

SELECTMEN'S MEETING AGENDA*

Donn B. Griffin Room, Town Hall

732 Main Street, Harwich, MA

Executive Session 6:15 P.M.

Regular Meeting 6:30 P.M.

Tuesday, April 16, 2019

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

I. CALL TO ORDER

II. EXECUTIVE SESSION – Approval of Executive Session Minutes:

1. 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 - Cornelius Pond Conservation Restriction **(3/04/19)**

2. Pursuant to M.G.L. c.30A, §21(3) to conduct strategy sessions with respect to collective bargaining if an open meeting may have a detrimental effect on the bargaining position of the public body and the Chair so declares – Manager's Union Contract **(4/01/19)**

III. 3. Pursuant to M.G.L. c. 30A, § 21(a)(2) to conduct strategy sessions in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions or contract negotiations with non-union personnel – Assistant Town Administrator position **(4/08/19)**

IV. PLEDGE OF ALLEGIANCE

V. WEEKLY BRIEFING

VI. PUBLIC COMMENTS/ANNOUNCEMENTS

VII. CONSENT AGENDA

A. Minutes:

1. March 11, 2019 Regular Session
2. March 18, 2019 Regular Session
3. Executive Session Minutes – March 4, 2019
4. Executive Session Minutes – April 1, 2019
5. Executive Session Minutes – April 8, 2019

B. Approve one-day Wine and Malt License for April 27, 2019 for Cranberry Festival event

C. Approve series of one-day Wine and Malt Licenses for Cranberry Festival events

D. Approve 2019 Junk Dealer License Renewals – contingent on receipt of renewal application

E. Accept the resignation of Meghan Mahieu as an alternate member of the Board of Appeals

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

A. Report and Recommendation of the Ad Hoc Harwich Port Parking Committee

IX. NEW BUSINESS

A. Approval of the hire of Nicholas Donnelly as Tractor Trailer Driver per the request of the DPW Director effective April 22, 2019

X. CONTRACTS

XI. OLD BUSINESS

A. Assistant Collector/Treasurer Regrade

B. Confirmation of the appointment of Griffin Ryder as Town Engineer

C. Confirmation of the appointment of Patricia Macura as Executive Assistant to the Town Administrator

- D. Hawksnest Road Improvements – Information for Public Hearing
- E. Petition Article #54 / Plastic Bottle Ban - additional information

XII. TOWN ADMINISTRATOR'S REPORTS

- A. Retiree Health Insurance Regulation 2018 – Amended 2019
- B. Safe Routes to School Application
- C. Department Reports

XIII. SELECTMEN'S REPORT

XIV. ADJOURNMENT

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

Authorized Posting Officer:

Sandra Robinson, Admin. Secretary

Posted by: _____
Town Clerk

Date: _____
April 11, 2019

**MINUTES
SELECTMEN'S MEETING
GRIFFIN ROOM, TOWN HALL
MONDAY, MARCH 11, 2019
6:30 P.M.**

SELECTMEN PRESENT: Ballantine, Howell, Kavanagh, MacAskill, McManus

OTHERS PRESENT: Town Administrator Christopher Clark, Carolyn Carey, Emily Mitchell, Robert Fratus, Liz Dubuque, and others.

WEEKLY BRIEFING

Ms. Carey described upcoming events at the Cultural Center. Ms. Mitchell updated the Board and the public on the COA Transportation Policy. Ms. Hewitt described upcoming programs at the Library.

CONSENT AGENDA

- A. Approve Renewal of Auto Class IV License for All Out Performance

Mr. McManus moved approval of the Consent Agenda. Mr. Howell seconded the motion and the motion carried by a unanimous vote.

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

- A. Public Hearing – Application for a Seasonal, Common Victualler, All Alcoholic Beverages License by Capeside Kitchen Inc. d/b/a Capeside Kitchen, 537 Route 28, Harwich Port – Glen Jamieson, Manager.

Mr. McManus read the hearing notice into record and Chairman Kavanagh opened the hearing. Mr. Jamieson said there was a demand for Bloody Marys and Mimosas and they don't intend to open a full bar. Mr. Ballantine questioned having liquor when you don't have dinner. Susan Cartmell, Pastor of Pilgrim Church, spoke against granting the license and submitted a letter indicating that this license would run cross purposes with their mission and be incompatible with the programs they offer. Alice Driftmeyer, Chairman of the church trustees, read from Massachusetts General Law regarding granting liquor licenses within 500 feet of a church. Dick Smith, church member, asked what hours they are seeking and Mr. Jamieson said they are open to suggestions. Mr. Howell suggested getting a legal opinion on what hours they can or can't consider. Mr. Clark said he would bring it up with Town Counsel tomorrow. Mr. McManus noted that The Port is within 500 feet of the church and he doesn't believe that it has affected the mission of the church. Mr. Ballantine moved to continue to a date certain and continue the hearing until March 18th. Mr. Howell seconded the motion and the motion carried by a unanimous vote.

NEW BUSINESS

A. Request for attention to town roads – Robert Fratus

Mr. Fratus and Ms. Dubuque provided an overview of the request as follows:

I have been working on improving Hawksnest Road to meet with the Minimum Requirements of Access. The road has been widened. I am now wondering if the Town would install a layer of T-base (ground up asphalt). The Town is now getting large quantities of T-Base from all of the utility work on Town roads. I asked the gentleman that is running those construction jobs if I could get some of the T-base but he said he is required to give it to the Town. I believe you could direct him to deliver it to Hawksnest Road and the Town could spread it when they come out to grade the road. I believe they have been doing that in small amounts in the old section but not the newly widened section. If something like this is acceptable, I could meet with the Town personnel and show them where the bound stakes are located. Thank you for your time on this matter.

