

SELECTMEN'S MEETING AGENDA\*

Donn B. Griffin Room, Town Hall  
732 Main Street, Harwich, MA  
Executive Session 5:30 P.M.  
Regular Meeting 6:30 P.M.  
Monday, August 10, 2020

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

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

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

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

8/10/2020 Meeting of the Board of Selectmen

Mon, Aug 10, 2020 6:30 PM - 8:30 PM (EDT)

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

<https://global.gotomeeting.com/join/555962189>

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**Access Code:** 555-962-189

I. **CALL TO ORDER**

II. **EXECUTIVE SESSION**

- A. Pursuant to M.G.L. c. 30A, § 21(a)(6), to consider purchase, exchange, lease or value of real estate if the Chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body;
- B. Pursuant to M.G.L. 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 (HMEA) if an open session would have a detrimental effect on the town's bargaining position and the chair so declares ;
- C. Pursuant to M.G.L. c. 30A section 21 (a) paragraph 2 to conduct strategy sessions for contract negotiations for nonunion personnel – Finance Director and Police Chief;
- D. Pursuant to M.G.L., c.30A section 21 (a) paragraph 2 to conduct strategy sessions for contract negotiations for nonunion personnel – Interim Town Administrator.

III. **PLEDGE OF ALLEGIANCE**

IV. **WEEKLY BRIEFING**

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

V. **PUBLIC COMMENTS/ANNOUNCEMENTS**

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

VII. **CONSENT AGENDA**

- A. Minutes for Approval
  1. June 1, 2020
  2. June 5, 2020
- B. Vote to approve – 2020 Annual Committee Re-Appointments – As listed in the packet

VIII. **NEW BUSINESS**

- A. Discussion and possible vote to authorize Chair to request a biological survey at 99 Riverside Drive on Herring River related to a pending request for a Class III Marine Aquaculture Permit for Nantucket Sound Bay Scallop Company, LLC
- B. Board of Selectmen Committee Liaisons

IX. **OLD BUSINESS**

- A. Discussion and possible vote to refer the zoning amendment relative to "Multifamily" to the Planning Board for required public hearing
- B. Discussion and possible vote on specific topics related to 2020 Annual Town Meeting including;
  - a. Appropriations from Stabilization Fund,
  - b. Capital Outlay Plan,
  - c. Draft Warrant
  - d. Date, time, location of Town Meeting

XI. **TOWN ADMINISTRATOR'S REPORT**

- A. Appointment of Social Services Coordinator for the Council on Aging
- B. Departmental Reports

XII. **SELECTMEN'S REPORT**

XIII. **ADJOURNMENT**

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

**Authorized Posting Officer:**

\_\_\_\_\_  
Patricia Macura, Admin. Secretary

**Posted by:** \_\_\_\_\_

Town Clerk

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

August 6, 2020

# **Weekly Briefing**



**Town of Harwich  
Board of Health**

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

August 6, 2020

Weekly COVID-19 Update

As of today, the total number of *confirmed* cases of COVID-19 that have occurred in Harwich is 139. Included in this number are the 71 individuals that were associated with Wingate. Our fatalities remain at 24 total. We currently are following 7 active cases.

Harwich has seen a decrease in the rate of positive tests over the last week, down significantly to 0.66% from 2.12% one week ago. To date 2881 people from Harwich have been tested for COVID-19.

In cooperation with the Barnstable County Rapid Response Team, Barnstable County Department of Health and Environment and many surrounding towns, we hosted a COVID test clinic for restaurant workers who may have been exposed to COVID-19 on Tuesday, August 4<sup>th</sup> at the Community Center. Approximately 155 people were tested during this clinic and the results should be available Friday or Saturday.

If you are looking to be tested, please contact your primary care doctor or use the testing center locator tool on the mass.gov website. The locator tool can be found here:

<https://www.mass.gov/info-details/about-covid-19-testing>

The Travel Order that went into effect on August 1, 2020 now includes the State of Rhode Island. Details about this Travel Order, including frequently asked questions can be found at: <https://www.mass.gov/info-details/covid-19-travel-order>

Thank you.

Meggan Eldredge  
Health Director

# **Consent Agenda**

**MINUTES**  
**SELECTMEN'S MEETING**  
**REMOTE PARTICIPATION ONLY**  
**Monday, June 1, 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 Ms. Eldredge.

**CALL TO ORDER**

Mr. Ballantine opened the meeting at 6:30 pm, and called to order the Board of Selectmen. He explained that he first called the meeting to order for executive session to discuss the item; pursuant to MGL c.30A, §21(2) to conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel; Chief of Police, Incoming Fire Chief and Finance Director. Mr. Powers asked for some general guidance going into negotiations and there will be follow up.

Mr. Ballantine also commented, that they have been granted some relief in regards to wearing the masks. They are maintaining the six feet of social distance and this will help them be heard better.

**WEEKLY BRIEFING**

**A. COVID-19 Updates**

Mr. Powers began the update, explaining that they have a lot to go through. They are still waiting on important updates from the Commonwealth, in regards to the restaurants, which has not arrived.

They were on a call with the Department of Public Health, which was about the rioting happening, and also about camps and child care.

Specific to the Town of Harwich, they have two resumption plans. First, he would like to pass it over to Ms. Virginia Hewitt, Library Director, Brooks Free Library, to discuss the curbside pick-up at the library. This will begin on June 8<sup>th</sup>. Ms. Hewitt and her staff have done a great job to get it started. Then they will hear from the Harbormaster, about his resumption plan.

Ms. Hewitt had difficulties with her microphone, so it moved first to Mr. Rendon.

Mr. John Rendon, Harbormaster, said that they are in a good position to reopen the Harbormaster to the public. They are open every day through the summer season, 8:00 am to 8:00 pm daily, 7 days a week, during the boating season (Memorial Day to Columbus Day).

The type of business, for both the Harbormaster Department and the Natural Resources Departments, include: sale of daily and seasonal ramp permits, payment of short-term dockage, payment of transient dockage, purchase of shell fish licenses, payment of waterway user fees, and they deal a lot with the public for questions regarding ferry, passenger boats and charter boat operations.

They have been outfitted with plexiglass protective panels for the customer front counter. The set up in the office space has a front glass door that leads to a small foyer, and then another glass door that goes to the inside office space. Once inside, they have a front counter that the public come to conduct business. Only one customer at a time will be allowed in the office and they will be required to have face covering. The staff will at all times have a face covering, and of course, the plexiglass as well. They will have signage to reflect that.

They will be able to have only one waiting customer, which will be allowed in the foyer. All other customers waiting, will be required to wait outside. They will mark with tape, 6' distances on the deck, leading to the front office door.

Mr. Rendon explained that Ms. Eldredge is working on some signage, which they will need to have prior to opening. They will have hand sanitizer as well. The public restrooms are currently not open. However, when the Snack Shack is allowed to have outside seating, then they should have public restrooms available.

Ms. Ballantine asked Ms. Eldredge what the trigger is for opening the bathrooms and if it is tied in with opening the restaurants. Ms. Eldredge explained that restaurants require bathrooms for employees only. They are not required for the public. The state plumbing code requires it for the general public, and it may be a violation of that code. If restaurants open with sit down dining service, they will need a bathroom there. She also explained that the operator of the establishment has a key and access to the bathroom, in the meantime.

Mr. Ballantine asked for clarification on other bathrooms which do not have to do with restaurants; such as, the golf course and Harbormaster office. He would like to know what is the trigger is for opening. Ms. Eldredge said that they are able to open bathrooms at the Harbor, the only hold up right now is the need for custodial service. They do not have enough staff for the cleaning and sanitizing required. The golf course is different, they are not allowed to open their club house or restrooms, and are only able to utilize outdoor portable toilets.

Mr. Howell commented, on what Ms. Eldredge said, that it is not our order about the porta potty. However, intellectually, it just doesn't make any sense that the porta potty's are fine in a pandemic, but restrooms that can be cleaned readily are not. He is sure others are going to say it, so he just wanted to say it first.

Mr. Ballantine asked Mr. Rendon if folks are starting to fish. Mr. Rendon said that yes, they have a marina that is filling up really quick. The guidance for boating came out, and charter boats can start to charter. The ferry is still not running, but looking to start July 1<sup>st</sup>. The large passenger boats are still not running, because of the requirement not allowing more than ten people in a group. Recreation boaters and commercial fleets are operational, and charter boats have started.

Mr. MacAskill commented that Mr. Rendon is extremely busy in that Harbor now, and he thinks that the bathroom is a very important one to get open. He then asked if there is anything in the CARES Act, where the Town could reimburse a portion of the slip fee this year for the ferry and big passenger boats, because of how much business that they are losing. If it possible to give back some money from the CARES Act, not from Town funds.

Mr. Powers said that he will speak to that. Presently, there has been discussion about the use of CARES Act funds to account for loss revenue. It is not in place however, but there is discussion about that, so it could change in the near future. Mr. MacAskill said, that is something which the Board should keep track of, and endorse if they have the opportunity to.

Ms. Hewitt joined the call and is here to talk about the curbside pick-up plan. She explained that e-books and electronic resources have continued to be available over the past couple of months, while they were closed to the public. They are so excited to start this service. One of the main concerns people have when thinking about this service during a pandemic is the safety of borrowing materials. The safety of patrons and staff members during this pandemic, is the top priority. They are following guidelines from the Center for Disease Control (CDC). They will be quarantining all materials for at least 72 hours, when they are returned; as time is considered to be the most effective disinfectant. Once the quarantine period passes, no further disinfection is needed.

Patrons will place all items being returned into the exterior book drop. They will not be allowed to hand them to staff members. Once the bin is full, it will be wheeled to a quarantine room, and will sit for 72 hours. After the quarantine period, staff members can bring the bin to a workstation where the items are then checked-in. Patrons may notice that a book will remain on their record after they return something for a couple of days. Clams Library has agreed to waive fines during the pandemic, so no fees will be incurred because of the quarantine.

They have designed the curbside pick-up to be no contact, patrons will be scheduled for an appointment with a period of a half hour. They hope it will ease any congestion. People will park their vehicles and walk over to pick-up the bag that is marked with their name. They will have staff members available for questions, but they think it will be quick. To place requests; people will do that online using the Clams catalogue, or they can call the library for help, Monday through Friday, 10:00 am to 4:00 pm at 508-430-7562.

Another thing to note, is that the statewide delivery service that brings items from one library to another, is still not operational and probably won't be back to normal until June. So, until then, items are only limited to items in the



library. They will have to do some work arounds, and until this is operational, they are limiting the number of items that can be reserved. They have had to re-work how they are doing everything. They are doing a test run of how this will work with patrons that had things on hold prior to the pandemic, and working on holds from the past two months. As they get the backlog cleared, people won't have to wait as long for pick up.

The Friends of Brooks Free Library are starting up the Books on Wheels Homebound Service, and this can also be used by patrons that may have physical limitations or those in vulnerable immune system. They can call the library. Also, they are not able to accept any donations, so they ask people not to leave any boxes outside and not to return any books that are not library books.

Ms. Hewitt concluded that the curbside pick-up plan is on the website, and it is part of the larger resumption of services plan. She thanked Mr. Powers and Ms. Eldredge for their help and they are excited to get started.

Mr. Powers provided an update on the planning for the Monomoy Regional High School Graduation Ceremony. They will be having another planning session on June 4<sup>th</sup>. They do not know what it will look like, but they do know they will have one, which is a wonderful statement for the community. The graduation is tentatively scheduled for June 23<sup>rd</sup>. Mr. Powers told the Board that as there is more information, he will let them know.

They will be getting an update from the Golf Director. Golf had some functions that were related to Phase II, as early as June 8<sup>th</sup>, with expanded hours and the use of the driving range.

Mr. Powers and Ms. Eldredge will be bringing to the Board a plan that ties into essential businesses, non-essential businesses and office space which is one of the guidance documents in the packet. When Governor Baker announced on May 18<sup>th</sup>, that they were working towards this, there was a statement about occupancy/capacity. So, they are working on that. As a government operation and essential business, they have an obligation to meet those requirements. However, they have a grandfather clause, that they do not need to have a plan in place until July 1<sup>st</sup>. So, they have been working very actively with other staff on how that will impact office space throughout town buildings and the impact on remote work capabilities and several others.

The point on that is that as they get more guidance and are able to reopen, they will use this mechanism to report to the board.

The MMA announced on Thursday, that they got word from the Executive Office of Public Safety that testing for COVID-19 for essential workers and government workers has been expanded to Municipal government workers. Mr. Powers and Ms. Eldredge availed themselves of that. They tried two different locations. The test came back negative. They will be updating the staff going forward to roll out some guidance on discretionary, not mandatory, testing for employees if they choose to.

Mr. Powers turned it over to Ms. Eldredge for her report.

Ms. Eldredge said that the dashboard on the Mass.gov website has changed a little bit. They are now reporting confirmed cases, as well as, probable cases. Probable cases are people who have had the antibody test and it has come back positive, or someone who has displayed symptoms of COVID-19 and they are a close contact of someone, who was confirmed positive by a laboratory test. Those numbers were added to the dashboard today, so the numbers look really huge, but they are not that huge.

It is 3,500 probable cases, from the very beginning when they started doing serology testing back in April, to today. So, if you look at total numbers, the dashboard is showing 3,840 new cases, and that is confirmed and probable. Only 326 of those are laboratory confirmed; which is the data that has been used all along. With the new dashboard, they will be including those numbers going forward. There is a total of 100,805 confirmed and probably cases in Massachusetts, and 7,035 confirmed deaths, from COVID-19. In Barnstable, the number of cases are creeping up. Currently, they are at 1,424 positive cases, including probable and confirmed cases. Barnstable county has 118 deaths related to COVID-19. For Harwich, there are 121 total cases, which are just the confirmed numbers, and 71 of those are associated with Wingate residence or staff. This leaves 50 others. They did have a few new cases over the past 48 hours, and they are connected with previously confirmed cases. So, that includes household members and contacts that they already knew about. It shows how easy it is to contract the virus while living in close courters. They have a total of 22 deaths, and 18 of those are associated with Wingate.

The dashboard on the Mass.gov website, which circles back to the reopening plans and shows the six indicators for reopening. They have yellow, green and red to show the stages, for things to look at, to be able to go forward with reopening.

The six indicators are: the number of positive test rate, the number of individuals that have died from COVID-19, the number of patients in hospitals, the healthcare system readiness, the testing capacity and the contact tracing capabilities. Right now, Harwich has two greens and 4 yellows. The greens are positive trends, and that is in the COVID-19 positive test rate and testing capacity. So, in order to move to Phase II, they need to move into positive trends for the number of individuals that have died, that needs to trend downward, the number of patients in hospitals, also needs to trend down, and the healthcare system readiness needs to trend upward, as well as contact tracing capabilities. From the conversations with Department of Public Health, which they are now having calls nearly every day, those four yellows, are close to turning green. They have increasing testing capacity, and healthcare system readiness is looking good. They have only seven patients in Cape Cod Hospital, and two in the ICU, which is a downward trend from even a week ago. Governor Baker is going to make an announcement on Friday, June 6<sup>th</sup>, as to whether or not, he will give the green light to go to Phase II. So, we are looking at potentially being able to move into Phase II on Monday June 8<sup>th</sup>.

They have new guidance for restaurants, lodging and retail spaces, which just came out. On Friday, their phone call with the DPH, had restaurant and lodging guidelines and mandatory workplace safety standards. Then, today they learned about camps and retail spaces. Those documents are up on the Massachusetts Department of Public Health's reopening page. That page has a lot of information for industries that they need to do in order to open. It has guidelines on best practices on how to make it happen. So, there are standards and mandatory things, like the 6' apart and bars are not being allowed to open. Then they get into the best practices, like; disposable menus, no salad bars, reservations so there are no lines, and hygiene protocols that need to be followed.

Ms. Eldredge has been working with her department and Mr. Powers on getting the guidance out to the restaurants. They have set up a GoToMeeting seminar for all restaurant owners or managers to attend on Wednesday

afternoon. This will provide a time for them to hear the guidance and the town's interpretation of it. She has also requested that they email in specific questions ahead of time, so she can be prepared to answer all questions. She is doing the same thing for lodging the next day and anticipates doing more for camps, pools and retail spaces. They are very busy working with industries and what this all means and how to regulate it. They have received some information on some grants for reopening, and alternatives for outdoor spaces and how the local government can assist businesses in making a smooth transition. Restaurants are going to be looking to spill out of their doors to sidewalks and parking lots, and they should know the town is open to all suggestions and possibilities. It just needs to go through the proper channels and make sure everything is legal. They are trying to streamline the process and not make it so cumbersome and they need to get this done as soon as possible.

Mr. Powers explained that Ms. Eldredge's report above crept into the item 'B' topic below. During her report, he received an email from Senator Cyr, that Governor Baker has released his Phase II order, which has information regarding what they are discussing this evening. In his Phase II order, it says that preparation and accommodation for outdoor restaurant dining service with two items. The first, in the opening paragraph, says that restaurants will be authorized to provide outdoor tables service at the commencement of Phase II, of the Commonwealth's phased re-opening of workplaces. If the public health data reflects continued positive progression; restaurants will be authorized at a later date, and by a subsequent Phase II order, to commence indoor table service.

In each case, restaurants will be required to comply with sector-specific COVID-19 workplace safety rules for restaurants. This is in the packet this evening. There is a definition of what "outdoor table service" means, which he can read. However, first there is a closing paragraph that says; "In order to provide improved opportunities for outdoor table service, for any type of license that permits the sale of alcoholic beverages for on-premises consumption, a local licensing authority ("LLA"), may grant approval for a change in the description of the licensed premises for the purpose of permitting outdoor alcohol service, as the LLA may deem reasonable and proper, and issue an amended license to existing license holders, without further review or approval by the Alcoholic Beverages Control Commission ("ABCC") prior to issuance. Upon approval of an amended license, the LLA

shall provide notice of the amended license to the ABCC. In the memorandum, Mr. Powers provided to the Board tonight, they talked about the DPH call they were hoping to get guidance on tonight, but they did not. Though, he thinks the discussion tonight can begin talking about when they can get in front of the Board, as the licensing authority, to amend licenses for the outdoor service of alcohol. This is just coming out, and the kind of information they have been hoping for. He will now move it forward to item B.

Mr. Ballantine asked Ms. Eldredge about the three yellow's turning green and the trend. If they do not make it, and the trend looks more positive, what is the process going to be. Ms. Eldredge said, it would be looked at on a weekly basis. To see the trend, it will not be based on one or two days' worth of data. A trend is a minimum of three weeks. If we need a fourth or fifth week, that will continue week to week.

Mr. MacAskill asked if the individuals at Cape Cod Hospital are Harwich residents, or from across the Cape? Ms. Eldredge said that it is Cape wide and only from Cape Cod Hospital. She did not look at Falmouth. The numbers can be found daily on the dashboard. Mr. MacAskill also asked if the numbers from Wingate are skewing the trendline? Ms. Eldredge responded, that it is a state trendline, they are not a town by town trend, it is a statewide. However, long term care is a huge chunk of all cases and most deaths. Getting that under control is vital to moving forward.

Mr. MacAskill then asked if out of the 50 cases, how many are still active. Ms. Eldredge knows of at least 15, that is a ballpark, a couple of those are workers at long term care facilities. The bulk of those are households; some households of 3 or 4 members each. It is frightening, because it could quickly spread again.

Mr. Howell said that amongst the camps, there are also the preschools that had sessions. He is the Vice President of the Board of the Harwich Ecumenical Council for Housing (HECH), who run the Children's Center. He wanted to mention that there is a difference between what the Governor is allowing people to do, and what is actually feasible to do. So, unlike restaurants and other places, HECH basically laid everyone off because the rules that allow it to come back, are completely implausible. It can't be

sustained by income. There is no way to see any preschools opening this summer and possibly permanently. He just wanted everyone to hear that.

B. Update on ongoing efforts by the Town in support of the Business Community during the COVID-19 Pandemic

Mr. Powers said that he would like to recognize and turn it over to Ms. Cyndi Williams, Executive Director, Harwich Chamber of Commerce.

