

SELECTMEN'S MEETING AGENDA\*

Donn B. Griffin Room, Town Hall  
732 Main Street, Harwich, MA  
Regular Meeting 6:30 P.M.  
Monday, September 28, 2020

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

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

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

<https://global.gotomeeting.com/join/700351341>

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

United States: +1 (408) 650-3123

Access Code: 700-351-341

I. **CALL TO ORDER**

II. **PLEDGE OF ALLEGIANCE**

III. **WEEKLY BRIEFING**

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

IV. **PUBLIC COMMENTS/ANNOUNCEMENTS**

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

- A. Discussion and possible vote on the proposed fee structure change for the Fitness Room at the Community Center

VI. **CONSENT AGENDA**

- A. Vote to accept the resignation from Stephen S. Root from the Waterways Committee

VII. **NEW BUSINESS**

- A. Affirm the contract for the Finance Director/Town Accountant
- B. Affirm the contract for the Chief of Police
- C. Vote to approve Board of Selectmen Minutes for November 4, 2019
- D. Vote to approve – Common Victuallers License – 3 Monkeys Street Bar -554 Route 28, Harwich Port
- E. Recap and debrief on 2020 Annual Town Meeting that was held on Saturday, September 26, 2020
- F. Discussion on Fiscal Year 2022 Annual Town Meeting calendar
- G. Appoint Ed McManus – Cape Cod Water Protection Collaborative

VIII. **CONTRACTS**

- A. Discussion and possible vote on a Chapter 90 Project Request – Cracksealing Various Roads – DPW \$152,060

IX. **TOWN ADMINISTRATOR'S REPORT**

- A. Departmental Reports

X. **SELECTMEN'S REPORT**

XI. **ADJOURNMENT**

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

Authorized Posting Officer:

\_\_\_\_\_  
Danielle Delaney

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

Date: \_\_\_\_\_  
September 24, 2020

**PUBLIC HEARINGS**

**PRESENTATIONS**

**HARWICH BOARD OF SELECTMEN  
NOTICE OF PUBLIC MEETING**

**COMMUNITY CENTER FITNESS ROOM FEES  
Monday, September 28, 2020**

The Harwich Board of Selectmen will hold a Public Meeting on Monday, September 28, 2020, no earlier than 6:30 P.M. during their regularly scheduled meeting. This Hearing will be held by remote participation for the purpose of reviewing the proposed change to the fee structure for the Fitness Room at the Community Center. The proposed change will be as follows; Annual memberships for 2020-2021 will not be offered. In place of that, monthly memberships will be offered at a rate of \$15 per month. The total cost will not exceed the original rate for an annual membership which is \$150. All members of the public having an interest in this topic are cordially invited to attend via dial in number. Dial in information will be posted on the meeting Agenda that is located on the Town website.

HARWICH BOARD OF SELECTMEN

The Cape Cod Chronicle  
September 10, 2020

August 27, 2020

Hi Joe,

I am writing to consult with you as to whether an item need to be brought before the Board of Selectmen or if you can approve the following change during COVID-19.

The item concerns member payments for the Fitness Room here at the Community Center. Annual members from the 2019-2020 fiscal year will have a credit applied to their accounts for the months that they were unable to utilize our facilities, and I would like to avoid having to issue another round of credits if the fitness center is forced to shut down once again due to the ever-changing COVID-19 regulations. For this reason, I am suggesting that it would be best that we do not offer annual memberships for the 2020-2021 year. Instead, I would like to offer monthly memberships at a rate of \$15.00 per month. This number (\$15.00) was reached by dividing the normal annual rate of \$150 by the 10 months that are left in this fiscal year (2020-2021). The 15 dollars per month would be the only fee charged during this fiscal year. By making this change, our members will be able to access the Fitness Room at the same cost as an annual membership, without the risk of having to issue refunds or credits should access to the Fitness Room be limited once again.

We are hoping to implement the changes as soon as possible, so your assistance on these matters is greatly appreciated.

Regards,

**Carolyn Carey**  
Director, Harwich Community Center  
100 Oak Street  
Harwich, MA 02645  
508-430-7568  
[ccarey@town.harwich.ma.us](mailto:ccarey@town.harwich.ma.us)

DRAFT

August 2020

Dear Fitness Room Participant,

As everyone is aware the Fitness Room at the Harwich Community Center has been closed in accordance with Massachusetts COVID-19 policies and procedures, in conjunction with orders from the Town of Harwich Administration and Board of Health. The Community Center Staff has greatly missed seeing all the great folks who are wonderful members of the Fitness Center family. Everyone looks forward to the day that people are free to work out in the building again. To prepare for the reopening we have been addressing the health and safety challenges that face the Fitness Center. Some of the issues we have tackled have been the adjustment of the physical space to meet the required social distancing regulations, assuring proper staffing and meeting sanitation requirements. The goal of this correspondence is to share information about many of these items.

The Fitness Center will be opening on a Monday through Friday schedule at this time, with day-time hours only. Also, due to the fact that regulations are still in an ever-changing state, the Fitness Room is beginning with monthly memberships only. These memberships will be sold at the rate of \$15.00 per month. People who had yearly or seasonal memberships in FY 19-20 will be issued a credit toward the purchase of the new membership based on their specific past membership. The fitness equipment has been spaced out within the room to assist with the requirement of a 14' social distance between people working out. Additionally, some equipment has been removed and other equipment has been relocated to other parts of the Community Center to facilitate the 14' rule. The opening of the Fitness Room will allow for six (6) people to work out by appointment during each of the five (5) sessions that will be offered Monday through Friday. Those wishing to participate must speak to

Community Center Staff to reserve their times slot. No reservations can be made by email or voice message. Fitness session time slots will be offered at 6am, 8am, 10am, 12pm, and 2pm, and will last for 1.5 hours each. Participants may only sign up for sessions five days in advance of the desired time slot. Please note that the locker rooms will not be open at this time and participants must exit the building immediately at the conclusion of their workout session. This will allow for staff to disinfect the room prior to the next scheduled workout session. Participants must show ID each time they enter the Facility, they must wear masks, and are required to thoroughly disinfect any equipment they use.

Monday	Tuesday	Wednesday	Thursday	Friday
6am – 7:30am	6am – 7:30am	6am – 7:30am	6am – 7:30am	6am – 7:30am
8am – 9:30am	8am – 9:30am	8am – 9:30am	8am – 9:30am	8am – 9:30am
10am – 11:30am	10am – 11:30am	10am – 11:30am	10am – 11:30am	10am – 11:30am
12pm – 1:30pm	12pm – 1:30pm	12pm – 1:30pm	12pm – 1:30pm	12pm – 1:30pm
2pm – 3:30pm	2pm – 3:30pm	2pm – 3:30pm	2pm – 3:30pm	2pm – 3:30pm

With the implementation of these COVID-19 requirements, each person wishing to participate will be required to sign an agreement to the policies and procedures that are newly established. In depth policies are available at the Community Center front desk if you would like to review them prior to making your individual decision. I realize that it will not feel like, or be like, the old times for a bit, and I understand if these regulations are not something that everyone will want to comply with, causing some people to hold off on coming back at this time. In that case please keep watching the Harwich Community Center’s web site for any changes and developments as they occur. The Fitness Room will continue to progress and evolve as the Covid-19 situation changes.

Regards,

Carolyn Carey  
 Director, Harwich Community Center

# Phased Weight Room Re-opening

DRAFT

## Weight Room Re-Opening Plan

- Limit to 6 people in the Weight Room at a time
- Weight room attendees will maintain a social distance of 6' at all times in the facility
- Members will be limited to one, 1.5 hour session in a day, and will have to sign up for their time slot in advance. (ex. 6AM-7:30AM, 8AM-9:30AM)
  - Staff will keep a daily record of all members who have signed up, and a contact phone number
- There will be a half hour gap in between each session in which staff will disinfect all equipment
- Weight Room members must wear a face mask, and will be instructed to wipe down machines after each use
- Weight Room members will be required to provide photo ID & Weight Room scan-in card when they sign in for their session.
- Members with 1.5 hour reservations are not allowed to loiter in other rooms in the community Center other than the fitness room.
- Locker Rooms will remain closed and no showering is allowed. Members may only use single person restroom facilities.
- All members will sign and agree to new policy/regulations when requesting new fiscal year memberships
- An "entrance" only door and "exit" only door system will be utilized for the weight room.
- The facility water bubbler may be used with the hands free method that fills a container only. Drinking from the water bubbler is NOT allowed
- No person will attend the weight room if they are feeling ill
- This policy will be advertised on Facebook, CH. 18, local papers, as well as via email and Robo calls to all fiscal year '19-'20 members

## Rules will be put in place to avoid abuse of the sign-up process

- Yearly, Seasonal and Monthly Weight Room members can only sign up to attend a sessions every other day
  - (Example: They cannot sign up for "6AM-7:30AM session on Monday, Tuesday, Wednesday, Thursday, Friday." However, they can sign up for "6AM-7:30AM session on Monday, Wednesday, & Friday.")
- Yearly, Seasonal and Monthly Members can only sign up for sessions five days in advance of their desired workout time (weekend days, although not workout days, are included in the count)
  - (Example: They cannot sign up for "Every Monday for the next three weeks," or "Every Monday for the next two months.")
- Reservation may only be made during the Community Center hours of operation. No reservation are accepted via voicemail.