1. Hawksnest Road – T-Base for Hawksnest Road/Expenses

Mr. Ballantine said we should charge him for the T-Base because it has value. Mr. MacAskill said he supports this 100%, not because it is Mr. Fratus' request, but because it is a road that goes into a state park that a lot of people use. He said the Town should maintain the road. Mr. Howell said he isn't convinced that it is our road but has no problem t-basing just the area we had agreed to last year. He said he doesn't want to look at this as an opportunity to expand it any more. Mr. Clark suggested having Mr. Hooper in to discuss the priorities and the Board agreed. Chief Clarke spoke in support of the request and keeping the road safe and passable. The Board agreed to bring it back on March 25th with Mr. Hooper present.

2. Round Cove Road – Paving

Chairman Kavanagh stated that the Board already voted this. Mr. Fratus said his point is that he would like to see it at least 16 feet and the Town should have a minimum standard. Chairman Kavanagh noted that this could be discussed with Mr. Hooper as well.

3. Raptor Road – waive the in-lieu-of-sidewalk fee

Mr. Howell said the Planning Board waives the fee for this and it is their jurisdiction. Mr. Clark said we can send to the Planning Board to see if this makes sense relative to the development and the Board agreed.

B. Golf Cart Lease for Cranberry Valley Golf Course

Mr. Howell reiterated that he would like a written recommendation for all contracts. Mr. MacAskill suggested he write a policy for the Board to vote on. Mr. MacAskill moved we approve the golf cart lease for Cranberry Valley Golf Course as presented. Mr. McManus seconded the motion and the motion carried by a 4-1-0 vote with Mr. Howell in opposition.

OLD BUSINESS

A. Approval of the Annual Town Meeting Warrant Articles – *vote to sign*

Mr. MacAskill moved to reconsider the vote on the warrant from last week. Mr. Ballantine seconded the motion and the motion carried by a unanimous vote. Mr. MacAskill moved to reconsider Article 61 (Affordable Housing Trust Fund – List of Properties to Designate as Affordable). Mr. Howell seconded the motion and the motion carried by a 4-0-1 vote with Mr. McManus abstaining from the vote. Mr. MacAskill moved to change Article 61, letter C, to change the language to Depot Road instead of Depot Street and to delete J4 and J6, the rest to remain the same. Mr. Howell seconded the motion and the motion carried by a 4-0-1 vote with Mr. McManus abstaining from the vote. Mr. MacAskill moved that we approve the Annual Town Meeting Warrant and vote to sign with the change that in Article 62 (Amend the Code of the Town of Harwich General By-Laws – Chapter 8 Departmental Revolving Funds §8-1. Funds Established) and that text about quarterly reports should be put in the body of the article and not in the explanation. Mr. Howell seconded the motion and the motion carried by a unanimous vote.

WARRANT ARTICLES – REVIEW RECOMMENDATIONS

Mr. MacAskill moved to support all 8 Community Preservation Fund articles. Mr. Howell seconded the motion and the motion carried by a unanimous vote.

COMMUNITY PRESERVATION FUND ARTICLES

- Appropriate Sums of Money From The FY 20 Estimated Annual Revenues of The Community Preservation Act Fund
- Fund Land Bank Debt Service
- Community Preservation Activities Under \$50,000
- Brooks Academy Museum
- Harwich Affordable Housing Trust
- Sand Pond Restroom Project
- Whitehouse Field Improvement Project
- Red River Beach Shoreline Stabilization Project

LAND MATTERS

Mr. MacAskill moved to support the following article. Mr. Howell seconded the motion and the motion carried by a unanimous vote.

- Approve Easement for Verizon and Eversource Energy at 1464 Orleans-Harwich Road (Rte. 39) for Fire Station 2

Mr. Clark said he would do a presentation on the properties in the following article on March 25th.

- Affordable Housing Trust Fund – List of Town Properties to Designate as Affordable

Mr. MacAskill moved to support the following article as amended. Mr. Ballantine seconded the motion. The motion carried by a 4-1-0 vote with Mr. Howell in opposition. Mr. McManus noted that the language in the article should refer to Town cemetery “properties” and the Board agreed that was part of the motion. The vote remained the same.

- Amend the Code of the Town of Harwich General By-Laws – Chapter 8 Departmental Revolving Funds §8-1. Funds Established

Mr. MacAskill moved to support the following articles. Mr. McManus seconded the motion and the motion carried by a unanimous vote.

- Rescind the Establishment of the Capital Infrastructure Revitalization Fund at Cranberry Valley Golf Course

Mr. MacAskill moved to support the following articles. Mr. McManus seconded the motion and the motion carried by a unanimous vote.

- Rescind the Authorization for the Golf Restaurant Lease 53D Revolving Account and Transfer the Balance into the Pro Shop Revolving Account

Mr. MacAskill moved to support the following article. Mr. Ballantine seconded the motion and the motion carried by a 4-1-0 vote with Mr. Howell in opposition to the vote.

- Departmental Revolving Funds Authorization

It was agreed to hold the following articles.

- Stabilization Fund
- OPEB Trust Fund
- Fund Prior Year's Unpaid Bills

CUSTOMARY ARTICLES

Mr. MacAskill moved to support the following article. Mr. McManus seconded the motion and the motion carried by a unanimous vote.

- Herring Fisheries

TOWN ADMINISTRATOR'S REPORTS

A. Budget Adjustments

Mr. Clark provided an overview of the budget adjustments and took questions and comments from the Board.

B. Departmental Reports

There was no discussion on this item.

SELECTMEN'S REPORT

A. Status of the Harwich Landfill Solar Panel Operation – *discussion*

Mr. Ballantine provided the solar data as provided by Liz Argo and noted it is included in the Board's packet and on the CVEC website.

ADJOURNMENT

Mr. MacAskill moved to adjourn 9:32 p.m. Mr. Ballantine seconded the motion and the motion carried by a unanimous vote.

Respectfully submitted,

Ann Steidel
Recording Secretary

**MINUTES
SELECTMEN'S MEETING
GRIFFIN ROOM, TOWN HALL
MONDAY, MARCH 18, 2019
6:30 P.M.**

SELECTMEN PRESENT: Ballantine, Howell, Kavanagh, MacAskill, McManus

OTHERS PRESENT: Town Administrator Christopher Clark, Chief Guillemette, Deputy Chief Tom Gagnon, Joe Stone, Cyndi Williams, William Crowell, Allin Thompson, Barbara-Anne Foley, John Foley, Peg Rose, Dana DeCosta, Linda Cebula, and others.