Ms. Williams said that they are working closely together on the easiest and safest ways to get businesses open and running. Big things coming up this week, will be the two virtual seminars with the restaurants and the lodging. Ms. Eldredge sent the email out, and she has followed up with its members and they are all eagerly waiting on the guidance. They can't wait to get everyone open and they are getting creative and recreating themselves in a way. It is time, and so they will work together closely and think outside the box.

Mr. MacAskill said that related to the outdoor seating and liquor license, this Board owes it to the community, to meet as often as they can. He hopes the Board will entertain meeting as often as they can, as the applications are ready. They need to be ready to hit send, to move it forward. He would encourage the businesses to do this, so they can be permitted to operate right away. He hopes they are doing everything they can internally to move it along and not wait for the guidance to come out.

Mr. Ford said that he would absolutely be there to help out any local business.

Mr. Ballantine said that the Board of Selectmen should be proactive and provide more of a checklist item. Mr. Powers said that given the Governor's order, "Notwithstanding the provisions of chapter 40A of the general laws, or any special permit, variance or other approval thereunder, or any other general or special law to the contrary, a city or town may approve requests for expansion of outdoor table service, including in the description of licensed premises as described below. Prior to such approval, the mayor, select board, or chief executive as established by charter or special act, shall establish the process for approving such requests. Such process need not comply with the notice and publication provisions of section 11 of chapter 40A." So that is a significant change that allows them to get to where they are talking about.

They should look at the June 8<sup>th</sup> meeting, to identify the process and initiate the process at the same time. So, if Phase II begins June 8<sup>th</sup>, they can meet, discuss and initiate the process at the same time, to get people where they need to be sooner than later.

Mr. Ballantine suggested that Mr. Powers and Ms. Eldredge should meet to determine what the guidance should be and to streamline it to not make it cumbersome.

Mr. MacAskill asked Ms. Williams, as she reaches out to these businesses, she should get them to have their plans ready. Some restaurants already do, some have obvious space to operate, some do not and will need more planning. They have just pledged to do what they can to help get them operating as quick as possible, but they have to do what they can, as well, if they want to operate outside. Ms. Williams said, absolutely. They have been waiting to hear on the guidance and now they will know that the Board will push it forward. She has been working with them on the creative things they can do with their properties. This is all good news.

Mr. McManus said that there is some indication that they should approve a process first, and then approve the license. He asked if it is possible to meet Thursday night, to approve the process, so then people can bring applications in on the 8<sup>th</sup>, for the Board to begin approving. It would seem that they need to approve the process in advance, so, people can put applications together.

Mr. Ballantine said he would need to turn it back to Mr. Powers and Ms. Eldredge for what the resources are. Mr. Powers said he does not think that is necessary or practical. He has a meeting tomorrow, to talk more with the Lieutenant Governor, and in reading this document, it talks about waiving all of the public hearing requirements, that would have related to all of the regulatory bodies in town and it says that approval of the plan by this Board, may be exercised immediately, upon filing with the Town Clerk. Knowing what they can communicate to the restaurants on Wednesday, and lodging on Thursday, puts a lot of pressure on them to be ready for Thursday night.

They have really created a situation where they can be in place on June 8<sup>th</sup>, if that will be the beginning of Phase II, if dictated by the Governor. Mr. Powers said that they can do Thursday, though not sure it is practical. He feels that

doing the calls which Ms. Eldredge has set up and being ready for Monday to be able to accomplish as much as possible.

Mr. McManus asked if he indicated that it is on the filing with the Town Clerk. Mr. Powers said no, it is the approval of the Board. Mr. Powers said that if the Governor approves Phase II for June 8<sup>th</sup>, they can have a packed schedule, have restaurants ready with applications and be able to issue approvals to go into effect for June 9<sup>th</sup>.

Mr. Ballantine would like to spend more time up front, to make sure it is streamlined and goes quickly.

Mr. Howell said, he would just like to throw a wild card out there. This is really supersonic speed for the Government to pull this off so quickly. For small businesses, no one is going to school and they can do virtual school work anywhere, so we should allow for the possibilities of having more activities. It would be good to get the most out of the season.

Mr. MacAskill added that COVID-19 has created a case of an emergency and there is no reason that they can't call an emergency meeting. Mr. Ballantine agreed that they will call any meeting as necessary.

Ms. Williams said that the next big thing will be the calls on Wednesday and Thursday. The businesses will then know and be able to start putting this together. This is the next step for everyone.

Mr. McManus said he would much rather have a chance for the Board of Selectmen to weigh in this week, as to what is going to be proposed on Monday, to make sure nothing will come up to throw everything off. Mr. MacAskill and Mr. Ford noted that they are available.

Ms. Eldredge asked to clarify, that the meeting on Wednesday is to review the State guidelines that they put out with the 6' separation of tables. It does not include how many feet from the sidewalk tables would need to be or about outdoor lighting, if that would be allowed for safety reasons. So, Wednesday will be sharing the guidelines. She does not have the answers that the board is looking for, or what applicants are looking for. They have told them that they need to have a site plan. Though they have not told them what that site plan needs to include, such as, parameters for traffic flow, how many people,



how many feet between barricades, roadways, parking lots and sidewalks, traffic and parking. These are decisions that need to be made by the Board of Selectmen. She thinks that having a meeting beforehand, is a good idea, if they want businesses to be able to provide them with a plan for what they want and what can be approved.

Mr. Ballantine said that they are all good with that. They will just need some sort of format going into it, so that it is a good discussion. He asked Mr. Powers if Friday would be too late for the meeting? Mr. Powers said that Friday is good, anything that is before Monday.

Mr. MacAskill said that he would be looking for what guidelines may be available from the other towns that are doing this.

Mr. Howell said that Friday would be fine. The call on Wednesday may not have been set up for that purpose, but questions should be gathered.

Mr. McManus said that it is his assumption that they create the process and answer questions on barricades, etc. Then when restaurants bring in their plan, they will be able to approve the amended liquor license and not require them to go in front of other departments. Mr. Powers confirmed that is the assumption.

Mr. Howell said that he was more basing his comment on what they already know, but what people might actually need.

Mr. Ballantine said that they will meet on Friday. This will be a two-way discussion on what works, and what may not work. Ms. Eldredge explained that it will be difficult for some restaurants to operate outside of their walls, and will need to look at parking lots and sidewalks. They need to know who will make that decision, and they should consider having a representative from Zoning or ADA present. The all agreed.

Mr. Powers reiterated, from the document, that restaurants will be authorized to provide outside table service at the commencement of Phase II. The next statement is that the request for expansion of outdoor table service can be approved by the Board of Selectmen. So, the request has to come in from the establishment, specifically for outdoor table service and it can be approved by the Board of Selectmen. Prior to the approval of that request, the Board of

Selectmen shall establish a process for that approval. So, what he thinks he is hearing, is that the meeting on Friday should be a discussion of the Board of Selectmen as to an approval process. Understanding that starting on June 8<sup>th</sup> and soon after, there will be applications for the expansion of outdoor table service.

Mr. Howell said that they need to meet at the earliest possible time, so that they can hit the ground running. They should post meetings for each day, if they can, because then they can cancel the meeting. This would give the time needed to post.

Mr. Powers asked what time on Friday they would like to meet. Mr. McManus said that noonish would be good, to give more time, to be able to give the staff direction on putting the process together for Monday.

It was agreed to meet on Friday at 1:00 pm. Lastly, Mr. Powers said that they are aware of grant opportunities for the use of road closures and restrictions. If the Board has any immediate thoughts. He did ask Public Safety to analyze the thought of closing portions of Route 28, or one-ways, to allow for greater outdoor space. If the Board wants to authorize him to look into options.

## **PUBLIC HEARINGS/PRESENTATIONS**

- A. Discussion and Possible Vote – To approve Proposed Disposal Area fee increase to Residential Sticker fees, Non-Resident Sticker fees and Recycle only fees

Mr. Ballantine moved to open the Public Hearing to discuss the proposed Disposal Area fee increase to Residential Sticker fees, Non-Resident Sticker fees and Recycle only fees. Seconded by Mr. Howell.

Mr. MacAskill said that perhaps Mr. Hooper does not need to go through the whole report again.

Mr. Lincoln Hooper said he would just like to have the floor, to get through the whole thing to review two pieces of information. The first being, that the total of all of these requests, if approved, is approximately \$120,000 in total of new revenue. In regards to the total operation, of approximately \$3.2 million, that is roughly a little less than 4%. So, it is not the end of the world

if the Board does not take his recommendation this evening. He has done what he could to minimize this request. The math works out with the \$30 per ton increase and if you figure an average household does about 1.25 tons per year, that math works out to be \$37.50 of an increase. Thanks to the very robust commercial business they have at the disposal area, he has been able to minimize the request to the \$20 that is before them. And finally, Mr. Hooper realizes they are in a global crisis, and an economic crisis, and now is not the time to be bringing this forward. However, he feels he would be neglectful in his duties, if he did not bring them the data.

Mr. Ballantine thanked Mr. Hooper for the work he has put into this. Also, he commented that Mr. Hooper is caught in the middle, since he was asked to make sure that fees cover expenses, but this is a tough time. He asked what the negative impact would be, if they postponed this discussion till the Fall, or once they knew what the economic situation will be.

Mr. Hooper said that they signed two new contracts for MSW last January, so residents have had six months at the old rate. Postponing it, means that they are going to be looking at something like \$30 to \$40 range the following year, which is a significant increase. Is it the end of the world, will the books be out of balance, no. It will be tighter, but doable.

Mr. MacAskill moved to close the Public Hearing. Seconded by Mr. Howell.

Mr. Ford said that he had given this some thought and had spoken with Mr. Hooper. He does think it is right for the presentation to be made to them, as to where they stand and where the action they take might affect the residents of the town. He thinks they have two options here. As the Board, they are concerned about raising fees at this time, and they are going to a 1/12 budget. They are all waiting to see where they are at, going into the Fall. He would be as comfortable postponing, with a caveat to the residents that there will be an increase at some point, and it could be \$30 or \$40, as Mr. Hooper pointed out.

Mr. Ford said that it is Mr. Hooper's job to point out to us what they need as revenue in order to run the transfer station and dump as he has been running it all along. He has had calls from people with concern about raising fees. But he thinks at some point, it will need to happen to keep the economic cart moving in the right direction.

Mr. McManus said that he agrees with what Mr. Ford said. He has advocated for reviewing and raising fees each year to avoid having to make such a big jump. As Mr. Hooper has indicated, if they don't increase this year, it will be a bigger increase next year. But with the uncertainty of the municipal budget and citizen's personal budget, it probably makes this the year that we try and tough it out. That goes against the position he has held since he was elected, but they are in a position, where all bets are off. With that he would make a motion to not increase the fee structure this year. Seconded by Mr. MacAskill, with discussion.

Mr. Howell recognized that he is going to get comment from people, from off Cape, with this comment. Though by definition, the non-residents showing up here have a second home. They are coming here not being a resident. He would have approved the non-resident part of this, but he could not see raising fees for anyone who lives here, especially since we have such a large population on fixed incomes over 65. They need to rethink what the spread is. The difference is less than \$2 per month, and he does not understand that at all.

Mr. MacAskill commented, if this does not get voted, someone could make another fee schedule, if so inclined. He thanked Mr. Hooper for the answers to his questions and at some point those answers should get into the packet. He still does not agree with him, but appreciates what he brought forward. Mr. MacAskill does agree with Mr. Howell, on the non-resident fees and also would consider recycling fees going up. As a Board they need to dive into taking care of the Town of Harwich, and only the Town of Harwich. They have some tough decisions coming up, on staff and the size of their operation. He would not support raising fees for residents, but would consider non-resident fees.

Mr. McManus said, to clarify, that the non-resident stickers are not for those with second homes. They are for other town residents, that look to use the transfer station in Harwich. Mr. Hooper confirmed that was correct. The non-resident sticker, which they sell 145 annually, is for people coming from other towns. Particularly those coming from towns that have adopted the pay as you throw regulations. He is one of them, and would not be opposed to raising whatever the Board thought on that, as well as, the recycle only sticker. They

do not sell a lot of them, only 325 annually. Serious consideration, that should go up, because recycling has been in the tubes for the last couple of years.

Mr. Howell would like to know why those with second homes are grouped together with full-time residents. Mr. Ballantine said that it would require a further, down the road answer, but they can take two actions tonight. They can take an action, and look to raise the recycling and non-resident rates.

Mr. McManus said that he assumed, the reason why people who have second homes here are grouped with those that live here year round, is because they pay the same taxes here. As opposed to people who live in another town and may have some contact to Harwich, or a matter of convenience. He would not support raising fees. Though he would offer an amendment to his motion, to increase fees for the non-resident and recycling.

Mr. Ballantine said they should vote on the original motion; to leave the sticker fees the same.

All in favor, motion carried by unanimous vote.

Mr. Ballantine will now entertain a motion to raise fees for non-resident and recycling fees.

Mr. Howell made a motion approve the non-resident sticker sales from \$180.00 to \$200.00 and the increase for the recycle only from \$20.00 to \$50.00. Seconded by Mr. MacAskill.

Mr. MacAskill asked about Mr. Hooper looking into any increase in the Commercial MSW rate, to help with the shortfall. Mr. Hooper said that he had reviewed that back in December, when the Board voted to increase the rate to \$120/ton, which is \$10 per ton over what they charge in the Town of Yarmouth. This seemed to have made sense.

All in favor, motion carried by unanimous vote.

## NEW BUSINESS

### A. Vote to award the Bond Anticipation Notes

Ms. Carol Coppola, Finance Director, explained that they had some great results in the market on May 19<sup>th</sup>, 2020, when the bond anticipation notes sold. Right now, the town has \$2,161,617 outstanding in existing bond anticipation notes. Those become due and payable on June 18, 2020. Last year the BANs sold in a competitive market at a net interest cost of 1.6822%.

So, it is time to renew those BANs. The Town pays off some short term debt with these BANs. They paid off some short term road maintenance and the design and engineering for Fire Station 2, as well as Wychmere Pier. There was a total of \$445,817, which was paid down this year. They are adding \$50,000 to the BAN and are subtracting out what was already paid down on those. This year, the BANs that went to the market for a competitive sale totaled \$1,765,800. Of that, over \$1.5 million is for road maintenance and \$153,000 remains for the design and engineering of Fire Station 2. Then there is money for Cold Brook of \$20,000 and Phase II construction easements, that are not covered under the State Revolving Loan Fund (SRF) note.

On May 19<sup>th</sup>, they went to market and had four competitive bidders. The total interest cost, was a 2% coupon rate and the net interest cost on the BANs is 1.004%; which is a great rate. The town was not required to have a rating call, which was also good news. If the Board has any questions she is happy to answer or if they would like to take up the vote of the Board of Selectmen to authorize those BANs that would be great as well.

Mr. McManus moved that the Board of Selectmen adopt the statement provided by the Clerk, to the Board of Selectmen, regarding the award of revenue of BANs and dated June 1, 2020. Seconded by Mr. Howell. All in favor, motion carried by unanimous vote.

### B. Discussion and Possible Vote – Designate the Interim Town Administrator as Hearing Officer for a Hearing to be held relative to the alleged violations regarding On-Premises Consumption of alcohol at Port Restaurant and Bar, 541 Route 28, Harwich and Ember, 600 Route 28, Harwich during COVID-19 Restrictions

Mr. Powers explained that there is a memorandum in their packet from Kevin Considine, Deputy Chief of Police, from last week detailing allegations regarding on premise alcohol, when it is banded during COVID-19. The purpose of this is for the Board to determine if there is sufficient reason to send this to the Interim Town Administrator as the Hearing Officer.

Mr. McManus moved to refer the allegations and report to the Hearing Officer to conduct a hearing and determine what actions should be taken. Seconded by Mr. Howell.

Mr. Ford said, not in relation to these two allegations specifically, but if they do uncover allegations like this it should affect whether they are willing to adjust someone's license in the future. They should hope they are all on the same team here. All of the Board of Selectmen members are in support of getting businesses up and running, but if they are not going to work with us, he thinks that is a real issue.

Mr. Ballantine said he had the same comments and was disappointed by these allegations.

All in favor, motion carried by unanimous vote.

Mr. MacAskill asked about an update from the hearings that had occurred previously, which had to do with one of these establishments and another one.

Mr. Powers said that one of the hearings was concluded right before the onset of COVID-19. The other one was scheduled for the week when the Governor shut everything down, and is being rescheduled for the middle or end of this month. He is hoping to have a decision in front of the Board for the first one this month, and the second they are resuming the hearing process and then the new ones.

Mr. MacAskill said several residents were not pleased with the actions that they took and/or felt the punishment was not fair. He said he heard they were looking for swifter action.

## **OLD BUSINESS**

### **A. Town Administrator Search Update – Norman Clarke – Town Administrator Search Committee**

Mr. Norman Clarke said that they received 46 applications for the Town Administrator's position. One they received was two days late, and was rejected. The process was to place an ad in three media outlets, and was overseen by Mr. Robert Lawton, Interim Assistant Town Administrator. The applications were all received through a secure email to the Town Clerk, Anita Doucette. This was for security reasons.

The Town Clerk had called him and said she would put together five packets of hard copies, of all the information. He then went to town hall and picked up the all the packets. He kept one copy, and brought the remaining to the Public Safety building, and more specifically, in the dispatch center, which is a secured facility. The other members were instructed to pick up their copy there. This was to make sure they had no interaction with each other, upon the delivery of all of that information.

They have started the process of the review of the applications. They agreed at the last meeting on a scoring plan, based on a 1 - 5 rating. An electronic form of this was developed by Linda Cebula, Clerk, Town Administrators Search Committee, and they were sent individually their own rating forms. It is incumbent upon them to fill out the forms, as best they can, and get it back to Ms. Cebula.

The group has not interacted with each other on who scored what to whom. The minutes of the next meeting, for June 10<sup>th</sup>, will also include a blank copy of the scoring sheet, and also the questions they plan to ask the candidates they deem to interview. They have been guided very well by KP Law. They provided a nine page document called, Search Committee Protocol, and they are following that quite closely. They are within the guidelines of the open meeting law and are following processes and procedures. They will probably for the first time, go into executive session, to discuss names, resumes and the applications. This will be kept private. Once the final group is ready to recommend to the Board, then the Board can consider making those names public.



Mr. Ballantine asked Mr. Clarke, if he could speculate on when the Board may be able to see it. Mr. Clarke said likely they will be ready in mid to later July, to bring names forward to the Board.

Mr. MacAskill discussed the need for transparency and to share the questions with the public. He also wanted to know when the Board of Selectmen will get to review all of the applications. They had discussed the Board getting to see all of the applications.

Mr. Clarke said that they had not voted on the questions yet, that will be a topic at the next meeting. They had instructed that the questions were to be submitted to the Clerk, Linda Cebula, to compile the list from the other members. When that is brought forth to the committee it will discuss openly and it will be a part of the minutes. The scoring sheet will be as well. This is a public meeting. Mr. Clarke also said that there was a vote of the Board, to not see all the applications. They had asked the committee to review the applications and only bring forward the 4 or more applications.

Mr. MacAskill said that both Mr. Howell, and himself, very strongly wanted to see all of the applications. Mr. Ballantine disagreed. Mr. Howell said that they were both right, but Mr. MacAskill was more right. They did explicitly vote, but they did want to see the applications.

Mr. MacAskill said that he is publicly stating as a Board Member, that he would like to see all of the applications. He also said to Mr. Clarke, that the questions that have come up, is what the interview process looks like, and the discussion involving the interview process and the scoring system. It would be good to know how many steps are in the process, and receive an overview of what the process is going to be, so that they can show some transparency.

