury, MA 01913
Number Street Town State Zip Code

Mailing Address (If different) Number Street Town State Zip Code

() (508) 633-0091 kgray@northwavetech.com
Telephone Cell Phone Email Address

II. POSITION APPLYING FOR (Please specify position title): Town Administrator

Are you able to work the days and hours identified in the advertisement? YES NO If no, please explain _____

If application is for seasonal work, what is the last day you are available? Please be specific. _____

Referral source (check one): Newspaper Ad Online ad Employee Relative Bulletin Board
Walk-in Employment Agency School Town Website Other

Have you worked for the Town of Harwich before? YES NO

If yes, Dates of Service: From: _____ To: _____ Please list department(s) _____

Is the salary/wages offered acceptable to you? YES NO

III. LICENSES (Please list all licenses you possess that are relative to the position you seek). A valid license is a condition of employment, where required.

Do you have a valid driver's license (Class D Auto)? Yes No If yes, enter expiration date 3/15/2021

Do you have a valid CDL License (Class A or B)? Yes No If yes, enter expiration date _____

Do you have a valid Hydraulic license? Yes No If yes, enter expiration date _____

What other valid licenses or certifications do you possess (job related)? _____

IV. OFFICE SKILLS (If applicable).

Check the column that you feel best describes your knowledge and specify software products:

	<input checked="" type="checkbox"/> Beginner	<input type="checkbox"/> Intermediate Level	<input checked="" type="checkbox"/> Advanced Level
Knowledge of Word Processing	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Knowledge of Spreadsheets	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Knowledge of Databases	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Automated Accounting System Knowledge	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Bookkeeping Knowledge	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Transcription Ability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Shorthand/Speedwriting Ability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

V. EDUCATION

School	Name, Address, City, State	Number of Years Attended	Degree Awarded
High School	Reading Memorial, Reading MA	3	Yes
College	Northeastern University, Boston, MA	5	Yes
Graduate School			
Trade, Business, Night Courses			
Military Service, Other Training			

VI. SPECIAL SKILLS.

Please list any other skills or abilities you feel are relevant: Municipal budgeting and finance, creative problem solving, Goal setting, strategic planning, negotiating, communications, management and leadership,

VII. PRE-EMPLOYMENT REQUIREMENTS. All offers of employment are conditional upon the satisfactory completion of a pre-employment requirements, including, but not limited to:

- A. Drug Testing
- B. Physical
- C. CORI and SORI check
- D. Confirmation (if Applicable)

VIII. EMPLOYMENT OF MINORS.

The Town of Harwich is subject to certain child labor provisions regarding the employment of persons under the age of 18. Further, an Employment Permit or Education Certificate may be required, depending on you age.

Are you over age 18? YES NO If no, please indicate your age:

IX. IMMEDIATE FAMILY.

IMMEDIATE FAMILY WORKING FOR THE TOWN OF HARWICH

Please disclose any immediate family members, including those related to your immediate family by marriage, who are employed by the Town of Harwich. You are required to complete the information below. "Immediate family" is defined as a spouse, child, parent, and sibling; and the spouse's child, parent and sibling. Include those employed in all branches of town government; and those employed as regular or contract employees, or elected officials. This "sunshine disclosure" is intended to ensure that the citizens of our town have full confidence in their government and its hiring process. The disclosure will not be used to exclude any qualified applicant seeking a position from receiving full consideration based on the merits of his/her credentials and the requirements of the job. Attach additional pages if needed.

Name of Relative	Relationship	Title of Relative's Job	Department

X. EMPLOYMENT and VOLUNTEER HISTORY. (Please do not write, "see resume". A resume may not be substituted but may be included as a supplement.) Please account for the last 4 position you have held. Start with your present or last employer. You may include military service and any verifiable work performed as in intern or volunteer.

The Town of Harwich () may or () may not contact my present employer. (N/A)

Employer City of Amesbury, MA	Address 62 Friend Street, Amesbury, MA 01913
Telephone 978-388-8121	Title Mayor
Supervisor the voters of Amesbury	Dates Worked January 2, 2014 thru January 2, 2020
Reason for Leaving Term ended	

Description of Primary Duties:
CEO of a city of approximately 18000 people.

Employer Northwave Technology, Inc	Address 25 Avco Road, Haverhill, MA 01835
Telephone 508-633-0091	Title President
Supervisor self	Dates Worked 2001-2016
Reason for Leaving Company ceased manufacturing operations.	

Description of Primary Duties:
Responsible for all aspects in the design, development, manufacturing and distribution of robotic automation equipment used in the design and development of semiconductor devices.

Employer Delta Design Division of Cohu, Inc.	Address Poway, CA
Telephone 858-848-8000	Title Vice President Worldwide Sales, Marketing and Bus. Dev.
Supervisor James Donahue, CEO	Dates Worked 1997-2001
Reason for Leaving To start Northwave Technology	

Description of Primary Duties:
Responsible for all sales and marketing activities for a \$250mil manufacturer of high volume automation equipment used by semiconductor manufacturers.

Employer Aseco Corp.	Address Marlboro, MA
Telephone no longer in business	Title Vice President Worldwide Sales and Marketing
Supervisor Carl Archer, CEO (deceased)	Dates Worked 1990-1997
Reason for Leaving Recruited by Delta Design	

Description of Primary Duties:
Responsible for all sales, marketing, customer engineering and support activities at a \$50mil manufacturer automation equipment used by the semiconductor industry

XI. PROFESSIONAL REFERENCES

PROFESSIONAL REFERENCES (Not Personal):				
List 3 people not related to you who we may request comment on your work performance and/or experience.				
NAME	ADDRESS	PHONE	OCCUPATION	YEARS ACQUAINTED
Donna McClure	Amesbury, MA	617-512-4400	Realtor	7
Carolyn Murry	Boston, MA	617-556-0007	Attorney	4
Jared Fulgoni	Kittery, ME	978-388-0507	School Superintendent	3

**RELEASE AND CERTIFICATION
PLEASE READ BEFORE SIGNING**

I understand that acceptance of this application by the Town of Harwich does not imply that I will be employed.

The information that I have provided is true and complete. I understand that misrepresentation or omission of any fact in my application, resume, or in any other materials or as provided during interviews, can be justification for refusal of employment or can be justification for termination from employment, if employed.

I understand that any offer of employment that I receive from the Town of Harwich is contingent upon my successful completion of the pre-employment screening process including but not limited to the Town of Harwich receiving satisfactory references, a satisfactory criminal history and Criminal Offense Record Inquiry (CORI) if required, satisfactory verification of driver's license, successful confirmation vote or certifications where required and satisfactory completion of any required post-offer pre-employment drug test or physical examination.

In processing my application for employment, the Town of Harwich may verify all of the information provided by me concerning, among other things, my prior employment or military record, education, character, general reputation and personal characteristics.

I authorize the Town to take whatever steps deemed necessary to obtain information regarding my qualifications for employment including contacting my present and former employers, by contacting individuals listed as business, educational or personal references, and by contacting other individuals to provide or further clarify information about me. The Town of Harwich will also check credit history for applicants with financial responsibilities.

I hereby release my present and former employers and all individuals contacted for any information about me from any and all liability for damages arising from furnishing the requested information.

If employed by the Town of Harwich, I understand that as a condition of employment, I may be required to furnish additional or updated medical information, that I may be required to undergo a physical examination, that I may be subject to drug and/or alcohol testing, that the Town may require a Criminal Offense Record Inquiry (CORI check) or Sexual Offense Record Inquiry (SORI) on me, investigate my driving record or verify my license(s) or certifications(s) as required for employment at any time during my employment. As a condition of employment an employee may be required to provide additional or updated information especially if this employee has been on workers compensation and may require both drug testing and an employment physical in order to allow us to have the necessary information for making a proper decision or reasonable accommodations, if necessary.

I understand that the Town of Harwich is an at-will employer. If employed, I understand that my employment may be terminated with or without cause at any time unless there is an applicable bargaining unit contract provision.

My Signature Certifies that I have read and agree with the above statement and all statements contained in this application for employment.

C. Kenneth Gray

Applicant Name (Please Print)

Applicant Signature

5-22-2020

Date

"It is unlawful in Massachusetts to require or administer a lie detector test as a condition of employment or continued employment. An employer who violates this law shall be subject to criminal penalties and civil liability." MGL Ch. 149, Section 19B

Kenneth Gray
9 Riverview Heights
Amesbury, MA 01913
508-633-0091 (cell, text)
kgray@northwavetech.com

PROFESSIONAL OVERVIEW:

Proven management and leadership success as a senior executive in both the private and public sectors with over thirty years of increasing responsibility as an engineer, entrepreneur, and C level corporate executive in privately held and publically traded companies and most recently, as a Massachusetts city Mayor. An experienced pragmatist and problem solver who sets measurable goals, develops aligned strategies, implements executable plans, measures progress, and achieves success.

- Elected and twice re-elected (2013, 2015, 2017) Mayor of Amesbury, MA population approximately 17,500.
- Founder, President, and CEO of privately funded start-up Northwave Technology, Inc.
- Vice President of Sales, Marketing, and Strategic Business Development for a \$250 million publicly traded semiconductor capital equipment manufacturer. (Delta Design unit of Cohu). (NASDAQ, COHU).
- Vice President of Sales, Marketing and Field Service for a venture capital backed semiconductor capital equipment manufacturer that grew from a start-up, through an IPO into a \$55 million publicly traded company. (Aseco). (NASDAQ, ASEC).

EXPERIENCE:

CITY OF AMESBURY, MASSACHUSETTS, January, 2014 to January 2020. www.amesburyma.gov

Mayor - Chief Executive Officer of a city of approximately 17,500 people, with an annual budget of almost \$70 million and approximately 550 employees. Amesbury's form of government is "strong mayor" which means the mayor is the city's CEO with direct budgetary and operational responsibility for all municipal departments as well as oversight of the district's public school system as Chair of the School Committee. Was first elected mayor by identifying Amesbury's most pressing problems, and then developing goals, strategies and plans to address those problems. Was subsequently re-elected twice on the basis of delivering material and measurable progress towards the realization of our goals. Some examples:

- Dramatically improved private sector economic development results and implemented effective management, budgetary, and spending controls and processes that led to significant improvements in Amesbury's habitually high property taxes, all while consistently maintaining or improving every single service the city provides. In six budgets, Amesbury's property tax rate was reduced from the 4th highest of the 351 communities in the Commonwealth to the 105th (from \$20.97 to \$17.18 per thousand).
- Led the change in direction of a school system that had suffered from over a decade of annual cuts to teachers and programs, while concurrently experiencing increases in athletic and bus fees. Since 2015 we have steadily and consistently reduced class sizes, restored programs, re-hired teachers and reduced fees. We are currently in the construction phase of the Massachusetts School Building Authority's process of building a new and sorely needed elementary school. This follows a recent successful vote to approve a debt exclusion to fund the \$61 million project which had been talked about but had not moved forward for over a decade.
- Continuously improved Amesbury's quality of life through targeted investments. Since 2014, made record investments in roads and sidewalks. Received over \$17 million in federal TIP funds to reconstruct the two most frequently traveled roadways and sidewalks into our downtown. Awarded Massworks grants totaling \$5.7 million for roadway and intersection improvements tied to new economic development. With state PARCC grants, constructed new and improved existing parks, including a children's water park. Established the first in the state "Quality of Life" committee and funded it. Significantly improved public communication and information access through outreach, transparency and technology.
- Improved the discourse in the community from one of habitual conflict by focusing on what we have in common rather than what divides us. For example, have endeavored to build a culture of mutual trust with our City Council which has allowed us to work together cooperatively and realize our most important community aspirations.

Kenneth Gray (2)

NORTHWAVE TECHNOLOGY, INC., Haverhill, MA, 2001 to 2016.

Founder, President, and CEO - Northwave designed, developed, manufactured, and marketed equipment used to automate the process of semiconductor (computer chip) design and test development. Originally started as a distributor of semiconductor equipment and accessories, in 2004 Northwave acquired a privately owned equipment manufacturer and developed its own proprietary product. As Founder and CEO, worked with large anchor customers to identify an emerging need and define the company's initial product. Subsequently produced the product specifications and product development plan, hired an engineering team, and led the team through a successful development process. The result was the first ever Test Handler Emulator for which Northwave and I received industry accolades and awards as well as a U.S. Patent. Northwave manufactured and sold systems and accessories to customers worldwide including many of the industry's largest and most successful semiconductor companies including Intel, IBM, ST Micro, Analog Devices, Texas Instruments, Qualcomm, and many others

DELTA DESIGN DIV. OF COHU INC., San Diego, CA & Littleton, MA 1997 to 2001.