WEEKLY BRIEFING

Chief Guillemette introduced the police appointments as presented on the Consent Agenda.

CONSENT AGENDA

- A. Minutes:
 - 1. February 11, 2019 Regular Session
 - 2. February 19, 2019 Regular Session
- B. Approve 2019 Seasonal Liquor License Renewals
- C. Approve 2019 Seasonal General License Renewals
- D. Approve Hayride Special Permit Application and authorize the Chair to sign
- E. Approve the 2019 Long Pond Bass Tournaments
- F. Approve appointments per the recommendation of the Police Chief for the following:
 - 1. Promotion of Lt. Kevin Considine to position of Deputy Chief
 - 2. Promotion of Sgt. Adam Hutton to position of Lieutenant
 - 3. Promotion of Officer Amy Walinski to position of Sergeant
 - 4. Appointment of Thomas Gagnon as Special Police Officer
 - 5. Appointment of Joseph A. Stone as Special Police Officer

Mr. McManus moved approval of the Consent Agenda with the exception of Item A2 and the recommended actions thereon. It was noted that Mr. Howell had changes to the minutes of February 19, 2019. Mr. MacAskill seconded the motion and the motion carried by a unanimous vote.

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

- A. Public Hearing (**continued from 3/11/19**) – Application for a Seasonal, Common Victualler, All Alcoholic Beverages License by Capeside Kitchen Inc. d/b/a Capeside Kitchen, 537 Route 28, Harwich Port – Glen Jamieson, Manager.

Mr. Clark said the attorney indicated that the Board would have to include in their motion to list the hours and also indicate that it would not be detrimental to the spiritual and educational elements of the church. Mr. Waystack noted concerns including that the church is only 25 feet from the restaurant and there is a daycare program with a shared walkway and driveway. He asked the Board to reject this application. Bruce Nightingale, church member, spoke against the application noting that it is detrimental to the mission of the church and added that it is just too close. He urged the

Board to deny the application. Alice Driftmeyer, chair of the church trustees, said the safety of the parking lot, the parishioners and the children are of great concern to them. Randy Sact, a deacon at the church, also expressed concerns about the after school program, the elderly and the shared driveway. Mr. Crowell, church member, discussed the history of the church and said he doesn't see the need for a liquor license next door to the church. He also discussed safety and noise issues related to a liquor license and the activity of the church. He noted that the benefits don't outweigh the risks. He asked that they find the liquor license detrimental to the spiritual activities of the church. Ms. Karin Larson discussed traffic issues that should be considered. Pam Roberts, church member, emphasized that the Augustus Snow applied for a liquor license many years ago and that was turned down. She asked that the Board turn down this request. Mr. Rosadini, co-owner, said they aren't looking to become a bar or to change from being a breakfast/lunch family restaurant. Mr. Ballantine suggested eliminating Sundays and special events and Mr. Rosadini said he was not looking to eliminate special events. Mr. MacAskill asked if the daycare and after school programs are in the summer and Mr. Sact responded that they have Vacation Bible School in the summer as well as other activities for the community. Mr. MacAskill asked when the after school program starts and Ms. Cartmell said it runs from August to June and discouraged trying to work their programs around the liquor license. She said they open after school. Mr. Crowell suggested that the applicant have special events without liquor. He added that the focus shouldn't be on the day care but rather on all church activities. Mr. MacAskill said he also had concerns about the special events. Mr. Howell questioned the value of having a liquor license from 12-2 Sundays and 11-2 on weekdays which is the most he would be considering. He also had concerns about having special events and commented that we aren't lacking for pouring licenses in Harwich Port. He said he was disturbed about granting a license where there has never been a history of any pouring there. He said he is uncomfortable with the 25 feet distance between the church and the restaurant. Mr. Rosadini said he would like to be open no earlier than noon on Sundays and 10 or 11 on weekdays. Mr. Ballantine moved that the Board vote to approve a Seasonal, Common Victualler, All Alcoholic Beverages License by Capeside Kitchen Inc. d/b/a Capeside Kitchen, 537 Route 28, Harwich Port with hours authorized to be as follows: 11:00 to 2:00 Monday through Saturday and specifically excluding Sunday and further that the Board finds at the hearing that the approval of said license will not be detrimental to educational and spiritual activities of the Pilgrim Congregational Church. Mr. MacAskill seconded the motion. Mr. Howell stressed that it is disingenuous to say this is not detrimental to the church because the church is saying that it is and considering the distance between them he doesn't see how it couldn't be detrimental. The Board discussed the Ballarin factors in relation to this application. The Board took comments from Mr. Thompson who spoke in support of the church. The motion carried by a 3-1-1 vote with Mr. Howell in opposition and Mr. McManus abstaining from the vote.

B. Presentation - Wastewater Program Updates – David Young, CDM Smith

David Smith and Michael Giudice of CDM Smith provided a Power Point presentation covering the following topics: Phase 2 - State Revolving Fund (SRF) Status, Pumping Station Design, Easement Status, Harwich Program Cost Estimates, and DHY Status Update. They took questions and comments from the Board. Mr. Pelletier offered to get feedback from other towns on the different pumps, specifically submersible versus suction-lift pumps, in response to concerns from the Board although he explained they are both going to work. He stressed that every town is different and the flows are going to be different. He commented that he would prefer to see the pumps above ground. Mr. Ballantine asked CDM Smith to come back with more costing information. Mr. Smith said he

would be happy to supply Mr. Pelletier with names of other operators and take him for site visits. Mr. Smith and Mr. Giudice took questions from residents.

C. Authorization for the Town Administrator to execute all Sewer Collection System – Phase 2 SRF grant or loan activities – *vote to authorize*

Mr. Howell moved authorization for the Town Administrator to execute all Sewer Collection System Phase 2 SRF grant or loan activities. Mr. Ballantine seconded the motion and the motion carried by a 4-1-0 vote with Mr. MacAskill in opposition.