Mr. Clarke said that they serve at the pleasure of the Board of Selectmen. What he knows is from the Ms. Cebula, when she said that in early March, the Board voted to not have them review all the applications. However, if they vote to have all the applications left for them, he will do what they want. The open meeting, same as the Board of Selectmen, allows people to call in and comment. Also, he is available and people can contact him on his town email or by phone. He is looking to make sure they are transparent and make sure they are doing things right. He is sensitive on gotchya moments, and they are doing the best they can. They rely heavily on KP Law and the

members on the committee are well versed and there is good guidance. They will make sure the minutes of next week's meeting outline the questions, and thoughts going forward. He appreciated the guidance.

Mr. Ballantine said that they carefully chose the committee, and they have a very strong committee. They are very proud of that.

Mr. McManus said that if they review all of the applications, then they have to be made public. Which for many applicants, is not the expectation. They should inform them that is what they are doing, and offer an opportunity to withdraw their applications. Mr. Ballantine said they will hold off on that until they review the previous minutes.

Mr. MacAskill said that the Board reads confidential items all the time, and they do not necessarily need to disclose the applicants. Mr. Ballantine and Mr. MacAskill disagreed on what transpired, and it will be reviewed.

## **CONTRACTS**

### **A. Discussion and Possible Vote - Weights and Measures Services Inter-Municipal Agreement between Town of Harwich and Town of Barnstable – Vote**

Mr. Powers explained that they have Richard Scali, Director, Licensing Division, Town of Barnstable, on the call. What is in the packet, is the result of discussions between Richard Scali and himself and staff. The original proposal had language that was not appropriate for the town to sign. However, it is his understanding that the document that is in front of them now, is the Intermunicipal Agreement, that the town of Barnstable has used with all other Municipalities on Cape Cod, for whom they are doing service. He will turn it over to Mr. Scali and if the Board so decides, he has the Intermunicipal Agreement here and the Board of Selectmen would be signing first, as the beneficiary. Mr. Scali was not available.

Mr. Howell moved to accept the Intermunicipal Agreement as contained in the packet and sign it, between the Town of Barnstable and the Town of Harwich. Seconded by Mr. MacAskill. All in favor, motion carried by unanimous vote.

B. Vote – Authorize the extension of the Golf Cart Contract at Cranberry Valley Golf Course – 16.75% of Gross Golf Cart Revenue

Mr. Powers explained that this has been reviewed by Mr. Lawton, staff and counsel and approved for funding. Mr. Roman Greer, Golf Director, discussed this last week and staff recommends approval of the contract.

Mr. MacAskill asked if they needed to take action, since this is a lease, not a contract. Mr. Powers said that it does need approval and signature by the board.

Mr. MacAskill moved to authorize the extension of the Golf Cart Contract at Cranberry Valley Golf Course with 16.75% of Gross Golf Cart Revenue. Seconded by Mr. Howell. All in favor, motion carried by unanimous vote.

## **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 was one person that expressed interest in speaking.

Mr. Ray Tomlinson had requested to speak, regarding an earlier topic. Mr. Tyldesly provided a moment for Mr. Tomlinson to come on the line, he was not there. Mr. Powers said that he had told Mr. Tomlinson that he was welcome to speak during open forum, but not during the earlier topic in which the Board had remanded the case to him. That was the topic that he wanted to weigh in on.

## **TOWN ADMINISTRATOR'S REPORTS**

At the meeting on March 26<sup>th</sup>, the Town elected to direct staff to not have voluntary water main shut downs, during the pandemic. They have been informed through the Wastewater Superintendent, that Robert B. Our Company will be installing the Parshall flumes and hydrants near the Animal

Hospital by Old Queen Anne Road, the week of June 8<sup>th</sup>. The majority of the work is expected to happen the week of June 8<sup>th</sup> and the overall cost, which will come later to the board, is just under \$2,700.

## **SELECTMEN'S REPORT**

Mr. Ford said he has nothing really to report. He just wanted to thank the Department Heads for joining the discussion the other day. He also wanted to reemphasize again that they should bring any thoughts to the Town Administrator or any of the members of the Board of Selectmen.

Mr. MacAskill had nothing to report.

Mr. McManus said that he wanted to make note to the Board, that several weeks ago, a local resident and his wife passed away, within days of each other. Mr. Terry Cronin, who lived in town and spent a lot of time volunteering and driving for the Family Pantry and the Council on Aging. He could always be counted on to take an extra shift and was appreciated and liked by all the customers. He wanted to make note of his passing.

Mr. Howell said that he is going back to a recurring theme on the wastewater. He has begged to have better signage. The bottom of Route 137, at Route 39, is bereft of any signs. It would be helpful to have signage. They need to be careful of the burden that is being put on them. The detour, with the major traffic that they are taking off of the State highway and onto Pleasant Road is making an immense burden to the residents that live there. They may need to coordinate with the police. Mr. Ballantine suggested that Mr. Powers and Mr. Ryder look into it.

## **ADJOURNMENT**

Mr. MacAskill moved that they adjourn at 8:45 pm. Seconded by Mr. Howell.

Respectfully submitted,

Lisa Schwab  
Administrative Assistant

**MINUTES**  
**SELECTMEN'S MEETING**  
**REMOTE PARTICIPATION ONLY**  
**Friday, June 5, 2020**  
**1:00 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, Cyndi Williams, Director, Harwich Chamber of Commerce.

**CALL TO ORDER**

Mr. Ballantine opened the special Board of Selectmen meeting at 1:00 pm, and called to order the Board of Selectmen. He explained that this is a special meeting to discuss the approval process utilized by the Board of Selectmen in response to requests for expansion of outdoor table service.

Mr. Powers had a couple of announcements, and discussed the difficult time our nation is having right now in regards to race and social justice. There are a number of things happening around the nation and that have occurred in the Commonwealth. There has been an effort by some of our best and brightest youth, to engage in a civic dialogue and discussion with a rally. It was advertised on social media, and it has taken on a life of its own, and there was concern to possibly cancel. There are several things he would like to enlighten to the Board, and through them to the public, in general.

Throughout the week, he had been working with Chief Guillemette, and they have been working with individuals looking to effect social change, to march and be heard. At no point in time, has the Town of Harwich said no to anything. He is very much heartened by the collaborative spirit and dialogue that has happened throughout this week. He would say personally, that this is what needs to continue, more often, to try and come to some general consensus on our community and way of life.

The map on the screen is the recommendation for anyone that is looking to come to the Town of Harwich, on Saturday, June 6<sup>th</sup>, for the purposes of rallying. Whether they are looking to rally for social justice, or related to the unconscionable death of Mr. Floyd, in support of Black Lives Matter. The Town of Harwich and the Public Safety Department has worked collaboratively to establish a rally through the center of our town. This is the heart of our town and the seat of government of our town. This will also utilize what is a very significant and appropriate place for public gatherings, being Brooks Park and the gazebo. There is a suggested route, and the Town of Harwich will continue to partner with anyone who has been moved by and desires to be heard on Saturday.

Mr. Ballantine said that the march does make him nervous, as had been seen in other communities, where it started off peaceful and had gone south. He is hopeful. Though he has received a number of calls from folks being nervous, and he has even heard rumors of bricks being stockpiled at various places. He encourages everyone to keep this orderly and peaceful and to work with public safety. He is also hoping they will use the guidance for the routes. It is possible that it could take place on this route and also on Route 28, which would be tough for public safety. He has concerns although they do not have a choice, nor do they want to stop people from having a peaceful protest and making their views known. Just hoping people will be mindful of their neighbors and respectful of the town and the police.

Mr. Ford said that he has faith. This is a good thing and he has a lot of respect for the kids that began this process. He would just like to say, that they should make sure to wear a mask and make sure they distance. This is a cause that is well worth turning out for, but please think about your personal health and that of your parents, brothers, sisters and grandparents. I don't see a situation where we will have violent interlude. Mr. Powers has said that the police have been very involved. People should remember their own health. He is very proud of these kids.

Mr. McManus agreed with Mr. Ford and said to maintain a healthy distance. It will be a silent march, no chanting and in the park itself, they will be using the gazebo sound system, so people will not need to be shouting out. Doing all the things they can to keep it safe.

Mr. Ballantine said he wanted to add one more thing to set the record straight. He received at least one phone call that said that the Board of Selectmen had authorized this march. The Board of Selectmen do not authorize marches. Some members have

said that they support it, but that is completely incorrect, it is not the role of the Board of Selectmen or their authority.

Mr. Powers said that is correct, the Town has done nothing to thwart efforts nor to engage efforts. They were merely there to facilitate what they hope will be a very peaceful and impactful event for all involved.

In line with that, and indicative of a lot of the emails that he dealt with over the week, Mr. Powers explained that there have been many individuals that have complained about, what he will call, “banners”. In the sense of his understanding of the United States code, as it relates to the Flag of the United States of America, the center field at the Centeio-Baldwin Field prominently displays, and soaring above all others, is our flag of the United States of America. On either the right field, or left field, there are what he referred to as banners, because they are not under the code of the flags of the United States of America. They are flags that demonstrate a blue line and demonstrate a red line. They have been in place there for several years.

Monomoy little league has exclusive use of the lands and the property there; as granted by the Town, and continue to have those flags present. He has been asked to remove them and it is his position that the use of that property by Monomoy Little League is appropriate. If the flag of the United States was not prominent or preeminent, I would have an issue with that. But at this time, I will not be going to be directing staff, or anyone, to take the steps to removing those two flags. If the Board would want him to reconsider, or have a further discussion, but he was waiting for this opportunity to bring this to the Board, and communicate to the general public.

He knows there are people that see symbolism in those banners, he does not. But more importantly they have been there for years. They were recently replaced only because of the condition they were in, and they were restored prior to Peace Officer Memorial Day. Which is what he understands, many of the proponents of those banners, that is their use and their purpose.

Staff is very aware of the high feelings and everyone is on edge. The Town of Harwich and its residents may have disagreements about symbolism and statements, but the sum total of those two events or actions this week demonstrate that the Town of Harwich, as a government, takes no position on either side. They continue to support the rights of their citizens to express themselves, as is their rights under the U.S. Constitution.

Mr. Ballantine said that there is no disagreement.

Mr. MacAskill asked for an idea of what the timeframe is for the rally. Mr. McManus said it begins at 2:00 pm, and assuming a speaking program for about 20 minutes, and then however long it takes to walk around the route. Then back to the park for dispersal.

## **NEW BUSINESS**

- A. Discussion and possible vote – Adoption of approval process to be utilized by the Board of Selectmen in response to requests for expansion of outdoor table service as allowed under COVID-19 Order No. 35 promulgated by Governor Baker on June 1, 2020

Mr. Powers said that what they have in their packet, is from their discussion Monday evening. It is a memorandum, from him to the Board.

He said that Ms. Eldredge and he have been very busy reacting to Governor Baker's order number 35, relative to Phase II, which they anticipate can begin as early as June 8<sup>th</sup>. The main component of that is the outdoor table service for food and beverage, including alcohol service.

Also, in the packet is Governor Baker's order number 35 and he will review that, just for a moment. What they are really dealing with is section four, which is the "Preparations and Accommodation for Outdoor Restaurant Dining Service". There is also the definition for "Outdoor table service", and that has been incorporated in all of their documents. Also included in the packet is the exceedingly, well developed, and informative PowerPoint presentation that was put together by Ms. Eldredge.

Mr. Powers said that he, along with Ms. Eldredge, Ms. Williams and Ms. Ballantine, participated in a call on Wednesday June 3<sup>rd</sup>. Ms. Eldredge had already taken the initiative of setting up that call, so it was well timed and all were very appreciative. They met with more than 30 restaurants, out of roughly the 65 establishments in Harwich. They went over the PowerPoint presentation, which dealt predominantly with table service, regardless of alcohol. So, in addition, they have the ABCC guidance and directives. That will need to take place on the request for extension of service of table service



and liquor service. Then the “Guidelines for Extension of Premises to Patio and Outdoor Areas” is a document that dates back to 2015, and is not unique to this endeavor. However, every element on that document is required of the Town, to insist upon to the establishment.

He has tried to be very mindful of this Board, and their direction to him and staff, to do anything and everything possible to expedite the approval process. This will support the businesses, because of how drastically they have been impacted. What he is suggesting, as far as bureaucracy and red tape goes, is that there is not even a form for them to fill out. There is a checklist that staff will fill out on their behalf. So, he offers that as a sincere gesture, of staff doing everything they can to expedite it.

He wants to take a moment to review the “Request for Expansion of Outdoor Table Service”. Those three components, because they will impact on liquor service. Any establishment wishing to implement outdoor seating, outside of the restaurant building envelope, which goes back to the definition. So, this would be any establishment that may have outdoor seating, but would want to go beyond what they have already been established, or if they don’t have outdoor seating of any sort.

What we are asking for is a to-scale drawing of the property, showing the location of tables, chairs and any barriers proposed. What we cannot accept is a rudimentary drawing on graph paper or pencil drawing. They do need to avail themselves of some type of to-scale drawing. That is because there is still ABCC oversight, and the State does expect us to have a to-scale drawings. It may be a sticking point, but one that can be ameliorated in very short order. Also, they will need to indicate the number of seats they are proposing; including, any carry-out service waiting areas, and a maximum occupancy number. They will also need proof that they have the permission of the property owner, if they are not the owner, to expand beyond the building envelope. Again, if there was one area that they would need to insist upon; he would say it is the to-scale drawing.

Any establishment that was not able to participate in the meeting, the PowerPoint, as well as the video are available on the Town website. So, they would ask anyone that could not participate to view that first, and then certainly reach out to Ms. Eldredge, or himself, as they have been doing.

This morning The Board of Health voted unanimously, to adopt the work place safety standards promulgated by the Commonwealth. The Board of Health unanimously adopted those safety standards for restaurants and now regulations of the Town of Harwich. That was a necessary step.

Also, to mention that the calls that Ms. Eldredge, and/or he, has participated in this week, they do understand that indoor table service is expected to begin within this month, and within Phase II, which could be as soon as 2 weeks. This effort is not thwarted or negated by indoor service, it would just be an establishment able to do indoor and outdoor service if they choose. He does not want anyone to think they should hold off on outdoor, because indoor will resume. Because indoor and outdoor will give them the greatest ability to impact upon their revenue and with their customers.

Mr. Powers had two other points to make. Since they do not know the approval process yet, on the agenda that was posted for June 8<sup>th</sup>, they have 15 establishments that notified them, before the agenda deadline. So, those 15 establishments, should the Board be the approvers of that, they could be in position to be approved and go into effect for June 9<sup>th</sup>. However, an establishment that came across them today, that they do not know if they can add them legally. This is not an unanticipated event, and they don't know if they will have all of the paperwork. And lastly, there was a question regarding an application, or request, from the operator of the Dockside establishment for a canopy. That came in through staff in January, and was withdrawn in early March, by the operator. There is no expectation of a canopy around that establishment, known as the Dockside Snack Shack.

In the memo on page two; he offers a recommendation and also a qualification. He is recommending that they name him, on their behalf, to approve. If they do that, they could begin the process immediately after this meeting. There are at least two establishments, possibly four, that if they are able to move forward right away, and Governor Baker says Phase II is in effect on Monday, then those establishments could be in operation for outdoor service as early as Monday. However, if the Board were looking to do it, it would be no earlier than Tuesday. He wanted to put the options of them, whether direction himself, the Board, or any other staff member. Though, he does recommend they redirect it to him, because he can work with staff and begin working immediately.

Mr. Ballantine said that he wanted to say that, Ms. Eldredge, along with Mr. Powers, did an excellent job in presenting this to the restaurants and clarifying the Governor's orders. Concerning the to-scale drawing, that it does not need to be an engineering drawing. He also mentioned that Ms. Williams had also offered to help business with the drawings.

Mr. Howell said he was just looking for clarification on the form, if they are interested in looking for any road closures. He would like to know how that would work.

Mr. Powers said that it was included, that if any establishment was looking to rely upon Town or State roadways, to include that in their narrative. He does have a significant update on that. They are looking to the establishments to say whether or not they need that. Any talk of this sensitive nature, brings many opinions as to whether or not one-way closure of any kind is good, bad, or indifferent. It might help someone, but might hurt someone else.

Long and short of that, we will be looking for them to tell us what they need. In the meantime, the Deputy Chief of Staff to the Secretary of Transportation reached out to him through Representative Peak immediately on Wednesday and has since redirected him to Mr. Bill Traverse, who is the District 5 Engineer. He has a number of questions that he asked, but they are very much in a mode of working with them. We are working with them, and this will be more workable if you remand this to staff, but we are reaching to them to ask what they need. I don't want to use examples, because that's unfair to them, but any establishment on Route 28, if they need to use the sidewalk, we may be able to impact on the roadway.

Mr. Howell said the reason he brought that up, is to get it out there. That third box is not a deal killer. That is an ongoing discussion, if they want to avail themselves. The other thing is that the indoor opening, is not going to be at full capacity. That is known, so to the effect that they can get both the indoor and some sort outdoor seating to try to help these folks out, that would be terrific. They should know, don't not fill out the form because of the third box, because there is a roadway involved. There is a process that they can work through.

Mr. Powers added to that, what they will see in the approval process, he has included what they will see as an appeal process. If staff is doing it, instead of the Board, he wanted to build that in for an immediate appeal process.

Mr. Ballantine asked Mr. Powers about process lines. If there is a restaurant on Route 28, would he submit Phase I of outdoor seating, without road closure, and then Phase II, to at least get started. Mr. Powers said yes, absolutely, this is not meant to be an all or nothing. He is drawing upon the Board to be unanimous and consistent, in saying, whatever we can do to support these businesses. The other thing he wanted to bring to light, as he mentioned there are 15 establishments that have notified them in time for the meeting notice on Monday. We do not know yet how many have met the requirements for the agenda, for the Boards consideration. There is an argument and an element there for staff to expedite. If they are to go with his recommendation, he is still utilizing their agenda materials Monday to include in the packet any and all materials of any establishment that would have been approved by staff. So, the Board will still get all of the documentation that is required. He does not want them to think that Monday night would not become a useless event, if those 15 establishments are already taken care of. They will leverage that to update the Board and the general public.

Mr. McManus asked a question on the guidelines which were presented in the document; “Guidelines for Extension of Premises to Patio and Outdoor Areas”. His question is on the last item stating; “preferred are outdoor areas where alcohol is served to patrons who are seated at the tables and where food is also available” He would think if food is not available, that would be a bar, and bars are not allowed till Phase IV.

Mr. Ballantine asked if Mr. Powers could respond to that, because that question has come up. Mr. Powers said again, that this document has been in use for years, and when it was written in 2015, that was the mindset. The guidance and directives, they have received from the ABCC is that because it is a “preferred” item, they will defer to the Local Licensing Authority. So, it is possible that someone could be outside and only get alcohol service and not food service. However, if there is any pure bar that is serving alcohol only, that would have to be vetted through counsel. It is their understanding, and they have answered this question to the establishments, that if a person wants to order only alcohol, they can. Ms. Eldredge added that they do have to be seated though. There is no standing around allowed and there is no bar service allowed.

Mr. Howell asked if Harwich has any bar in town that does not serve food. There is not.

Mr. MacAskill added in regards to road closure on Route 28, that someone should reach out to the Town of Chatham to see what the impact might be for the ambulance, as that is the route that they take. He would imagine that would be significant. He has received some complaints that stated closing Route 28 would be a big mistake. Mr. MacAskill then asked about insurance requirements and assuming the Town of Harwich will take on some liability by permitting close to a street or on a sidewalk. Has this been asked to the insurance company if there is anything additional that we have to do, or would they require applicants to get a letter from their insurance company that they are insured for the additional space. Mr. Powers said that they are working with counsel on questions like that.

Mr. MacAskill asked if there is a time, if most establishments stop serving food at 9:00 pm or 10:00 pm. Will there be a time, because people are allowed to sit down and have drinks only, are we the Board thinking this will be allowed to the 12:00 am curfew of the outdoor entertainment? Will we leave it open, or put a time on it.