- Staff will keep a daily wait list in the event of a member cancelling their session. Weight Room members can call in on any day of operation to add their name to the wait list, or check on cancelled sessions.
- Daily Passes will only be issued on the day of workout.
- Members' 1.5 hour sessions will not be prorated. If they sign up for the 6AM-7:30AM time slot, they can show up at any time during their 6AM-7:30AM session, but they cannot stay past the 7:30AM time limit. Any missed time can't be carried over to a future time slot.
- Members with reservations schedule are strongly urged to call the Community Center if they are unable to attend a scheduled session to allow a person on the waiting list to be called.



## TERMS OF THE FITNESS ROOM USAGE

The Harwich Community Center Fitness Room reopening is contingent upon strict adherence to the Guidance and directives from the Centers for Disease Control and Prevention (CDC) and the Massachusetts Department of Public Health (DPH) related to COVID-19.

Please carefully read all the terms listed below:

- Only monthly Memberships are currently available for purchase
- Only 6 people are allowed to sign up per work out session
- Hours of operation are Monday through Friday, from 6am to 3:30pm. Five workout sessions are available per day. (6am - 7:30am, 8am - 9:30am, 10am - 11:30am, 12pm - 1:30pm, 2pm -3:30pm)
- Members are limited to one, 1.5hr, pre-scheduled session, every other day
- Participants will exit the building immediately at the conclusion of the allotted session they have signed up for
- Members must sign up for work out session by speaking to Community Center Staff. Members can only sign up for sessions five days in advance of desired slot ( weekend days, although not workout days, are included in the count).
- Members can call to check on last minute availability of workout sessions
- Fitness Room attendees must maintain a social distance of 14' while working out and 6' at other times.
- Masks are required in the Harwich Community Center
- Participants will show ID upon entering the Community Center and allow Staff to scan in their membership card.
- Participants will thoroughly wipe down equipment immediately after using it
- Locker rooms will remain closed. Only single person bathrooms will be used. NO SHOWERS
- All participants will only enter using the door near the scanner and exit only through the door near the coat rack
- Only one member can sign up to work out in the small cardio room per time slot and that person will not be allowed to migrate to the larger Fitness Room or the Game Room
- The water bubbler will be used as a container fill up station only
- No person will attend the Fitness Room if they are feeling ill
- No credits or refunds will be issued if the facility is required to shut down

I have read, and agree to abide by all of the terms listed regarding utilization of the Harwich Community Center Fitness Room and understand that if I violate any of the listed policies my membership maybe revoked.

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Printed name

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Signature

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Date

# **CONSENT AGENDA**

Stephen S Root

September 8, 2020

TO: Harwich Town Clerk

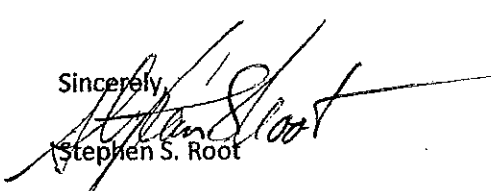
This Letter will serve as my resignation from the Harwich Waterways Committee. I have served on the committee since 2005 and feel it is time to move aside for others to get involved. I have enjoyed my time on the committee, especially with Matt Hart serving as committee chair and John Rendon as Harbormaster

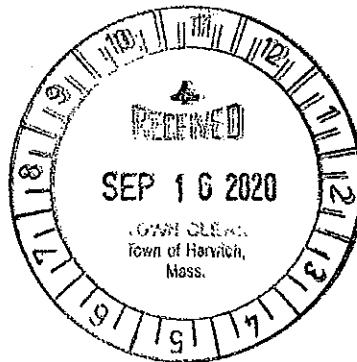
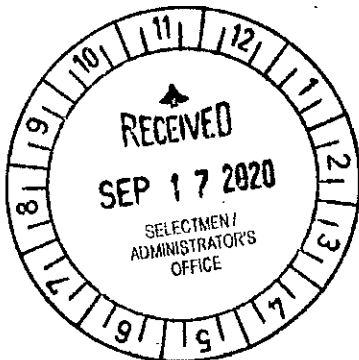
Matt has led the committee through some very significant projects over the last few years. He encouraged members of the committee to participate as we tackled each project. We generally had a quorum at each meeting. That's rare for a volunteer committee. Very professional and a real asset to the town. He will be missed.

John Rendon is doing an outstanding job as Harbormaster. He, along with his competent staff(especially Michelle), run a very effective and efficient operation. The town is fortunate to have John. The Sacquatucket Harbor project would not have turned out as well without John's overall management of the project. His 21 years of leadership in the Coast Guard is evident everyday.

I thank the town for giving me the opportunity to serve on the committee.

Sincerely,

  
Stephen S. Root



# **NEW BUSINESS**

**MINUTES**  
**SELECTMEN'S MEETING**  
**GRIFFIN MEETING ROOM**  
**Monday, November 4, 2019**  
**6:30 P.M.**

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

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

**CALL TO ORDER**

Mr. Ballantine opened the meeting at 6:30 pm, and called to order the Board of Selectmen. He explained he first called the meeting to order at 6:00 pm for an Executive Session, in which they discussed the potential agreement with non-union personnel and voted. They will discuss that a little later in the meeting. They also approved and released the Executive Session Minutes from March 5, 2018, March 19, 2018, July 23, 2018, August 6, 2018, and August 20, 2018. As well as, the Executive Session Minutes for June 11, 2018.

**WEEKLY BRIEFING**

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

Mr. Christopher Clark, Town Administrator, provided an update, from Robert B. Our Company, on the Sewer. The one week look ahead, for this week, has the Mainline Sewer Crew # 1 continuing on route 39, from West Spence's Trace, and that has detours. For Sewer Crew #2, they will continue on Route 137, also with a detour. These will continue through November 11<sup>th</sup> - 15<sup>th</sup> and the same for November 18<sup>th</sup> - 22<sup>nd</sup>. They are detouring those, and hopefully the detour signs are a little better. They had received some feedback, and tried to make those improvements.

The second topic is from a note he received this evening and he would like to thank the DPW personnel for the work at the Harwich Elementary School. Mr. Rick Travers, Facilities Director, Harwich Elementary School, wrote a

letter of praise to Mr. Lincoln Hooper, Director of DPW and his crew for the work at the school.

- B. Ms. Carolyn Carey, Director of the Community Center, reminded everyone that they have until November 15<sup>th</sup> to drop off anything for Cape Cod Cares for Our Troops, and that is in the front lobby. The list of what they are looking for is on the website, if anyone needs it. Ms. Carey also said for anybody that did not know, the Community Center was the place to be on Halloween. They were overflowing. They had more than doubled the number of children they normally see. She wanted to thank the community, as this was all made possible by donations from everyone around us.
  
- C. Ms. Mary Maslowski, member of the Planning Board said that she was there representing the Planning Board, in the absence of Charleen Greenhalgh, Town Planner. She wanted her to make sure that everyone knew that the Cape Cod Commission Public Hearing has been continued for the West Harwich District of Critical Planning Concern. It will be held before the full commission on Thursday, November 14<sup>th</sup> at 3:00 pm, in the East Wing Conference Room of the old jail building, located at 3195 Main Street in Barnstable. Anyone who would like to attend the remainder of the meeting is welcome.

## **PUBLIC COMMENTS/ANNOUNCEMENTS**

- A. Mr. Scott Carpenter, Superintendent, Monomoy Regional School District, said that just prior to this meeting the school committee met to discuss one of the items on the agenda regarding the applicants status for Harwich Elementary School and the CPC grant application. In short, they had voted to have the School District to be the applicant and to invite the Board of Selectmen to participate in it. Mr. Ballentine said they will get into more detail later on.

## **CONSENT AGENDA**

- A. Minutes:
  - 1. May 20, 2019 Regular Session

Mr. Ford moved to approve the minutes for the May 20, 2019 Regular Session. Seconded by Mr. Howell. All in favor, motion carried by unanimous vote.

- B. Vote to approve the recommendation of the Town Administrator for the appointment of Lisa Tanco Schwab to the position of Assessing Administrative Assistant.

Mr. Howell stated that they had gotten into a new process over the last year, and said that when they get these things, the Charter has two different thresholds. They have a 4/5<sup>th</sup> vote to object a nomination for lower level employees, and there is a requirement that they have a 3/5<sup>th</sup> vote or more to confirm a department head. They had arrived at an understanding that the confidential packet would have the finalists, but they would not release the information, it would just be for their edification. That has not happened, so he will not be voting for this. He said that he does not object to her, she looks impressive, but he just wants to reiterate that he expects to see the information as to the other candidates. There is no way to dispose of their duties, unless they know who applied; as opposed to whom they will be confirming the recommendation.