NEW BUSINESS

A. Approve new application for Weekday Entertainment and Innholders Licenses for Harwich Inn and Tavern, 77 Route 28 in West Harwich

Mr. Tsoukalas, owner, introduced himself and said he is seeking entertainment for his business. Mr. Clark said the applicant is seeking noon to midnight and in Harwich Port outside activities end at 10:00. Mr. McManus stated in the past the outside entertainment was cut off at 8:00 p.m. at this establishment. Mr. Tsoukalas said he isn't the past owner and he runs things differently. He said he would have no problem ending at 10:00. Mr. Ballantine said he could live with 10:00. Mr. MacAskill said we should have a public hearing and notify abutters. Mr. Howell said although not required, we should have a public hearing. It was agreed just to have a notice to the abutters with no newspaper advertisement. Mr. McManus moved to approve the application for Innholders License. Mr. MacAskill seconded the motion and the motion carried by a unanimous vote.

WARRANT ARTICLES – REVIEW RECOMMENDATIONS

Mr. McManus moved to take the position of supporting Articles 1, 2 and 3 as follows. Mr. Ballantine seconded the motion and the motion carried by a unanimous vote.

- A. Customary Articles
- Town Officers & Committees
 - Reports of Town Officers & Committees
 - Elected Officials Salaries

Mr. McManus moved to support the customary articles as follows. Mr. Howell seconded the motion and the motion carried by a unanimous vote.

- B. Petition Articles
- Defray Costs for the Chase and Harwich Port Libraries
 - Promote the Town of Harwich
 - Supplement Annual Allocation of Mass Cultural Council For Local Cultural Council Grants

Mr. McManus moved to take a position of support on the following article which transfers from available funds \$26,170 for our town's share. Mr. Howell seconded the motion and the motion carried by a unanimous vote.

- Pleasant Bay Alliance

Mr. Patrick Otton of 49 Kendrick Road provided a presentation on the following petition article. There was discussion among the Board about implementation issues. Mr. Howell moved to support a positive recommendation for this. The motion was not seconded. Chairman Kavanagh said as a petition article, it will be included in the warrant. Mr. Clark asked Mr. Otton to come into the office and they would work on a motion.

- Amend the Code of the Town of Harwich to prohibit procurement of and dispensing beverages in plastic containers of any size

Maria Ruddin, proponent of the petition article, spoke on this article. Mr. Clark noted that this is non-binding per Town Counsel. Chief Guillemette explained that the Police Department doesn't have the authority to enforce federal immigration laws. Chairman Kavanagh noted that as a petition article, it will be included in the warrant.

- Refrain from Using Town Funds/Resources to Enforce Federal Immigration Laws

There was no discussion on these petition articles.

- Support for Legislation to Change State Seal and Motto
- General By-Law Amendment to Ban the use of Single-Use Plastic Straws
- Amendment to the Harwich Board of Health Regulations - Flavored Tobacco Products
- Selectmen's Public Record of Votes

Ms. Cebula spoke on the following article.

- Amend the Code of the Town of Harwich Charter – Update the Name “Selectmen” to “Select Board”

Mr. McManus moved to take a position of support of Article 58 and 59. Mr. Ballantine seconded the motion and the motion carried by a 4-1-0 vote with Mr. Howell in opposition. Mr. McManus moved to take a position to indefinitely postpone Article 57. Mr. Ballantine seconded the motion and the motion carried by a 4-1-0 vote with Mr. Howell in opposition.

C. Pet Burial Ground Articles

- Article 57 - Rescind Article 57 of the 2016 Annual Town Meeting – Pet Burial Ground
- Article 58 - Establish Annual Revolving Fund for the Pet Burial Ground
- Article 59 -Complete Construction of the Pet Burial Grounds

D. Cemetery Articles

Mr. McManus moved to take a position of support for the following article. Mr. MacAskill seconded the motion. Mr. DeCosta indicated that the Finance Committee is recommending a few changes. Mr. MacAskill withdrew his second as he asked to see changes that the Finance Committee made. The Board agreed to bring this item back.

- Amendments to Cemetery Rules and Regulations

Mr. McManus moved to take a position of support on the following article. Mr. Howell seconded the motion and the motion carried by a unanimous vote.

- Cemetery Arboretum Project – Mapping and Software

The following items were not addressed:

- E. Planning/Zoning
 - Single-family dwelling with accessory apartment
 - Freestanding Portable signs
 - Retaining walls for septic systems
 - Special provisions for lifting existing structure to new and appropriate elevations
 - Provide funding for an Update of the Town's Local Comprehensive Plan
- F. Land Matters Articles
 - Approve Easement for Verizon and Eversource Energy at 1464 Orleans-Harwich Road (Rte. 39) for Fire Station 2
- G. Miscellaneous Articles
 - Solar Photovoltaic Energy Systems
 - Amendment to the Agreement Between the Towns of Chatham and Harwich for the formation of a Regional School District

- H. Approve the Annual Election Ballot – *sign*

Mr. McManus to approve the Annual Election Ballot and sign it. Mr. Ballantine seconded the motion and the motion carried by a unanimous vote.

TOWN ADMINISTRATOR'S REPORTS

A. Status of Recruitments:

1. Assistant Town Administrator

Mr. Clark reported that interviews were held.

2. Town Engineer

Mr. Clark reported that interviews are being lined up.

3. Executive Assistant to the Town Administrator

Mr. Clark reported that we are looking at applications.

B. Departmental Reports

The above item was not addressed.

ADJOURNMENT

Mr. MacAskill moved to adjourn at 10:37 p.m. Mr. Ballantine seconded the motion and the motion carried by a unanimous vote.

Respectfully submitted,
Ann Steidel
Recording Secretary



Harwich Cranberry Festival Inc.