Mr. Ballantine said that is a great question. He is not comfortable putting indoor timing, outdoors. We will get complaints about this, no matter what we do. We have outdoor entertainment guidelines on some places, so perhaps we should stick with that uniformly. Mr. Powers said that they have not discussed yet, outdoor entertainment in these expanded areas. This is because they wanted to get this process moving. That will be a bog point but they are aware of that. As far as hours of operation for alcohol service, the notice on the agenda for Monday, is complete enough that we can have that discussion more formally, if the Board operating as Local Licensing Authority wanted to put any structure around that.

Mr. MacAskill said that he thinks that for public notice, if the applicants added to their application, or the checklist, what their hours of operation are proposed. He will reiterate that he wants to do everything to help the local businesses. However, they also have to consider some of the neighbors, and make sure that they are advertising things correctly. There should be a time slot on it and how do we intend to monitor it and make sure they are complying, and what would be the punishment. The Board is very pro-

business, but this is for the public that are asking the questions and want to have it more clearly defined.

Mr. Powers said that this is an excellent question. The short answer is that there is nothing in any of this where the Local Licensing Authority surrenders any of its rights, rules and responsibilities. That is why the to-scale plan is critical, so that they can understand what the vision is for the premises. That is why both parties need to be very clear on that. If they show that they will be using the four spaces in front of their establishment, and someone is drinking on the other side, that is no different than taking a drink outside, and it would be in violation and be brought to a hearing. As far as monitoring, it will continue as they have always done it. Even though they are expediting an approval process; they are doing nothing to wave any of the rights or regulations of the Town, and they can incorporate that language.

Mr. Ballantine asked about something that came up this morning at the Board of Health meeting. If Ms. Eldredge can weigh in on the certification and policies and walk through that process.

Ms. Eldredge said that all businesses regardless what type of business they are, so restaurants, retail spaces, even municipal governments, are required to meet mandatory workplace safety standards. Those standards are for social distancing and hand hygiene, staffing, training and cleaning and disinfecting. A part of those standards requires all owners of businesses to self-certify that they are meeting all of those standards and they're supposed to post something or have something available upon request, saying that they have met all those standards.

They're similar to the ones you're seeing on the screen, these are specific to restaurants, but they're very similar for general business, as far as training and what happens if someone is sick and face coverings are required, and cleaning and disinfecting. So, there is a self-certification that the State is requiring for all businesses.

Mr. Ballantine said that he thinks this is a two phase approach and hopefully as Mr. MacAskill added, we do have a way to enforce it and keep people in line.

Mr. McManus had a question on the hours of operation, saying that a number of places that are open until midnight or later, but close their kitchen at 9pm, do we want these places to basically function like a bar, where food is not available.

Mr. Ford said that they do need to be concerned about that and create a real issue for the neighbors. There is a late night crowd, and we do not want to discourage the business, but we do need to worry about folks that would normally inside talking loud and having fun, will now be outside.

Mr. Ballantine does not want to take that up right now, but notes their points. Mr. Howell said walking into the room, the endeavor was really defining the premises. He hopes that everybody that has a pouring license understands that we are redefining what the service area is. The liability is still theirs. It is the premises that they are pouring on. Mr. Ford added that they need to be cognizant of that and establishments need to be cognizant of the noise.

Mr. Howell added that ultimately everyone needs to understand that they need to give a little. Even the residents around establishments. Everyone needs to give everyone else a break here, so that we can move forward from a very difficult circumstance.

Mr. Powers said that they had about 30 establishments, out of the 60 or so, on the call. As he had mentioned 16 of them indicated a desire to expand their outdoor table service. He, and possibly Ms. Eldredge as well, have been reaching out to some of the businesses that did not participate and just inquired if they were aware of it. Their response has been that they would prefer to remain takeout until indoor was allowed, because they just don't have the staff. They are going to see all sort of variations on this.

Mr. MacAskill said he appreciates that. He has talked to many businesses that have said that they will just continue to do what they are doing, because it doesn't make any sense to anything different. He also added that he is not trying to bog the Board down about the time. Though he would just like to clarify because he got an email this week. Is the shut down on serving alcohol, 12:00 am or is it 1:00 am? He knows our Police Chief expressed wanting it to be 12:00 am, and we had this conversation but did we ever make an actual decision on it? Can we see if there was a vote taken by the Board?

Mr. MacAskill also added that as far as the table service for alcohol goes, we do need to do as much as we can for these businesses and he thinks the applications will be a one by one and a one on one. They will have to look at different areas. The residents in Harwich Port will get a break, because there will not be any outdoor entertainment and the bars will not be as busy, so there will be less noise, regardless of what time the tables get shut down. In Harwich Center, there has never really been any outdoor bar activity, same with South Harwich. So, he thinks they should see how it goes and if needed they can have another meeting and change it.

The last question he had was related to Mr. Powers's recommendation. He does not want to make more work for himself and happy to have Mr. Powers do it. However, he would only ask that as they are starting to open the town, and opening Town Hall and starting to talk to unions and talking to employees and creating 1/12 budgets, does Mr. Powers have the time for this? Mr. Powers said that today, through next week yes, simply because of the procedures they have put in place for it. Whether it is himself or staff, they will receive it anyway and it will be redirected to key staff members to say this is the proposal, weigh in and he will render a decision and then advise the Board, or weigh in and he will make a recommendation to the Board for a decision. Either way, it will impact upon staff, the Board and himself. The hope is with the process right now, that within the next week to have the greatest impact as fast as they can. Mr. MacAskill will support that, to have Mr. Powers seeing it before them. This with the added caveat that many business owners are stressed out. They have been closed, struggling with take-out and they really need to open to stay in business. He would just add, if there is a difference in opinion, to help restaurants and all business, that if there is an appeal that Mr. Powers would go back to the Board; or grant them something and then say to appeal. Mr. Powers said that he would be willing based on that, that if the Board said, that any objection by staff, notwithstanding, that the establishment would be approved and it would go back to the Board, so that the Board is aware of the issue. They could either do the immediate appeal, which would take at least 48-hours for a Board meeting, or some other mechanism. Either way the intent is the same.

Mr. MacAskill said that the last thing that is important to him, is that as these plans are submitted, and as they are approved, if they can go into a drop box, either weekly or bi-weekly. They are often asked questions and will have to



ask questions, so it would be important to him, to be able to see the plans so that they can answer questions, if residents ask.

Mr. McManus commented that typically with seasonal licenses that do not have the paperwork in, but to allow them to be able to open in time for Memorial day, they often had emergency meetings to allow them to be able to open.

Mr. Powers said that if the Board is willing to go with his recommendation, they already have it lined up in Administration, with 30 plus folders, so as they get documentation, the Board will have as many documents related to those establishments, as were accepted this evening, for Monday and going forward. This will be the standard operating procedure.

Mr. Ballantine said, for what it is worth, during the call they had with the restaurants, they reminded restaurant owners that they need to work with them. Not just legally, but in the spirit of the law. He also commented about being nervous about the noise and they will keep track of that. His guess is most of them will be careful, because they want to stay open.

Mr. MacAskill moved that they approve the approval process, and the Town Administrator's recommendation, for the applications to go through the Town Administrator. Seconded by Mr. Howell.

Mr. Ballantine asked if anyone wanted to participate in public input. Lieutenant Tyldesley said that there was no one on the call.

Mr. MacAskill added a closing comment, that he has spoken to other towns, and he feels that the Town of Harwich is very far ahead. This Board is supporting their businesses and he hopes that the businesses are appreciating that. The streamlined efforts will allow for people to open quickly. He is thankful that they can vote on it and hopes the businesses thrive.

Mr. Howell said that he wanted to expand on what Mr. MacAskill said earlier. There has been a lot of stuff, starting with a Tornado, the budget that started upside down, the pandemic and on the wing, coming up with regulations. He appreciates what Mr. Powers has been able to pull off. They are reinventing things on the fly.

Ms. Williams just wanted to mirror what they have just been saying, the business are very thankful for what the town has been doing. It is appreciated.

All in favor, motion carried by unanimous vote.

Mr. Powers emphasized that by the Board taking this action, it is conceivable that they could have establishments in the Town of Harwich, as early as Monday, June 8<sup>th</sup>, in accordance with the Governor's directive, open for outdoor table service. He thinks that is a remarkable testament to the direction of the Board and staff working as one to get that done. He thinks they should all be very proud of what they have done today.

## **SELECTMEN'S REPORT**

Mr. MacAskill asked if they can get an update on when the Cultural Center will be able to open.

## **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.

## **ADJOURNMENT**

Mr. MacAskill moved that they adjourn at 1:58 pm. Seconded by Mr. Howell.

Respectfully submitted,

Lisa Schwab  
Administrative Assistant



# **New Business**



August 10, 2020

Mr. Jeff Kennedy  
Division of Marine Fisheries Main Officer  
251 Causeway Street, Suite 400  
Boston, MA 02114

Subject: Aquaculture License Application: Daniel Ward and Jeff Lang

Dear Mr. Kennedy,

During its meeting on August 10, 2020, the Harwich Board of Selectmen voted to conceptually approve the request of Daniel Ward and Jeff Lang to request a biological survey of the proposed site (located at 99 Riverside Dr., Harwich, MA) for the issuance of an aquaculture license.

Sincerely,

Larry G. Ballantine, Chair  
Harwich Board of Selectmen

LGB/pam

**2019 - 2020 BOARD OF SELECTMEN**

**Liaisons to Town Committees**

**Current**

May 2023	<b>Larry G. Ballantine, Chairman</b> 30 Nor'East Harwich, MA 02645 <a href="mailto:lballantine@townofharwich.us">lballantine@townofharwich.us</a> 508-432-0346	Ambulance Waiver Administrator Board of Appeals Board of Health Conservation Commission Finance Committee Harwich Accessibility Rights Committee Town Forest Committee Wastewater Support Committee
May 2021	<b>Edward McManus, Vice Chair</b> 41 Parallel Street Harwich, MA 02645 <a href="mailto:mcmanused@msn.com">mcmanused@msn.com</a> 508-527-7620	Agricultural Commission Cultural Council Bikeways Committee Board of Assessors Cultural Council Golf Committee Housing Authority Treasure Chest Committee
May 2022	<b>Stephen P. Ford, Clerk</b> 7 South Street Harwich Port, MA 02645 <a href="mailto:sford@townofharwich.us">sford@townofharwich.us</a> 412-999-5276	Chamber of Commerce Brooks Free Library Board of Trustees Harwich Energy Committee Harwich Housing Committee Library Trustees Planning Board
May 2023	<b>Donald F. Howell,</b> <b>Interview Committee</b> 14 Haskell Lane Harwich, MA 02645 <a href="mailto:dhowell@townofharwich.us">dhowell@townofharwich.us</a> 508-292-2277	Brooks Academy Museum Commission By Law And Charter Review Capital Outlay Committee Community Center Facilities Committee Community Preservation Council on Aging Real Estate and Open Space
May 2022	<b>Michael D. MacAskill</b> Interview Committee 22 Moss Hill Harwich, MA 02645 <a href="mailto:nmacaskill@townofharwich.us">nmacaskill@townofharwich.us</a>	Historic District/Historical Commission Noise Containment Committee (Ad Hoc) Recreation and Youth Traffic Safety Committee Voter Information Committee Water Commission Waterways Committee Youth Services Committee

# **Old Business**

**PLANNING BOARD • 732 Main Street, Harwich, MA 02645**



*ph: 508-430-7511 • fax: 508-430-4703*

July 31, 2020

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

At the duly posted Planning Board meeting held July 28, 2020, the Board Member voted 7-1-0 (Messers McParland, Chadwick, Berry, Harris, Peterson and Rouse and Ms. Maslowski voting yay and Mr. Stoltz voting nay) 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 multifamily dwellings.

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 “Multifamily” to the Planning Board for the required public hearing.

Enc. (1)



**Article \_\_\_\_:** To see if the Town will vote to amend the Code of the Town of Harwich – Zoning as it relates to “Multifamily, (new text is shown in **bold underline** and deleted text is shown in ~~strike through~~) as follows:

Within **§325-2 – Definitions**, amend the definition of “Bedroom” by deleting the existing definition and replace it with the following:

**BEDROOM: Any room used or intended to be used for sleeping purposes or as determined by State and/or Harwich Board of Health Regulations.**

Further, within **§325-9 Permitted uses**, amend the third sentence by adding the term “**multifamily**,” after “single-family,”

Further, within **§325-13 - Table 1 – Use Regulations, Paragraph I Residential Uses** amend within the table Item #8 Multifamily dwelling as follows:

Use	RR	RL	RM	RH-1	RH-2	RH-3	CV	CH-1	CH-2	IL	MRL	MRL-1	WR
8 Multifamily dwelling (§325-51.Q)	<u>S</u>	<u>S</u>	<u>S</u>	S	S	S	<u>S</u>	<u>S</u>	-	-	S	S	S

Further, within **§325-16 - Table 2, Area Regulations**, delete within RH-2 and RH-3 Districts the following Use “Multifamily” and Minimum Required elements and within the MRL and MRL-1 Districts the following Use “Multifamily residential” and Minimum Required elements and add the following to the table:

District	Use	Minimum Required				
		Lot Area (square feet)	Lot Frontage (continuous feet)	Front (feet)	Side (feet)	Rear (feet)
<b><u>All Districts Where Permitted by Use Special Permit</u></b>	<b><u>Multifamily</u></b>	<b><u>40,000<sup>4</sup></u></b>	<b><u>150</u></b>	<b><u>Footnote<sup>5</sup></u></b>	<b><u>25</u></b>	<b><u>25</u></b>

<sup>4</sup>**40,000 square feet is required for vacant lots. For lawfully pre-existing structures/use converting to multifamily residence the existing lot size shall be allowable.**

<sup>5</sup>**Front setback to be determined at the time of Site Plan Review §325-55 for existing buildings. For new construction the front setback shall be 25 feet.**

Further, within **§325-16 – Table 3, Height and Bulk Regulations** amend within the table by deleting the MRL and MRL-1 rows and adding the following:

District	Maximum Permitted Height (feet)	Maximum Permitted Height (stories)	Maximum Building Coverage of Lot (covered area as % of total lot area)	Maximum Site Coverage as % of Total Site Area	Minimum Residential Net Floor Area (square feet)
<u>MRL</u>	<u>30</u>	<u>2 ½</u>	<u>15</u>	<u>25</u>	<u>None</u>
<u>MRL – 1</u>	<u>30</u>	<u>2 ½</u>	<u>15</u>	<u>25</u>	<u>None</u>
<u>In all Districts where Multifamily is Permitted by Use Special Permit</u>	<u>40</u>	<u>3 ½</u>	<u>=</u>	<u>80</u>	<u>Studio or efficiency unit: 250; bedroom unit: 550; 2-bedroom unit: 940</u>

Further, within §325-18 Additional Regulations, make the following amendments:

Within Paragraph E, delete the term “multifamily,”

Delete in their entirety Paragraphs H, I, J, L and M.

Re-letter Paragraph “K” to “H” and delete in its entirety and add the following language: **“No outside staircase shall be used to furnish primary access to any of the units in a hotel or motel.”**

Additionally, reletter Paragraph “N” to “I”; Paragraph “O” to “J”; Paragraph “P” to “K”; Paragraph “Q” to “L”; and, Paragraph “R” to “M”

Further, within §325-20 Stories for human use or occupation, in the first sentence delete the words “multifamily dwelling,”

Further, within §325-39 Off-street parking schedule, Paragraph A, within the Residential Uses Parking Table, delete “multifamily” after “apartment,” and add a new “Multifamily” and parking spaces as follows:

**Multifamily** **1.5 per studio, efficiency or 1-bedroom unit**  
**2 per 2-bedroom unit or greater**

Further, within §325-51 Special Permits, Paragraph D and subparagraph D(1) delete the words “multifamily dwelling,” and subparagraph D(2) in its entirety and add a new Paragraph Q as follows:

**Q. Multifamily Special Permit**

1. The Planning Board shall serve as the special permit granting authority for multifamily developments, including conversion of existing structures/uses to multifamily and/or new construction.
2. A Site Plan Review special permit pursuant to §325-55 is also required.
3. All multifamily dwellings must be connected to a municipal water system.
4. A habitable room in a multifamily dwelling unit shall have a minimum floor area of not less than 120 square feet and shall have no major width or length dimension less than 10 feet. Closets, storage spaces, bathrooms and kitchens are not habitable rooms for the purpose of these minimum area and dimension requirements.
5. The number of multifamily dwelling units shall be determined by the ability to place an adequately size septic system for the number of bedrooms; and required parking per number of units and landscaping on the site pursuant to Article IX Off-Street Parking and Loading Requirements.
6. All outside entrances to multifamily dwellings shall provide protection to the immediate area in front of said entrance from the weather.
7. Whenever the land upon which a multifamily dwelling is to be erected is located partially within a Drinking Water Resource Protection District, maximum possible use of the area outside the Drinking Water Resource Protection District will be made for the disposal of stormwater runoff and sewage.
8. Recreation areas. Where appropriate to the topography and natural features of the site, the Planning Board may require that at least 10% of the open space or two acres (whichever is less) shall be of a shape, slope, location and condition to provide an informal field for group recreation or community gardens for the residents of the multifamily development.

**ANNUAL TOWN MEETING  
WARRANT  
With  
RECOMMENDATIONS**



**Saturday, September 26, 2020  
10:00AM**

**Monomoy Regional High School  
Stadium Field  
75 Oak Street**

*DRAFT*

2020 ATM Warrant for Sep 26 20 ATM v2 AUG 7 20

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- 40. Commercial Single-Use Plastic Water Bottle Ban .....
- 41. Rescind the action taken at the Annual Town Meeting, May 6, 2019 For Article 50 .....
- 42. New Climate Policy By-Law .....

**CUSTOMARY ARTICLES**

- 43. Supplement the Annual Allocation of Mass Cultural Council For Local Cultural Council Grants .....
- 44. Herring Fisheries.....

APPENDIX A – Budget .....

APPENDIX B – Capital Plan .....

**NOTES**

## VOTING PROCEDURES

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



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

Motions	Debatable	Non Debatable	Amendable	Non Amendable	Second Required	Second Not Required	Majority Vote	2/3 Vote	¾ Vote	May Reconsider	Cannot Reconsider
Adjourn		X		X	X		X				X
Adjourn (in a time certain)	X		X		X		X			X	
Amendment	X		X		X		X			X	
Adopt a Resolution	X		X		X		X				X
Accept & Adopt	X		X		X		X <sup>1</sup>			X	
Postpone Indefinitely	X			X	X		X			X	
Previous Question Terminate Debate		X		X	X				X		X
Reconsider <sup>2</sup>	X			X	X				X		X
Consider Articles Out of Order	X		X		X				X		X
Point of Order		X								X	
1. Unless a greater than simple majority required by General Laws of Town of Harwich by-laws.											
2. See section 1.207											

## TAX RATE CHART

THE CHART BELOW SHOWS THE AMOUNT OF MONEY REQUIRED TO CHANGE THE  
FY 2020 TAX RATE.

TAX RATE CHANGE IN \$/1,000	DOLLARS REQUIRED
\$ 0.01	\$59,732
\$ 0.05	\$298,658
\$ 0.10	\$597,317
\$ 0.15	\$895,975
\$ 0.20	\$1,194,634
\$ 0.25	\$1,493,292
\$ 0.30	\$1,791,951
\$ 0.35	\$2,090,609
\$ 0.40	\$2,389,268
\$ 0.45	\$2,687,926
\$ 0.50	\$2,986,585
\$ 0.55	\$3,285,243
\$ 0.60	\$3,583,901
\$ 0.65	\$3,882,560
\$ 0.70	\$4,181,218
\$ 0.75	\$4,479,877
\$ 0.80	\$4,778,535
\$ 0.85	\$5,077,194
\$ 0.90	\$5,375,852
\$ 0.95	\$5,674,511
\$ 1.00	\$5,973,169

## MUNICIPAL FINANCE TERMS

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

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

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

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

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

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

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

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

## **MUNICIPAL FINANCE TERMS RELATED TO CAPITAL IMPROVEMENTS**

**CAPITAL ASSETS:** – All tangible property used in the operation of government, which is not easily converted into cash, and has an initial useful life extending beyond a single financial reporting period. Capital assets include land and land improvements; infrastructure such as roads, bridges, water and sewer lines; easements; buildings and building improvements; vehicles, machinery and equipment. Communities typically define capital assets in terms of a minimum useful life and a minimum initial cost. (See Fixed Asset)

**CAPITAL BUDGETING:** An appropriation or spending plan that uses borrowing or direct outlay for capital or fixed asset improvements. Among other information, a capital budget should identify the method of financing each recommended expenditure, i.e., tax levy or rates, and identify those items that were not recommended. (See Capital Asset, Fixed Asset)

**CAPITAL IMPROVEMENTS PROGRAM:** – A blueprint for planning a community’s capital expenditures that comprises an annual capital budget and a five-year capital program. It coordinates community planning, fiscal capacity and physical development. While all of the community’s needs should be identified in the program, there is a set of criteria that prioritizes the expenditures.