Mr. Ballentine said that is a valid point, and he has made the same point himself. Mr. Ballentine asked Mr. Clark to bring them up to speed on the interview committee. Mr. Clark said that they had 45 applicants and the only one presented to him was the one here. Based upon the interviews, it would seem that they did not think anyone else had risen to the level to be considered a finalist.

Mr. Howell said that this is the reason he mentions this, because it showed that there were five finalists. Mr. Clarke responded that there were five people interviewed.

Mr. Powers added that there were 45 applicants that were deemed qualified. They had received over 80 applications. It took quite some time to parse through those. There was an initial round of five interviews; which himself the Assessing Director and the Finance Director felt merited interviews. They were going to do a follow-up with one individual, but then were notified that the person had taken a position elsewhere. They went back and reviewed the applications and additional applications they received. The Assessing Director and Finance Director conducted at least four additional interviews, one of which is the candidate whose name is presented. Mr. Powers added that he takes the words offered and will include it in the process going forward. However, the Administrator is correct that they really did not deem any of the other individuals to be qualified as a finalist.

Mr. Clark recommended that they vote on this because they have been short staffed.

Mr. Howell said that he is not going to vote against it, he is going to abstain. He said this is more as a statement for the future, because there is no way for them to know what they are doing intelligently, unless they have a finalist in front of them.

Mr. Ford moved to accept the recommendation from the Town Administrator to the appointment of Lisa Tanco Schwab to the position of Assessing Administrative Assistant. Seconded by Mr. McManus.

Mr. McManus added that this is a position appointed by the Town Administrator, and if he only interviewed one person there is only one finalist.

The screening committee is there to narrow down the people and if they only record one and that is the only finalist. He does not feel it is in their purview to delve back into the pack of resumes that were turned in. Mr. Ballentine said that they will continue the discussion.

Motion carried 3-0-1, with Mr. Howell abstaining.

## **NEW BUSINESS**

### **A. Annual Meetings with the Board:**

#### **1. Board of Health**

Ms. Pamela Howell, R.N., Chairman of the Board of Health, thanked the Board of Selectmen for the opportunity to meet tonight and to Mr. Ballantine for being such a steady presence at their meetings. During this past year, all of their members have been sworn in and taken their state ethics course. Except for a couple of absences by one member, who has since resigned, there have been no recurring absences and the meetings have been posted and advertised in accordance with the open meeting law. Also, meeting minutes have been voted on and are available online, and a hard copy can be found at the Health Department. Ms. Howell said that 2019 had been a challenging year for the Board of Health, on many fronts. Looking back to May, the Board of Health voted, at the recommendation



the Recreation and Youth Department, on regulations prohibiting smoking at workplaces and public places. This included a ban on smoking on Town owned beaches and recreation areas, and other town operated properties.

Also, after many conversations concerning the transition of East Harwich to the Municipal sewerage, the Board of Health took several actions. The first is that they voted to impose a no permit fee for sewer connections. The Board of Health also issued its first waiver to allow a substandard septic system to remain in use until the connection of the sewers had been made. They have continued with request applications, but there are many factors to consider. They were approached by high school students to consider adding a flavor ban to the tobacco sales regulations. After six months of discussions among the Board and tobacco retailers, a regulation update restricting flavored tobacco products to adults only retail stores, was adopted. This includes candy-flavored as well as mint, menthol and wintergreen. Updated tobacco sale regulations also include a limit on the number of tobacco retail stores in town, as well as, any new retail stores permitted after the regulations were adopted, now have to comply with a 500-foot setback from schools and a 500-foot setback from other tobacco retailers. Finally, the Board of Health adopted regulations banning the sales of flavored vaping products in Harwich. This came a week before Governor Baker declared a public health emergency in September and issued a temporary vaping product ban statewide. This action banned the sale of all vaping products and devices for a four-month period to allow some time for the CDC to study the vaping associated lung injuries. They also voted to raise the legal purchase age for tobacco products from 18 to 21 years old. This would cover sales to anyone in the town of Harwich.

Ms. Howell continued with other stats from 2019. She said that they had 19 properties which requested variances from the Title V, eight subdivisions were reviewed, three environmental impact reports were reviewed, three properties requested re-consideration of previous orders of conditions, public beach request sampling variances and show cause hearings were held, three properties requested extensions on septic upgrades, one food service establishment requested amendments on conditions, a discussion was held regarding allowing dogs at outside spaces of restaurants, and a waiver was requested to use failed septic system until sewer available.

Ms. Howell added that she would like to thank the other board members; Matthew Cushing, MD, Ron Dowgiallo, DMD, Sharon Pleger, MS and

their newest member Matt Antoine. She also said that they give thanks to the former Vice Chairman Frank Boyle and former Board of Health member, Cynthia Bayerl, for their time and energy while they served. She also recognized the efforts of the Health Department staff.

Mr. Ballantine said that the Board of Health, as a regulatory committee, make decisions that are not always loved by the applicants.

A committee of this type is critical. They need to treat applicants respectfully, hear their input, have a good discussion, resolve the situation and do so within state regulations, with our own bylaws, and have that come out, so it is understood. He said that Ms. Howell and the committee do that very well.

Mr. McManus had a question on the smoking ban on Town beaches. It stated just recreation areas and other town operated properties, but for the public to know, if you are on a Town beach and it is prohibited on the beach it is also prohibited in the parking lots? That is Town owned property. Ms. Howell replied that she believes so. Mr. McManus asked if the regulations specifically outlined that, and stated that perhaps it should.

Mr. McManus also had a question on the sewers and the fact that it is permissible to place a sewer line closer to a waterline, if it is double lined. He asked if that is a decision that the Board of Health makes or the staff. Ms. Howell replied that it is a decision of the staff.

## 2. Board of Appeals

Mr. David Ryer, Chair, Board of Appeals reported that they currently have eight members of the board. A full complement is at five, so they have three alternates. They can have two additional alternates, but frankly eight is enough, since they let everybody participate in the hearings. Due to having the eight they have been able to have a full board of five members for every meeting this year. Members are sworn in and up-to-date with ethics training. For 2019, through their September meeting, they have 37 applications, 29 special permits are granted, seven variances are granted and five cases for both a special permit and a variance were granted. Those were for sewer pumping stations that needed a special permit for the building and use variance for the pumping itself. They had one request to overturn the decision of the Building Commissioner. That request was

denied by the board, and the Building Commissioner's decision was upheld. Not included were five cases from the October meeting that now have concluded. They had four special permits and one variance at that meeting, all were granted.

Mr. Ballentine said he had a general question on the number of actions that they have taken, and asked if they are pretty steady year to year? Mr. Ryer said he thinks it is pretty steady. He said a lot of homes are older, so they see a lot of people trying to redo them, or tear down, and this year they had no 40-B.

### 3. Real Estate and Open Space

Ms. Elaine Shovlin, Chair, Real Estate and Open Space Committee, reported that they have one vacancy on their committee, which they are taking an active role in trying to recruit someone for. They have excellent attendance for all of their meetings. All Committee Members have satisfied their Conflict of Interest Training and have all been sworn in by the Town Clerk. All agendas and minutes have been filed and posted, as they should be.

The Committee has made recommendations to the Affordable Housing Trust, regarding properties that may be suitable for affordable housing development. The Real Estate and Open Space Committee has made the commitment to attend Affordable Housing Trust meetings as often as possible and work closely with Affordable Housing Trust to provide affordable housing in Harwich.

The Real Estate and Open Space Committee has co-sponsored two CPA requests for funds. These were for Deacon's Folly Road, which was co-sponsored with the Conservation Commission and Affordable Housing Trust, and Cherokee Road, which was co-sponsored with the Conservation Commission.

The Real Estate and Open Space Committee has presented a list of properties to the Board of Selectmen which were recommended as priorities for Conservation, Housing and Water quality protection. These properties include, Town owned, tax lien, and owners unknown. The Committee continues to review, evaluate and visit properties for the purpose of making informed recommendations to the Board. The

Committee appreciates the support of Art Bodin, Housing Chair, Amy Usowski, Conservation Agent, Charleen Greenhalgh, Town Planner and Michael Lach, Harwich Conservation Trust. They also appreciate their liaison, Mr. Howell, who has been very helpful to them. Ms. Shovlin also would like to recognize Katherine Green who served for five years as Chair of their committee and was very supportive and generous with her time.

Mr. Ballantine said their committee is a very hard working committee.

#### 4. Housing Authority

Mr. John Stewart, Executive Director, Housing Authority, commented that they have the report in their packet so he will touch on a few things that are not in there. Some of the capital projects that they are doing include, the last of the windows in their family housing, they have had to replace a septic system in their Long Pond units, and they are looking at doing some re-siding at the group home on Depot Road West. The state has launched their online application system, called the CHAMP, which has everything online, including the wait list.