508-527-7620 P.O. Box 555 Harwich Port, Massachusetts 02646

April 3, 2019

Julie Kavanaugh
Board of Selectmen
Town of Harwich
732 Main Street
Harwich, MA 02645



Dear Chairman Kavanaugh and Selectmen,

The Harwich Cranberry Festival, Inc. would like to request a charity one day special liquor license for serving wine and beer at a musical performance the committee is sponsoring at the Harwich Cultural Center on April 27, 2019 . The performance will feature Resurrection Folk Project, an award winning group who performance takes you through the best of folk rock music of the 60"s and 70"s. The concert is being put on as part of the ART WEEK activities.

The beverage service will be done before and during the intermission of the performance in the cafeteria adjacent to the auditorium of the Harwich Cultural Center located at 204 Sisson Rd. An appropriate wrist band identifying those of age will be required for the purchase of wine or beer and the servers are certified professional bartenders.

Thank you for your consideration of this request.

Sincerely,

Edward McManus, President

Harwich Cranberry Festival, Inc.

Enclosure (2): Commonwealth Of Massachusetts, Certificate for Solicitation

Certificate of Exemption



THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE ATTORNEY GENERAL
ONE ASHBURTON PLACE
BOSTON, MASSACHUSETTS 02108

MAURA HEALEY
ATTORNEY GENERAL

(617) 727-2200
(617) 727-4765 TTY
www.mass.gov/ago

HARWICH CRANBERRY FESTIVAL, INC.
P.O. Box 555
Harwichport, MA 02646

Certificate for Solicitation

This certificate has been issued to the organization listed below because it is current in its filings with the Attorney General's Division of Non-Profit Organizations/Public Charities. This registration in no manner constitutes endorsement or approval by the Commonwealth of Massachusetts of the named organization.

Name of organization: HARWICH CRANBERRY FESTIVAL, INC.
Certificate End Date: 05/15/2019
Attorney General's Account Number: 022605

Issued By
The Division of Non-Profit Organizations/Public Charities
Business and Labor Bureau



MASSACHUSETTS DEPARTMENT OF REVENUE
 PO BOX 7044
 BOSTON, MA 02204-7044
 CONTACT CENTER
 (617) 887-6367

Letter ID: L0793560064
 Notice Date: August 1, 2016
 MA Taxpayer ID: 10205554

CERTIFICATE OF EXEMPTION

HARWICH CRANBERRY FESTIVAL INC
 2C DOANE RD
 HARWICH PORT MA 02646-1514



Attached below is your Certificate of Exemption (Form ST-2). Cut along the dotted line and display at your place of business. You must report any change of name or address to us so that a revised ST-2 can be issued.

DETACH HERE



MASSACHUSETTS DEPARTMENT OF REVENUE

Form ST-2

Certificate of Exemption

HARWICH CRANBERRY FESTIVAL INC
 2C DOANE RD
 HARWICH PORT MA 02646-1514

MA Taxpayer ID: 10205554
Certificate Number: 1192505344

This certifies that the organization named above is an exempt purchaser under Chapter 64H, section 6(d) or (e) of the Massachusetts General Laws. All purchases of tangible personal property by this organization are exempt from taxation to the extent that such property is used in the conduct of the business of the purchaser. Misuse of this certificate by any tax-exempt organization or unauthorized use of this certificate by any individual will lead to revocation. Willful misuse of this certificate is subject to criminal sanctions of up to one year in prison and \$10,000 (\$50,000 for corporations) in fines. This certificate is non-transferable and may be suspended or revoked for failure to comply with state laws and regulations.

Effective Date: September 8, 2016

Expiration Date: September 7, 2026



Harwich Cranberry Festival Inc.

508-527-7620 P.O. Box 555 Harwich Port, Massachusetts 02646



April 3, 2019

Julie Kavanagh
Board of Selectmen
Town of Harwich
732 Main Street
Harwich, MA 02645

Dear Chairman Kavanagh and Selectmen,

The Harwich Cranberry Festival, Inc. would like to request a charity one day special liquor license for serving wine and beer at musical performances the committee is sponsoring this summer at the Harwich Cultural Center. The dates of the Cranfest in the Courtyard series are July 11, 18, 25 August 1, 8, 15, 22. The performance will feature a variety of traditional, folk and roots performers who are listed on the following sheet.

The beverage service will be done before and during the intermission of the performance in the cafeteria adjacent to the auditorium of the Harwich Cultural Center located at 204 Sisson Rd. An appropriate wrist band identifying those of age will be required for the purchase of wine or beer and the servers are TIP certified bartenders.

Thank you for your consideration of this request.

Sincerely,

Edward McManus, President

Harwich Cranberry Festival, Inc.

Enclosure (2): Commonwealth Of Massachusetts, Certificate for Solicitation

Certificate of Exemption



THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE ATTORNEY GENERAL
ONE ASHBURTON PLACE
BOSTON, MASSACHUSETTS 02108

MAURA HEALEY
ATTORNEY GENERAL

(617) 727-2200
(617) 727-4765 TTY
www.mass.gov/ago

HARWICH CRANBERRY FESTIVAL, INC.
P.O. Box 555
Harwichport, MA 02646

Certificate for Solicitation

This certificate has been issued to the organization listed below because it is current in its filings with the Attorney General's Division of Non-Profit Organizations/Public Charities. This registration in no manner constitutes endorsement or approval by the Commonwealth of Massachusetts of the named organization.

Name of organization: HARWICH CRANBERRY FESTIVAL, INC.
Certificate End Date: 05/15/2019
Attorney General's Account Number: 022605

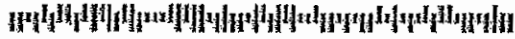
Issued By
The Division of Non-Profit Organizations/Public Charities
Business and Labor Bureau



MASSACHUSETTS DEPARTMENT OF REVENUE
 PO BOX 7044
 BOSTON, MA 02204-7044
 CONTACT CENTER
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Letter ID: L0793560064
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CERTIFICATE OF EXEMPTION



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 2C DOANE RD
 HARWICH PORT MA 02646-1514



Attached below is your Certificate of Exemption (Form ST-2). Cut along the dotted line and display at your place of business. You must report any change of name or address to us so that a revised ST-2 can be issued.