**CAPITAL OUTLAY:** The exchange of one asset (cash) for another (capital asset), with no ultimate effect on net assets. Also known as “pay as you go,” it is the appropriation and use of available cash to fund a capital improvement, as opposed to incurring debt to cover the cost.

**CAPITAL PLANNING:** (See Capital Improvements Program)

**FIXED ASSETS:** – Long-lived, tangible assets such as buildings, equipment and land obtained or controlled as a result of past transactions or circumstances.

## **MUNICIPAL FINANCE TERMS RELATED TO PROPOSITION 2 ½ TERMS**

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

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

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

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

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

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

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

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

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

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

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

**COMMONWEALTH OF MASSACHUSETTS  
TOWN OF HARWICH  
ANNUAL TOWN MEETING  
September 26, 2020**

BARNSTABLE, ss:

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

Greetings:

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of said Town qualified to vote in elections and Town affairs to meet at the Monomoy Regional High School Stadium Field, 75 Oak Street in said Town on Saturday, September 26, 2020 at 10:00 A.M., then and there to act on the following articles:

**ARTICLES**

TOWN OFFICERS AND COMMITTEES

ARTICLE 1: To choose various Town Officers and Committees.

**The Finance Committee Recommends:**

**..... ROLL CALL VOTE:**

**The Board of Selectmen Recommends:**

**..... ROLL CALL VOTE:**

REPORTS OF TOWN OFFICERS AND COMMITTEES

ARTICLE 2: To hear reports of all Town Officers and Committees for the year 2019.

**The Finance Committee Recommends:**

**..... ROLL CALL VOTE:**

**The Board of Selectmen Recommends:**

**..... ROLL CALL VOTE:**

ELECTED OFFICIALS SALARIES

ARTICLE 3: To see if the Town will vote the salaries of the Elected Officials of the Town for fiscal year commencing July 1, 2020 and ending June 30, 2021 as follows and to act fully thereon. Estimated cost: \$126,503

Selectmen (5)	\$2,400 each
Moderator	\$1,000
Water Commissioners (3)	\$1,000 each
Library Trustees (7)	\$1,000 each
Town Clerk	\$103,503

**The Finance Committee Recommends:**

..... **ROLL CALL VOTE:**

**The Board of Selectmen Recommends:**

..... **ROLL CALL VOTE:**

USE OF THE STABILIZATION FUND TO FUND ITEMS REMOVED FROM THE FY 2021  
OPERATING BUDGET

ARTICLE 4: To see if the Town will vote to transfer from available funds such sums of money needed to fund budget shortfalls caused by reduced estimated receipts caused by the COVID-19 enforced Government shutdown, reducing Town charges for Fiscal Year 2021, and to act fully thereon. By request of the Board of Selectmen. ESTMATED COST: \$

*Explanation: The FY 2020 which began in July 1<sup>st</sup>, 2019, presented many challenges to citizens of Harwich the likes of which the Town has not seen since the Civil War. On July 18<sup>th</sup>, 2019, a tractor trailer truck overturned in Harwich Port spilling thousands of gallons of gasoline, alarming the local citizens, and shutting down the area businesses. Soon after a weather “microburst” storm tore up trees and downed powerlines through parts of the Town, and just as that storm was being cleaned up a tornado that touched down first in Yarmouth went on to rip up major sections of Harwich in its’ 15 minute run through Town. Officials declared a Town emergency as the storm downed thousands of trees, powerlines and utility poles and causing the entire Town to go without power. Harwich Fire Chief Norman Clarke said crews had been stalled in clearing the massive mess, waiting on Eversource crews to secure power and deenergize the danger. “This is very bad, very bad,” Clarke said. The DPW Director Lincoln Hooper said, “Due to storm damage the fee from brush delivered to the towns Disposal Area is waived until 8-6,” and the employees and citizens of the Town went to work cleaning up. The cleanup continued right into the new year, and as the Town began to put the tornado behind us, a mild winter with little snow, the first signs of Spring brought new optimism to the Town.*

*On March 13<sup>th</sup>, 2020 the first case of the COVID-19 virus was reported in Barnstable County, to be followed on March 19<sup>th</sup>, 2020 with the first case in Harwich. Tuesday, March 24<sup>th</sup>, 2020 Governor Charlie Baker announced the shutdown of “non-essential” businesses throughout the Commonwealth. With one much needed exception, the rest of FY 2020 and into FY 2021 would be controlled by COVID-19. The exception came on June 6<sup>th</sup>, 2020 inspired by Monomoy High School students, citizens of Harwich showed the entire world how to peacefully protest the senseless killing of George Floyd, without the destruction and violence that much of the nation as well as cities around the world was experiencing.*

*This unprecedented series of events has changed the physical, emotional, and financial face of the Town like never before. As the pandemic worsened around the world the Board of Selectmen continued to work with the Health Director, a new Administrator, first responders, departments, businesses, and citizens to keep the Town functioning as safely as possible. The usual May Annual Town Meeting was moved to June, and soon after moved to September which invoked a little know Municipal Finance Law that has never used in Harwich, the “1/12<sup>th</sup> budget”. As everyone in Harwich grew apprehensive about the “new normal” the Board realized that having the FY 2021 budget passed three months into the financial year was going to be anything but normal.*

*Prior to the impacts of COVID-19 the Board of Selectmen started the FY 2021 budget cycle with a strong budget message that kept budgets at or below the 2 ½% annual thresholds. With lower then expected revenues due to COVID-19 they turn again to departments to lower as much as possible but fear even this will not be enough. Raising taxes and fees is also not the way to go in this pandemic year. As the Federal Government continues to deficit spend in the trillions of dollars, State and local governments are not given that option. As the State prepares its own budget the legislators are looking to spend their entire 2-billion-dollar reserve to meet their needs. As the Board of Selectmen prepare the Annual Town Meeting warrant to meet the FY 2021 needs of the Town of Harwich, they too are looking at the reserves the Town has built over the years. This article proposes to use some funds from the Stabilization account to support specific items removed from the Town Operation Budget.*

**The Finance Committee Recommends:**

**..... ROLL CALL VOTE:**

**The Board of Selectmen Recommends:**

**..... ROLL CALL VOTE:**



**BUDGETS**

**TOWN OPERATING BUDGET**

**ARTICLE 5:** To see if the Town will vote to raise and appropriate, transfer from available funds or borrow such sums of money as may be required to defray Town charges for Fiscal Year 2021, and to act fully thereon. By request of the Board of Selectmen. (BUDGET – APPENDIX A). Estimated Cost: **###,###,###.**

<b>Operating Budget</b>	
Betterments	
Cable Fund	
CPA	
FEMA	
Free Cash	
Golf Improvement	
Overlay Surplus	
State Aide	
Water Enterprise	
Waterways & Mooring	
Subtotal	
Local Receipts	
Taxes	
<b>Operating Budget</b>	

**The Finance Committee Recommends:**  
..... **ROLL CALL VOTE:**

**The Board of Selectmen Recommends:**  
..... **ROLL CALL VOTE:**

**MONOMOY REGIONAL SCHOOL DISTRICT BUDGET**

**ARTICLE 6:** To see if the Town will vote to raise and appropriate, transfer from available funds or borrow such sums of money as may be required to pay for the Monomoy Regional School District Assessment for Fiscal Year 2021, and to act fully thereon. By request of the Monomoy Regional School Committee. Estimated cost: **###,###,###.**

Placeholder pending outcome of 08/06/2020 RSC mtg.
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**The Finance Committee Recommends:**  
..... **ROLL CALL VOTE:**

**The Board of Selectmen Recommends:**  
..... **ROLL CALL VOTE:**

CAPE COD REGIONAL TECHNICAL SCHOOL DISTRICT BUDGET

ARTICLE 7: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sufficient sum of money as may be required to pay for the Cape Cod Regional Technical High School District Assessment for Fiscal Year 2021, and to act fully thereon. By request of the Cape Cod Regional Technical High School District. Estimated cost: **\$1,768,279**.

<b>Cape Cod Regional Technical HS</b>	
Operating Budget	1,178,798
Debt	589,481
<b>Total</b>	<b>1,768,279</b>

**The Finance Committee Recommends:**  
..... **ROLL CALL VOTE:**

**The Board of Selectmen Recommends:**  
..... **ROLL CALL VOTE:**

WATER DEPARTMENT BUDGET

ARTICLE 8: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow such sums of money as may be required to defray the Water Department Operating Budget for Fiscal Year 2021, and to act fully thereon. By request of the Water Commission. Estimated cost: **\$4,291,075**.

<b>Water Operating Budget</b>	
Salaries	1,321,050
Expenses	1,468,390
Debt	721,345
Indirect Costs	730,290
OPEB	50000
<b>Total</b>	<b>4,291,075</b>

**The Finance Committee Recommends:**

**..... ROLL CALL VOTE:**

**The Board of Selectmen Recommends:**

**..... ROLL CALL VOTE:**

WASTEWATER / SEWER DEPARTMENT BUDGET

ARTICLE 9: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow such sums of money as may be required to defray the Wastewater/Sewer Department Operating Budget for Fiscal Year 2021, and to act fully thereon. By request of the Board of Selectmen. Estimated cost: **\$272,933**.

<b>Sewer Operating Budget</b>	
Salaries	77,285
Expenses	298,815
<b>Total</b>	<b>376,100</b>

**The Finance Committee Recommends:**

**..... ROLL CALL VOTE:**

**The Board of Selectmen Recommends:**

**..... ROLL CALL VOTE:**

**CAPITAL PLAN**

**ADOPT THE CAPITAL PLAN**

**ARTICLE 10:** To see if the Town will vote to adopt the Capital Plan for the ensuing seven year period as adopted last year by the Town Meeting with new fiscal year 2027 as proposed by the Board of Selectmen and set forth below or as amended by vote of the Town Meeting, and to act fully thereon. By request of the Board of Selectmen.

**CAPITAL PLAN (APPENDIX B)**

**The Finance Committee Recommends:**

**..... ROLL CALL VOTE:**

**The Board of Selectmen Recommends:**

**..... ROLL CALL VOTE:**

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

ARTICLE 11: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sufficient sum of money to fund the items in the table below included in the FY 2021 Capital Plan, and to act fully thereon. By request of the Board of Selectmen. Estimated cost: **\$42,298.82.**

<b>Department</b>	<b>Description</b>	<b>Amount</b>
Police	Taser Replacement Year 3 of 3	\$14,910
Fire	Air Pack	\$575,165.18
Fire	Air Pack – State Grant Portion	(547,776.36)
	<b>Total – Less Grant Portion</b>	<b>\$42,298.82</b>

**Explanation:**

**The Finance Committee Recommends:**

**..... ROLL CALL VOTE:**

**The Board of Selectmen Recommends:**

**..... ROLL CALL VOTE:**

FACILITY MAINTENANCE AND REPAIR FUND

ARTICLE 12: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sufficient sum of money as may be required to defray costs related to Facility and Grounds Maintenance and Repair included in the FY 2021 Capital Plan, and to act fully thereon. By request of the Board of Selectmen. Estimated cost: **###,###.**

**PLACEHOLDER**

**Explanation:**

**The Finance Committee Recommends:**  
..... ROLL CALL VOTE:

**The Board of Selectmen Recommends:**  
..... ROLL CALL VOTE:

**FIRE DEPARTMENT**

**REPLACE FIRE DEPARTMENT AMBULANCE**

ARTICLE 13: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sufficient sum of money as may be required to purchase or lease, and equip one ambulance for the Fire Department, and to act fully thereon. By request of the Fire Chief. Estimated cost: \$378,000

**Explanation:**

**The Finance Committee Recommends:**  
..... ROLL CALL VOTE:

**The Board of Selectmen Recommends:**  
..... ROLL CALL VOTE:

**FIRE DEPARTMENT QUINT**

ARTICLE 14: To see if the Town will vote to raise and appropriate, transfer from available funds and/or borrow as may be required the sum of \$1,100,000 to purchase or lease, and equip a quint to replace an engine and ladder for the Fire Department as requested in the Capital Plan for FY2021. The appropriation authorized by this vote shall not take effect until the Town votes to exempt from the limitation on total taxes imposed by M.G.L. c.59 § 21c (Proposition 2 ½) the amounts required to pay the principal of and the interest on any borrowing authorized under this article. And further, in accordance with Chapter 44 Section 20 of the General Laws, the premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to pay project costs and the amount authorized to be borrowed for each such project shall be reduced by the amount of any such premium so applied, and to act fully thereon. By request of the Fire Chief. Estimated cost: \$1,100,000

**Explanation:**

**The Finance Committee Recommends:**  
..... ROLL CALL VOTE:

**The Board of Selectmen Recommends:**

..... ROLL CALL VOTE:

**ADMINISTRATION**

**LEASE PURCHASE AGREEMENTS**

**ARTICLE 15:** To see if the Town will vote to enter into various lease purchase financing agreements for town equipment included in the operating budget for FY 2021, said leases may be for a term not to exceed the useful life of the equipment as determined by the Board of Selectmen; or to act fully thereon. By request of the Board of Selectmen.

*(The Municipal Modernization Act of 2016 contains a new section requiring a recommendation by the Town Administrator and a two-thirds vote of the legislative body to authorize a tax-exempt lease purchase agreement. To qualify under this new section a qualifying lease must be in excess of three years, must not exceed the useful life of the equipment, must establish a nominal residual value of the equipment at the end of the lease, and must be approved by a two-thirds vote of Town Meeting.*

**Explanation:**

**The Finance Committee Recommends:**

..... ROLL CALL VOTE:

**The Board of Selectmen Recommends:**

..... ROLL CALL VOTE:

**PEG FUND REQUEST**

**ARTICLE 16:** To see if the Town will vote to raise and appropriate or transfer from available fund or borrow such sums of money that may be required to fund the management and upgrade of the equipment at the TV Studio located at the Monomoy Regional High School, and to act fully thereon. Estimated Cost \$119,307.50

*Explanation: To be funded by the Cable Related Fund established at ATM 2016 Article 36 and expendable by a vote of the legislative body. The cost is proposed to be split 50/50 between the Town of Chatham and the Town of Harwich. The total projected project cost is \$238,615. Equipment purchases include cameras & pedestals, a production switcher, a recording deck, an intercom system, a streaming system, Teleprompters, installation and management of the system.*

**The Finance Committee Recommends:**

..... ROLL CALL VOTE:

**The Board of Selectmen Recommends:**

..... **ROLL CALL VOTE:**

**DEPARTMENT OF PUBLIC WORKS**

**PURCHASE AND EQUIP VEHICLES FOR THE DPW**

**ARTICLE 17:** To see if the Town will vote to raise and appropriate, transfer from available funds and/or borrow a sufficient sum of money as may be required to purchase and equip the following vehicles and to further authorize the trade-in or sale of the following old vehicles toward the purchase price, where the Board of Selectmen find that the vehicles cannot be utilized elsewhere in Town and to act fully thereon. By request of the DPW Director. Estimated cost: \$250,000

(1) Ford E-250 Van (Highway)	\$ 35,000
(1) Catch Basin Cleaner (Highway)	\$ 215,000

*Explanation: Old Vehicles: The 2006 Ford E-250 Building Maintenance van floors and body panels are rusted through. It is questionable whether it will pass a safety inspection.*

*The 2000 International Catch Basin Cleaner is at the end of its useful life. The cab on this 20 year old vehicle is rotted through. Parts are becoming obsolete and are very difficult to find. Maintaining the Town's catch basins is a core function of DPW operations. Two year (FY18-FY19) maintenance costs for this vehicle averaged \$10,210 per year.*

**The Finance Committee Recommends:**

..... **ROLL CALL VOTE:**

**The Board of Selectmen Recommends:**

..... **ROLL CALL VOTE:**

**ROAD MAINTENANCE PROGRAM**

**ARTICLE 18:** To see if the Town will vote to raise and appropriate, transfer from available funds and/or borrow the sum of \$700,000 to fund the Road Maintenance Program as requested in the Capital Plan for FY2021. The appropriation authorized by this vote shall not take effect until the Town votes to exempt from the limitation on total taxes imposed by M.G.L. c.59 § 21c (Proposition 2 ½) the amounts required to pay the principal of and the interest on any borrowing authorized under this article. And further, in accordance with Chapter 44 Section 20 of the General Laws, the premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to pay project costs and the amount authorized to be borrowed for each such project shall be reduced by the amount of any such premium so applied, and to act fully thereon. By request of the DPW Director. Estimated cost: \$700,000

*Explanation:* The capital request for road maintenance is for \$700k for FY2021, which we anticipate being augmented by approximately \$700k in Chapter 90 funds. The capital project request form lists 5 years of our road maintenance plan with cash flows of approximately \$1.4M each year and has our 5 year Road Maintenance Plan The following is the 5 year summary.

**The Finance Committee Recommends:**

**..... ROLL CALL VOTE:**

**The Board of Selectmen Recommends:**

**..... ROLL CALL VOTE:**

## CEMETERY

### MEMORIAL TREE REPLACEMENT

**ARTICLE 19:** To see if the Town will vote to raise and appropriate the sum of twenty thousand dollars (\$20,000.00) for the Memorial Tree Replacement, a program to plant at any of the Town owned Cemeteries in Harwich and to act fully thereon. By request of the Cemetery Commission. Estimate Cost: \$20,000

*Explanation:* This Article will be funded from the expendable portion of Cemetery Perpetual Care Fund totaling approximately \$20,000 by Town Meeting. There was a loss of over 400 trees within the Town Cemeteries with the largest losses being 275 in Island Pond, 75 in Mount Pleasant and 24 in Evergreen from July 23, 2019 Tornado. The replanting of trees at these locations and in other Town Cemeteries is necessary to properly maintain our cemeteries.

**The Finance Committee Recommends:**

**..... ROLL CALL VOTE:**

**The Board of Selectmen Recommends:**

**..... ROLL CALL VOTE:**

## CHANNEL 18

### CONTROL ROOM PLAYBACK SERVER UPGRADE

**ARTICLE 20:** To see if the Town will vote to raise and appropriate or transfer from available fund or borrow such sums of money that may be required to purchase and install a new playback server, video bulletin server and streaming service at the Channel 18 control room (100 Oak Street), and to act fully thereon. Estimated Cost \$58,985

*Explanation:* To be funded by the Cable Related Fund established at ATM 2016 Article 36 and expendable by a vote of the legislative body.



**The Finance Committee Recommends:**

**..... ROLL CALL VOTE:**

**The Board of Selectmen Recommends:**

**..... ROLL CALL VOTE:**

DONN B. GRIFFIN HEARING ROOM IMPROVEMENTS

ARTICLE 21: To see if the Town will vote to raise and appropriate or transfer from available fund or borrow such sums of money that may be required to purchase and install an improved audio system, projection equipment, video production software and components, furniture and network peripherals for the Donn B. Griffin Room at the Harwich Town Hall (732 Main Street), and to act fully thereon. Estimated Cost: \$97,000

*Explanation:* To be funded by the Cable Related Fund. The audio components of the Donn B. Griffin Room are 17 years old and are in need of replacing to enhance the audio quality of recorded meetings. The Griffin room is the most used hearing room and where the majority of all meetings are filmed. The projection equipment is not viewer friendly for citizens attending the meeting in person or watching from home. Updating this equipment will allow viewers at home and in the Griffin room to view presentations more clearly.