Vice President Worldwide Sales, Marketing, and Business Development - Reporting to the CEO of parent company Cohu. Responsible for all sales and marketing activities of Delta Design, a \$250 million manufacturer of semiconductor automation equipment. Bookings grew 116%, and market share grew 4.0% to 25% of an approximately \$1 billion market. Key contributor to Delta's success in moving from being the perennial number two company in its segment to the world leader in 1999. Successfully developed and implemented strategies and tactics to convert every major customer of Delta's main product lines to its newest generation platforms. Implemented and directed a worldwide account management program for Delta's largest customers, including Intel, Texas Instruments, Motorola, Lucent and Siemens. Negotiated and closed Volume Purchase Agreements resulting in sales volumes of over \$100 million annually. Identified underserved markets and developed successful integrated product strategies for their penetration. Worked with engineering to define a new product development process, which led to the launch of two major development programs. Key member of the CEO's executive management team.

ASECO CORPORATION, Marlboro, MA 1990 to 1997.

Vice President Worldwide Sales and Marketing – Responsible for the top line growth of an early stage venture capital funded start-up. Annual sales increased from under \$2 million to over \$55 million in annual revenue over an eight year period from the sale of automation equipment used to manufacture semiconductor devices. Built, grew and drove a world wide organization consisting of approximately seventy-five people. Responsibilities included worldwide sales, field service, technical support, training, product manuals, strategic and tactical marketing, applications engineering, and an equipment re-manufacturing operation. Developed and implemented selling strategies and tactics and authored product plans that resulted in the growth of its customer base from 5 to 150 customers and a 2750% increase in sales over an eight year period, consistently gaining market share, even in years of market contraction. This was a key to Aseco's success in our Initial Public Offering in March of 1993. Was a key member of the CEO's five person executive team which was responsible for overseeing management of all operations of the company. Worked closely with investment bankers in the identification and strategic analysis of acquisition candidates. Actively participated in due diligence of potential targets. Successfully assimilated sales, service and marketing organizations of acquired companies into Aseco.

VOLUNTEER AFFILIATIONS:

PETTINGILL HOUSE, Amesbury, MA. Pettingill is a prominent northshore non-profit social service agency.

Board of Directors

MERRIMAC RIVER WATERSHED COUNCIL, Lawrence MA. MRWC is a non-profit organization that aims to improve and conserve the Merrimack River Watershed.

Board of Directors and Treasurer

EDUCATION:

Bachelor of Science in Industrial Engineering, Northeastern University, Boston, Massachusetts

U.S. PATENT:

Test Handler Emulation (Northwave), United States Patent 7,142,002, Issued November 28, 2006

Professional References for Ken Gray, May 22, 2020

Charlie Baker	Governor of Massachusetts	617-725-4005	
Karyn Polito	Lt. Governor of Massachusetts	617-725-4005	
Jay Ash	Former Massachusetts Secretary of Housing and Economic Development	617-236-4099	jash@masscompetes.org
Donna Holaday	Mayor, City of Newburyport	978-465-4413	Dholaday@CityofNewburyport.com
Jim Fiorentini	Mayor, City of Haverhill	978-374-2300	mayor@cityofhaverhill.com
Neil Harrington	Town Manager, Town of Salisbury, former Mayor of Salem, MA	978-462-8232	nharrington@salisburyma.gov
Chuck Takesian	Selectman, Town of Salisbury	978-462-8232	ctakesian@salisburyma.gov
Jared Fulgoni	Amesbury Superintendent of Schools	978-388--0507	jaredfulgoni@yahoo.com
Deb Smith	Executive Director, Pettingill House, Social Service provider, Amesbury and Salisbury	978-463-8801	dsmith@pettingillhouse.org
Donna DiNisco	Principal, DiNisco Design, Architect for new Amesbury Elementary School	617-426-1457	d.dinisco@dinisco.com
Donna McClure	Former (12 years) Amesbury City Councilor	617-512-4400	donnamcclure@comcast.net
Claude Gonthier	Former Amesbury Selectman and local business owner	978-388-0830	call only
John Macone	Former Editor Newburyport Daily News, Current Interim Executive Director MRWC	978-376-1475	maconer@comcast.net
Mark Reich	Attorney, KP Law, Amesbury legal counsel	617-556-0007	Mreich@k-plaw.com
Carolyn Murray	Attorney, KP Law, Amesbury legal counsel	617-556-0007	Cmurray@k-plaw.com
Mary Louise Bartley	Former (6 year) Amesbury City Councilor	978-388-2423	mlb13135@gmail.com
Chris Edwards	CEO, Alternative Therapies Group, Medical and Adult Use Marijuana cultivator and retailer	617-549-8575	Chris@atgcannabis.com
Rick Marggraf	Former City Councillor, District 6	603-305-1686	rick.marggraf@live.com

All of the above individuals have consented to be listed as references. I have selected those highlighted in yellow in response to your request to supply three. If for any reason you wish to contact any of the others on this list, please feel free to do so.

Town Administrator Search Committee, Harwich, MA

6/26/2020

Response to Questions

Question 1, Part 1: Building trust, credibility, and relationships. Note: As Mayor I reported to our voters.

Trust and credibility are built over time. People form opinions after considering many factors, such as honesty, judgement, truthfulness, character, treating people with respect and dignity, and many others. However, of critical importance in building trust and credibility in public service, private industry or in personal relationships, is developing a reputation for doing that which you say you will do. In order to accomplish this, a baseline is needed, i.e. what have you said you will do? I'm a firm believer in the importance of goals and in my six years as Mayor I set, continuously measured, communicated progress, and reinforced our community goals. While there is never universal agreement as to decisions or direction in any community, I believe I am on solid ground when I say that among those who may not have agreed with particular policies or decisions of mine, there was overwhelming agreement in the belief that I would do what I said. This is because I had built trust and credibility throughout the community over the years through communication and the steady results towards achieving our goals.

In order to set such a baseline for Harwich and if I am fortunate enough to be selected as your new TA, I will commit, if agreed to by the BOS, to delivering an entry plan within my first 100 days. I will meet with community stakeholders, ask what they think are Harwich's issues and challenges, and listen to their answers. I will communicate with and update the BOS regularly throughout the process with the deliverable being a report that details feedback from stakeholders along with recommended goals, plans and timelines.

Question 1, Part 2: Example of coalition building.

Building coalitions is dependent upon effective communication. During my first campaign for Mayor in 2013, I personally engaged thousands of stakeholders throughout our community, not only to introduce myself and let them take their measure of me, but to listen and learn their thoughts as to the issues and challenges facing Amesbury. I talked with very disparate groups, many of whom did not agree with each other. I met with City Councilors, School Committee members, Chamber of Commerce members, individual business and community leaders and mostly, our residents. From these interactions I developed and communicated a set of goals and plans that would guide my administration if I were to be elected. The coalition building was successful as I won the election. However, while building coalitions can help one get elected, measurable results are necessary to build trust and credibility.

One of my stated goals was to reduce Amesbury's ridiculously high property tax rate which for 2014 was \$20.97, 4th highest of the 351 communities in the Commonwealth. The long term strategy for this particular goal was new economic development, so upon my inauguration, our economic development director and I went to work developing detailed plans. A critical component of this was to build a coalition of support, which would require execution of a robust communications plan. To that end, we conducted detailed presentations to the groups mentioned above. We held public forums, answered the questions and addressed the concerns of all and engaged the local newspapers through access and press releases. The result was overwhelming support for our initiatives which continued throughout my six years in office. Finally, while coalition building is critical, the objective is results, which in this case were substantial. During this six year period Amesbury added over \$200 Million in new development with an additional \$200 Million in the development pipeline. By FY2020, our tax rate had plummeted to \$17.18 and ranking improved to 105th. As a point of reference, Amesbury's population is about 17,500 and its FY2020 budget is \$61 Million.

Question 2, Part 1: Federal, State and Local government addressing of the pandemic.

In general, I've been disappointed with how governments have addressed the pandemic. The federal government in conjunction with our medical institutions have confused, frustrated and frightened the general population by offering conflicting information, arbitrary rules, and ever changing recommendations as to how to mitigate the effects of the virus and keep us safe. Meanwhile, that which we do not know about the disease remains enormous and is a significant factor in the country's inability to come up with science based treatment and prevention plans and protocols. Having said that, our state leaders have done a credible job keeping us informed as they collect and analyze available data in an attempt to develop good public policy. Given the uncertainty, state policy makers have erred towards an abundance of caution, thus the implementation of a "one size fits all" potpourri of rules. For example, communities such as Harwich are under the same set of regulations as Boston or Worcester. This has led to growing frustration throughout the Commonwealth as many ask what's taking so long to re-open the state. Personally, I would prefer the state be more granular in its approach to regulating and consider giving some communities the flexibility to adopt rules that are more reflective of their individual circumstances as measured by local or regional virus data and economic impacts.

Question 2, Part 2: Actions recommended to BOS

In the absence of an opportunity to meet and listen to Harwich stakeholders as to their inputs on this question, and given the continuing uncertainty, I would recommend that the town look to balance the needs of everyone in the community; to be vigilant in the protection of the most vulnerable while actively and creatively finding ways to help each individual establishment operate within the most favorable interpretation of the regulations. It's important in this context that local leaders regularly and frequently communicate relevant information as well as present unified messages that are honest yet optimistic. Concurrently, I would encourage the Selectmen to engage with the Administration, through the local legislative delegation, asking them to be more flexible in the application of regulations as I indicated above.

Question 2, Part 3: Federal, State and Local governments addressing of climate disasters.

Regarding climate change, while I'm not impressed with the actions of the federal government, our state government has been very supportive in incentivizing communities to effect positive change. In my six years as Mayor, Amesbury has taken advantage of state programs and made significant progress in three important areas:

1. *Sustainable energy* through solar incentives including SREC and SMART. Two major solar projects constructed on capped landfills totaling 11MW in power generation were begun and have come on line.
2. *Energy conservation* through Green Communities grants, with many projects, including converting our entire community to LED streetlights, having been completed. We have received \$1.2 Million in five GC grants.
3. *Climate change mitigation* through the Municipal Vulnerability Preparedness grant program. We have completed the planning phase and were recently approved to begin the second, Action, phase.

Respectfully submitted,

Ken Gray
508-633-0091 (cell/text)

The Honorable Search Committee
Town of Harwich
Via Electronic mail
taresume@townofharwich.us

Thomas M Guerino
729 Tyler Hill Road
Vernon, VT 05354
ytroncape@gmail.com
(508) 509-1377

May 1, 2020

Dear members of the Honorable Search Committee:

Please accept this brief statement of qualifications as an indication of my objective to be selected for the position of Administrator for the Town of Harwich, as advertised in the online edition of the Massachusetts Municipal Association's *Beacon*.

As the enclosed resume indicates, I have enhanced my credentials and have held increasingly responsible professional positions. Until recently, I served as the Town Administrator for the Town of Bourne (February 17, 2005 – September 30, 2019). I have served as a Massachusetts and Vermont Municipal Administrator, Economic and Community Development Director, and as previously indicated, most recently (September 30, 2019) as the Town Administrator for the Town of Bourne. **Currently**, I am assisting the Town of Wareham in a consulting capacity to the Town Administrator by conducting a thorough review of the organizational and financial status of the Wastewater Department. I am also serving as the Interim Town Administrator in a rural community on a part-time basis.

As you are aware, Bourne is a full-service community of 20,000 residents (40,000 in the summer months), currently with a budget of \$72 million. In addition to the General Fund and Education budget, Bourne also owns and successfully manages a municipal regional integrated solid waste facility (\$11.7 million) and a wastewater enterprise fund. I am charged with budget and union negotiations and work under the provisions of the Bourne Home Rule Charter, as amended. The Town currently boasts a combined "Free Cash and Stabilization balances of \$12.95 million as opposed to the Town being \$1.5 million in the red in 2005 when I was hired. I also currently serve as the Chair to the Cape Cod Regional Transit Authority. During my tenure on the Cape, I have had an excellent working relationship with the Cape Cod Commission.