DETACH HERE



MASSACHUSETTS DEPARTMENT OF REVENUE

Form ST-2

Certificate of Exemption

HARWICH CRANBERRY FESTIVAL INC
 2C DOANE RD
 HARWICH PORT MA 02646-1514

MA Taxpayer ID: 10205554
Certificate Number: 1192505344

This certifies that the organization named above is an exempt purchaser under Chapter 64H, section 6(d) or (e) of the Massachusetts General Laws. All purchases of tangible personal property by this organization are exempt from taxation to the extent that such property is used in the conduct of the business of the purchaser. Misuse of this certificate by any tax-exempt organization or unauthorized use of this certificate by any individual will lead to revocation. Willful misuse of this certificate is subject to criminal sanctions of up to one year in prison and \$10,000 (\$50,000 for corporations) in fines. This certificate is non-transferable and may be suspended or revoked for failure to comply with state laws and regulations.

Effective Date: September 8, 2016

Expiration Date: September 7, 2026

2019 JUNK DEALER LICENSE RENEWALS

Port Peddlar*
547 Route 28
Harwich Port, MA 02646

Syd's A & J
32 Glenwood Dr.
Harwich, MA 02645

Marceline Salvage*
310 Pleasant Lake Ave.
Harwich, MA 02645

Windsong Antiques, Inc.
346 Route 28
Harwich Port, MA 02671

Woody's Furniture Repair
1353 Orleans Rd.
East Harwich, MA 02645

*Contingent on receipt of renewal application.

Meghan Mahieu
74 Cemetery Rd
Harwich, MA 02645

April 3, 2019

Anita N. Doucette
Town Clerk
Town of Harwich
732 Main Street
Harwich, MA 02645



Dear Ms. Doucette:

It is with regret that I tender my resignation from the Zoning Board of Appeals as an Alternate Member, effective immediately. I apologize for the delay in notifying you formally.

I am grateful for having had the opportunity to serve on the board of this fine organization for the past months, and I offer my best wishes for its continued success.

Sincerely,

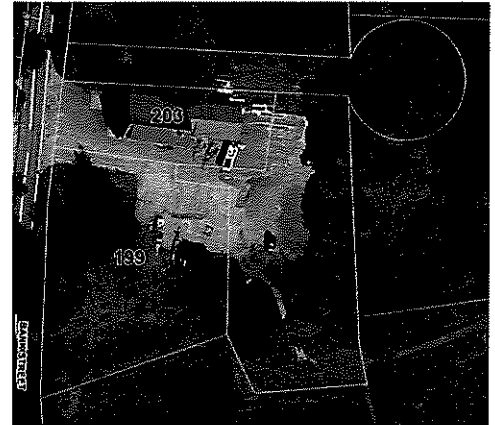

Meghan Mahieu

Harwich Ad Hoc Harwich Port Parking Committee
Report and Recommendation to the Board of Selectmen
April 1, 2019

The Harwich Ad Hoc Harwich Port Parking Committee (“Committee”) held its first meeting on January 8, 2019 with five members: Alexander Donoghue (Resident Member), Michael Ulrich (Business Member), John Mahan (Resident Member), Cyndi Williams (Harwich Chamber of Commerce Executive Director), and Charleen Greenhalgh (Town Planner). Two vacancies remain on the Committee.

The Committee met a total of seven times. Neighbors were invited to provide presentation and many thoughtful discussions were held. The Police, Fire and DPW departments were invited to a meeting and a conversation with a local bus company was held. After careful consideration, at this time the Committee makes the following recommendations to the Board of Selectmen.

1. On-Site Parking and Shuttle for Harwich Port Employees: It became clear to the Committee that a number of businesses use the Schoolhouse Road parking lot for their employees. An estimated 30 employee vehicles park long term in this lot in the height of the season. It is the Committee's recommendation that parking be provided outside of village, with a shuttle to provide transportation. The Committee looked at several locations, including the Cultural Center on Sisson Road, Saquatucket Harbor and the property known as the Old Harbormaster's Office (aka Old Fire Station). The property that the Committee found to be most logical is the Old Harbormaster's Office located at 203 Bank Street (Map 23/B3), 199 Bank Street (Map 23/B2) and 0 Bank Street (Map 23/B2-1).



In discussions with the Harbormaster, the site should be vacated of all vehicles, trailers and boats by May 20, 2019. A quick estimate of this area, which would not require any removal of vegetation or the building at this time, could yield approximately 35 parking spaces.

Ms. Williams has met with members of the Chamber to determine the interest that businesses have in participating in a shuttle program.

If a shuttle is available, parking passes for employees would be needed (parking tags to hang from rear view mirrors is an option) and an area would be set aside for parking for those seeking to visit the adjoining conservation land.

Line painting within the Bank Street properties is recommended so as to provide well established and defined parking spaces; otherwise parking would be haphazard. A funding source would need to be identified.

2. Continued “No Parking” Signs on Side Street for Large Events: The Committee supports the continued efforts by the Police Department to limit parking along side streets during large event in Harwich Port.

3. Restriction of Hours for Parking in Schoolhouse Road Lot and Associated Signage: The Committee recommends a limit of 2 hours for parking daily from 9 am to 5 pm. Signage to this affect would also be required. An example is provided below. A “P” sign with the hour restrictions should also be included at each entrance into the Schoolhouse Road Parking Lot (at Route 28 and Pleasant Street), as well as the entrance to the newer parking area (TDBank).

Additionally, signage on Route 28 as you enter into Harwich Port village from the east and west is needed to better identify the Schoolhouse Road Lot. A simple “P” sign with arrows would suffice.



HOURLY RESTRICTION SIGN



PARKING INDICATOR SIGN

4. RFP for Additional Parking Opportunities: The TDBank Parking partnership that was done a couple of years ago was a great example. Perhaps an RFP to explore other parking opportunities would be an option.