**The Finance Committee Recommends:**

**..... ROLL CALL VOTE:**

**The Board of Selectmen Recommends:**

**..... ROLL CALL VOTE:**

HARBORMASTER DEPARTMENT

SUPPLEMENTAL FUNDING FOR ROUND COVE BOAT RAMP

ARTICLE 22: To see if the Town will vote to transfer a sufficient sum of money from the Harbor Mooring Receipts Reserved for Appropriation Fund to complete the reconstruction of Round Cove Boat Ramp, and to act fully thereon. By request of the Harbormaster. Estimated cost: \$106,357.

*Explanation:* The existing public boat ramp at Round Cove landing is poorly constructed and in very poor condition. Every year several boat trailers get hung-up on the leading edge of the ramp because it is too short and not properly pitched, this caused significant damage to trailers. ATM 17 authorized the transfer of \$177,070.25 from prior articles however the total cost is estimated to be \$283,427.25.

**The Finance Committee Recommends:**

**..... ROLL CALL VOTE:**

**The Board of Selectmen Recommends:**  
**..... ROLL CALL VOTE:**

**MASS GENERAL LAWS (M.G.L.)**

**ADOPT M.G.L., CHAPTER 59, §5, CLAUSE 18 – HARDSHIP UNDER AGE 60**

**ARTICLE 23:** To see if the Town will vote to support the Harwich Board of Selectmen’s request to State Legislature to pass a bill amending the Hardship Exemption (as provided in Chapter 59 §5, Clause 18) for the right to grant up to a \$1,000 property tax exemption for taxpayers under the age of 60, as a local option for all cities and towns and/or as a home rule petition for the Town of Harwich, and to act fully thereon. By the request of the Board of Assessors. Estimated Cost: \$30,000

*Explanation: The Board of Assessors would like to advocate for most vulnerable citizens of the Commonwealth. We feel that all citizens of our community and all others in the Commonwealth are struggling. We would like for this article to be approved by the Legislation. This article is for our most vulnerable residents under 60 who by reason of infirmity or poverty are unable to contribute fully to their tax liability in the judgement of the Board of Assessors. We estimate that we would receive 30 applicants.*

**The Finance Committee Recommends:**  
**..... ROLL CALL VOTE:**

**The Board of Selectmen Recommends:**  
**..... ROLL CALL VOTE:**

**ADOPT M.G.L., CHAPTER 59, §5, CLAUSE 41A – TAX DEFERRAL**

**ARTICLE 24:** To see if the Town will vote to adopt a lower interest rate from 8% yearly interest to 5% yearly interest on the deferred taxes to for the purpose of real estate tax deferrals for qualifying persons age 65 and over, as provided in MGL Chapter 59, §5, Clause 41A. By request of the Board of Assessors. Estimated Cost: \$500

*Explanation: The Commonwealth of Massachusetts, Department of Revenue allows cities and towns to establish the simple interest rate charged on deferrals of real estate taxes. The current environment on interest rates would dictate that the Town of Harwich lower the rate from 8% to 5%. The town has averaged 3 deferrals a year. Lowering the rate to 5% may encourage qualified seniors to apply for this program. Based on previous averages this change will result in a cost of approximately \$500 to the Town of Harwich.*

**The Finance Committee Recommends:**  
**..... ROLL CALL VOTE:**

**The Board of Selectmen Recommends:**  
..... **ROLL CALL VOTE:**

ADOPT M.G.L., CHAPTER 59, §5, CLAUSE 56 – ASSESSMENT OF LOCAL TAXES -  
PROPERTY; EXEMPTIONS

ARTICLE 25: To see if the Town will vote to reaffirm and extend MGL Chapter 59, §5, Clause 56. Upon acceptance of this section by the Town, the Board of Assessors may grant, real and personal property tax abatement up to 100% of the total tax assessed to members of the Massachusetts National Guard and to Reservists on active duty in foreign countries for the fiscal year they performed such service subject to eligibility criteria to be established by the Board of Assessors. The authority to grant abatements under this section shall expire after 2 years of acceptance unless extended by a vote of the city or town. Said change to take effect FY 2021 and act fully thereon. By request of the Harwich Veteran’s Agent and Board of Assessors. Estimated Cost: \$10,000.

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

**The Finance Committee Recommends:**  
..... **ROLL CALL VOTE:**

**The Board of Selectmen Recommends:**  
..... **ROLL CALL VOTE:**

COMMUNITY PRESERVATION

APPROPRIATE SUMS OF MONEY FROM THE FY 2021 ESTIMATED ANNUAL  
REVENUES OF THE COMMUNITY PRESERVATION ACT FUND

ARTICLE 26: To see if the Town will vote to appropriate the following sums of money from the FY 2021 estimated annual revenues of the Harwich Community Preservation Act Fund as required by the G.L. Chapter 44B and Chapter 149, §298 of the Acts of 2004 as follows:

- A sum of money for the acquisition, creation and preservation of the open space;
- A sum of money for the acquisition, preservation, restoration and rehabilitation of historic resources;
- A sum of money for the acquisition, creation, preservation and support of community housing; and
- A sum of money for the Community Preservation Act Fund FY2019 Undesignated Fund Balance (including Recreation)

and to act fully thereon. By request of the Board of Selectmen.

<u>Appropriation</u>	<u>FY 2021</u>
Community Housing Reserve	\$177,600
Open Space Reserve	\$177,600
Historic Preservation Reserve	\$177,600
Undesignated Fund Balance Operating Expenses	\$50,000

*Explanation:* To see if the town will reserve for future appropriations amounts from the FY 2021 Community Preservation Act Fund estimated annual revenues for the purpose of acquisition, creation and preservation of open space and community housing, for the purpose of acquisition, preservation, restoration and rehabilitation of historic resources, and the acquisition and development of recreation facilities and for the support of the operating expenses to include wage, supplies, legal service and other operating expenses necessary for the committee.

**The Finance Committee Recommends:**

..... **ROLL CALL VOTE:**

**The Board of Selectmen Recommends:**

..... **ROLL CALL VOTE:**

FUND LAND BANK DEBT SERVICE

ARTICLE 27: To see if the Town will vote to appropriate from the Community Preservation Act Funds – Undesignated Reserve \$198,762.20 and from the FY 21 Estimated Revenue \$142,987.80 for a total of \$341,750 to fund the Debt Service on the outstanding Land Bank Debt. Any funds left unspent from this Article are to be returned to the Community Preservation Act Funds – Undesignated Reserve, and to act fully thereon. By request of the Community Preservation Committee and the Finance Director. Estimated Cost: \$341,750.

**The Finance Committee Recommends:**

..... **ROLL CALL VOTE:**

**The Board of Selectmen Recommends:**

..... **ROLL CALL VOTE:**

COMMUNITY PRESERVATION ACTIVITIES UNDER \$50,000

ARTICLE 28: To see if the Town will vote to appropriate from the Community Preservation Act Funds, a sufficient sum of money to fund the items in the table below consistent with their respective applications. Any funds left unspent from this Article are to be returned to the Community Preservation Act Fund from which the appropriation is made as specified in the chart below, and further authorize the Community Preservation Committee to enter into grant agreements with the following: Community Development Partnership, Chase Library Association, Inc., the Pleasant Bay Community Boating, and to act fully thereon. By request of

the Community Preservation Committee, Historic District and Historical Commission, Chase Library Association, Inc., Community Development Partnership, Real Estate and Open Space Committee and Conservation Commission, and the Pleasant Bay Community Boating. Estimated Cost: \$102,000

	<b>Project</b>	<b>Purpose</b>	<b>Amount</b>	<b>Appropriation Source</b>
1	Historic Areas and Property Inventory	Update of Town Historic Areas and Property Inventory	\$34,500	Community Preservation Act Funds - Historic Reserve
2	Chase Library Door	Preservation of original door and entrance	\$15,000	Community Preservation Act Funds - Historic Reserve
3	Community Development Partnership	Lower Cape Housing Institute	\$7,500	Community Preservation Act Funds - Community Housing Reserve
4	Town Owned Conservation Land	Restoration and rehabilitation of Town owned Conservation Lands	\$20,000	Community Preservation Act Funds - Open Space Reserve
5	Pleasant Bay Community Boating	Handicapped Accessible Dock project	\$25,000	FY 21 Estimated Revenue
		<b>Total:</b>	<b>\$102,000</b>	

**The Finance Committee Recommends:**

..... **ROLL CALL VOTE:**

**The Board of Selectmen Recommends:**

..... **ROLL CALL VOTE:**

PINE GROVE CEMETERY GRAVESTONE CONSERVATION & PRESERVATION

ARTICLE 29: To see if the Town will vote to appropriate from the Community Preservation Act Funds – Historic Preservation Reserve, \$75,000 to fund the repair and restoration of gravestones and monuments at Pine Grove Cemetery. Any funds left unspent from the Article are to be returned to the Community Preservation Act Fund – Historic Preservation Reserve, and to act fully thereon. By request of the Community Preservation Committee and the Cemetery Administrator. Estimated Cost: \$75,000

**The Finance Committee Recommends:**

..... **ROLL CALL VOTE:**

**The Board of Selectmen Recommends:**

..... **ROLL CALL VOTE:**

HARWICH AFFORDABLE HOUSING TRUST

ARTICLE 30:

ARTICLE 30: To see if the Town will vote to appropriate from Community Preservation Act Funds –FY 21 Estimated Revenue, \$250,000 to fund the Harwich Affordable Housing Trust to create and preserve affordable housing in the Town of Harwich in the amount of \$200,000 and to fund a part-time Housing Coordinator in the amount of \$50,000. Any funds left unspent from this Article are to be returned to the Community Preservation Act Funds – Community Housing Reserve, and further authorize the Community Preservation Committee to enter into a grant agreement with the Harwich Affordable Housing Trust, and to act fully thereon. By request of the Community Preservation Committee, the Harwich Affordable Housing Trust and the Board of Selectmen. Estimated Cost: \$250,000.

**The Finance Committee Recommends:**

**..... ROLL CALL VOTE:**

**The Board of Selectmen Recommends:**

**..... ROLL CALL VOTE:**

RENTAL ASSISTANCE PROGRAM

ARTICLE 31:

ARTICLE 31: To see if the Town will vote to appropriate from Community Preservation Act Funds - Community Housing Reserve \$160,911 and from the FY 21 Estimated Revenue \$39,089 for a total of \$200,000 to fund the rental assistance program for families earning 80% or less than average median income (AMI). Any funds left unspent from this Article are to be returned to the Community Preservation Act Funds - Community Housing Reserve, and further authorize the Community Preservation Committee to enter into a grant agreement with the Harwich Housing Authority, and to act fully thereon. By request of the Community Preservation Committee and the Harwich Housing Authority. Estimated Cost: \$200,000

**The Finance Committee Recommends:**

**..... ROLL CALL VOTE:**

**The Board of Selectmen Recommends:**

**..... ROLL CALL VOTE:**

WHITEHOUSE FIELD LIGHTING PROJECT

ARTICLE 32: To see if the Town will vote to appropriate from Community Preservation Act Funds- FY 21 Estimated Revenue in the amount of \$380,360 to replace the current Whitehouse Field Lighting System with a new comprehensive lighting system. Any funds left unspent from

this Article are to be returned to the Community Preservation Act Fund - Undesignated Reserve, and to act fully thereon. By request of the Community Preservation Committee and the Harwich Recreation and Youth Commission. Estimated Cost: \$380,360

**The Finance Committee Recommends:**  
..... **ROLL CALL VOTE:**

**The Board of Selectmen Recommends:**  
..... **ROLL CALL VOTE:**

BROOKS PARK FENCING PROJECT

ARTICLE 33: To see if the Town will vote to appropriate from Community Preservation Act Funds - FY 21 Estimated Revenue, \$72,657 to replace the current fencing at Brooks Park Baseball Field. Any funds left unspent from this Article are to be returned to the Community Preservation Act Fund - Undesignated Reserve, and to act fully thereon. By request of the Community Preservation Committee and the Harwich Recreation and Youth Commission. Estimated Cost: \$72,657

**The Finance Committee Recommends:**  
..... **ROLL CALL VOTE:**

**The Board of Selectmen Recommends:**  
..... **ROLL CALL VOTE:**

HARWICH COMMUNITY PLAYGROUND PROJECT

ARTICLE 34: To see if the Town will vote to appropriate from Community Preservation Act Funds –FY 21 Estimated Revenue in the amount of \$500,000 to construct a playground at Harwich Elementary School. Any funds left unspent from this Article are to be returned to the Community Preservation Act Fund – Undesignated Reserve, and to act fully thereon. By request of the Community Preservation Committee and the Board of Selectmen. Estimated Cost: \$500,000

**The Finance Committee Recommends:**  
..... **ROLL CALL VOTE:**

**The Board of Selectmen Recommends:**  
..... **ROLL CALL VOTE:**

**REVOLVING FUNDS**

**AMEND THE CODE OF HARWICH GENERAL BY-LAWS – CHAPTER 8  
DEPARTMENTAL REVOLVING FUNDS § 8-1. FUNDS ESTABLISHED**

**ARTICLE 35:** To see if the Town will vote to amend the Departmental Revolving Funds By-law, Section 8-1 of the Town Code, by expanding the scope of fees to be credited to the Wetlands Revolving Fund and the Community Center Revolving Fund as set forth below (the language to be added is shown in underlined text): Further to amend the uses of the Community Center Revolving Fund to include weight room supplies, care and support as well as exercise and educational instructors (the language to be added is shown in underlined text): Or to take any other action relative thereto. By request of the Finance Director, Conservation Administrator and Community Center Director.

<u>Revolving Fund</u>	<u>Authorize to Spend Fund</u>	<u>Revenue Source</u>	<u>Use of Fund</u>
Community Center	Director & Facilities Committee	Community center exercise and educational classes and 75 % of the fees from use of the weight room	Weight Room equipment maintenance, supplies, care and support. <u>Exercise and educational instructors.</u>
Wetlands	Conservation Commission	Notice of Intent Filing Fees as well as in-lieu fees generated as a result of an approval of a Notice of Intent	<u>Consultants, wetland, buffer zone management and restoration projects</u>
Cemetery	Cemetery Administrator and Cemetery Commission	90% of Lot Sales, 100% of all Cemetery Services and Fees	Maintenance, care and support of town cemetery properties, <u>including part time salary and wages.</u>

*Explanation: 1) To expand the use of the Community Center Revolving Fund to include exercise and educational programs previously charged to the Recreation Revolving Fund. 2) To expand the source of revenue for the Wetlands Revolving Fund to include in-lieu fees. 3) to allow for part time wages to be expended from the Cemetery Revolving Fund.*

**The Finance Committee Recommends:**

**..... ROLL CALL VOTE:**

**The Board of Selectmen Recommends:**

**..... ROLL CALL VOTE:**





FUND PRIOR YEAR'S UNPAID BILLS

ARTICLE 37: To see if the Town will vote to raise and appropriate or transfer from available funds a sufficient sum of money to pay unpaid bills of prior years as provided for in M.G.L. Ch. 44, Section 64, and to act fully thereon. By request of the Finance Director. Estimated cost: \$7,595.83

	<b>Invoice/Debt</b>	<b>Description</b>	<b>Amount</b>	<b>Source</b>
1	Monomoy Regional High School	After Prom Planning Committee Contribution	\$2,500.00	Free Cash
2	Eastward Companies	Saquatucket Harbor Redevelopment Project Extra	\$ 942.87	Free Cash
3	Tighe & Bond	Water Rate Study	\$1,500.00	Retained Earnings for Water
4	Tighe & Bond	Water Rate Study	\$2,250.00	Retained Earnings for Water
5	WB Mason	Selectmen's Office Ordinary Office Supplies	\$ 35.79	Free Cash
6	Motorola Solutions	Police Department Repairs - Portable	\$ 367.17	Free Cash
		<b>Total:</b>	<b>\$7,595.83</b>	

**Explanation:**

**The Finance Committee Recommends:**  
 ..... **ROLL CALL VOTE:**

**The Board of Selectmen Recommends:**  
 ..... **ROLL CALL VOTE:**

PRIVATE PETITIONS

DEFRAY THE EXPENSES OF THE CHASE LIBRARY AND HARWICH PORT LIBRARY

ARTICLE 38: To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$20,000 to help defray the expenses of the Chase Library and the Harwich Port Library; said funds to be expended under the direction of the Chase Library and Harwich Port Library Trustees, and to act fully thereon. By Petition. Estimated cost: \$20,000

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

**The Finance Committee Recommends:**  
 ..... **ROLL CALL VOTE:**

**The Board of Selectmen Recommends:  
..... ROLL CALL VOTE:**

PROMOTE THE TOWN OF HARWICH

ARTICLE 39: To see if the Town will vote to raise and appropriate and/or transfer from available funds a sufficient sum of money for the Harwich Chamber of Commerce to promote the Town and its businesses and cultural endeavors to advance economic development initiatives for and with the Town of Harwich. Said monies to be used to manage and fulfill year-round visitor/resident/business information services, to promote and market the Town, to generate and initiate materials and activities that encourage the establishment, growth and sustainability of businesses in Harwich, and to implement economic development objectives and activities in partnership with the Town, and to act fully thereon. By Petition. Estimated cost: \$30,000

*Explanation: For more than 60 years, Harwich Chamber of Commerce (HCC) has worked in the best interest of Harwich and for the people living in, working in and visiting the Town of Harwich. Since 1995, the citizens of Harwich, through the annual Town Meeting, have voted to fund warrant articles submitted by the Harwich Chamber of Commerce in support of its work promoting the community, providing needed informational services, and developing and advancing economic sustainability and development strategies. We are again requesting the Town's support for the Chamber's efforts in:*

- (a) providing year-round informational services to residents, visitors, second homeowners, and businesses (over 78,000 visits to our Information Center in 2018)*
- (b) Support of the Chamber's efforts, in partnership with the Town of Harwich, to develop and implement economic development initiatives to benefit the Town as defined by objectives in the Town's Local Comprehensive Plan, and marketing Harwich's Cultural Districts; the simultaneous designation of both Harwich Port and Harwich Center in 2019.*
- (c) Promoting the Town of Harwich and its brand: The Warm Side of the Cape, thereby continuing to grow the vitality and economy in the community.*
- (a) **Year-Round Information Services:** Harwich's Information Center is open 52 weeks a year. Combining this valuable resource with the Chamber's internet/website portals, New explore boards located at Logan Airport, North and South Stations as well in many locations throughout Massachusetts, New England and Nationally and continued telephone and mail inquiries, Harwich Chamber annually provides more than 320,000 instances of contact with visitors, seasonal and year-round homeowners and residents, organizations and businesses. These connections offer the opportunity to market and promote the Town utilizing our new brand "The Warm Side of the Cape." By being available to meet the needs of our "customers" we are able to encourage patronage of our local amenities and businesses and to connect individuals and businesses with the appropriate Town offices and officials 12 months a year in a friendly, warm and upbeat fashion.*
- (b) **Promoting the Town of Harwich:** The Harwich Chamber continues to be the lead force in promoting the Town of Harwich. By utilizing a multi-faceted approach, HCC strives to position Harwich as a premier destination for local, regional, national and international individuals and families. The marketing strategies are aimed at encouraging residents, second homeowners (current and potential), and visitors to avail themselves of Harwich's recreational amenities, as*

well as for shopping, dining, vacations, day trips, events and festivals. The plan, which positions Harwich as a desired vacation destination and an outstanding place in which to live and work, includes:

1. The 2019 Harwich Magazine will celebrate our history and our future as well as continue to share our Arts and Culture , the Town's primary comprehensive printed and online publication for attracting visitors to Harwich, and a year round resource for our residents, second home-owners and businesses.
2. The HCC website's robust content complements the Magazine and links to a wide range of Town resources.
3. Ancillary printed and on-line pieces, including specialized maps (cranberry bogs, lodging locator, dining locator, beaches, bike trail) that target market segments and interests. As well as the new Cultural District maps for Harwich Port and Harwich Center.
4. Media placements in local, regional and national publications.