Mr. Howell said, in general, when they are getting the reports, it is from the Committee Member, not the Executive Director. He added that it would be good to have them present next year.

Mr. McManus commented that the Housing Authority is missing a board member, and asked if that is an elected position. Mr. Stewart said that it is an elected position, and added if anyone is interested.

Mr. Howell clarified that it is not just anyone, they would need to hold an interlocking meeting to actually appoint someone. Mr. Ballantine asked for an outline of the process in case someone listening is interested, as far as being nominated and being elected as a board member.

Mr. Stewart said first someone needs to show interest, and typically they go to several of their meetings. They would then meet with the Board of Selectmen and the subcommittee, and have a joint meeting and then they are either appointed or not. Mr. McManus said the other way is when papers for election are out, they could take out nomination papers.

B. Vote to approve the Administrator's recommendation to grant permission to NSTAR to install 1 40' Fully Owned (FO) pole labeled 1/29-5 on side of town road in Oak Street, Harwich

Mr. Ballantine commented that this will help the solar activity at the golf course, so it will benefit the town.

Mr. McManus moved to approve the Administrator's recommendation to grant permission to NSTAR to install 1 40' Fully Owned (FO) pole labeled 1/29-5 on side of town road in Oak Street, Harwich. Seconded by Mr. Howell. All in favor, motion carried by unanimous vote.

C. Declaration of Selectmen's Holiday's - Discussion and potential vote

Mr. Clark explained that he is recommending that the Selectmen consider declaring the following days as half-day Selectmen holidays. This year Christmas falls on a Wednesday, therefore he would suggest having Tuesday, December 24, 2019 as a half-day Selectmen holiday. Also, New Year's Day falls on a Wednesday, and he would suggest Tuesday, December 31, 2019 to be designated a half-day Selectmen holiday. Town Hall would close at 12Noon on those days.

Mr. Clark continued that based upon discussions with the Chair, Administration will attempt to have short agendas for the following Board of Selectmen meetings; November 25, 2019, December 2, 2019 and December 23, 2019. This is due to limited days to prepare the agenda. Based on comments from the Chair, there will be no Board of Selectmen's meeting on December 30, 2019, as it is the practice of the Board to not meet between holidays.

Mr. McManus moved to approve at the Town Administrator's recommendation on the holidays and the designation of the meetings during the holiday season. Seconded by Mr. Ford. All in favor, motion carried by unanimous vote.

D. Vote to approve the appointment of Stephen Duffy to the Harwich Accessibility Rights Committee as a full member – term to expire 6/30/21

Mr. Howell explained the reason it is being done this way. He had not participated in the interview but had told Mr. MacAskill to go ahead and do it. It was not adequately posted, which needs to be discussed for the future. He has no objection to this, and if Mr. MacAskill was present, he was sure he would have spoken in favor of it.

Mr. McManus moved to approve the appointment of Stephen Duffy to the Harwich Accessibility Rights Committee as a full member – term to expire 6/30/21. Seconded by Mr. Howell. All in favor, motion carried by unanimous vote.

E. Vote to approve Winter Boat Storage License Agreements with Allen Harbor Marine Service, Inc., Harwich Port Boatyard, Inc. and portions of Saquatucket Harbor

Mr. John Rendon, Harbormaster, explained that before them is a request to approve a three-year License Agreement for winter boat storage, at Saquatucket Harbor. He had been in front of the board, a month or so ago, asking permission to submit a public notice to solicit interested firms, or parties, who were interested in leasing property at Saquatucket for winter boat storage. As the Board of Selectmen know, they have had a long history of providing a license with Allen Harbor Marine Service, which used to be over at Allen Harbor facility. Once it went over to a public access facility and the agreement with the State, they had to move it to Saquatucket Harbor. Their license expired in May, of this year, and so they put out another solicitation. They expanded to two areas; one is the area of the former Downey property, and the other area will be at the west parking lot of Saquatucket Harbor. In the packet is the bid form which was submitted, along with the site map. It was based upon square footage. They had two bids, one from Allen Harbor Marine Services, for Area A, and one from Harwich Port Boatyard, for area B. Each bid on a separate parcel.

Mr. McManus moved to approve granting the license for Winter Boat Storage with Allen Harbor Marine Service, Inc., Harwich Port Boatyard, Inc. and portions of Saquatucket Harbor. Seconded by Mr. Ford

Mr. Ballantine made mention that legal had made a comment, that they wanted a way out after one year. Mr. Rendon confirmed that it is an option for a way out after one year. Mr. Howell added an explanation for himself, because the license agreements are fine, as far as they go, but he has expressed this before,

when they had extensive discussions about whether to compete with local boat storage yards. So he is not going to vote for this, but not because there is anything wrong with the format.

Motion passed 3-0-1, with Mr. Howell abstaining.

F. Amend for Community Preservation Committee (CPC) Funds for the Harwich Community Playground Board of Selectmen to be applicant and Monomoy Regional School District as co-applicant – Discussion and possible vote

Mr. Clark said that the application was by the Harwich Elementary School Parent Teacher Organization (PTO) and technically the property is owned by the Town of Harwich. It is leased to Monomoy Regional School District and they do have an agreement that outlines that arrangement.

Mr. Clark appreciated that the Community Preservation Committee (CPC) brought this to his attention and that in order for an applicant to have a project like this, it really should be the Board of Selectmen. They need to have signed off and have Monomoy as a co-applicant. The role of the PTO is important, as well. Before the Board tonight is an amendment to the application, which was submitted to the CPC, to include the Board of Selectmen as the applicant. As Mr. Carpenter indicated in the beginning, Monomoy Regional School District would be the co-applicant and then the PTO would be able to continue with the project. The presentation is tomorrow night to the CPC to request funding, this will enable us to be before the CPC in a more legally appropriate manner.

Mr. David Nixon, Chairman of the CPC, asked to clarify that the School Board is going to be the co-applicant. The next thing he would mention that the PTO has no standing in this. The Town of Harwich is the applicant, therefore, the project manager should be from the Town of Harwich, as he understands it. His recommendation to the Board of Selectmen would be to have the Town Administrator, or the Assistant Town Administrator, be the project manager.

Mr. Clark said that under procurement law, they are required to have someone qualified to do that, and the Town has two people in the organization with the credentials to be a project manager. The first would be the Town Engineer, Griffin Ryder and the other would be Sean Libby, Facilities Manager. Mr. Libby has run projects before and it would make sense for him to run it. The

threshold by state law is \$1 million, where this is under that, they have some discretion. The ultimate goal is to get it approved by the CPC. Mr. Clark suggested that if they are going to move forward, Mr. Libby could handle it and be able to work closely with the PTO.

Mr. Nixon asked to confirm if Mr. Libby would be available to do the presentation tomorrow evening. Mr. Libby is currently away and not available for tomorrow. Mr. Ballantine asked if they needed to vote on this tonight, which was confirmed because of the presentation tomorrow.

Mr. Howell said that one thing that comes to mind, is the lease agreement. The Town is indemnified by the liability policy of the school, which holds sole liability on the Elementary School and the property. What happens with turning it over, is there a legal opinion on this? He stated that the Town has never been an applicant.

Mr. Nixon said he did ask for a legal opinion, and he is waiting for that. The conversation continued about how to proceed and if a delegation could be made or the schedule for the presentation changed.

Mr. Carpenter said that he wanted to read to the Board the full motion that the School Committee made just prior to this meeting. It was moved that the Harwich Elementary PTO request the Monomoy Regional School Committee to be co-applicant with the Board of Selectmen for the new playground at Harwich Elementary School and to maintain the current Community Playground Committee, and Justin Tavano is the project manager for the CPC Act Funding Application for the Harwich Community Playground Committee at the Harwich Elementary School. It was voted by the committee unanimously. If the presenter has to be someone from Harwich, Mr. Tavano is a Harwich residence and he has been shepherding this project, and is well prepared to do the presentation.

Mr. Clark said going to the intent of the law, for some projects, you have to have a Construction Supervisor License, or be a PE. Mr. Libby has that and he will be back. Mr. Clark suggested that he join Mr. Tavano to do the presentation tomorrow, and then be able to turn it over to Mr. Libby.

Mr. Carpenter shared that Chatham is about a year ahead with the same project. There the PTO went to the CPC to look at replacing the playground at Chatham Elementary School, with the school as the applicant. The facilities



director has largely been the person working through the construction of the playground with the contractor. He does not want things to be held up with semantics and he wants the kids to have playground. He thinks they have a very qualified person to make the presentation to CPC.

Mr. Howell reiterated that Mr. Tavano is not an employee of the Town of Harwich, or the school system. The project manager would need to be an employee.

Mr. Ford asked how the Chatham project is being funded. Mr. Carpenter said it is being funded very similar to this one. Mr. Ford said he asked because the playground, once built, is under the control the school, certainly during school hours. So, a person who lives in the town, cannot use it during those times. It would not surprise him if people asked why it is not more on the plate of the school district. Mr. Clark said, that question has come up already, and it was posed to Attorney Giorgio, about restricting use and if it affected funding through CPC. He did not think that was an issue.