OFFICE OF THE TOWN ADMINISTRATOR

Phone (508) 430-7513

Fax (508) 432-5039



Christopher Clark, *Town Administrator*

732 MAIN STREET, HARWICH, MA 02645

April 9, 2019

Nicholas Donnelly
32 Bog Lane
Harwich, MA 02645

Dear Mr. Donnelly:

I would like to offer you the position of Tractor-Trailer Driver for the Town of Harwich. I look forward to your positive contributions to the DPW.

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

- Pursuant to the Town Charter, the Town Administrator makes the appointment for this position subject to confirmation by the Board of Selectmen. Your name has been put forth for confirmation. Successful confirmation will be needed to finalize appointment.
- You have passed a Pre-Employment / DOT Physical and Drug Screen.
- You have passed a C.O.R.I. and RMV check.

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

Your position title will be Tractor-Trailer Driver and your starting date is April 22, 2019. This position is included in the Highways & Maintenance Employees Association (HMEA) contract and your employment is subject to the rights and obligations included in it. Your starting salary will be \$23.95 per hour (L4, Step 2).

Again, I am delighted that you are joining the Town's staff. Please feel free to contact me if you have any questions prior to beginning work.

Sincerely,

Christopher Clark
Town Administrator

(Employee Signature)

4-11-19

Date

cc: Board of Selectmen
Town Treasurer
Town Accountant
Personnel File
DPW Director

OFFICE OF THE TOWN ADMINISTRATOR

Phone (508) 430-7513


Fax (508) 432-5039



Christopher Clark, *Town Administrator*

732 MAIN STREET, HARWICH, MA 02645

Robert C. Lawton Jr., *Interim Assistant Town Administrator*

To: Christopher Clark, Town Administrator
From: Robert C. Lawton Jr. 
Re: Compensation Review – Assistant Collector/Treasurer
Date: April 9, 2019

Following the completion of a review of a revised job description, current classification, scoring the position and meeting with Ms. Amy Bullock and the position incumbent we can present our analysis of the position.

Assistant Collector/Treasurer

This is a full time position and is currently a Grade 9 step 6 on the HEA Compensation Schedule at \$33.70 per hour. The position was not reviewed during the prior review of positions in the Treasurer/Collector, Accounting and Clerk offices. This was an oversight and the Department Head asked for the position review to complete her office staff review.

We reviewed the existing job description with the Department Head and the position incumbent. We scored the position using that information.

Based on the review of the position and the job description in classification is warranted.

Proposal – The position should be rated in FY20 at Grade 10 Step 6 \$36.08 per hour. The difference of \$1.71 per hour (36.08 – 34.37) will be paid for within the Collector/Treasurer budget in FY20. The adjustment is recommended to be effective July 1, 2019. The cost for the upgrade in FY20, with longevity, will be \$2,661.14 and is funded in the FY20 budget. We recommend that the Board of Selectmen adopt this classification. Copy of the scoring sheet is attached.

Subject to Board of Selectmen Approval

This proposal is being brought to the Board of Selectmen for ratification and approval at the next available meeting.

Town Administrator Date

Carl Coyh 4/10/19
Finance Director Date

Board of Selectmen

COPY

Date _____

OFFICE OF THE TOWN ADMINISTRATOR

Phone (508) 430-7513

Fax (508) 432-5039

Christopher Clark, *Town Administrator*

732 MAIN STREET, HARWICH, MA 02645



April 1, 2019

Mr. Griffin Ryder
235 Chatham Road
Harwich, MA 02645

Dear Mr. Ryder:

We would like to offer you the position of Town Engineer for the Town of Harwich. I look forward to your positive contributions to our community.

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

- Pursuant to the Town Charter the Town Administrator makes the appointment for this position subject to confirmation by the Board of Selectmen. Your name has been put forth for confirmation and the Board of Selectmen will be taking this up at their meeting on April 8, 2019. Successful confirmation will be needed to finalize appointment.
- The Town will arrange for a Pre-Employment Physical and Drug Test that must be successfully completed.
- Your employment is contingent upon a successful background and C.O.R.I. check.
- Your probation period is six months from the date of employment

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

Your position title will be Town Engineer and your starting date is May 1, 2019. This position is included in the SEIU Local 888 and your employment is subject to the rights and obligations included in the contract which is attached. Your starting salary will be \$102,156 (Grade M-6A, Step 9). On July 1, 2019 you will receive an increase in salary to \$109,333 (Grade M-6A Step 9) You will be eligible for a step increase one year from your appointment date, after a positive evaluation.

Again, we are delighted that you are joining the Town's professional staff. Please feel free to contact me if you have any questions prior to beginning work.

Sincerely,

Christopher Clark
Town Administrator

Griffin Ryder

4/3/2019
Date

CC: Board of Selectmen
Town Treasurer/Collector
Town Accountant/Finance Director

OFFICE OF THE TOWN ADMINISTRATOR

Phone (508) 430-7513

Fax (508) 432-5039



Christopher Clark, *Town Administrator*

732 MAIN STREET, HARWICH, MA

April 3, 2019

Ms. Patricia Macura
239 Church Street
Harwich, MA 02645

Dear Ms. Macura:

We would like to offer you the position of full time Executive Assistant to the Town Administrator for the Town of Harwich. We look forward to working with you and your positive contributions to the Board of Selectmen/Town Administrator's office.

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

- Pursuant to the Town Charter the Town Administrator makes the appointment for this position subject to confirmation by the Board of Selectmen. Your name has been put forth for confirmation and the Board of Selectmen will be taking this up at their meeting on April 8, 2019. Successful confirmation will be needed to finalize the appointment.
- You will need a pre-employment physical to be completed before you start work. Please provide the job description we gave to you to your physician and ask that the doctor confirm that you are capable of performing all of the duties of the position.
- Your employment is contingent upon a successful background and C.O.R.I check.
- Your probation period is six months starting from the date of employment.