Special events and festivals are about more than attracting people to town to enjoyable experiences. They are about defining key elements of Harwich's brand and about parlaying those assets into support for our businesses, non-profit organizations, and the community. In 2017 the Harwich Chamber of Commerce in partnership with sponsorships from Harwich Chamber of Commerce members we brought back after a 10 year absence the much loved Fireworks as part of the Harwich Cranberry Festival and continues to grow today. In addition, Fall for Harwich provided the umbrella under which thousands of people were invited to participate in a wide array of more than 30 events, including the half-marathon road race, music festival, bog walks, concerts, teas, arts & crafts, our second sidewalk sale and more. Fall for Harwich and Christmas in Harwich also provide opportunities for our local non-profits to raise much needed funds and increase their visibility. In addition, the Chamber continues to actively engage in creating and implementing new events as well as expanding existing events. In 2018, the Chamber coordinated ten Port Summer Night Musical Strolls in Harwich Port, (traditionally every Wednesday in July & August in 2018 we added the last Wednesday in August and the first Wednesday in September as a thank you to our residents) several musical concerts that combined opportunities with restaurants and other businesses to increase meals, shopping and a night out with a show. We look forward to continuing to expand these offerings in 2019.

**Economic Development:** HCC will continue to collaborate with the Town on economic development strategies and initiatives. Over this past year, HCC has worked tirelessly on behalf of the Town and its businesses and continues to do so with sponsoring gatherings with key partners at the state level bringing them into our town. The Chamber has also provided training, counsel and support to dozens of small businesses challenged to survive in the current economic climate, and has met with several individuals considering locating their business in Harwich. HCC continues to strengthen its collaboration with other local chambers of commerce through the Local Cape Chambers Collaborative (LC3) and the Lower Cape Chambers group. Among the many activities currently underway are:

With LC3 meeting with the Economic Development Council on regional economic development priorities, identified by local chambers in consultation with town officials

With LC3 continued advocacy on transportation issues, including real time information, bridge issues, issues relating to drug use, attracting more traffic to the Regional Airport and more.

*With Lower Cape Chambers hosting the Annual Lower Cape Home & Garden Show this year again to be held at the Cape Cod Tech, trainings, inter-chamber networking (giving greater business-to-business opportunities)*

*Parking and Connectivity continue to explore opportunities for remote parking lots and transit service for harbors, beaches and other sites with high seasonal demand*

*The Chamber is honored to partner with the Town on building a better community, but the Chamber relies on the Town's support to help achieve its goals. Without this support, the Chamber's marketing activities will be significantly reduced. We appreciate the past support of the Town of Harwich and request funding for these important, revenue-generating initiatives. Thank you for your consideration.*

**The Finance Committee Recommends:**

**..... ROLL CALL VOTE:**

**The Board of Selectmen Recommends:**

**..... ROLL CALL VOTE:**

### COMMERCIAL SINGLE-USE PLASTIC WATER BOTTLE BAN

ARTICLE 40: To see if the Town will vote to adopt the following as a general by-law and to authorize the Town Clerk to insert it into the appropriate place in the Town Code of Harwich, Massachusetts.

#### Section 1. Sale of Single-use Plastic Water Bottles

Effective on September 1, 2021, it shall be unlawful to sell non-carbonated, unflavored drinking water in single-use plastic bottles of less than one gallon in the Town of Harwich.

#### Section 2. Definitions

A single-use plastic bottle is a beverage container made from any type of plastic resin.

#### Section 3. Exemptions

Sales or distribution of non-carbonated, unflavored drinking water in single-use plastic bottles occurring subsequent to a declaration of emergency (by the Emergency Management Director or other duly authorized Town, County, Commonwealth or Federal official) affecting the availability and/or quality of drinking water to residents of the Town shall be exempt from this bylaw until seven days after the declaration has ended.

#### Section 4. Enforcement

Enforcement of this article shall be the responsibility of the Town Administrator or his/her designee.

This bylaw may be enforced through the non-criminal disposition procedures as specified in G. L. Chapter 40 § 21D. The following penalties apply:

First violation: Written warning

Second violation: \$150 fine

Third and subsequent violations: \$300 fine

Each day a violation continues constitutes a separate violation, incurring additional fines. Any such fines collected shall be payable to the Town of Harwich. Estimated cost: \$0

*Explanation: Single-use plastic bottles impact environmental health, and the health and longevity of other species, who may ingest plastic as food. Ultimately, plastic re-enters the human food chain where the adverse consequences are both known and emerging. Plastics pollute and impact our environment across their life cycle from production, use and disposal.*

*Over 1,500 single-use plastic water bottles are used and discarded in the U.S. per second. Elimination of the use of single-use plastic water bottles will have a significant impact on future plastic-based pollution including the nation's greenhouse gas footprint and is consistent with protection of the natural environment in Harwich, Barnstable County, our nation and our earth, which we have a common responsibility to protect and steward.*

**The Finance Committee Recommends:**

**..... ROLL CALL VOTE:**

**The Board of Selectmen Recommends:**

**..... ROLL CALL VOTE:**

RESCIND THE ACTION TAKEN AT THE ANNUAL TOWN MEETING May 6, 2019 FOR  
ARTICLE 50

ARTICLE 41: To see if the town will vote to rescind the action taken at the Annual Town Meeting May 6, 2019, Article 50.

*Explanation: Last year's Article 50 is discriminatory and is financially inhibitive to various non-profit organizations that utilize Town properties, including Monomoy Little League, Monomoy Booster Club, Cape Cod Baseball League, et al. Further, it puts an unfair financial burden on small businesses that participate in lo a craft fairs, farmers markets, and beach vendors, et al. The article also did not include a means of enforcement. The action should be rescinded and the group who wrote the article should reconsider the verbiage as well as the intent.*

**The Finance Committee Recommends:**

**..... ROLL CALL VOTE:**

**The Board of Selectmen Recommends:**

**..... ROLL CALL VOTE:**

NEW CLIMATE POLICY BY-LAW

ARTICLE 42: To see if the Town Will vote to adopt the following as a general by-law and to insert it into the Code of the town of Harwich, Massachusetts:

Chapter ( ) Climate Policy

§ ( )-1 Climate Policy

The Town of Harwich recognizes that the climate emergency, driven by human activity including energy consumption and land use practices and leading to global warming, rising seas, deadly storms, dangerous heat waves, acidifying oceans, and melting ice sheets, poses an imminent threat to the health, safety and economic security of the residents of the Town. The Town of Harwich therefore adopts as its policy the objective of reducing net greenhouse gas emissions from human activity within and by the Town to zero at the earliest technically and economically feasible time, and directs that all officers and departments of the Town take such measures within the scope of their respective responsibilities and authority as may be necessary and prudent to facilitate such policy and objective.

*Explanation: This Article would establish a town policy on climate change which recognizes that we are living in a climate emergency that threatens our communities and our childrens' futures. In line with the official policies of the Commonwealth of Massachusetts and supported by the recommendations of scientists worldwide, as reflected in the reports of the Intergovernmental Panel on Climate Change established by the United Nations, this by-law would accept the central goal of reducing net greenhouse gas emissions to zero at the earliest economically and technically feasible time. The science tells us that we must make a significant cut in the current rate of carbon emissions within the next ten years or it will be too late to head off the most catastrophic consequences of rising seas, monster storms, runaway fires, deadly heat waves, and the loss of countless species. This by-law does not set an arbitrary deadline or define the specific steps to attain the goal: that will require a long and challenging process of identifying a multitude of strategies to improve energy efficiency in homes and businesses, to produce renewable power, to increase the use of electric vehicles for private and public transportation, to preserve and expand forested land to offset carbon emissions, and to adopt new technologies as they emerge to support these goals. The policy does not mandate any new public expenditures: every action is measured by technical and economic feasibility, and most improvements in energy efficiency and renewable power generation now offer financial savings or new revenue streams that should reduce net public spending. The bottom line, however, is that there is no time to lose to begin the hard work of finding ways to reduce carbon emissions.*

**The Finance Committee Recommends:**

**..... ROLL CALL VOTE:**

**The Board of Selectmen Recommends:**

**..... ROLL CALL VOTE:**

**CUSTOMARY ARTICLES**

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

**ARTICLE 43:** To see if the Town will vote to raise and appropriate and/or transfer from available funds a sufficient sum of money to supplement the Massachusetts Cultural Council annual allocation for community grant awards to artists, performers, and interpretive scientists who bring events and programs to local venues which enhance the cultural experience of Harwich citizens of all ages, and to act fully thereon. By request of the Harwich Cultural Council. Customary Article. Estimated Cost: \$3,900.

*Explanation:*

**The Finance Committee Recommends:**

**..... ROLL CALL VOTE:**

**The Board of Selectmen Recommends:**

**..... ROLL CALL VOTE:**

**HERRING FISHERIES**

**ARTICLE 44:** To see what action the Town will take in regard to the Herring Fisheries and to act fully thereon. Customary Article.

**The Finance Committee Recommends:**

**..... ROLL CALL VOTE:**

**The Board of Selectmen Recommends:**

**..... ROLL CALL VOTE:**

**PLACEHOLDERS**

**ZONING BY-LAW AMENDMENT – MULTI-FAMILY**

**ARTICLE ##:** To see if the Town will vote to amend the Code of the Town of Harwich – Zoning as it relates to “Multifamily, (new text is shown in **bold underline** and deleted text is shown in ~~strike through~~) as follows:

Within **§325-2 – Definitions**, amend the definition of “Bedroom” by deleting the existing definition and replace it with the following:



**BEDROOM: Any room used or intended to be used for sleeping purposes or as determined by State and/or Harwich Board of Health Regulations.**

Further, within §325-9 Permitted uses, amend the third sentence by adding the term “**multifamily,**” after “single-family,”

Further, within §325-13 - Table 1 – Use Regulations, Paragraph I Residential Uses amend within the table Item #8 Multifamily dwelling as follows:

Use	RR	RL	RM	RH-1	RH-2	RH-3	CV	CH-1	CH-2	IL	MRL	MRL-1	WR
8 Multifamily dwelling (§325-51.Q)	<u>S</u>	<u>S</u>	<u>S</u>	S	S	S	<u>S</u>	<u>S</u>	-	-	S	S	S

Further, within §325-16 - Table 2, Area Regulations, delete within RH-2 and RH-3 Districts the following Use “Multifamily” and Minimum Required elements and within the MRL and MRL-1 Districts the following Use “Multifamily residential” and Minimum Required elements and add the following to the table:

District	Use	Minimum Required				
		Lot Area (square feet)	Lot Frontage (continuous feet)	Front (feet)	Side (feet)	Rear (feet)
<b><u>All Districts Where Permitted by Use Special Permit</u></b>	<b><u>Multifamily</u></b>	<b><u>40,000<sup>4</sup></u></b>	<b><u>150</u></b>	<b><u>Footnote<sup>5</sup></u></b>	<b><u>25</u></b>	<b><u>25</u></b>

**<sup>4</sup>40,000 square feet is required for vacant lots. For lawfully pre-existing structures/use converting to multifamily residence the existing lot size shall be allowable.**

**<sup>5</sup>Front setback to be determined at the time of Site Plan Review §325-55 for existing buildings. For new construction the front setback shall be 25 feet.**

Further, within §325-16 – Table 3, Height and Bulk Regulations amend within the table by deleting the MRL and MRL-1 rows and adding the following:

District	Maximum Permitted Height (feet)	Maximum Permitted Height (stories)	Maximum Building Coverage of Lot (covered area as % of total lot area)	Maximum Site Coverage as % of Total Site Area	Minimum Residential Net Floor Area (square feet)
<b><u>MRL</u></b>	<b><u>30</u></b>	<b><u>2 ½</u></b>	<b><u>15</u></b>	<b><u>25</u></b>	<b><u>None</u></b>
<b><u>MRL – 1</u></b>	<b><u>30</u></b>	<b><u>2 ½</u></b>	<b><u>15</u></b>	<b><u>25</u></b>	<b><u>None</u></b>

<b><u>In all Districts where Multifamily is Permitted by Use Special Permit</u></b>	<b><u>40</u></b>	<b><u>3 ½</u></b>	<b><u>=</u></b>	<b><u>80</u></b>	<b><u>Studio or efficiency unit: 250; bedroom unit: 550; 2-bedroom unit: 940</u></b>
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Further, within §325-18 Additional Regulations, make the following amendments:

Within Paragraph E, delete the term “multifamily,”

Delete in their entirety Paragraphs H, I, J, L and M.

Re-letter Paragraph “K” to “H” and delete in its entirety and add the following language: **“No outside staircase shall be used to furnish primary access to any of the units in a hotel or motel.”**

Additionally, reletter Paragraph “N” to “I”; Paragraph “O” to “J”; Paragraph “P” to “K”; Paragraph “Q” to “L”; and, Paragraph “R” to “M”

Further, within §325-20 Stories for human use or occupation, in the first sentence delete the words “multifamily dwelling,”

Further, within §325-39 Off-street parking schedule, Paragraph A, within the Residential Uses Parking Table, delete “multifamily” after “apartment,” and add a new “Multifamily” and parking spaces as follows:

<b><u>Multifamily</u></b>	<b><u>1.5 per studio, efficiency or 1-bedroom unit</u></b> <b><u>2 per 2-bedroom unit or greater</u></b>
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Further, within §325-51 Special Permits, Paragraph D and subparagraph D(1) delete the words “multifamily dwelling,” and subparagraph D(2) in its entirety and add a new Paragraph Q as follows:

**Q. Multifamily Special Permit**

- 1. The Planning Board shall serve as the special permit granting authority for multifamily developments, including conversion of existing structures/uses to multifamily and/or new construction.**
- 2. A Site Plan Review special permit pursuant to §325-55 is also required.**
- 3. All multifamily dwellings must be connected to a municipal water system.**
- 4. A habitable room in a multifamily dwelling unit shall have a minimum floor area of not less than 120 square feet and shall have no major width or length dimension less**

**than 10 feet. Closets, storage spaces, bathrooms and kitchens are not habitable rooms for the purpose of these minimum area and dimension requirements.**

5. **The number of multifamily dwelling units shall be determined by the ability to place an adequately size septic system for the number of bedrooms; and required parking per number of units and landscaping on the site pursuant to Article IX Off-Street Parking and Loading Requirements.**
6. **All outside entrances to multifamily dwellings shall provide protection to the immediate area in front of said entrance from the weather.**
7. **Whenever the land upon which a multifamily dwelling is to be erected is located partially within a Drinking Water Resource Protection District, maximum possible use of the area outside the Drinking Water Resource Protection District will be made for the disposal of stormwater runoff and sewage.**
8. **Recreation areas. Where appropriate to the topography and natural features of the site, the Planning Board may require that at least 10% of the open space or two acres (whichever is less) shall be of a shape, slope, location and condition to provide an informal field for group recreation or community gardens for the residents of the multifamily development.**

**The Finance Committee Recommends:**

**..... ROLL CALL VOTE:**

**The Board of Selectmen Recommends:**

**..... ROLL CALL VOTE:**

APPENDIX A – Budget

APPENDIX B – Capital Plan

## Notes

**2020 Annual Town Meeting  
DRAFT WARRANT ARTICLES**

#	ATM May 2020 FY 2021	Spon	\$ Request	FINCOM	BOS	Note:
1	Choose Town Officers & Committees	Cust		A & A 7 - 0		N/C
2	Reports of Town Officers & Comms.	Cust		A & A 7 - 0		N/C
3	Elected Officials Salaries In Budget	Cust	\$126,503	A & A 7 - 0		In Budget
4	Hold FinCom use of stabilization fund	FINCOM		NRPFI 6 - 0		
5	Town Operating Budget	BOS				
5	MRSO Operating Budget	MRSC				
7	CCRTSD Operating Budget	CCRSC	\$1,737,789	A & A 7 - 0		
8	Water Department Budget	WC		A & A 7 - 0		Vote on 8/6/20
9	Waste Water/Sewer Budget	WC	\$272,932			Water Ent Fnd
10	Adopt Capital Plan	BOS				
11	Capital Items From Free Cash less than 50 K	BOS				
12	Fund Facility Maintenance and Repairs	BOS				
13	Fund New Ambulance	FD				
14	Fund Quint Fire Truck	FD				
15	Lease Purchase Agreements	BOS		A & A 6 - 1		N/C
16	MRSO PEG Fund Request	MRSO	\$119,308	A & A 6 - 0		Cable Funds
17	Fund New DPW Vehicles/Equipment	HWY	\$250,000	A & A 6 - 0		Free Cash
18	Road maintenance	BOS	\$700,000	A & A 6 - 0		Debt
19	Fund Memorial Tree Replacement	CEM	\$20,000	A & A 6 - 0		Free Cash
20	Fund Control Room Server Upgrade	Ch 18	\$58,958	A & A 7 - 0		Cable Funds
21	Fund Griffin Room Improvements	Ch 18	\$97,000	A & A 7 - 0		Cable Funds
22	Supplement Funds for Round Cove Boat Ramp	HRB	\$106,357	A & A 6 - 0		Free Cash
23	Adopt MGL C59 S5 Clause 18 - Hardship under 60	BOA		A & A 7 - 0		CPC Funds
24	Adopt MGL C59 S5 Clause 41A - Tax Deferral	BOA		A & A 7 - 0		CPC Funds
25	Adopt MGL C59 S5 Clause 56 - Local Tax Exemptions	BOA		A & A 7 - 0		CPC Funds
26	Appropriate Sums of Money FY 2021 CPC Funds	CPC	\$582,800	A & A 6 - 0		CPC Funds
27	Fund Land Bank Debt Service	CPC	\$341,750	A & A 6 - 0		CPC Funds
28	CPC Articles Under \$50,000	CPC	\$102,000	A & A 5 - 0		CPC Funds
29	Pine Grove Cemetery Gravestone Preservation	CPC	\$75,000	A & A 5 - 0		CPC Funds
30	Fund Affordable Housing Trust	CPC	\$250,000	IPP 4 - 2		
31	Fund Rental Assistance Program	CPC	\$200,000	A & A 6 - 0		CPC Funds
32	Fund Whitehouse Field Lighting	CPC	\$380,360			
33	Fund Brooks Park Fencing Project	CPC	\$72,657			
34	Fund Community Playground	CPC	\$500,000			
35	Amend Gen By-Laws-Department Revolving Funds	FIN				
36	Authorize Departmental Revolving Funds	BOS				
37	Fund Prior Year's Unpaid Bills	BOS	\$7,193	A & A 7 - 0		Free Cash
38	Defray Expenses Chase & HP Lib	Pet	\$20,000	A & A 6 - 0		Free Cash
39	Promote the Town of Harwich	Pet	\$30,000	A & A 7 - 0		Free Cash
40	Plastic Water Bottle Ban	Pet				
41	Rescind Article 50 from May 6th, 2019 ATM	Pet				
42	New Climate Policy By-Law	Pet				
43	Fund Mass Cultural Council	Pet	\$3,900	A & A 7 - 0		Free Cash
44	Herring Fisheries	Cust		A & A 7 - 0		N/C
	<b>Total</b>		<b>\$6,054,507</b>			

PLACEHOLDERS  
Multi-family Zoning Amendment

PLB

**Town  
Administrator's  
Report**



# HARWICH HARBORMASTER DEPARTMENT

## July 2020 Monthly Report

### Operations

- Department patrol boat operators conducted 5 tows of disabled vessels.
- Responded to a reported missing 10 year old from West Dennis Beach. Conducted a search along with multiple units from neighboring Harbormasters, FD and a CG helicopter. Notified by command that the child was found safely ashore after an approximately 40 minute search.
- Removed 4 dead seals from Nantucket Sound beaches.
- Responded to reports of two grounded vessels.
- Conducted mooring compliance checks in Wychmere Inner and Outer Harbors, Allen Harbor, Round Cove and Pleasant Bay.
- Removed a large dead loggerhead turtle from the beach near Allen Harbor. Personnel from IFAW took samples before it was taken to the Transfer Station for disposal.
- Conducted several patrols of Long Pond. Headway Speed (No Wake) buoys were adjusted in some areas.
- Removed an abandoned swim float from Long Pond with assistance from the Highway Department.