I formally served as the Executive Director of the Massachusetts Rural Development Council, Inc., a member state of the National Rural Development Partnership (9.5 years). I have also served as a municipal selectman and a finance committee member. All of the above positions have necessitated the acquisition of a comprehensive toolbox of skills and expertise. These include negotiating, administrative, public budget preparation and presentation, wage and classification preparation, preparation of policy and administrative documents, staff oversight, annualized goal, benchmark/work plan/ Town Meeting preparation and other varied abilities that are utilized in an ever-changing public environment.

Page 2.

Also, as noted within my resume, I have been involved in both exempt and non-exempt negotiations, prepared grant and compliance reports for state and federal agencies, served both as a hearing officer and appellant, and have worked within the parameters of local, state and national policies. I am also experienced in the management and functioning of municipally owned marinas.

I have also worked with many Massachusetts and Federal Departments and agencies and am quite familiar with Massachusetts state Government (EOHCD, DOR, DEP, MDOT), having worked with many during my tenure as an administrator and MRDC Director in the Commonwealth. I am familiar with Mass. MGLA Chapter 30B, 32B, 40B, etc.

Further, I am comfortable with and have experience in working with groups of extremely diverse constituencies. I am frequently recruited to present as an invited speaker or panelist locally and at national functions. Thus, my extensive and varied experience in Municipal Government, human resources, public-sector administration, public policy, budget, negotiation and team building create a confluence, which will be beneficial to the entire community of Harwich as it moves forward to continue its reputation of professional excellence within the municipality.

I look forward to the opportunity in discussing how my experience and qualifications meet the needs of and will maintain professional operations within the Town of Harwich, as it moves toward securing a permanent Town Administrator.

It is anticipated that the salary will be commensurate with the responsibilities depicted within the position profile, take into consideration with the growth pressures of the community and, of course, be aligned with the level of professionalism required.

Respectfully,

Thomas M. Guerino

Thomas M. Guerino



Town of Harwich ~ Employment Application

732 Main St. Harwich, MA 02645

Telephone (508) 430-7513 Fax (508) 432-5039

An Equal Opportunity Employer

PLEASE READ BEFORE FILLING OUT THIS APPLICATION

It is the policy of the Town of Harwich to afford equal employment opportunity to all qualified persons regardless of race, color, religion, national origin, age, military status, sexual orientation, disability, or gender, except where age or sex is a bonafide occupational qualification as allowed by the Civil Rights Act of 1964.

To be sure that your application is properly evaluated, all questions should be answered clearly, completely and accurately.

If you need more space, please attach a separate sheet.

Please print clearly in black or blue ink. Also, "see resume" is not acceptable in any field.

Please attach resume and letter of interest if required.

I. CONTACT and PERSONAL INFORMATION

DATE May 2, 2020

Name <u>Guerino</u>	<u>Thomas</u>	<u>Michael</u>
Last	First	Middle
Address <u>729 Tyler Hill Road</u>	<u>Vernon</u>	<u>VT 05354</u>
Number	Street	Town
		State
		Zip Code
Mailing Address		
(If different)		
()	<u>(508) 509-1377</u>	<u>vtroncape@gmail.com</u>
Telephone	Cell Phone	Email Address

II. POSITION APPLYING FOR (Please specify position title): Town Administrator

Are you able to work the days and hours identified in the advertisement? YES XX NO _____ If no, please explain _____

If application is for seasonal work, what is the last day you are available? Please be specific. _____

Referral source (check one): Newspaper Ad ___ Online ad ___ Employee ___ Relative ___ Bulletin Board ___
Walk-in ___ Employment Agency ___ School ___ Town Website ___ Other

Have you worked for the Town of Harwich before? YES ___ NO

If yes, Dates of Service: From: _____ To: _____ Please list department(s) _____

Is the salary/wages offered acceptable to you? YES NO _____

NEGOTIABLE UPON SUCCESSFUL EMPLOYMENT CONTRACT

III. LICENSES (Please list all licenses you possess that are relative to the position you seek). A valid license is a condition of employment, where required.

Do you have a valid driver's license (Class D Auto)?	Yes <input checked="" type="checkbox"/> No _____	If yes, enter expiration date _____
Do you have a valid CDL License (Class A or B)?	Yes _____ No _____	If yes, enter expiration date _____
Do you have a valid Hydraulic license?	Yes _____ No _____	If yes, enter expiration date _____

What other valid licenses or certifications do you possess (job related)? _____

IV. OFFICE SKILLS (If applicable).

Check the column that you feel best describes your knowledge and specify software products:

	<input checked="" type="checkbox"/> Beginner	<input checked="" type="checkbox"/> Intermediate Level	<input checked="" type="checkbox"/> Advanced Level
Knowledge of Word Processing	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Knowledge of Spreadsheets	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Knowledge of Databases	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Automated Accounting System Knowledge	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bookkeeping Knowledge	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Transcription Ability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Shorthand/Speedwriting Ability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

V. EDUCATION

School	Name, Address, City, State	Number of Years Attended	Degree Awarded
High School	Greenfield, MA High School	4	YES
College	University of Southern Maine/Greenfield Comm. College	4	YES/YES
Graduate School			
Trade, Business, Night Courses			
Military Service, Other Training	Johns Hopkins University 1st - Partnering for Results - Center	1st - Two week tra	

VI. SPECIAL SKILLS.

Please list any other skills or abilities you feel are relevant: Excellent budget and presentation skills, Knowledge of Cape Cod re

VII. PRE-EMPLOYMENT REQUIREMENTS. All offers of employment are conditional upon the satisfactory completion of a pre-employment requirements, including, but not limited to:

- A. Drug Testing
- B. Physical
- C. CORI and SORI check
- D. Confirmation (if Applicable)

VIII. EMPLOYMENT OF MINORS.

The Town of Harwich is subject to certain child labor provisions regarding the employment of persons under the age of 18. Further, an Employment Permit or Education Certificate may be required, depending on you age.

Are you over age 18? YES NO If no, please indicate your age:

IX. IMMEDIATE FAMILY.

IMMEDIATE FAMILY WORKING FOR THE TOWN OF HARWICH

Please disclose any immediate family members, including those related to your immediate family by marriage, who are employed by the Town of Harwich. You are required to complete the information below. "Immediate family" is defined as a spouse, child, parent, and sibling; and the spouse's child, parent and sibling. Include those employed in all branches of town government; and those employed as regular or contract employees, or elected officials. This "sunshine disclosure" is intended to ensure that the citizens of our town have full confidence in their government and its hiring process. The disclosure will not be used to exclude any qualified applicant seeking a position from receiving full consideration based on the merits of his/her credentials and the requirements of the job. Attach additional pages if needed.

Name of Relative	Relationship	Title of Relative's Job	Department

X. EMPLOYMENT and VOLUNTEER HISTORY. (Please do not write, "see resume". A resume may not be substituted but may be included as a supplement.) Please account for the last 4 position you have held. Start with your present or last employer. You may include military service and any verifiable work performed as in intern or volunteer.

The Town of Harwich () may or () may not contact my present employer.

Employer Town of Wareham	Address Marion Road - Route 6 West - Wareham, MA
Telephone Derick Sullivan	Title Wastewater Organizational Development Consultant
Supervisor Town Manager	Dates Worked
Reason for Leaving Project complete- Note; COVID 19 has resulted in additional work being deferred	

Description of Primary Duties:

Reveiw and make recommendations regarding Wastewater Department Staffing and financial status and needs

Employer Town of Bourne, MA	Address 24 Perry Avenue - Buzzards Bay, MA
Telephone 508.759.0600 ext 1320 (Finance Department for Emp. Verific	Title Town Administrator
Supervisor Select Board	Dates Worked 02.17.2005 - 09.30.2019
Reason for Leaving By mutual agreement of the current Select Board and myself. Amicable. - By Agreement Town Counsel is the primary contact	
Description of Primary Duties: Full Service Town Administrator	

Employer Massachusetts Rural Development Council, inc	Address c/o EPOCHD - Boston - Draper Hall Univ. of Mass Amherst, M
Telephone n/A	Title Executive Director
Supervisor n/A	Dates Worked 08.09.1994 - 11.30.2004
Reason for Leaving COuncil Disbanded due to lack of Federal Funding	
Description of Primary Duties: Advocate and policy work for 172 (at the time) communities considered rural in the Commonwealth. National Policy work with the national Rural Development Partnership.	

Employer	Address
Telephone	Title
Supervisor	Dates Worked
Reason for Leaving	
Description of Primary Duties:	

XI. PROFESSIONAL REFERENCES

PROFESSIONAL REFERENCES (Not Personal):				
List 3 people not related to you who we may request comment on your work performance and/or experience.				
NAME	ADDRESS	PHONE	OCCUPATION	YEARS ACQUAINTED
Robert S. Troy, Esq	Sexton's Way Sandwich, MA	508.888.5700	Bourne Town Counsel	15
Michele Ford	Circuit Ave - Cataumet, MA		For this purpose - Finance	15
Thomas Cahir	CCRTA - Hyannis, MA	508-385-1430	Executive Director	15

**RELEASE AND CERTIFICATION
PLEASE READ BEFORE SIGNING**

I understand that acceptance of this application by the Town of Harwich does not imply that I will be employed.

The information that I have provided is true and complete. I understand that misrepresentation or omission of any fact in my application, resume, or in any other materials or as provided during interviews, can be justification for refusal of employment or can be justification for termination from employment, if employed.

I understand that any offer of employment that I receive from the Town of Harwich is contingent upon my successful completion of the pre-employment screening process including but not limited to the Town of Harwich receiving satisfactory references, a satisfactory criminal history and Criminal Offense Record Inquiry (CORI) if required, satisfactory verification of driver's license, successful confirmation vote or certifications where required and satisfactory completion of any required post-offer pre-employment drug test or physical examination.

In processing my application for employment, the Town of Harwich may verify all of the information provided by me concerning, among other things, my prior employment or military record, education, character, general reputation and personal characteristics.

I authorize the Town to take whatever steps deemed necessary to obtain information regarding my qualifications for employment including contacting my present and former employers, by contacting individuals listed as business, educational or personal references, and by contacting other individuals to provide or further clarify information about me. The Town of Harwich will also check credit history for applicants with financial responsibilities.

I hereby release my present and former employers and all individuals contacted for any information about me from any and all liability for damages arising from furnishing the requested information.

If employed by the Town of Harwich, I understand that as a condition of employment, I may be required to furnish additional or updated medical information, that I may be required to undergo a physical examination, that I may be subject to drug and/or alcohol testing, that the Town may require a Criminal Offense Record Inquiry (CORI check) or Sexual Offense Record Inquiry (SORI) on me, investigate my driving record or verify my license(s) or certifications(s) as required for employment at any time during my employment. As a condition of employment an employee may be required to provide additional or updated information especially if this employee has been on workers compensation and may require both drug testing and an employment physical in order to allow us to have the necessary information for making a proper decision or reasonable accommodations, if necessary.

I understand that the Town of Harwich is an at-will employer. If employed, I understand that my employment may be terminated with or without cause at any time unless there is an applicable bargaining unit contract provision.

My Signature Certifies that I have read and agree with the above statement and all statements contained in this application for employment.

Applicant Name (Please Print)

Thomas Guerino

Applicant Signature

Date

"It is unlawful in Massachusetts to require or administer a lie detector test as a condition of employment or continued employment. An employer who violates this law shall be subject to criminal penalties and civil liability." MGL Ch. 149, Section 19B

THOMAS M. GUERINO
729 Tyler Hill Road
Vernon, Vermont 05354
vtroncape@gmail.com 508-509-1377

Town of Bourne, MA – Town Administrator – Feb. 17, 2005 to September 30, 2019

- Chief Administrative and Executive Officer of full-service municipality 20,000.
- Prepare and Administer \$68M annual budget plus an \$11.7M Regional Landfill Enterprise Fund, pursuant to Town Charter.
- Strong Chartered Town Administrator. Excellent Budgetary skills.
- Instituted town wide performance appraisal system.
- Reorganized the Zoning and Planning staffing organization.
- Brought town from \$2M deficit in FY05 to undesignated fund balance of \$6.6M in FY07.
- Halted use of Free Cash and Stabilization Funds for general operations without repayment plan over 24 months.
- Orchestrated and justified general overrides – infrequent and only as absolutely necessary.
- Increased public safety staffing. Expanded shellfish propagation program. Professionalized marina operations.
- Revised long-term financial model.
- Created Capital Expenditure working group, Wastewater working group, Department Head working subcommittees, and Integrated Solid Waste Management (ISWM) Futures Working Group.
- Lead collective bargaining with 9 separate units. Prevailed on all arbitration challenges.
- Revised several antiquated policies and created new travel and vehicle use policy while reducing and then stabilizing size of municipal fleet.
- Opened communications within municipal departments and made the Administrator's office accessible to employees and the general public.
- Harnessed school spending with close collaboration with School Superintendent.
- Brought self-insured health insurance budget under control through union negotiations.
- Established and funded Facilities Maintenance Department.
- Guided Board of Selectmen into professional goals-setting sessions. Working well with an 80% board change over 8 months including a recall of two former members.
- Hired several department leaders including Director of Facilities, Human Resources, and Director of Finance. Terminated employees as necessary and appropriate.