Ms. Janell Brown requested that they look at the values and the control of the playground, looking back to when the school committee was able to shut down the playground. She asked if the lease agreement had any type of verbiage that says that the Town actually has jurisdiction over non-school hours, and that the school committee does not have the ability to shut it down again or dictate the use for the general public.

Mr. Clark responded that based on the Intermunicipal Agreement (IMA), that was signed in December by both parties (Monomoy Regional and the Board of Selectmen), there were two things, one went to improve the grounds and structures and specifically says Castle in the Clouds, so both entities knew that they were contemplating doing that. In terms of the use, it states that Monomoy shall have peaceful and quiet use of the fields, on the Harwich sides, exclusively during school hours for student use. Harwich shall not schedule use on the fields during school hours. So the implied, outside of school hours, is the jurisdiction of the Recreation Commission. Ms. Brown said that the School Committee then, did not have the right to shut it down. Something to think about.

Mr. Justin Tavano, currently listed as the project manager for the playground, said that he had a conversation with Mr. Nixon last week. Mr. Nixon questioned the validity of the PTO as the applicant. Also, part of the

conversation was, if there was to be a transfer of the applicant potentially to the Board of Selectmen, with school district as co-applicant, regardless of when the transfer took place, he was told that he would still be the person presenting. So Mr. Tavano said he is just looking for some clarification and why he might not be the presenter.

Mr. Clark said that he has acted on behalf of the Board of Selectmen on different applications before. So, he could be present to represent the Board of Selectmen and then introduce Mr. Tavano as the person to present and explain the project. Mr. Tavano will be the primary presenter and he will represent the applicant. Mr. Ballentine confirmed that is the plan.

Ms. Tina Games, Chair of the Monomoy Regional School Committee said that her understanding was that they were joining as the co-applicant, but it does not sound like they are going to have any say. Mr. Ballentine said legally they need to be the applicant, and asked for the support from the school.

Mr. McManus clarified that because it is their property they need to be the applicant, but it is the School Committee's project. They have had no interaction on design or decisions, but they will continue to advise if there is a change to be made.

Ms. Games said that the Playground Committee has worked very hard and there is a whole educational component to this and she does not want that to get lost in the procurement process. Mr. Ford said that it has not, and they are all trying to facilitate this.

Mr. Howell said that if this were at the high school, with funding, they would have the right. However, this is town property and going through the CPC and whatever they voted, it has to be considered as a leased property and looking for funding.

Mr. Nixon said that he is trying to follow the guidelines and asked to confirm that the Town of Harwich will do the procurement process and be the applicant.

Mr. Dan Tworek, Town of Harwich resident, said he had a question on the CPC application process. He asked if the Board of Selectmen would be acting on their own application. Mr. Ballantine responded that they act to support it,

but they do not act on it. CPC articles go directly to Town Meeting. Mr. Tworek said that he was concerned about perception. Mr. Ballantine said they do not have that authority.

Ms. Brown spoke again, saying that she thinks the town should re-think this, the number and control of the application, to not give that much control to the school. Mr. Ballantine said the control is an interesting question that he would not touch, but through the procurement process they will look at the cost.

Ms. Noreen Donahue, asked if, when they get to Town Meeting, someone would come in with a completed bid. Mr. Ballantine confirmed yes. Mr. McManus said that once the project is approved and funded, they would like to see it go up as quick as possible.

Mr. Ford moved that, contingent on getting legal advice, they move forward with the application to the Community Preservation Committee (CPC) the applicant being the Town/Board of Selectmen for the new playground at the Elementary School. Seconded by Mr. McManus. Motion carried 3-0-1, with Mr. Howell abstaining.

Mr. Hugh Drummond asked if they were going to vote tonight on the money. Mr. Ballantine said that they are only voting on starting the process. Mr. Ford said that this just gets it started and to the CPC to be discussed.

G. Joint meeting: Board of Selectmen, Capital Outlay Committee and Finance Committee (Budget Calendar)

Mr. Clark explained that when the Board laid out their budget timeline, they had put in an opportunity for an early look and they have a joint meeting with Monomoy, Cape Tech, Finance Committee and Capital Outlay to discuss the following issues: 1. The state of the Town/Board of Selectmen budget message. 2. Monomoy and Cape Tech to talk about their initial budget and enrollments, and 3. Finance Committee talk about its priorities on the capital budget request.

Mr. Clark said that he is prepared to speak tonight on the capital budget, as the Capital Outlay Committee Chairman is not present tonight. Then just the outlook for 2020. Mr. Clark suggested turning it over to the two superintendents for their initial overviews.

Mr. Robert Sanborn, Superintendent, Cape Cod Regional Technical High School began by announcing that on Thursday, Nov 7<sup>th</sup> they will be entertaining all 7<sup>th</sup> and 8<sup>th</sup> graders at their Tech Night from 5:30 pm to 8:00 pm, so they can check out the facility. So anyone with a 7<sup>th</sup> or 8<sup>th</sup> grader, please come on over the Cape Cod Tech. He also noted that this will be the last year in the old building.

Mr. Sanborn said he was told to give a look ahead and also a little bit on enrollment. Their enrollment has been declining for several years, until this year. He is happy to say that they are up 47 students at the Tech, for the first year in many years. He can't say the same for the Town of Harwich. Harwich had 77 students in 2016 and 2017 at the Tech and 67 in 2018. For 2019, which is the October 1<sup>st</sup> enrollment that serves the FY21 budget, is down to 58 students.

From a financial standpoint, for the Town of Harwich, the budget this year is going to have a depression on the cost for the new school in FY21, because that is done on an enrollment percentage. This is only about a 6% budget, which is not where they will end up. This is just preliminary and he sees them coming in around the 2% to 3% increase range. The Town of Harwich in the last two years went from 13% of their enrollment, to 11% last year, and now it is about 9.4%. Those percentages will be used as a factor towards the loan at the new facility, which is a 20-year level principle, which means it is the declining amortization schedule given steady enrollment. So, the assessment for the enrollment percentage would have been less this coming year, because of the level principle 20 years at 3.3%.

Looking at FY20, they had done some small short-term borrowing of about \$7 million. They ultimately borrowed \$75 million in total, and as a part of that paid-off the short-term borrowing, which went into an assessment of \$910,000 last year for the new building. Of that, \$895,000 was for the debt and the \$15,000 was the short term interest on the borrowing they did. He sees the payment going down, just because of the amortization schedule and then the declining enrollment and the enrollment percentage. All factors lead to a lower percentage, but what that will look like he is not quite sure. It will be measurably lower for FY20, and that is for the cost of the school.

In October of this year, they reached the anniversary of the vote of the 12 towns to build the new facility. They broke ground in January, the steel was finished in May, and they hope to be moving in in June.

With regard to the operating budget, he sees that coming to the 2% to 3% range, when all is said and done, they are trying to accommodate 47 more students. Most of that can be done with current funding, but they will also have some unknowns, and moving to a new building with some ironing out through the budget process. He does not see that assessment increasing for FY21, primarily because of the dropping enrollment for the Town of Harwich.

Mr. Howell just wanted to make mention that he would still like to see Jimmy Marceline's name on a field, or on the entrance of the building, just something because they would not be there if it wasn't for him. Mr. Sanborn agreed that Cape Cod Tech would not be there without Jimmy Marceline, but he has a board to deal with as well, and there are some things being discussed, but nothing he can promise.

Mr. McManus asked about the disposition of the concrete when they go to tear down the old building, and how the high school was used to build the fishing reefs, and there are a lot more reefs permitted out there. Mr. Sanborn said that they have looked at that.

Mr. Sanborn also announced that they will be having Skills USA and a crafts fair this weekend at the school. There is plenty of parking, and coming will support the students and Skills USA.

Mr. Carpenter said there was some good news for Monomoy, they just finished this past week their New England Association of Schools and Colleges (NEASC) accreditation. It was the same accreditation at Harwich High School that brought Monomoy together. The chair of the organization gave quite a glowing verbal assessment and they all commented on the facility they have at Monomoy Regional High School for the children. They were referring to all of those involved in the building project and the upkeep of the building as rock stars.

Following that, about two weeks ago, they held a meeting formally closing out the Monomoy Regional High School Building Committee, and the last little piece of funding was discussed. That project happened on time, but also \$8 million under what the tax payers and the two towns voted on. So, his hope is, as they talk about playgrounds and such, that they remember not every project goes over budget and it was really thanks to the stewardship.

Also, the State goes through and does an accountability rating of school districts and our district has the highest accountability rating of K-12 districts on Cape Cod. Monomoy has the highest accountability rating of Middle Schools on Cape Cod and our Harwich Elementary School is one of the highest rated Elementary Schools on Cape Cod. Also, the High School has seen dramatic improvements in its accountability rating. From that perspective, the School District is doing well. The accountability rating looks at a broad range of variables, including everything from testing scores to student attendance. The state used to just look at MCAS scores, but not necessarily graduation rates. It now looks at the whole picture for students' long term success. The school district can be proud of their improvements over the past couple of years.