### Administration

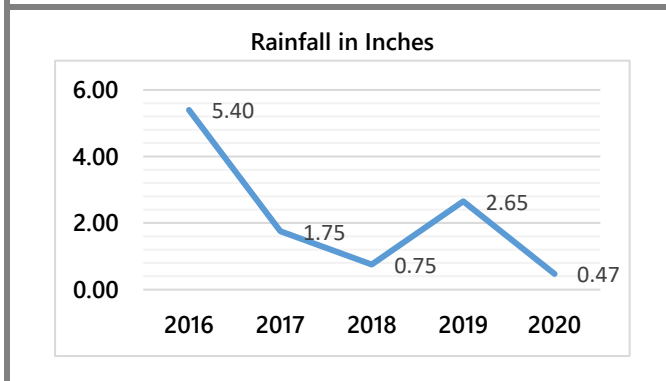
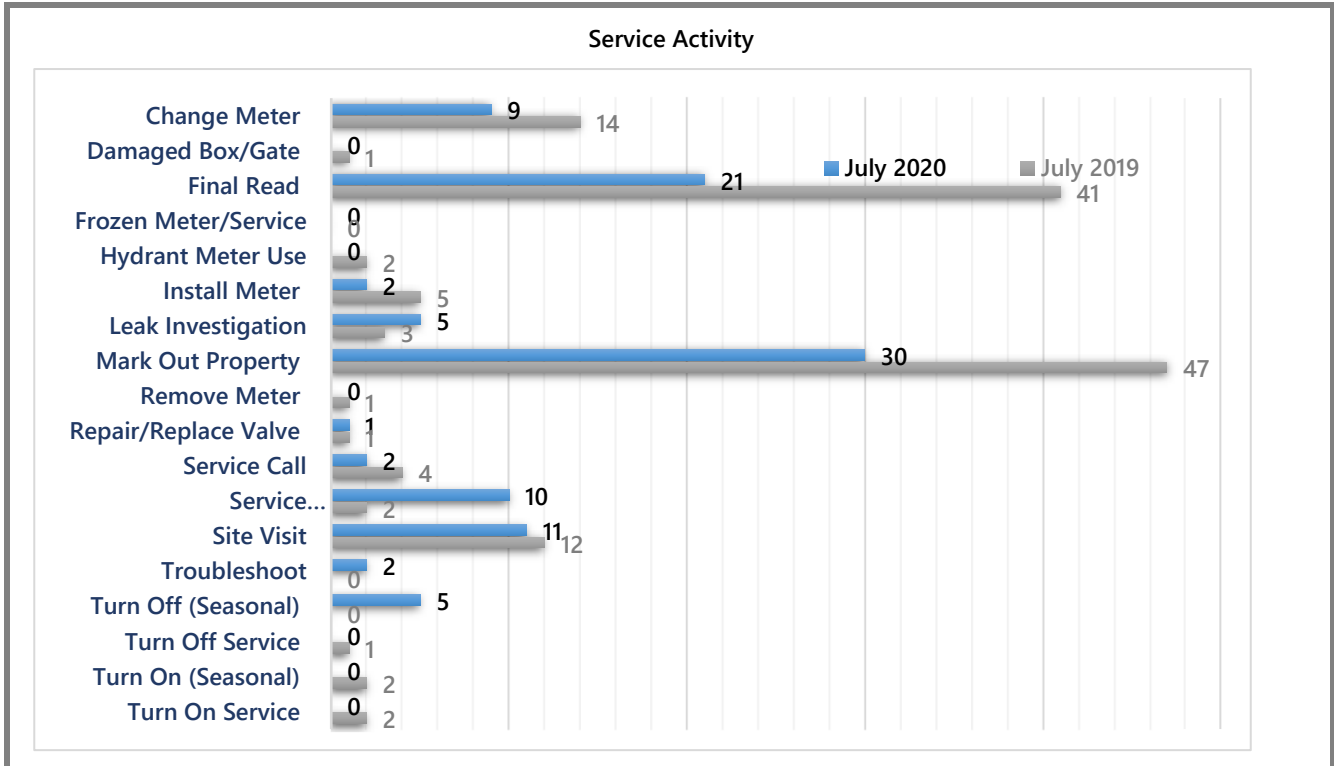
- Contacted BluePort (Wi-Fi) helpdesk to reset marina Wi-Fi system.
- Closed-out FY20 department budget.
- Ordered No Parking sign for Round Cove
- Ordered Flags
- Ordered Allen Harbor Drop Box envelopes.
- Provided mooring field information to AGL Mooring.
- Processed new seasonal hire, ordered uniforms, updated schedule.
- Issued 33 parking tickets and 1 Non-criminal boating violation.
- Processed 85 transient slip reservations.

### Maintenance

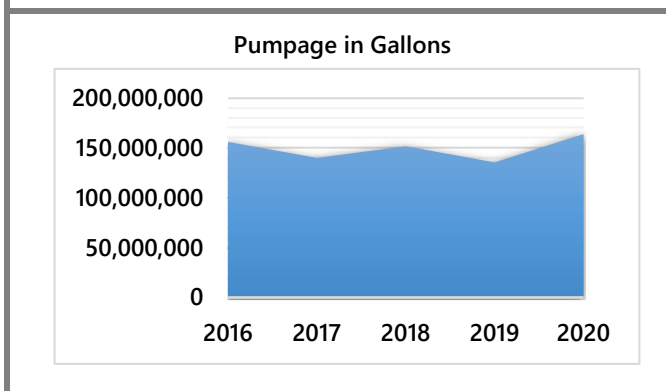
- Replaced the VHF antennae on 77A.
- Replaced missing dinghy tie-up post at Cahoon Landing, Long Pond.
- Trimmed brush around the trailer lot.
- Installed cleats on pilings on the east bulkhead.
- Added fill to areas of the SAQ bulkhead that were undermining.
- Installed flagpole that had been removed for shingling on an artisan shack.
- General building and grounds maintenance

### Meetings

- Provided recorded department update for annual Non-Resident Tax Payer presentation to be viewed on Channel 18.
- Conducted site visit at 41 Nons Road to review proposed location and design of private dock.
- At the request of homeowner at 10 Fiddlers Lane, conducted site visit to discuss processes needed to make alterations to existing water-dependent structure. Working thru Conservation Agent, was able to provide homeowner with Ch 91 license for existing structure.
- Participated in virtual WWC meeting.



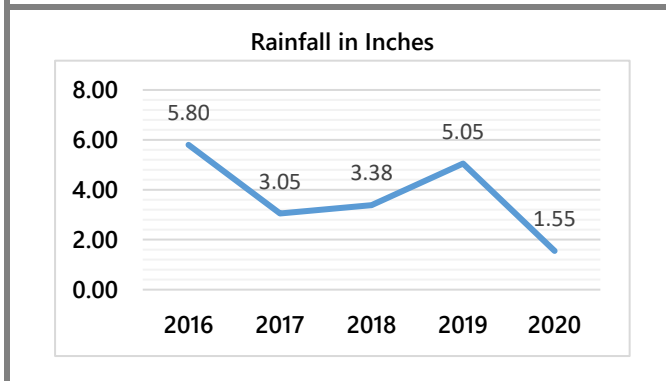
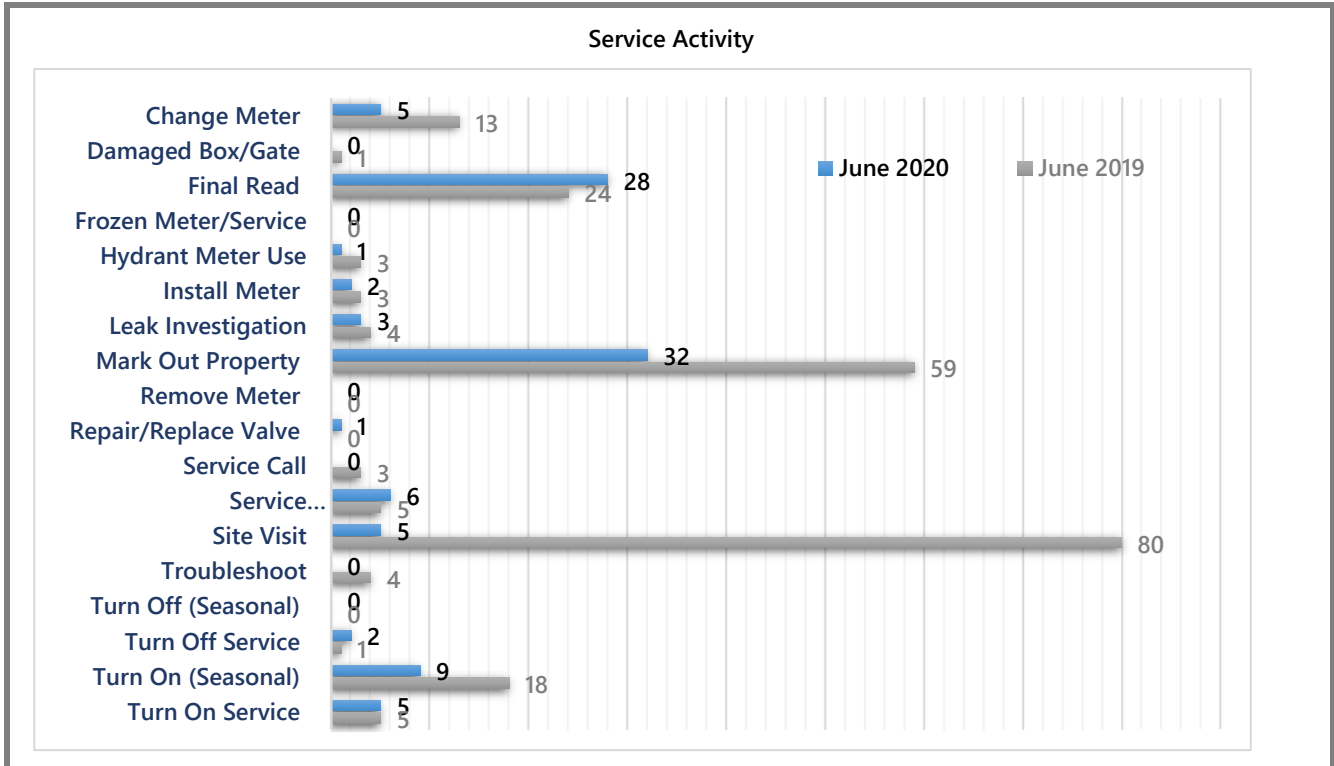
- ### Calendar Activity
- Seasonal Laborer Interviews 7/10
  - Weekly WW Meetings
  - Tank Industries Mtg 7/9
  - Cold Brook MOU Review 7/8, 7/9
  - Crossovers/Project (3)
  - BOWC Chair Mtg 7/16, 7/24, 7/28
  - WW Mtg w/JP & GR 7/15
  - Mtg w/GHD @ Oak St Tank 7/16
  - BOWC Mtg 7/17, 7/31
  - WW GHD Mtg 7/23
  - GHD/TIC Oak St Tank 7/27
  - WW Flows 7/28
  - WW/RJV Change Order Review 7/29
  - WW/Chatham 1D-1 Const. Mtg 7/29
  - Non-Resident Taxpayer Mtg
  - FY20 Q4 Billing
  - Harwich Sewer Contracts Owner's Mtg 7/7
  - Contract 1 PS Facades Mtg w/CDM 7/16
  - Sewer Modeling Kickoff Mtg w/GHD 7/23
  - GHD Flows for Modeling Mtg 7/28
  - Pleasant Bay Watershed Work Group 7/30



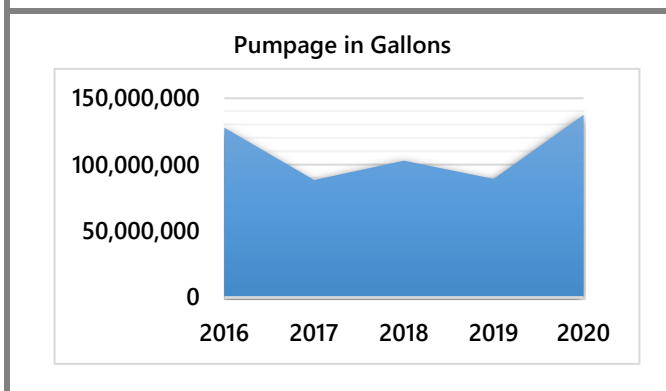
**Monthly Pumping Change**  
**19.18%**

**YTD Pumping Change**  
**25.96%**

**Water Samples Taken**  
**62**



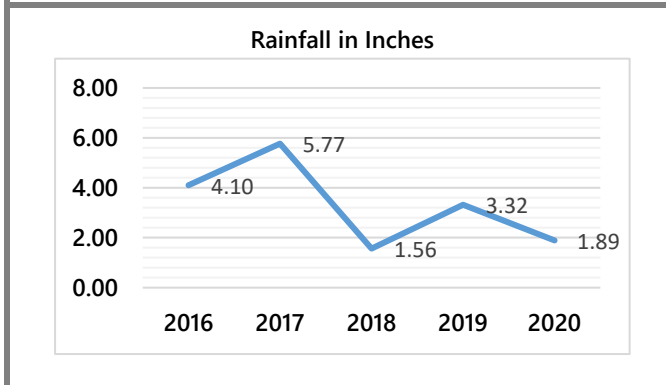
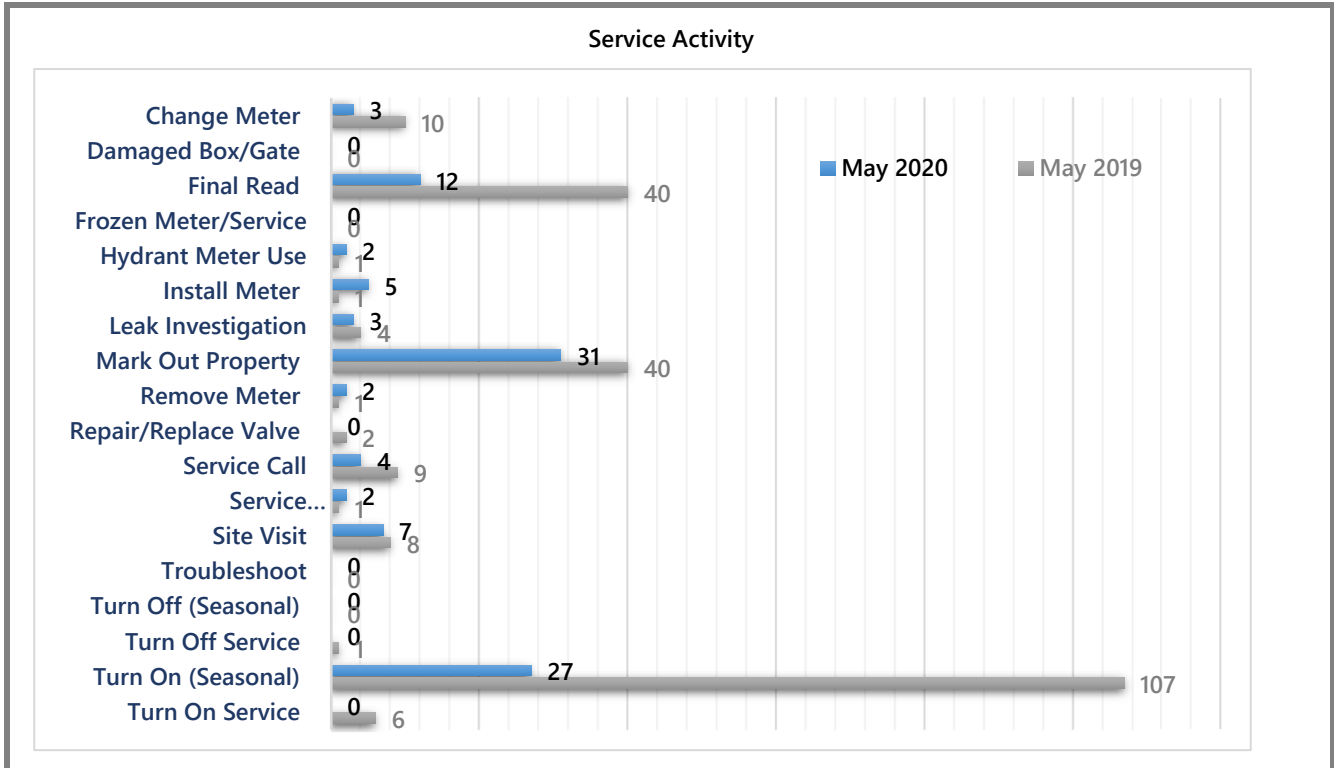
- ### Calendar Activity
- WW Customer Appts (5)
  - BOWC Meeting 6/12
  - Weekly WW Meetings
  - Meter Reading 6/19, 6/22, 6/24-6/25
  - WW Meeting 6/19
  - Staff Vacation Use
  - Harwich Sewer Contracts Owner's Mtg 6/2
  - RBO/RJV Mtg 6/2
  - Bay Rd Progress Mtg 6/16
  - DHY/JP Call 6/17
  - Dept Head Checkin Mtg 6/17
  - DHY Mtg; Language Issue 6/18
  - Cold Brook Update Mtg 6/10
  - HWD/Wright-Pierce Mtg 6/23
  - GHD Sewer Contract Mtg 6/24
  - Mtg w/JP RE Vacant Position 6/24
  - Mtg w/CDM RE Final Paving 6/29



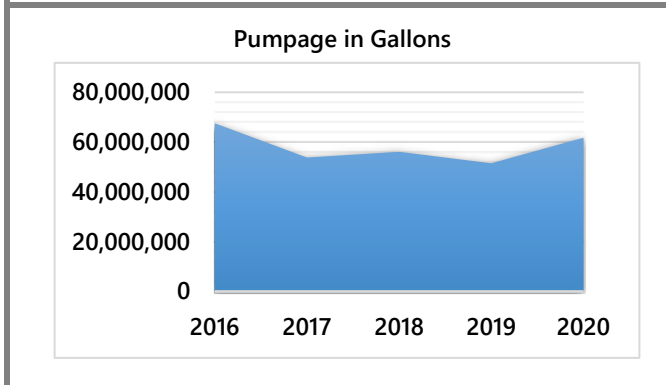
Monthly Pumping Change  
**122.94%**

YTD Pumping Change  
**28.72%**

Water Samples Taken  
**53**



- ### Calendar Activity
- COVID/Check In-Out Dept Head Mtgs
  - COVID/Alt Remote/All Ops 5/1-5/8
  - COVID/Return/All Ops 5/11
  - Weekly Wastewater Meetings
  - WW Customer Appts (2)
  - BOWC Meeting 5/22
  - Pleasant Bay Water Use Data Mtg 5/11
  - Chatham-Harwich Water Main Interconn. Mtg 5/14
  - Pleasant Bay Watershed Work Group 5/21
  - Cold Brook Design Mtg w/Ford/Mass.gov 5/8



HARWICH WATER DEPARTMENT DROUGHT ACTION LEVEL RESPONSES		
ACTION LEVEL	RESPONSE	FREQUENCY OF IMPLEMENTING
<b>NORMAL</b>	NORMAL WATERING CONDITIONS	
<b>ADVISORY</b>	VOLUNTARY WATER RESTRICTIONS ODD/EVEN DAYS	X
<b>WATCH</b>	MANDATORY: ODD/EVEN LAWN WATER & OFF-PEAK HOURS	
<b>WARNING</b>	MANDATORY: 2 DAY PER WEEK OUTDOOR USE & OFF-PEAK HOURS	
<b>EMERGENCY</b>	MANDATORY: BAN ON ALL NON- ESSENTIAL OUTDOOR WATER USE	

Monthly Pumping Change  
**99.68%**

YTD Pumping Change  
**28.75%**

Water Samples Taken  
**62**