Town of Putney, Vermont – Interim Municipal Manager – May 2004 – Feb. 2005

- Chief Administrative/Financial/Human Resource/ Officer for full-service community.
- Charged with administrative, human resource, financial, and development functions.
- Administer and prepare general fund and special appropriation budget.
- Oversight of all invoice and payroll functions.
- Project Director and administrator of multi-million dollar capital improvement budget including water and wastewater system development and upgrade, new library (charged with selling existing library building), moved toward new EMS station.
- Revised benefit program to improve and reduce health and illness leave benefit costs.

- Chief procurement officer. Retained by community to assist in reviewing current governance structure and recommend upgrades or transition to more appropriate form/staffing core.

Massachusetts Rural Development Council – Executive Director –August 1994 to Dec. 2003

- Served as a leading advocate and spokesperson for 177 small and rural Massachusetts communities related to policy and regulatory change requirements and the principles of New Governance. Chief operating professional.
- Creatively facilitated more than 180 divergent teams on National, State, and local levels, utilizing distinctive models for facilitation, achieving consensus, and team building.
- Led program effort in providing technical assistance to USDA – Rural Development in missionary change from program administration to customer service outreach provider.
- Participated and trained in intensive diversity and inclusion program.
- Successfully constructed/participated and provided leadership with teams that continue today, ranging from welfare reform to entrepreneurial training, and local government participation methods.
- Developed curriculum for National Partnership meetings in CO, DC, FL, AK, MA, NH, PA, OH, WY.
- Leader in formulating professional development training curriculum. Was responsible for creating opportunities for and oversight of Graduate student interns/work study students.
- Team member in creation of National guideline for Outcomes Standards and Success Measurement.
- Created policy guidelines as team member for new National Network Management Team. Elected to such in 1998, under new name of National Rural Partnership Executive Board.
- Expanded revenue source as Federal Participation declined through fundraising and legislative action.
- Member Board of Directors for Central Massachusetts Regional Employment Board (Workforce Central).
- Member Executive Committee Better Access Through Organized Networks (BATON/MASSCARES – EOHHS - Hampshire County).
- Representative to Federal Reserve Bank Community Development Advisory Council.
- Member Technical Advisory Committee for Northeast Center for Rural Econ. Development (Penn. State).
- Member Performance and Accountability Committee for the Strategic Accountability Task Force (NRDP).
- Selected to participate in International Learning Cluster on Partnering @ Johns Hopkins University.
- Leader in drafting, submission and “lobbying” the passage of the NRDP act of 2002 and subsequent Congressional Authorization and budgetary earmark. Extensive work with appropriation subcommittees and entire Massachusetts Delegation.

OTHER PROFESSIONAL EXPERIENCE

City of Pittsfield, MA (TMG ASSOCIATES)

Selected consultant to maintain and redefine the Human Resources function and provided staff training/oversight for active personnel office.

Massachusetts Municipal Consulting Group – recruitment and wage/classification specialist/Assessment Centers panelist

Town of Rockingham / Bellows Falls Village Corporation, Vermont

Municipal Manager/Economic Development Director

Town of Warren, MA - Town Administrator/Coordinator -Local Assessment Committee (MGLA Chapter. 21D)

Massachusetts Municipal Circuit-Rider Administrator

EDUCATION/OTHER CAREER EXPERIENCE

- University of Southern Maine, Portland, Maine, Bachelor of Arts (Magna Cum Laude)
- Greenfield Community College, Associates Degree in Liberal Arts
- Partnering for Results – Extensive training – Johns Hopkins University
- Grant Reviewer - National Institutes of Health (NIH)
- Substantial legislative and administrative advocacy experience at State and National level
- Extensive Professional Development course work and seminar training in facilitation, Americans with Disabilities Act, team building, achieving consensus, outcomes framework, benchmark and achievement measurements, financial, administrative compliance, grants writing and administration, New Governance, throughout entire professional tenure.

COMMUNITY SERVICE

Cape Cod Regional Transportation Authority (Chair through October 2019)

Member of the Metropolitan Planning Organization (MPO – Through October 2019)

Future Connector Executive Task Force – The FIX - Canal Bridges task force

Bourne Financial Development Corporation

Barnstable County Substance Abuse Council (Past member)

New England Youth Theater (Past active parent)

*Selected References – Others
Available Upon Request*

Ms. Astrid Glynn, Assistant Secretary
Rail and Transit Division
MassDOT
10 Park Place
Boston, MA

Mr. Robert Troy, Esquire
(Bourne Town Counsel)
Troy Wall Associates
Sandwich, MA
(508) 888-5700

Ms. Michele Ford, Co-Vice-Chair
Bourne Finance Committee
C/O South Coast Health (NB
Hospital)
New Bedford, MA
(617) 480-2195

Mr. Thomas Cahir, Executive
Director
Hyannis Transportation Center
215 Iyannough Road, PO Box 1988
Hyannis, MA 02601
(508) 775-8504

Ms. Marie Oliva, Executive Director
Cape Cod Canal Region Chamber of
Commerce
Main Street
Buzzards Bay, MA 02532
(508) 759-6000

George “Bud” Dunham, Town
Manager
c/o Sandwich Town Hall
Sandwich, MA

George Slade, Selectman
Town of Bourne
Eldridge Ave
Pocasset, MA
gslade@townofbourne.com

Galon (Skip) Barlow,
(former Selectman)
Hideaway Village Association
Buzzards Bay, MA 02532
skiane@verizon.net

Mr. Barry Johnson, Town Clerk
Town of Bourne
24 Perry Avenue
Buzzards Bay, MA 02532
(508) 759-0600 Ext. 1313

Jamie Sloniecki, former Selectmen
Weldon Park
Sagamore, MA
(774) 313-8888

Mary Jane Mastranglo, Chair
Bourne Finance, Capital Outlay,
Wastewater Construction Committees
c/o mjm@mrainc.org

Town of Harwich
Town Administrator Search
Essay Response
Question One

Respectfully submitted,

Thomas M. Guerino

(This first section of question 1 is written in the present tense. Note these are some of the activities undertaken when I have commenced new municipal endeavors. The second portion to this query is taken from actual issues that confronted a community where I was previously employed.)

Question 1. A. The first and foremost thing to fostering a good working relationship is to understand that the Town Administrator is not a sixth Selectboard member. It is critically important to sit down with the Board to understand what the collective priorities are, how they came to these priorities and how they best receive information. Assuring that no one member has a monopoly on the TA's focus is by setting an agreed upon ground rule that any directive/action requested by a Board member should be brought before the full body for discussion and possible action. The TA must distribute information timely, accurately and to each member equally. Providing timely responses to the Board is imperative. This is the case even when information requested is not readily available in the timeframe initially requested. It is better to inform the Board of this than providing incomplete data which could lead to poor or inaccurate decision making by the Board. I also suggest that one workshop per month be held on topical areas or goal achievement strategies. This would be in addition and separate to the regularly scheduled Select Board meetings. Further, the current and any subsequent Chair of the Board and TA must have an open and frank dialogue as establishing a consent agenda for meetings require good communication and a trust-based relationship. Both trust and respect are not granted but earned. Additionally, **Get Out Of The Office!!!** Meet with Department Leaders individually and within group leadership team meetings. Set agendas for both. Meet with Public Safety Chiefs, DPW Director, Health Agent, Harbor Master and Financial staff more frequently. Observe and hear about what the departments are working on, what is going well and where there are challenges. Establish regular and scheduled meetings with the School Superintendent(s). Meet and be updated by the Assessors, and Conservation Committee. Look at what the DPW is undertaking for projects. Convene a listening session with Senior Management. Locate the troubled areas and become familiar with town wide activities. Get to know the administrative support staff by engaging via MBWA (management by walking around). Be engaged and concerned. Get out into the community. Speak with the Chamber of Commerce, business alliances, and be introduced to the Agricultural/Aquaculture community leaders. Be available to attend service organization meetings. Immerse in local municipal committee meetings. Meet with the Chairs of local committees. Attend a PTO meeting or two. Establish a rapport with the RTA, local Chambers of Commerce and the CCC. The key is to be engaged and visible.

B. During difficult fiscal times and leading up to a general Proposition 2 1/2 override attempt, there was a high degree of acrimony between the School Committee/constituency, Finance Committee and Selectboard. The Chairs of the Selectboard and Finance Committee had a quite public and boisterous argument the evening of the Special Town Meeting. The School Committee was discouraged with the two groups' inability to come to consensus. The Selectboard Chair was seen as the lead protagonist and the full Selectboard was considered obstructionist to the entire process. The Town Departmental leaders present were both discouraged and embarrassed. The Finance Committee and BOS took differing approaches during the article discussion. While the override article passed at Town Meeting it was soundly defeated at the subsequent ballot initiative. Post the defeat, municipal harmony was virtually non-existent. Thus, in an effort to bring things back to a working relationship and with Selectboard buy-in, I established a working group consisting of representatives of the Finance Committee, Selectboard, School Committee, the School Superintendent, Finance Director, and myself. The three Boards and Finance Committee were worlds apart. Utilizing the facilitative skills acquired during my time on the Executive Board of the National Rural Development Partnership and as Director of the Massachusetts Rural Development Council, I was able to get the group working by initially focusing on the areas where there was agreement (cuts had to be made as a result of the failed override, the Town needed to build up reserves). All needed to agree on a set of principal and policies to help guide the municipality moving forward in an effort to avoid such an embarrassing and public fallout in the future. The group initially convened bi-weekly and then monthly. Trust was restored over time and a better understanding of each groups programmatic and fiscal needs was achieved. Additionally, the group created a new set of comprehensive financial policies ranging from use of reserves to OPEB contributions. I note that as a result of adhering to these policies there was a much higher degree of mutual support at Town Meeting, understanding of need across municipal departments, and an upgrade to the Town's Standard and Poor's bond rating.

Town of Harwich
Town Administrator Search
Essay Response
Question Two

Respectfully submitted,

Thomas M. Guerino

Question 2. I believe that it is generally inappropriate to Monday morning quarterback after the population is faced with a major disruption to health safety and economic wellbeing. Decisions that have to be made in a rapid succession without the luxury of time to filter, discuss/debate, are often rife of missing elements and will generally lack appropriate detail for smooth implementation. In an overall sense I believe the working bureaucracies (not a pejorative word in this context), Federal and Massachusetts State Government, ramped up quickly and provided much needed financial and administrative/technical/health related guidance. Local Governments for the most part have done an outstanding job in dealing with this pandemic situation, often with little or no staff, especially in the more rural areas of the Commonwealth. Municipal Selectboards, Mayors, Health Boards, Town Administrators/Managers are to be applauded. This has been a difficult time. With the privilege of some hindsight, I do believe some things could have been better addressed.

The Federal Government **Cares Act** should have allowed funding to be used as offsets to municipal revenues, by way of EMS revenue as emergency calls and insurance billings are down in this time period. **Cares Act** funds could also have been allowed to be used to offset fees not generated by revolving accounts in recreation, Natural Resource departments and marinas. **(NOTE THERE ARE OTHERS AND THESE ARE DEPICTED ONLY AS EXAMPLES)**. I also believe that the Commonwealth devolved too many responsibilities to local Health Boards/Agents, Inspection Departments and Licensing Boards. Local agents were required to enforce business closures and to respond to any call-in to town halls regarding violations of Personal Protection neglect (wearing masks) in retail or grocery establishments and in general public settings. Towns were required to respond to nursing home/assisted living complaints even though localities do not license them. Finally, I have come to believe that more consideration and State funded money streams are needed to be dedicated to regions/neighborhoods that will become (or are currently) most affected. Resources needed to go where cases were spiking early for medical assistance and then to regions where substantial business losses will occur such as the Cape, the Berkshires, and University/College communities beyond Boston (such as Amherst, etc.) More funding/staff resources needed to be dispatched to target populations being infected in high levels— communities and neighborhoods of Color. It appears that lessons from the H1n1 virus pandemic preparation of several years ago did not seem to be helpful on the State or local levels. Towns need to dust off old protocols, institute new policies on lessons learned from this long-term event, and practice on at least an annual basis. EMD committees must meet regularly to specifically work on best practices and create implementation strategies that are town specific. “One size doesn’t fit all” in these circumstances and State/Federal regulatory guides need to be more attentive to this. Locally, committed stabilization funds need to be established and be allowed to build up over time to help level these huge dips in revenue when the next similar emergency situation arises. The Towns EMDs’ need to stockpile necessities locally, as the Federal and State Government may not be able to fulfill the needs on a national or state-wide basis. This type of pandemic is likely to happen again and we all must be better prepared.