In terms of enrollment, the numbers are up this year. The enrollment for Harwich is up three students, but down 25 students in Chatham. Mr. Carpenter also shared the three year rolling averages when it comes to foundation enrollment. This is the number of students in Harwich or Chatham that attend other schools, other than the Tech, such as charter schools or another school district. That number over the last ten years, FY13 - FY21 has almost shifted over 4% toward Harwich, from Chatham. This is a good problem to have, as it shows that there are still young families. Chatham is looking at initiatives to keep young families there. In Harwich, if we look over the last 10 years, we are seeing a slight decline, but not at the rate that Chatham is seeing. Looking into FY21 there is a rather large blip on that enrollment percentage, because it is based on a three-year average. So from FY20 to FY21 we are seeing a .9% shift in the foundation enrollment. Transportation is the next item and that is based on actual students sitting in seats over the year. We have seen a .5% increase in this number. He anticipates seeing a slight increase in the overall assessment towards Harwich that will be a little higher than what will happen towards Chatham.

Mr. Howell asked what the all in is for kids that can be enrolled at Monomoy Regional High School. Mr. Carpenter said that the high school was built for 700. When they first built the high school they recognized the need to manage the number of school choice coming in at younger ages, so they did not get over populated in the high school. The high school right now is at 640 and they anticipate another 35 students there next year. Over the course of the next several years, it will tick up to the 700, but then they will look for it to tick down. The cohort in 7<sup>th</sup> grade, which is the biggest at 184 students, will come up to the high school next year, with 124 students graduating, and that will continue to happen over the next few years.

Mr. Clark reported on the Capital Outlay, which he worked on with the Capital Outlay Committee. The document which is dated October 28<sup>th</sup>, is an overview of the spending plan. He said that he will just run through some of the larger elements. For FY21 under Administration, they do not have any requests. He was hoping if there was sufficient money to do the sidewalk on Route 28, but there was not sufficient money, so that will be moved to 2022. For the Affordable Housing Trust there is \$550,000 and the funding source would be from the CPC, so that is a request before them tomorrow night. Deacons Folly land acquisition is \$1.2 million, theoretically half of that will be open space and half of it will be housing. It is still a work in process.

The cemetery has some projects in the works, and one aspect is that they are applying for a grant to do some work at Island Pond Arboretum. The Community Center has no projects for FY21. Conservation has no projects for FY21. Engineering has what is called MS4, which is taking certain drainage areas throughout the community that go into certain ponds and other water features, and making some improvements to take out some contaminants that go into the municipal drainage plan. That can be done on a per unit basis, so the request is for \$100,000, but to meet funding constraints they will try to get that down to \$50,000. It is about \$5,000 per unit. The crossing lights at Depot Road is a CPC request. For Facility Maintenance at DPW; He does recommend funding for the Brooks Free Library Roof of \$148,500, under free cash.

These are his recommendations. The column for the Selectmen is still waiting to be filled in, once they have a full review. The ADA has a request for a grant to be submitted for \$350,000. If the grant was to be obtained, Matt Hart has been doing a lot of work on this, and that money can be used can be used for an ADA review that they have done on different town buildings.

Replacement of the transfer station scale decking is needed and is indicated as a higher priority, at a cost of \$55,000. The Cultural Center had a generator that was anticipated to cost about \$70,000, but the intent is to take that off the plan and use the generator from Station 2, which will save that money. On other items for FY21, the Fire Department has taken a few things off as well, such as lockers. They do have an ambulance replacement, which will be \$378,000 and will be funded through free cash. They also have an air pack replacement, which will be a grant program for \$380,000. The Chief last year had put in a request for a pumper and a ladder which was about \$2 million, but he has instead decided departmentally to buy what is called a quint, which is a pumper and a ladder combined and will be \$1.1 million. We do not have exclusive funds for this, so the administration's recommendation is

for it to be funded by a debt exclusion. The golf department has various projects, all of which is funded through their improvement funds or their golf budget. Mr. Clark noted that one thing he found interesting is that Mr. Roman Greer, Golf Director, is contemplating working with the golf committee to add an additional three holes for a practice and putting course.

Mr. Clark continued that the Harbormaster has projects in outer years, so he does not need to refer to that. The Library also has outer year projects, and Natural Resources does as well. Police only has their Taser replacement, which is in the final year of a five-year lease arrangement. Public works has their road maintenance program which has been a long-standing program. This was not funded last year by the voters, so it was not approved, but historically they have done it for \$700,000 under debt exclusion and would pay off within five years, which is tax neutral. Chapter 90, which is a gas tax money and comes back to the town, is about \$700,000. So about \$1.4 million is allocated from that.

In regards to vehicles, Mr. Hooper sought to have three vehicles replaced. The first would be \$175,000 for the six wheel dump truck- there are insufficient funds, so that was not recommended. The Ford E250 van would be \$35,000, which is being contemplated, and the catch basin cleaner for \$215,000 is also being contemplated. Youth and Recreation has three programs, all of which have funding being sought through the CPC- the Brooks Memorial Field fencing project, Sand Pond revitalization and White House Field lighting improvements. The Town Clerk has a few in the outer years. For Wastewater, the number submitted is the formal request to do Phase III. The DHY obligation is \$1.5 million in FY21 and \$8.4 million is a contemplative amount for Phase II, contract three. Both of those would have to be done as debt exclusion. Water has new source exploration of about \$250,000 that would come from water revenues. The total request that came in was \$18.4 million, with about \$4 million of that being CPC related funding requests, and nearly \$10 million is wastewater.

On the last page he broke out where free cash would be about \$866,000. The Community Preservation number would need to be adjusted, based on how the committee votes. Debt exclusion would be about \$11.7 million, grants \$873,000, golf funds just under \$200,000, chapter 90 is \$700,000, and \$250 for water enterprise funds with operating budget of about \$50. The other two items he has are free cash of about \$1.4 million, which is the \$866,000 he just alluded to on the capital and they allocated \$400,000 for snow and ice. There is no additional funding for op-ed and no funding for stabilization. The Cultural Center subsidy, which they have had for six years, was decreased from \$125 down to \$100, because they are making more



money. Chamber of Commerce they traditionally fund \$30,000, the Library \$20,000, Cultural Council \$3,600 and \$15,000 for small capital, and unpaid about \$10,000. So, it is recommended that the \$1.4 million be allocated this way.

Community Preservation has \$3 million available, and they have it broken into buckets which the money goes in. For instance Housing has about \$500,000 in the Housing bucket, and the requests are only \$120,000, so even if they funded all their requests they would still have reserves and money available in that account. The reason for putting this out there is the request total was almost \$4 million and there is only \$3 million there. For those that are not familiar, the CPC is tax money that is dedicated for specific purposes such as, recreation activities in the community, open space, historic and affordable housing.

Mr. Ballantine asked about the CPC and if this includes the debt payment, if there is additional money coming in, and whether that goes to debt payment. Mr. Clark said yes, there is \$530,000 for the debt payment. The land bank debt, will be paid off in 2024.

Mr. Howell said that other towns have looked at the CPC on a level of funding, and what the percentage is from the Town versus the State, in an effort to try to get some of the borrowed amount to the wastewater projects. He said that at some point in time they should have some discussions. Yarmouth by contrast, in their scenarios, said that they do not expect it to have a negligible effect on their tax rate.

Mr. Ballentine said that they will have a series of meetings going forward to discuss this more, in greater detail. This is a preliminary discussion to set the stage. As far as the Board of Selectmen goes, they are trying to operate the Town, but have great concerns over the money being spent. They have asked to minimize by a 2% ballpark the commitments that have been made, but they are having serious discussions on those. They will be looking at capital outlay, because \$18 million is nothing to laugh about. He hopes that they will have a lot of participation from town residents.

## **CONTRACTS**

- A. Vote to Approve - Champion Salt LLC – FY 20 road salt contract in the amount of \$107,780.00

Mr. Powers first explained that both items A and B we're presented last week and they were waiting on the return of signed copies from the vendors.

For this one, he spoke with the DPW Director earlier today, despite the suggestions from the vendor, the Road Salt Contract has not been returned yet. It was expected today and he would ask the indulgence of the Board, if they were to award the contract and once it arrives it can be circulated for signatures. Mr. Powers explained that it is not the fault of staff, they just do not have the original on hand yet from the vendor. The contract has been reviewed by the Finance Director and she has confirmed funding, so when it arrives, they do expect her signature without question.

Mr. Ballantine asked if there was any issue with waiting a week, till they have the contract. Mr. Powers said that would be ok to do.

Mr. McManus asked what the purpose is for waiting. Mr. Howell said the point is we are signing it, and he would like to see what they are signing.

Mr. Powers said that they received a scanned copy, but not the original, and he confirmed that it would not matter to wait a week on this one.