Joseph F. Powers
15 Katies Pond Lane
Harwich, MA 02645

May 20, 2020

Chief Norman Clarke
Chair, Town Administrator Search Committee
732 Main Street
Harwich, MA 02645

Dear Chief Clarke:

I hope this letter finds you and your fellow committee members well. I have enclosed for your review a completed Town of Harwich application and my resume along with this cover letter for your consideration as you conduct a search for Town Administrator for the Town of Harwich.

As the acting Town Administrator, I have been able to draw upon my extensive experience in municipal government, to navigate the challenges that the Town has faced in the past year. My knowledge of municipal finance, budgeting and the town meeting process served me well in developing an operating budget that started with a deficit of \$1.8 million from the previous year.

My leadership skills, developed over the past thirty years of municipal government service, including serving as a member of a Board of Selectmen, former Chair of a School Committee, Moderator presiding over representative town meeting and many years as a Town Clerk, have guided me developing strategies in response to the present global pandemic.

Beyond responding to deficits and disasters, I am confident that I can provide a vision for the Town of Harwich for the brighter days which certainly lay ahead of us.

I welcome the opportunity to meet with your committee to articulate this vision and demonstrate why I believe I can continue to make an immediate, positive impact for the residents and taxpayers of the Town of Harwich as the next Town Administrator.

I wish you well in your search process.

Sincerely,



Joseph F. Powers



Town of Harwich ~ Employment Application

732 Main St. Harwich, MA 02645

Telephone (508) 430-7513 Fax (508) 432-5039

An Equal Opportunity Employer

PLEASE READ BEFORE FILLING OUT THIS APPLICATION

It is the policy of the Town of Harwich to afford equal employment opportunity to all qualified persons regardless of race, color, religion, national origin, age, military status, sexual orientation, disability, or gender, except where age or sex is a bonafide occupational qualification as allowed by the Civil Rights Act of 1964.

To be sure that your application is properly evaluated, all questions should be answered clearly, completely and accurately.

If you need more space, please attach a separate sheet.

Please print clearly in black or blue ink. Also, "see resume" is not acceptable in any field.

Please attach resume and letter of interest if required.

I. CONTACT and PERSONAL INFORMATION

DATE May 20, 2020

Name Powers Last Joseph First Francis Middle

Address 15 Katies Pond Lane Harwich, MA 02645-2539
Number Street Town State Zip Code

Mailing Address Same as above
(If different) Number Street Town State Zip Code

() (781) 706-7807 josephfpowers68@gmail.com
Telephone Cell Phone Email Address

II. POSITION APPLYING FOR (Please specify position title): Town Administrator

Are you able to work the days and hours identified in the advertisement? YES NO If no, please explain _____

If application is for seasonal work, what is the last day you are available? Please be specific. _____

Referral source (check one): Newspaper Ad Online ad Employee Relative Bulletin Board
Walk-in Employment Agency School Town Website Other

Have you worked for the Town of Harwich before? YES NO

If yes, Dates of Service: From: 05/20/2019 To: Present Please list department(s) Administration Department

Is the salary/wages offered acceptable to you? YES NO

III. LICENSES (Please list all licenses you possess that are relative to the position you seek). A valid license is a condition of employment, where required.

Do you have a valid driver's license (Class D Auto)? Yes No If yes, enter expiration date 04/10/2024
Do you have a valid CDL License (Class A or B)? Yes No If yes, enter expiration date _____
Do you have a valid Hydraulic license? Yes No If yes, enter expiration date _____

What other valid licenses or certifications do you possess (job related)? _____

IV. OFFICE SKILLS (If applicable).

Check the column that you feel best describes your knowledge and specify software products:

	<input checked="" type="checkbox"/> Beginner	<input checked="" type="checkbox"/> Intermediate Level	<input checked="" type="checkbox"/> Advanced Level
Knowledge of Word Processing	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Knowledge of Spreadsheets	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Knowledge of Databases	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Automated Accounting System Knowledge	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bookkeeping Knowledge	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Transcription Ability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Shorthand/Speedwriting Ability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

V. EDUCATION

School	Name, Address, City, State	Number of Years Attended	Degree Awarded
High School	Braintree High School, 150 Town Street, Braintree, MA	4	Diploma
College	University of Massachusetts at Boston, Boston, MA	2	BA
Graduate School	Emerson College, Boston, MA	3	MA
Trade, Business, Night Courses			
Military Service, Other Training			

VI. SPECIAL SKILLS.

Please list any other skills or abilities you feel are relevant: _____

VII. PRE-EMPLOYMENT REQUIRMENTS. All offers of employment are conditional upon the satisfactory completion of a pre-employment requirements, including, but not limited to:

- A. Drug Testing
- B. Physical
- C. CORI and SORI check
- D. Confirmation (if Applicable)

VIII. EMPLOYMENT OF MINORS.

The Town of Harwich is subject to certain child labor provisions regarding the employment of persons under the age of 18. Further, an Employment Permit or Education Certificate may be required, depending on you age.

Are you over age 18? YES NO If no, please indicate your age:

IX. IMMEDIATE FAMILY.

IMMEDIATE FAMILY WORKING FOR THE TOWN OF HARWICH

Please disclose any immediate family members, including those related to your immediate family by marriage, who are employed by the Town of Harwich. You are required to complete the information below. "Immediate family" is defined as a spouse, child, parent, and sibling; and the spouse's child, parent and sibling. Include those employed in all branches of town government; and those employed as regular or contract employees, or elected officials. This "sunshine disclosure" is intended to ensure that the citizens of our town have full confidence in their government and its hiring process. The disclosure will not be used to exclude any qualified applicant seeking a position from receiving full consideration based on the merits of his/her credentials and the requirements of the job. Attach additional pages if needed.

Name of Relative	Relationship	Title of Relative's Job	Department

X. EMPLOYMENT and VOLUNTEER HISTORY. (Please do not write, "see resume". A resume may not be substituted but may be included as a supplement.) Please account for the last 4 position you have held. Start with your present or last employer. You may include military service and any verifiable work performed as in intern or volunteer.

The Town of Harwich () may or () may not contact my present employer.

Employer Town of Harwich	Address 732 Main Street
Telephone (508) 430-7514	Title Interim Town Administrator
Supervisor Larry Ballantine, Chair, Board of Selectmen	Dates Worked 11/18/2019 to Present
Reason for Leaving Not leaving	

Description of Primary Duties:
Responsible for the day-to-day administration of the town's municipal operations; overseeing an operating budget of \$69M and more than 300 active, permanent employees.

Employer Town of Harwich	Address 732 Main Street
Telephone (508) 430-7514	Title Assistant Town Administrator
Supervisor Larry Ballantine, Chair, Board of Selectmen	Dates Worked May 20, 2019 to Present (became Interim TA on 11/18/19)
Reason for Leaving Not leaving; serving as Interim Town Administrator	

Description of Primary Duties:

Assists the Town Administrator with the professional, administrative and daily operations overseeing the performance of
Community Development and Community Services department heads.

Employer Town of Wellfleet	Address 300 Main Street, Wellfleet
Telephone (508) 349-0300	Title Assistant Town Administrator/Town Clerk
Supervisor Daniel R. Hoort, Town Administrator	Dates Worked April 2018 to May 2019
Reason for Leaving Career advancement	

Description of Primary Duties:

Senior manager responsible for general town administration, town planner, human resources, water system management
Town Clerk - responsible for all statutory requirements related to Town Clerk including elections, vital records and census.

Employer Town of Wellfleet	Address 300 Main Street, Wellfleet
Telephone (508) 349-0300	Title Town Clerk
Supervisor Daniel R. Hoort, Town Administrator	Dates Worked August 2014 to April 2018
Reason for Leaving Promotion	

Description of Primary Duties:

Town Clerk - responsible for all statutory requirements related to Town Clerk including elections, vital records and census.

XI. PROFESSIONAL REFERENCES

PROFESSIONAL REFERENCES (Not Personal):

List 3 people not related to you who we may request comment on your work performance and/or experience.

NAME	ADDRESS	PHONE	OCCUPATION	YEARS ACQUAINTED
Patrick M. Brophy	133 Queen Anne Rd, Harwich	(508) 432-6519	Program Mgr	5
Ronald L. Fiset	71 Birch Drive, Harwich	(774) 836-5299	Ret. Police Chief	5
Daniel R. Hoort	Town of Wellfleet	(508) 349-0300	Town Administrator	4

**RELEASE AND CERTIFICATION
PLEASE READ BEFORE SIGNING**

I understand that acceptance of this application by the Town of Harwich does not imply that I will be employed.

The information that I have provided is true and complete. I understand that misrepresentation or omission of any fact in my application, resume, or in any other materials or as provided during interviews, can be justification for refusal of employment or can be justification for termination from employment, if employed.

I understand that any offer of employment that I receive from the Town of Harwich is contingent upon my successful completion of the pre-employment screening process including but not limited to the Town of Harwich receiving satisfactory references, a satisfactory criminal history and Criminal Offense Record Inquiry (CORI) if required, satisfactory verification of driver's license, successful confirmation vote or certifications where required and satisfactory completion of any required post-offer pre-employment drug test or physical examination.

In processing my application for employment, the Town of Harwich may verify all of the information provided by me concerning, among other things, my prior employment or military record, education, character, general reputation and personal characteristics.

I authorize the Town to take whatever steps deemed necessary to obtain information regarding my qualifications for employment including contacting my present and former employers, by contacting individuals listed as business, educational or personal references, and by contacting other individuals to provide or further clarify information about me. The Town of Harwich will also check credit history for applicants with financial responsibilities.

I hereby release my present and former employers and all individuals contacted for any information about me from any and all liability for damages arising from furnishing the requested information.

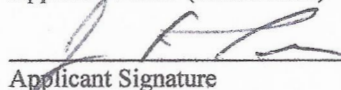
If employed by the Town of Harwich, I understand that as a condition of employment, I may be required to furnish additional or updated medical information, that I may be required to undergo a physical examination, that I may be subject to drug and/or alcohol testing, that the Town may require a Criminal Offense Record Inquiry (CORI check) or Sexual Offense Record Inquiry (SORI) on me, investigate my driving record or verify my license(s) or certifications(s) as required for employment at any time during my employment. As a condition of employment an employee may be required to provide additional or updated information especially if this employee has been on workers compensation and may require both drug testing and an employment physical in order to allow us to have the necessary information for making a proper decision or reasonable accommodations, if necessary.

I understand that the Town of Harwich is an at-will employer. If employed, I understand that my employment may be terminated with or without cause at any time unless there is an applicable bargaining unit contract provision.

My Signature Certifies that I have read and agree with the above statement and all statements contained in this application for employment.

Joseph F. Powers

Applicant Name (Please Print)



Applicant Signature

May 20, 2020

Date

"It is unlawful in Massachusetts to require or administer a lie detector test as a condition of employment or continued employment. An employer who violates this law shall be subject to criminal penalties and civil liability." MGL Ch. 149, Section 19B

JOSEPH F. POWERS

15 Katies Pond Lane | Harwich, MA 02645
781.706.7807 | josephpowers68@gmail.com

EXECUTIVE SUMMARY

Accomplished leader in public administration and corporate management with more than thirty years in municipal government operations. Expertise in all Town Meeting forms of government and an accomplished parliamentary expert. Extensive experience in analyzing complex policies, developing management strategies, and mentoring business partners. Highly skilled with considerable experience in the following areas:

- Government Affairs
- Policy Development
- Operations Management
- Regulatory Compliance
- Process Improvement
- Communication Strategies
- Vendor Management
- Project Management
- Thought Leadership

RELEVANT PROFESSIONAL EXPERIENCE

Town of Harwich, Massachusetts

Interim Town Administrator

Serving as Interim Chief Administrative Officer; accomplishments include

- Ongoing strategic response to COVID-19 pandemic while maintaining core operational services across all departments and programs.
- Implemented strong communication channels including daily Department Head briefings as well as a Community Leadership Forum engaging in weekly dialogue with key stakeholders including business and economic partners, faith-based organizations and non-government organizations supporting critical human services.
- Delivered a proposed balanced budget in partnership with the Finance Director for Fiscal Year 2021 overcoming a structural deficit of \$1.8 million.
- Managing oversight of ## department heads with more than 300 active, permanent employees as well direct management of the Administration Department.

Town of Harwich, Massachusetts

Assistant Town Administrator

Assisted the previous Town Administrator with daily municipal operations with a primary focus on human resources management and procurement; accomplishments include

- Management of cost recovery documentation resulting in more than \$1 million in reimbursements through legislative appropriation.
- Developed a procurement matrix and associated process to track, manage and expedite procurements therein clearing out a backlog

Town of Wellfleet, Massachusetts

Assistant Town Administrator/Town Clerk

Served as a senior municipal executive responsible for managing operations within the Office of the Town Clerk, Elections Department and Board of Registrars as well as Assistant Town Administrator:

- **Town Administration** - Support the Town Administrator in managing and coordinating all employees, activities and departments under the control of the Administrator and Board of Selectmen;
- **Municipal Planning** – Serve as Senior Town Planner provide professional and technical support to the Planning Board as well as applicants, engineers, and any interested party seeking interpretation of the town's zoning by-laws as well as the subdivision rules and regulations; and
- **Personnel Administration** – Perform all of the duties and responsibilities related to human resources and personnel management as the Senior Human Resources Director including performance management, salary analysis, and all matters pertaining to collective bargaining agreements and units.

Town of Braintree, Massachusetts

Town Clerk/Registrar

Served as the Chief Election Officer and senior municipal executive responsible for managing operations within the Office of the Town Clerk, Elections Department, Board of Registrars, and Board of License Commissioners. Managed a departmental budget exceeding \$500k and supervise 3 professional staff. In particular,

- Oversaw the renovation and access to the archive vault for the storage of municipal records.
- Enhanced standard operating procedures for the proper preservation and archival of historical records. Established a serviceable taxonomy to simplify the cataloging and retrieval of current and historical municipal records. Enabled the Town of Braintree to meet regulatory and compliance requirements of the Massachusetts Secretary of State and limit operational risk.
- Partnered with a national vendor to oversee the codification of town by-laws into ordinances for proper governmental procedure.
- Lead staff of more than 100 election officials. Augmented procedures to increase completeness and accuracy for election management by developing a standard operating manual and related training material.
- Recognized thought leader advising local elected officials, state legislators, and federal officeholders on key matters including election reform and increased voter programs as Chairman of statewide legislative committee. Advised the Massachusetts state legislature on election law reforms pertaining to voter registration and participation, plus election administration and operations.
- Presiding officer on regulated licensing matters relative to the Board of License Commissioners. In charge of agenda development, budgeting, communications, meeting management, and legal proceedings.

The Bank of New York Mellon (formerly Mellon Financial Corp.)

Asset Servicing Communications Manager (Functional role similar to Deputy Chief Administrative Officer)

While reporting to the Chief Administrative Officer, oversaw multiple communication functions, for the largest custodian of global assets; responsible for the development, coordination, and distribution of written and spoken communications delivered by business unit level CEOs and respective senior managers. Specifically,

- Developed and distributed content across multiple channels via several hundred communication events including employee teleconferences, town hall events, broadcast emails, webinars, investor/analyst meetings and client conferences.
- Managed content and messaging produced by teams of subject matter experts providing client guidance in the business lines, Compliance, Finance, Human Resources, Legal, Operations, Relationship Management, Risk, Sales & Marketing, Technology and Training.
- Successfully organized and produced strategic teleconferences to convey uniform management messages, operational directives, and QA sessions to global employees (covering the Asia-Pacific region as well as Europe, Middle East, Africa and North America) on the same trading day. Leveraged key business unit relationships and directed a primary global telecommunication vendor. Assisted management to craft strategic communications, while providing employee guidance and limiting operational, financial, and reputational risk.
- Enhanced operational effectiveness of an email distribution database to systematically deliver content to global employees based on management directives. Verified the completeness and accuracy of distribution lists and reduce undeliverable messages error rates by 50%. Wrote, produced and directed a mock television program, modeled after the "Tonight Show", to provide live business unit updates at the annual client conference featuring key senior executives, including the President.
- Led the sector-based Employee Engagement Committee to ensure successful engagement activities focusing on communication, recognition/incentives programs, career pathing and performance accountability.

EDUCATION

Master of Arts, Communication Studies, Emerson College, Boston, MA

Bachelor Arts, Political Science, University of Massachusetts/Boston, Boston, MA

COMMUNITY SERVICE

Volunteered at The Family Pantry, Toys for Tots and other charitable and service organizations.

Responses to TASC Questions received on June 21, 2020

Question #1

As a new manager, how did you build trust and credibility with the Board you reported to, the employees you were directly responsible for, and other stakeholder groups such as taxpayers and the business community? How did you develop relationships? Share an example as to how you built a coalition with stakeholders who may not agree with one another.

Response:

I believe I have developed trust and credibility with the Board of Selectmen, the employees who report directly to me and other stakeholders such as taxpayers and the business community through dialogue (communication) and always striving to lead by example. I strive to build relationships in a similar fashion through direct communication, engendering trust and credibility by my actions and follow-through and in the specific realm of municipal government by establishing the common needs and goals which necessitates the relationship in the first place. I strive to articulate what it is that brings us together and what we all hope to achieve and grow from the relationship.

The most recent example that I can offer as to how I believe I have built a coalition with stakeholders who may not agree with one another is related to the COVID-19 pandemic and the resultant actions which I have undertaken or directed others to undertake for the safe reopening of restaurants. Recognizing that the business community, most especially restaurants in Harwich, have an urgent need to resume operations as soon as practicable and I needing to balance the safety of the general public, we met over internet platforms and by group email distributions to roll out a plan of action to utilize outdoor spaces so restaurants could host customers as soon and as safely as possible. The result of this effort was fourteen establishments out of fifteen offering outdoor service within the same day or the next when the Governor said they could operate.

Question #2:

From your perspective, how do you think the Federal, State and Local governments have addressed the current pandemic and recent climate disasters? What have been the strengths and weaknesses? What actions would you recommend to our Board of Selectmen to address this situation now and going forward?

Response:

I think the federal government's response via state government has been chaotic and disjointed. I think that, in turn, has left the Commonwealth of Massachusetts to operate solely within itself and its operations. Both of those conditions make it difficult for local governments such as ours in Harwich to react and respond. Quite often, I and our Public Health Director have worked diligently on a plan or response to a need only to have the work rendered moot by contradictory

information or a mandated response. This has been a key weakness throughout the pandemic response.

One strength I have seen from my perspective is the growth and value of data collected by the state and made available to communities. This data, with an abundance of data points, has been extremely helpful in understanding where we are at in response to the pandemic. As such, I had recommended to the Board and we have been utilizing for several weeks now a weekly briefing to lead off every Board meeting for me and other subject matter experts to update what has occurred since the last update, what we are working presently and what we see looming on the horizon.

Cathy Ann Viveiros

April 1, 2020

RE: Town Administrator

Please accept this letter and the accompanying Resume in application for the position of Harwich Town Administrator. As an experienced City Administrator, I fully understand the fiscal challenges confronting cities and towns and their elected leaders. My responsibilities included the day-to-day operation of all municipal departments excluding the School Department. The Directors of Human Resources, Management Information Services, Purchasing, Legal and Elections, and the City's Grant writer, reported directly to me. I participated in all union contract negotiations and approved all procurement services and contracts. Working closely with union leaders, we reduced health insurance expenses by more than \$15 million over 5 years. My supervisory duties also included facilities maintenance and capital projects for stormwater management in compliance with EPA and DEP regulations. Public Safety Department staffing levels were increased in a sustainable way through grant absorption strategies and new service delivery models.

In an effort to improve financial transparency and accountability, our financial team initiated Quarterly Budget Reports, including Capital Budget updates, and developed a 5-year budgetary forecasting tool for elected leaders. Zero-based budgeting was implemented for both General Fund and Enterprise Accounts, requiring that all budgetary expenses start at zero and increase as specific needs are justified. This included a thorough review of job descriptions and departmental policies and procedures to support personnel expenditures. In Fall River, this enabled us to increase the Reserve Account from \$500,000 to over \$9 million in 5 years.

I served on the City's Tax Increment Financing Board and worked with numerous companies and property owners to support job growth and retention, and housing development. I represented the City before the Massachusetts Economic Assistance Coordinating Council where our businesses received State tax credits along with approval of local tax incentives to support these projects. Working closely with the Community Development Agency (CDA) Director, we established a Loan Referral Program with area banks, jump started a commercial, storefront improvement program, added affordable housing in blighted properties and facilitated the creation of market rate housing. We completed Urban Renewal Plans for the City's Downtown and Waterfront Districts.

A community driven Master Plan will be the roadmap toward development that is sensitive to natural and historic resources yet able to embrace smart growth principles. As a member of the Southeastern Regional Planning and Economic Development District board (SRPEDD), I am familiar with the benefits of regional collaboration and was an active participant in the largest municipal electricity aggregation in the State. As a volunteer Harbormaster Assistant, I am familiar with Harbor operations and redevelopment. I served as the City's point of contact with MA Department of Environmental Protection and the US Environmental Protection Agency.

My communication skills, patience and ability to interact with people are personal strengths. I respectfully suggest that my experiences are well suited to this position. I would be pleased to meet with you to discuss this opportunity further. Thank you for your consideration on my behalf.

Cathy Ann Viveiros

28 Hathaway Street
Fall River, Massachusetts 02720
Cell: 774-644-2257, E-Mail: cviveiros17@outlook.com



Town of Harwich ~ Employment Application

732 Main St. Harwich, MA 02645

Telephone (508) 430-7513 Fax (508) 432-5039

An Equal Opportunity Employer

PLEASE READ BEFORE FILLING OUT THIS APPLICATION

It is the policy of the Town of Harwich to afford equal employment opportunity to all qualified persons regardless of race, color, religion, national origin, age, military status, sexual orientation, disability, or gender, except where age or sex is a bonafide occupational qualification as allowed by the Civil Rights Act of 1964.

To be sure that your application is properly evaluated, all questions should be answered clearly, completely and accurately.

If you need more space, please attach a separate sheet.

Please print clearly in black or blue ink. Also, "see resume" is not acceptable in any field.

Please attach resume and letter of interest if required.

I. CONTACT and PERSONAL INFORMATION

DATE May 4, 2020

Name Viveiros Last Cathy Ann First Middle

Address 28 Hathaway Street Number Street Fall River Town MA State 02720 Zip Code

Mailing Address (If different) Number Street Town State Zip Code

() Telephone (774) 644-2257 Cell Phone cviveiros17@outlook.com Email Address

II. POSITION APPLYING FOR (Please specify position title):

Are you able to work the days and hours identified in the advertisement? YES NO If no, please explain

If application is for seasonal work, what is the last day you are available? Please be specific.

Referral source (check one): Newspaper Ad Online ad Employee Relative Bulletin Board
Walk-in Employment Agency School Town Website Other

Have you worked for the Town of Harwich before? YES NO

If yes, Dates of Service: From: To: Please list department(s)

Is the salary/wages offered acceptable to you? YES NO

III. LICENSES (Please list all licenses you possess that are relative to the position you seek). A valid license is a condition of employment, where required.

Do you have a valid driver's license (Class D Auto)? Yes No If yes, enter expiration date

Do you have a valid CDL License (Class A or B)? Yes No If yes, enter expiration date

Do you have a valid Hydraulic license? Yes No If yes, enter expiration date

What other valid licenses or certifications do you possess (job related)?