**B. Award of Allen Harbor Jetty Project Contract — GEI Consulting - \$57,000.00**

Mr. Powers explained that they did submit an original signed contract, for this one, but not before the Finance Director left to go on vacation. However, the Finance Director had reviewed and signed a copy of this. He would ask that the Board award the contract and when the Finance Director is back tomorrow, they will get her signature. This is so the Harbormaster can proceed.

Mr. Ballantine asked the members of the board, but thinks that it would be good move this forward. This was discussed last week and everything is now in place. Mr. Powers confirmed it has been vetted by staff and vetted by an insurance carrier and by counsel.

Mr. Ford moved that they approve the Allen Harbor Jetty Project Contract — GEI Consulting - \$57,000.00. Seconded by Mr. Ballantine.

Mr. McManus said that he has not received a good reason why they need original signatures, but they should remain consistent. Mr. Howell also added that he will vote on this tonight, but would like to see the related documents in their packet in the future.

All in favor, motion carried by unanimous vote.

C. Approval of Funds - FEMA-4097-DR-MA Hurricane Sandy - \$46,865.49

Mr. Powers said that retired Deputy Police Chief Tom Gagnon received notification, about two weeks ago, from MEMA that a FEMA reimbursement had been rewarded to the town for 75% of the costs from Hurricane Sandy. It has been vetted, and they have confirmed everything. It is his recommendation that the Board have a motion to accept the reward of the FEMA reimbursement funds totaling \$46,865.49, and further to authorize the Chair to sign the appropriate and necessary paperwork to access said funds, which is the State's standard contract form and their back-up materials.

Mr. Howell moved to accept the reward of the FEMA reimbursement funds totaling \$46,865.49, and further to authorize the Chair to sign the appropriate and necessary paperwork to access said funds. Seconded by Mr. Ford. All in favor, motion carried by unanimous vote.

## **TOWN ADMINISTRATOR'S REPORTS**

A. RJV Construction Contract

Mr. Clark reported that he was asked to do some research on this and they do not have the material ready to go for tonight. They did do a letter, after the Board had approved it. The way the process works is that they need to send an authorization for an acknowledgment showing that there is an intent to award. Then the contractor will sign the necessary paperwork, and get the necessary bonds. So that is in process.

B. MRSC votes related to the playground / Demolition

Mr. Clark reported that they discussed this relative to the playground, and the demolition. He was asked provide verification that Monomoy had done that, which they had, and that is included in the packet.

C. Noise Bylaw

Mr. Clark said that he was asked to do a little research under the noise bylaw, as to where the 150 feet came from. They are in the process of putting a request in to the town attorney, to get some material for background on that.

#### D. Chief Procurement Officer

Mr. Clark reported that he did go through the process and was recertified as Procurement Officer.

#### E. Budget Discussion

Mr. Clark said that the budget discussion is online and he had done some regional elements as well. So, those two pieces are online under the Accountant section of the town website.

#### F. Town Administrator Statement

Mr. Clark read a statement to announce that he will not seek reappointment as Town Administrator. He will continue to be on a leave of absence through the end of his contract date, of June 30<sup>th</sup>.

Mr. Ballantine thanked Mr. Clark and added that they will take this time to reassess where they are going and get ready for the upcoming year.

### **SELECTMEN'S REPORT**

Mr. Howell said that he appreciated Mr. Clark's sentiment. He also made note that the Cultural Center on Sunday had an event to raise money for the Children's Center, and as usual, it was a great event. Both Ms. Carolyn Carey, Director and Ms. Erica Strzepek, Program Aide, for the Cultural Center, did a terrific job.

Mr. Ford said that he wanted Mr. Clark to know how much they appreciated how he handled this and his contribution to the Town.

Mr. McManus agreed with Mr. Ford and thanked Mr. Clark for all that he has done for the Town over the years, and the way he has approached where they are right now. Mr. McManus also added an announcement for a concert that is going to be held at Monomoy Regional High School on Thursday, November 21<sup>st</sup> at 7:30 PM. It is a concert called Child's Play, and the name refers to a nonprofit organization that Robert Childs formed to support students going into the field of instrument

making, specifically violins. These concerts have been held over the last 10 years and this is his final tour. It will raise funds for Childs Play, as well as for the Harwich Cranberry Festival Scholarship Program.

## **ADJOURNMENT**

Mr. Howell moved that they adjourn at 8:50 pm. Seconded by Mr. Ford. All in favor, motion carried by unanimous vote.

Respectfully submitted,

Lisa Schwab  
Administrative Assistant



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

**APPLICATION FOR COMMON VICTUALLERS LICENSE**

Fee: \$50    New application X    Annual         # of seats 74  
 Renewal         Seasonal X    Opening date 4/19/20

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

Business Name 3 Monkeys    Phone 774-722-2833

Doing Business As (d/b/a) 3 Monkeys And 10 YEN Harwich Port

Business Address 554 Route 28 Harwich Port, MA 02646

Mailing Address "    "

Email Address 10YENHarwichPort@gmail.com

Name of Owner Michael Jacek / Tony Gullotti / Michael Strangfeld (See Below)

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

Mike Strangfeld  
 Signature of applicant & title    Federal I.D. #

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

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

**REGULATORY COMPLIANCE FORM**

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

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

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

# **CONTRACTS**



# TOWN OF HARWICH

## DEPARTMENT OF PUBLIC WORKS


273 Queen Anne Road • P.O. Box 1543 • Harwich, MA 02645

Telephone (508) 430-7555

Fax (508) 430-7598

### MEMORANDUM

**TO:** Board of Selectmen

**FROM:** Lincoln S. Hooper, Director 

**DATE:** September 10, 2020

**RE:** Chapter 90 Project Request – Cracksealing Various Locations

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Attached for your review and signatures is a Chapter 90 Project Request for cracksealing various locations in the amount of \$152,060. Currently, we have \$1,252,222 available in uncommitted Chapter 90 funds, which includes our FY 21 apportionment of \$678,322. The work will take place under a County Cracksealing bid and be performed by Indus Inc. (formerly Sealcoating, Inc.).

Please sign all three copies of the Project Request form and return them to me so that I may submit them for State approval. If you have any questions regarding this project, please contact me.

Thank you for your consideration.

Cc: Joe Powers, Interim Town Administrator









## ROADS TO BE CRACKSEALED

NAME	ESTIMATED GALLONS	PRICE PER GALLON	AMOUNT
Pleasant Lake Ave	1,190	\$11.15	\$ 13,268.50
Long Pond Drive	1,307	\$11.15	\$ 14,573.05
Fairways Drive	179	\$11.15	\$ 1,995.85
Eagle Lane	49	\$11.15	\$ 546.35
Putting Green Lane	89	\$11.15	\$ 992.35
Briarwood Close	116	\$11.15	\$ 1,293.40
Betty's Lane	173	\$11.15	\$ 1,928.95
Wisdom Way	147	\$11.15	\$ 1,639.05
Whip-O-Will	104	\$11.15	\$ 1,159.60
Harwood Ave.	212	\$11.15	\$ 2,363.80
Cranwood Road	73	\$11.15	\$ 813.95
Wildwood Ave.	73	\$11.15	\$ 813.95
Woody Glen Road	81	\$11.15	\$ 903.15
Witchwood Lane	185	\$11.15	\$ 2,062.75
Crestview Drive	106	\$11.15	\$ 1,181.90
Monument Way	89	\$11.15	\$ 992.35
Lexington Drive	67	\$11.15	\$ 747.05
Concord Drive	83	\$11.15	\$ 925.45
Weston Woods Road	70	\$11.15	\$ 780.50
Williams Way	96	\$11.15	\$ 1,070.40
Park Street	210	\$11.15	\$ 2,341.50
Mabel Canto Way	130	\$11.15	\$ 1,449.50
Drum Lane	67	\$11.15	\$ 747.05
Meadow Lane	73	\$11.15	\$ 813.95
Woodbine Lane	67	\$11.15	\$ 747.05
Windjammer Road	109	\$11.15	\$ 1,215.35
Old Colony Road	203	\$11.15	\$ 2,263.45
Green Lane	207	\$11.15	\$ 2,308.05
Oak Leaf Circle	141	\$11.15	\$ 1,572.15
Red Pine Drive	314	\$11.15	\$ 3,501.10
Sandy Shore Way	150	\$11.15	\$ 1,672.50
Lakeview Drive	311	\$11.15	\$ 3,467.65
Hillcrest Drive	467	\$11.15	\$ 5,207.05
Cranhaven Circle	122	\$11.15	\$ 1,360.30
Eldridge Pond Road	122	\$11.15	\$ 1,360.30
Acorn Drive	227	\$11.15	\$ 2,531.05
Teaberry Ave.	173	\$11.15	\$ 1,928.95
Fernwood Circle	371	\$11.15	\$ 4,136.65