IV. OFFICE SKILLS (If applicable).

Check the column that you feel best describes your knowledge and specify software products:

	<input checked="" type="checkbox"/> Beginner	<input checked="" type="checkbox"/> Intermediate Level	<input checked="" type="checkbox"/> Advanced Level
Knowledge of Word Processing	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Knowledge of Spreadsheets	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Knowledge of Databases	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Automated Accounting System Knowledge	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Bookkeeping Knowledge	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Transcription Ability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Shorthand/Speedwriting Ability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

V. EDUCATION

School	Name, Address, City, State	Number of Years Attended	Degree Awarded
High School	Durfee High School, Fall River, MA	3	Yes
College	Rhode Island College, Providence, RI	4	BS
Graduate School	Boston College, Newton, MA	6 PT	MBA
Trade, Business, Night Courses			
Military Service, Other Training			

VI. SPECIAL SKILLS.

Please list any other skills or abilities you feel are relevant: _____

VII. PRE-EMPLOYMENT REQUIRMENTS. All offers of employment are conditional upon the satisfactory completion of a pre-employment requirements, including, but not limited to:

- A. Drug Testing
- B. Physical
- C. CORI and SORI check
- D. Confirmation (if Applicable)

VIII. EMPLOYMENT OF MINORS.

The Town of Harwich is subject to certain child labor provisions regarding the employment of persons under the age of 18. Further, an Employment Permit or Education Certificate may be required, depending on you age.

Are you over age 18? YES NO If no, please indicate your age:

IX. IMMEDIATE FAMILY.

IMMEDIATE FAMILY WORKING FOR THE TOWN OF HARWICH

Please disclose any immediate family members, including those related to your immediate family by marriage, who are employed by the Town of Harwich. You are required to complete the information below. "Immediate family" is defined as a spouse, child, parent, and sibling; and the spouse's child, parent and sibling. Include those employed in all branches of town government; and those employed as regular or contract employees, or elected officials. This "sunshine disclosure" is intended to ensure that the citizens of our town have full confidence in their government and its hiring process. The disclosure will not be used to exclude any qualified applicant seeking a position from receiving full consideration based on the merits of his/her credentials and the requirements of the job. Attach additional pages if needed.

Name of Relative	Relationship	Title of Relative's Job	Department

X. EMPLOYMENT and VOLUNTEER HISTORY. (Please do not write, "see resume". A resume may not be substituted but may be included as a supplement.) Please account for the last 4 position you have held. Start with your present or last employer. You may include military service and any verifiable work performed as in intern or volunteer.

The Town of Harwich () may or () may not contact my present employer.

Employer City of Fall River	Address One Government Center, Fall River
Telephone 508-324-2661	Title City Administrator
Supervisor Mayor	Dates Worked 01/2014-11/2019
Reason for Leaving contract ending-resignation (See attachment documents)	

Description of Primary Duties:

Responsible for the direction and day-to-day management of all municipal departments including Budget preparation, loca

Employer USIS	Address Kansas City, KS
Telephone closed	Title Investigator
Supervisor closed	Dates Worked 5/2010-12/2013
Reason for Leaving better position	

Description of Primary Duties:
completion of security background clearances for US Department of Personnel Management

Employer City of Fall River	Address One Government Center, Fall River
Telephone 508-324-2661	Title City Councilor
Supervisor City Clerk	Dates Worked 01/2008-12/2009
Reason for Leaving did not seek re-election	

Description of Primary Duties:
legislative branch of local government

Employer CVA Consulting Associates	Address PO Box 701, Fall River, MA 02722
Telephone closed	Title President
Supervisor Self	Dates Worked 03/1993-05/2010
Reason for Leaving private sector, full time employment	

Description of Primary Duties:
consultant services to private businesses and contracts with State Government agencies for marketing and management

XI. PROFESSIONAL REFERENCES

PROFESSIONAL REFERENCES (Not Personal):

List 3 people not related to you who we may request comment on your work performance and/or experience.

NAME	ADDRESS	PHONE	OCCUPATION	YEARS ACQUAINTED
Madeline Coelho, HR	One Government Center, Fall River	508-324-2661	Human Resources Director	11
Gaspar F. Correia II, Mayor	One Government Center, Fall River	617-655-3499	former Mayor	8
Maria Marasco, Esq	One Government Center, Fall River	978-475-5082	Economic Development Director	6

**RELEASE AND CERTIFICATION
PLEASE READ BEFORE SIGNING**

I understand that acceptance of this application by the Town of Harwich does not imply that I will be employed.

The information that I have provided is true and complete. I understand that misrepresentation or omission of any fact in my application, resume, or in any other materials or as provided during interviews, can be justification for refusal of employment or can be justification for termination from employment, if employed.

I understand that any offer of employment that I receive from the Town of Harwich is contingent upon my successful completion of the pre-employment screening process including but not limited to the Town of Harwich receiving satisfactory references, a satisfactory criminal history and Criminal Offense Record Inquiry (CORI) if required, satisfactory verification of driver's license, successful confirmation vote or certifications where required and satisfactory completion of any required post-offer pre-employment drug test or physical examination.

In processing my application for employment, the Town of Harwich may verify all of the information provided by me concerning, among other things, my prior employment or military record, education, character, general reputation and personal characteristics.

I authorize the Town to take whatever steps deemed necessary to obtain information regarding my qualifications for employment including contacting my present and former employers, by contacting individuals listed as business, educational or personal references, and by contacting other individuals to provide or further clarify information about me. The Town of Harwich will also check credit history for applicants with financial responsibilities.

I hereby release my present and former employers and all individuals contacted for any information about me from any and all liability for damages arising from furnishing the requested information.

If employed by the Town of Harwich, I understand that as a condition of employment, I may be required to furnish additional or updated medical information, that I may be required to undergo a physical examination, that I may be subject to drug and/or alcohol testing, that the Town may require a Criminal Offense Record Inquiry (CORI check) or Sexual Offense Record Inquiry (SORI) on me, investigate my driving record or verify my license(s) or certifications(s) as required for employment at any time during my employment. As a condition of employment an employee may be required to provide additional or updated information especially if this employee has been on workers compensation and may require both drug testing and an employment physical in order to allow us to have the necessary information for making a proper decision or reasonable accommodations, if necessary.

I understand that the Town of Harwich is an at-will employer. If employed, I understand that my employment may be terminated with or without cause at any time unless there is an applicable bargaining unit contract provision.

My Signature Certifies that I have read and agree with the above statement and all statements contained in this application for employment.

Cathy Ann Viveiros

Applicant Name (Please Print)

Applicant Signature

May 4, 2020

Date

"It is unlawful in Massachusetts to require or administer a lie detector test as a condition of employment or continued employment. An employer who violates this law shall be subject to criminal penalties and civil liability." MGL Ch. 149, Section 19B

Cathy Ann Viveiros

PROFESSIONAL GOAL: To secure a position that will enable me to utilize my skills and strengths in public sector management.

EDUCATION:

Master's Degree in Business Administration, Boston College
Bachelor's Degree in Education, Magna Cum Laude, Rhode Island College
Architectural Studies, Boston Architectural Center

TEACHING EXPERIENCE:

Bristol Community College, Adjunct Professor, Marketing, Management
Fred Pryor Seminars: business training in Excel, Finance & Accounting, Communications
Bryant College, Adjunct Professor, Marketing
Fall River Public Schools: Special Needs Teacher

PUBLIC SECTOR EMPLOYMENT:

01/2014-11/2019: City Administrator, City of Fall River: Responsible for the direction and management of the day-to-day operation of all municipal departments for a City of 88,000 people. The City Administrator reports to the Mayor and is accountable to a nine-member City Council. Major accomplishments include \$15 million reduction in annual health insurance costs, \$9 million increase in Reserves over 5-year period. Competitive bidding, new service delivery models and effective union negotiations have all contributed in reducing structural problems within Fall River's \$280 million Operating Budget. Management initiatives include development of a 5-year Capital Plan, 5-year Budget Forecasting Tool, updated job descriptions, new departmental Policies and Procedures Manuals and completion of non-union employee evaluations.

1978-1983, 2008 - 2009: Councilor, Fall River City Council: Chairperson of Regulations and Public Works and Transportation Committees, Member-City of Fall River Master Plan Committee, City Council's Health & Environmental Affairs and Finance Committees. Major Accomplishments: Pilot Program for mandatory recycling, 9C cuts strategy position paper, Community Public Safety PowerPoint Presentation.

PRIVATE SECTOR EMPLOYMENT:

2010-12/2013: Investigator, USIS: Completion of security clearance background investigations as assigned by USIS for the US Office of Personnel Management. Major accomplishments include achievement of high percentage ratings for both quality and timely completions.

1993-2010: President, CVA Consulting Associates: Provide consultant services in management, marketing, and training for clients that have included the State of Massachusetts - Departments of Public Health and Social Services and the Massachusetts Aeronautics Commission (MAC). Major accomplishments: statewide campaign, new logo, brochures, PowerPoint for MAC; design/execution of Customer Service Workshops: WIC Program.

8/1998-9/2002: Vice President of Operations, R4, Inc.

Responsible for the daily management of a healthcare computer manufacturing company with sales to high-risk maternal fetal hospitals across the United States. Major accomplishments: Development of Personnel Policy Manual, job descriptions and performance evaluation tools.

28 Hathaway Street
Fall River, Massachusetts 02720
Cell: 774-644-2257, E-Mail: cviveiros17@outlook.com

Cathy Ann Viveiros

2/1986-3/1996: Chief Executive Officer of Cordage Park Company: Responsible for the direction of up to 60 employees providing operational, marketing, accounting, and construction services for adaptive re-use property; real estate development activities including pro-forma budgeting and build-out analyses. Major accomplishments included development of a ten year Master Plan for the redevelopment of the 1.5 million square foot historic mill complex including a ten-year financial pro-forma.

2/1984-2/1986: Marketing Director and General Manager of the North Dartmouth Mall: Responsible for the management, marketing and collections activities for a 625,000 square foot regional shopping center. Major accomplishment included the development of an active tenant association.

COMMUNITY SERVICE:

Southeastern Regional Planning Economic Development District, Board Member
Southeast Regional Transit Authority, Advisory Board Chairperson
Fall River Tax Increment Financing Board, Member
Greater Fall River United Way, Past Chairperson of the Board
Plymouth Area Chamber of Commerce, Past Chairperson of the Board
Plymouth Development and Industrial Commission, Past Commissioner
United Neighbors Advisory Board, Member
Founder, WORD Child Care Center

References:

Madeline Coelho, Director of Human Resources
One Government Center, Fall River, MA 02722
Telephone: 508-324-2661; E-Mail: mcoelho@fallriverma.org

Jasiel F. Correia II, Mayor of Fall River (former)
One Government Center, Fall River, MA 02722
Telephone: 617-655-3499; jasiel91@gmail.com

Judge Joseph Macy, Fall River Corporation Counsel
One Government Center, Fall River, MA 02722
Cell: 508-243-3060; E-Mail: jimacyj@aol.com



CLIFF A. PONTE
Acting Mayor

November 14, 2019

Cathy Ann Viveiros
28 Hathaway St.
Fall River, MA 02720

Dear Ms. Viveiros:

I am accepting your letter of resignation as City Administrator dated November 14, 2019. During your tenure as both City Administrator and City Councilor you have worked tirelessly to advance the goals of the City of Fall River. You have collaborated with many administrations, elected officials, employees and constituents and have done so with professionalism and pride, even in the most trying times. You should be proud of your accomplishments as a public servant and I am grateful for your leadership and contributions. I wish you all the best.

Sincerely,

Cliff A. Ponte
Acting Mayor

One Government Center, Fall River, Massachusetts
TEL (508) 324-2600 • FAX (508) 324-2626
EMAIL mayor@fallriverma.org

28 Hathaway Street
Fall River, Massachusetts 02720
Cell: 774-644-2257, E-Mail: cviveiros17@outlook.com

This is the finding regarding a media report concerning my home's assessment. I resigned 6 weeks early, with full contract compensation, to allow the incoming Mayor to proceed without further distraction. It was ultimately released for public record.

Office of the
Corporation Counsel

Memo

Confidential

To: Mayor, City Administrator
From: J.I.Macy, Corporation Counsel
Date: November 21, 2019 @ 11:25
Re: Assessors Report

CONFIDENTIAL ATTORNEY CLIENT CORRESPONDENCE AND ATTORNEY WORK PRODUCT; NOT FOR DISSIMINATION OR PUBLICATION AND NOT A PUBLIC RECORD.

The following is a summary of recommendations and possible action re; the Assessors Office based on the confidential report of Matthew Thomas and the response thereto by the three individuals involved.

Cathy Ann Viveiros: As far as can be determined both from Atty Thomas report and Mrs. Viveiros written response she did everything reasonably required of her both as a City official and private citizen. She bought her property on the open market from an estate with no city involvement in the sale or purchase; i.e. it was not tax title property or surplus city property offered for sale. She applied for, and received, all required permits and listed appropriate contact information. Both Attorney Thomas report and her response indicate she exerted no influence of any kind regarding her assessment.

The failure to inspect cannot be attributed to her as she was available at any necessary time and her work location was easily accessible to the inspector. In fact, when the inspector finally did arrive at her house he declined to perform an interior inspection despite being given the opportunity so to do.

Her failure to question the sharp drop in her taxes may raise questions given her familiarity with the assessing process but it is not likely that she should have questioned the same given the fluctuation in her assessed value and the overvalue of the house when she purchased the same.

In short, there does not appear to be anything untoward, actionable, or inappropriate in Mrs. Viveiros activities either as a public official or private citizen.

Ben Mello: Attorney Thomas report raises certain technical questions about the practices utilized in the assessor office which are beyond our expertise but may require re-training or reviewing the procedures within the office. As far as Mr. Mello himself is concerned, his written response, received this a.m., essentially confirms that he did not closely supervise Mr. Rebello (his words are micro-manage) and did not realize inspections had not been made. As far as the lowering of values he asserts this was done in accordance with established practice and, most importantly, without influence of any kind from Mrs. Viveiros.

Under ordinary circumstances, the lack of adequate supervision of Mr Rebello might be cause for discipline and re-training of Mr. Mello as Rebello's failure to exercise one of his prime functions. However, as a result of the submission of his resignation there appears to be little that can be done regarding Mello. In summary while there appears to be lack of appropriate management of his department by Mello there does not appear to be anything actionable or inappropriate, from an undue influence point of view, in his actions.

Douglas Rebello: Mr. Rebello did not respond to Attorney Thomas report despite being given the opportunity so to do. It is clear from both Thomas report and Mello's response that it was Rebello's responsibility to perform the required inspections and that he did not. The long delay in performing any inspection cannot be explained by unavailability of Mrs. Viveiros, she worked in the same building and had left her cell phone, nor by the press of other business, he had ample time to perform his duties. In fact, when he finally did go to the property he declined to conduct an interior inspection. Under these circumstances two features stand out: 1) There was no influence exerted on Rebello by either Mr. Mello or Mrs. Viveiros 2) The failure to inspect is a clear failure to perform basic job functions. Therefore, Mr. Rebello is subject to appropriate discipline which could include suspension and possibly, but not likely unless his job record is very poor, termination.

To: TASC
From: Cathy Viveiros
Date: 06/22/2020
RE: Written Responses

Thank you for the opportunity to participate in the TASC selection process. Please see responses below.

- 1) As a new manager, how did you build trust and credibility with the Board you reported to, the employees you were directly responsible for, and other stakeholder groups such as taxpayers and the business community? How did you develop relationships? Share an example as to how you built a coalition with stakeholders who may not agree with one another.

ANSWER: Effective and ongoing communication is essential to establishing trust with any constituency. I have worked to become a good listener and this has been a key to my success. Listening involves allowing people to express their ideas, concerns *and feelings* regarding the issue that is important to them. Relationships were built on a regular, timely and two-way exchange of information.

The City of Fall River needed to close a large budget gap going into Fiscal 2015. Employees wanted to protect their benefits, political leaders needed a balanced budget, and taxpayers wanted to preserve services in public safety, community maintenance and education and avoid large increases in taxes and fees. Working with nine different collective bargaining units, our team was able to reduce health insurance costs by \$8 million in Year One through competition. Employees saw reductions in their premiums, political leaders saw a huge reduction in the budget gap, and taxpayers were able to avoid a reduction in public services.

- 2) From your perspective, how do you think the Federal, State and Local governments have addressed the current pandemic and recent climate disasters? What have been the strengths and weaknesses? What actions would you recommend to our Board of Selectmen to address this situation now and going forward?

ANSWER: These are two, very different issues requiring different responses. As for the pandemic, the federal government did not do enough to set realistic expectations. As the custodians of national and international public health data regarding COVID-19, the Federal government could have done more to inform the state and local leaders of the steps necessary to contain the virus. Providing sufficient PPE and testing supplies were the responsibility of the Federal government. As for the State government, more consideration for regional conditions would have been beneficial. Closing county borders to limit the influx of the virus into each county may have allowed certain regions to remain open for business to local patrons. More drastic, stay-at-home orders could have been reserved for "hot spots" and high risk populations.

Going forward, The Board of Selectmen can review local regulations for opportunities for businesses to increase sales. Creative steps such as replacing on-street parking with outdoor seating/sales areas and using community resources to deliver information regarding CDC guidelines in public locations could keep residents, businesses *AND VISITORS* engaged in steps necessary to maintain the local economy and the public's health.

Regarding potential climate disasters, State and Federal Environmental resources are needed to assist local communities in preparing for natural disasters. In Fall River we used grant funds to create a Hazzard Mitigation Plan. This process included health officials, social service providers, community stakeholders and federal, state and municipal staff to evaluate such things as community resources, evacuation routes, preventative maintenance projects and capital improvements to prepare for mitigation measures that could become critical to the public's safety.

Securing grant funds for implementation is much more successful when a comprehensive assessment has been completed and a plan has been developed. Mitigation measures may require the same skill set outlined in the Answer to Question One. Achieving public consensus on the steps necessary to preserve for the future will be challenging. The process should start by identifying those things most people can agree with and then progressively work toward the most controversial elements. Common ground creates harmony that can facilitate conflict resolution.

DRAFT

TOWN OF HARWICH PUBLIC MEETING NOTICE

NON-RESIDENT TAXPAYERS MEETING August 10, 2020

The Harwich Board of Selectmen will hold the **Annual Non-Resident Taxpayers meeting on Monday, August 10, 2020**, no earlier than 6:30 P.M., during their regular meeting via teleconference. All Harwich non-resident taxpayers are encouraged to participate on this informational call, which will provide an overview of town government and provide non-resident taxpayers an opportunity to raise and discuss issues and concerns.

Presenter/Presentations Selection

1. *Health Department – Meggan Eldredge*
2. *Overall Financial Position of the Town – Carol Coppola*
3. *Police – David Guillemette, Chief of Police*
4. *Fire – David LeBlanc, Fire Chief-Designate*
5. *Harbors - John Rendon, Harbormaster*
6. *Recreation – Eric Beebe*
7. *Golf – Roman Greer*
8. *Department of Public Work – Lincoln Hooper*
9. *Community Center/Cultural Center – Carolyn Carey*
10. *Water Department – Dan Pelletier*
11. *Wastewater Update – Dan Pelletier and Griffin Ryder*
12. *Council on Aging Programs – Emily Mitchell*
13. *Channel 18 – Jamie Goodwin*
14. *Planning – Charlene Greenhalgh*
15. *Questions and Comments*

**Town
Administrator's
Report**



Golf Department Monthly Update

June 2020

On Friday, June 12 Cranberry Valley implemented Phase 2, following state guidance, including:

- Tee-time increments from 15 min to 12min (gain 1 tee time per hour)
- Hours of operation 6am-8pm (previously 7am-6pm)
- Driving Range and Practice Greens Open –
 - Every other station closed on range
 - Basket Return Bin – Baskets will be washed and sanitized before returned to use
 - Staff will periodically clean surfaces and organize area throughout the day
 - Required face coverings
 - Signage posted on range regarding social distancing and face coverings
 - Practice Green will have “no touch, no hole” posts for targets
- Clubhouse restrooms are open
 - Deep cleaned buy janitor every morning Tue-Sat, cleaned by staff Sun & Mon
 - Remote restrooms will be professionally cleaned (by contract) first thing in morning on Tue, Thr & Sat mornings, by our janitor on Wed & Fri, by our staff on Sun & Mon
 - Cleaning log will be monitored and kept in pro shop for periodic cleaning of commonly touched surfaces In restrooms and heavy transit areas, high touch surfaces
- Signs regarding social distancing are posted
- Pro Shop opened on Friday, June 27 with a maximum customer capacity of 2 and with shield and floor markings
- Hand sanitizer wall mounts are available at starter house and clubhouse
- Refreshment Cart is operating
- Remote Payment Window at Starter House for Cart & Greens Fees – Credit card only, swipe outside window, staff inside to process/document payment on POS computer
- Push carts and rental clubs will be available – they will be washed and disinfected after each use
- Commonwealth’s Mandatory Safety Standards for Workplace has been posted in clubhouse for customers and in staff areas for employees.

Additional info:

Not allowing League Play until tee time increments reach at least 10 minutes, in order to keep Annual Pass Holder tee times as equitable as possible.



3 Hours of Daily Fee Play has been added to the tee sheet. This will make for 70-30 distribution of tee times favoring APH. 100% of 9-hole tee times will be made available to APH. If daily fee times are not sold, they will be available through automated tee sheet management system (Chelsea) the night before play.

Annual Pass Sales for the 2020 season have been stronger than originally anticipated. Below is a snapshot of Annual Pass Sales through July 1st

Total Annual Pass Sales for 2020 – 1107 (1141 in 2019)

Harwich Renewal	583
New Harwich	103
Chatham Renew	155
New Chatham	47
Eastham/Orleans Renew	30
New Eastham/Orleans	4
New Non-Resident	16
Non-Resident Renew	6
Junior	54
Young Adult	69
Non Resident Junior	1
Collegiate	39

Narrative: Annual Pass Sales and public tee time sales have both been stronger than originally anticipated. There has been great demand for tee times, putting strain on our priority based tee time system and causing frustration. I monitor the system daily and it is assigning tee times equitably. There are ample playing opportunities based on the golfer's flexibility and knowledge of system. Phase 3 began on July 6th. Among the changes for phase 3 was an increase in tee time, restoring annual pass holder tee times to previous (pre covid-19 crisis) levels. I will report on phase 3 in next month's report.

Respectfully submitted,

Roman Greer, PGA

Director of Golf

HARWICH HARBORMASTER DEPARTMENT

June 2020 Monthly Report

Thursday, June 4 the Harbormaster Office was open to the public with limits of one person from the public allowed in the office at a time and face coverings required.

Operations

- Barnstable County dredged Allen Harbor channel removing 6074 cubic yards, and Wychmere Harbor channel removing 1751 cubic yards. Material was used as beach nourishment at Pleasant Rd, Grey Neck, Earle Road, Atlantic/Ocean Ave, Wah Wah Taysee, and Red River public beaches.
- Marine 77 towed a disabled vessel into Saquatucket Harbor (SAQ) from two miles offshore.
- Set swim area buoys along Nantucket Sound beaches.
- Took two dead seals from the beach in front of the Belmont to the Transfer Station.

Administration

- Ordered signs for all waterfront facilities and landings that provides COVID -19 guidance for the boating public.
- Entered new FY21 budgets based on FY20 contracts.
- Updated our records with FY21 Salaries.
- Created FY20 Receipt Report for BY&D marine insurance renewal.
- Contacted Water Safety Service to follow up on Backflow Inspections.
- Ordered ice for the boating season, machine needed repairs.
- Contacted Charter Boats for current insurance certificates.
- Met with staff regarding parking permits/locking public restrooms.
- Revoked mooring permits for non-payment (1-HR, 1-PB)
- Prepared a new budget based on FY20.
- Issued 7 parking tickets and 1 Non-criminal boating violation.
- Processed 45 transient slip reservations.

Maintenance

- Assisted Natural Resources with install of pumps at the Shellfish Lab.
- Added oil to the power tilt and trim system on the port side engine on Marine 77.
- Rewired the VHF radio on 77A.
- Ran fire and dewatering pumps.
- Replaced missing/damaged corner bumpers on the SAQ Marina docks.
- Replaced damaged bumpers on the east bulkhead floating docks.
- Repaired damage to the corner of the boat ramp dock at SAQ.
- General building and grounds maintenance

Meetings

- Participated in zoom presentation hosted by Monomoy Yacht Club to provide update on Harwich waterways and boating safety issues.
- Met with owner of Wychmere Beach Club to discuss my refusal to allow his 91' Viking to be tied-up at his private dock along Wychmere Harbor channel; boat would obstruct the safe navigation within the channel. Stonehorse Yacht Club Commodore and BOS Chair were also present at the meeting.

Selectmen's Report