<b>NAME</b>	<b>ESTIMATED GALLONS</b>	<b>PRICE PER GALLON</b>	<b>AMOUNT</b>
Russell Drive	182	\$11.15	\$ 2,029.30
Abigail Lane	220	\$11.15	\$ 2,453.00
Hope Lane	126	\$11.15	\$ 1,404.90
Tracy Lane	98	\$11.15	\$ 1,092.70
Parellel Street	530	\$11.15	\$ 5,909.50
Pepper Lane	73	\$11.15	\$ 813.95
Frances Road	139	\$11.15	\$ 1,549.85
Ryder Road	538	\$11.15	\$ 5,998.70
Marie Lane	93	\$11.15	\$ 1,036.95
Denise Lane	128	\$11.15	\$ 1,427.20
Kendall Lane	107	\$11.15	\$ 1,193.05
Rose Lane	142	\$11.15	\$ 1,583.30
Juniper Lane	151	\$11.15	\$ 1,683.65
Oak Street	373	\$11.15	\$ 4,158.95
Keldan Way	59	\$11.15	\$ 657.85
Old Ivy Drive	64	\$11.15	\$ 713.60
Cottonwood Road	752	\$11.15	\$ 8,384.80
Buttonwood Road	333	\$11.15	\$ 3,712.95
Cedardale Road	200	\$11.15	\$ 2,230.00
Lakewood Drive	296	\$11.15	\$ 3,300.40
Forsythina Drive	147	\$11.15	\$ 1,639.05
3rd Street	178	\$11.15	\$ 1,984.70
4th Street	71	\$11.15	\$ 791.65
7th Street	104	\$11.15	\$ 1,159.60
Pleasant Valley Road	89	\$11.15	\$ 992.35
Aspen Road	59	\$11.15	\$ 657.85
Old Pine Drive	74	\$11.15	\$ 825.10
<b>TOTAL</b>	<b>13,279</b>	<b>\$148,060.85</b>	<b>\$ 148,060.85</b>

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



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

Amy Bullock  
Treasurer / Collector

Nancy Knepper  
Assistant Treasurer/Collector

**Monthly Report to the Board of Selectmen**

**August 2020**

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

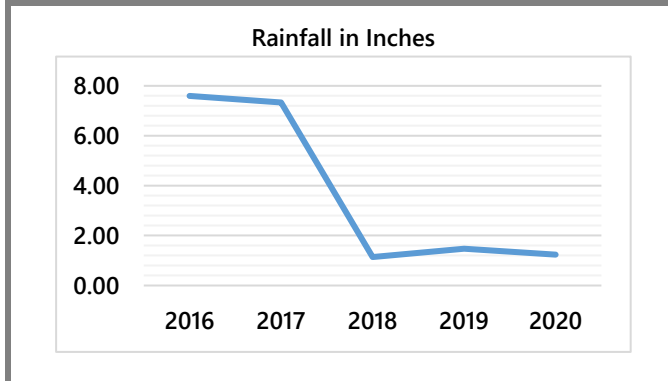
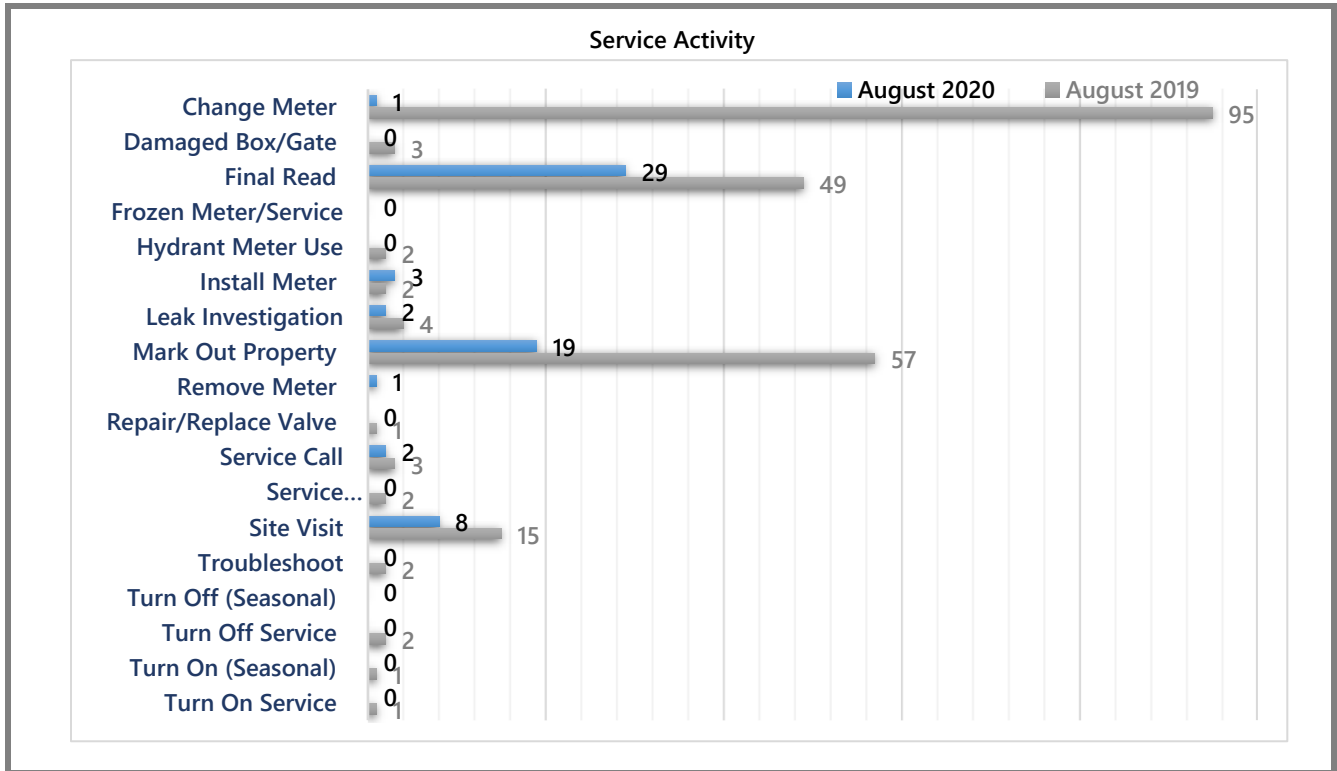
**Collections**

	FY 2021	FY 2020
Tax/Water net Collections:	\$3,738,949.33	\$4,176,007.48
Departmental turnovers:	\$1,651,499.38	\$1,571,459.19
<b>Total:</b>	<b>\$5,390,448.71</b>	<b>\$5,747,466.67</b>

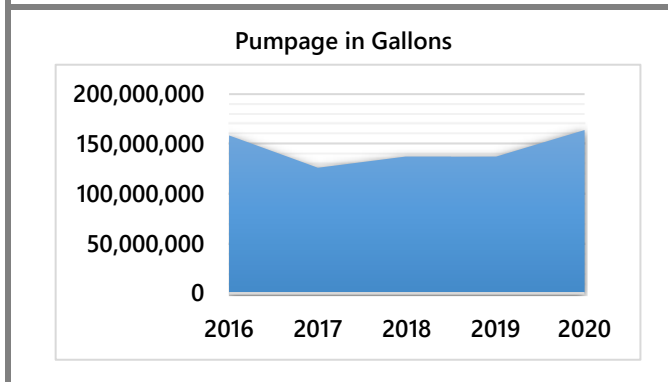
**Disbursements**

	FY 2021	FY 2020
Accounts Payable	\$3,094,590.57	\$2,937,697.08
Payroll	\$1,556,076.58	\$2,102,924.38
<b>Total:</b>	<b>\$4,650,667.15</b>	<b>\$5,040,621.46</b>

Respectfully submitted,  
Amy Bullock  
Treasurer/Collector



- ### Calendar Activity
- Crossover Project HWD
  - BOWC change to BOWWC
  - BOWWC Chair Mtgs; 8/3, 8/17, 8/26
  - WW Mtgs-Weekly; 8/4
  - P.Lake Tank Mtg w/Biszko 8/5
  - Cold Brook Mtg 8/5
  - DHY Mtg 8/6
  - GHD Modeling Review 8/7
  - DP/CSL Renewal Class 8/13-8/14
  - Mtg w/JP & BOWWC Chair 8/11
  - WW/P2C1 Progress Mtg 8/11
  - WW/P2C2 Progress Mtg 8/11
  - BOWWC Mtgs 8/12, 8/28
  - Seasonal Workers last week; 8/17-8/21
  - N&M Excavating Mtg 8/20
  - HWD Meters Mtg 8/20
  - John Chorey Mtg 8/24
  - P.Lake Tank Mtg w/GHD 8/25
  - WW/P2C1 Pavement Adj/Mtg 8/25
  - WW GHD Mtg 8/26
  - Pleasant Bay Alliance Mtg 8/27
  - TCM SE End User Training 8/28



**Monthly Pumping Change**  
**0.02%**

**YTD Pumping Change**  
**24.26%**

**Water Samples Taken**  
**72**