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

Your position title will be Executive Assistant to the Town Administrator and your starting date is April 16, 2019. This position is included in the Harwich Personnel By-law and your employment is subject to the rights and obligations included in the by-law which is enclosed. Your starting salary will be \$29.41 per hour (Grade OA-4, Step 3). On July 1, 2019 there is an increase to \$30.00 per hour (Grade OA-3, Step 3) subject to appropriation.

Again, we are delighted that you are joining the Town's professional staff. Please feel free to contact me if you have any questions prior to beginning work.

Sincerely,

Christopher Clark
Town Administrator

Patricia Macura

Date

CC: Board of Selectmen Accountant Treasurer Collector

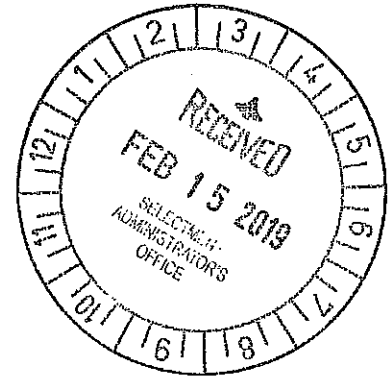
Robert D. Fratus, Jr.

74 Hawksnest Road
Harwich MA 02645

Cell Phone (508) 958-1424
Fax (508) 430-8265
E-Mail bob.fratus@verizon.net

January 14, 2019

Attn: Julie Kavanagh, Chair
Harwich Board of Selectmen
732 Main Street
Harwich Center, MA 02645
508-430-7514



Re: Hawksnest Road

Dear Members of the Board of Selectmen,

I have been working on improving Hawksnest Road to meet with the Minimum Requirements of Access. The road has been widened. I am now wondering if the Town would I would install a layer of T-base (ground up asphalt). The Town is now getting large quantities of T-Base from all of the utility work on Town roads. I asked the gentleman that is running those construction jobs if I could get some of the T-base but he said he is required to give it to the Town.

I believe you could direct him to deliver it to Hawksnest Road and the Town could spread it when they come out to grade the road. I believe they have been doing that in small amounts in the old section but not the newly widened section.

If something like this is acceptable, I could meet with the Town personnel and show them where the bound stakes are located.

Thank you for your time on this matter.

Sincerely,

A handwritten signature in cursive script that reads "Robert D. Fratus, Jr.".

Robert D. Fratus, Jr.

Hawksnest Road Expenses

<u>Type</u>	<u>Date</u>	<u>Num</u>	<u>Paid Amount</u>	
Material - Fill				
Check	12/08/2016	549 Cape Sand & Recycling	189.20	
Check	12/09/2016	550 Cape Sand & Recycling	1191.95	
Check	12/10/2016	551 Cape Sand & Recycling	1326.19	
Check	12/12/2016	553 Cape Sand & Recycling	1857.93	
Check	12/13/2016	554 Cape Sand & Recycling	208.07	
Check	12/13/2016	555 Cape Sand & Recycling	2028.97	
Check	12/15/2016	556 Cape Sand & Recycling	430.32	
Check	04/24/2017	568 Cape Sand & Recycling	195.94	
Check	05/12/2017	570 Cape Sand & Recycling	575.31	
Check	05/12/2017	571 Cape Sand & Recycling	255.50	
Check	01/31/2018	641 Cape Sand & Recycling	3,884.59	
Check	02/12/2018	644 Cape Sand & Recycling	3,978.46	
Total Materials - Fill			9,717.39	\$9,717.39
Excavation				
Check	12/21/2005	7971 Tyler Brown	\$230.00	
Check	1/27/2006	7992 Tyler Brown	\$580.00	
Check	2/2/2006	8001 Tyler Brown	\$680.00	
Check	2/9/2006	8004 Tyler Brown	\$680.00	
Check	2/17/2006	8007 Tyler Brown	\$578.00	
Check	3/1/2006	8020 Tyler Brown	\$714.00	
Check	3/3/2006	8026 Tyler Brown	\$544.00	
Check	3/10/2006	8037 Tyler Brown	\$308.00	
Check	7/22/2006	8186 Tyler Brown	\$750.00	
Check	8/3/2006	8201 Tyler Brown	\$300.00	
Check	01/08/2015	438 Sean Smith	1,206.50	
Check	01/20/2015	439 Sean Smith	2,060.00	
Check	04/02/2015	444 Sean Smith	1,240.00	

Hawksnest Road Expenses

Check	04/02/2015	444 Sean Smith	300.00	
Check	12/22/2016	557 Sean Smith	4,505.00	
Check	12/27/2016	558 Brian Barrows	3,000.00	
Check	01/31/2017	561 Brian Barrows	4,000.00	
Total Excavation			<u>21,675.50</u>	\$21,675.50

Landscaping / seeding

Check	04/26/2018	647 Craig Brown	688.00	688.00
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Surveying

Check	05/20/2003	1038 Jim Moore	1,000.00
Check	08/06/2003	1046 Jim Moore	2,975.00
Check	01/08/2004	7139 Jim Moore	240.00
Check	09/04/2009	8916 Richard J Hood, PLS	153.25
General	12/31/2011	11-P&H#6 R.J. Hood & Son, Inc.	2,265.00
General	12/31/2011	11-P&H#6 R.J. Hood & Son, Inc.	1,132.50
Check	02/19/2013	382 Richard J Hood, PLS	3,000.00
Check	03/04/2013	388 Richard J Hood, PLS	1,331.20
Check	05/06/2013	10171 Richard J Hood, PLS	237.50
Check	05/06/2013	10171 Richard J Hood, PLS	475.00
Check	08/27/2013	10199 Richard J Hood, PLS	380.00
Check	08/27/2013	10199 Richard J Hood, PLS	760.00
Check	05/19/2014	10271 Richard J Hood, PLS	1,500.00
Check	05/19/2014	10271 Richard J Hood, PLS	475.00
Check	11/10/2015	10397 Richard J Hood, PLS	1,620.00
Check	11/10/2015	10397 Richard J Hood, PLS	1,890.00
Check	01/06/2016	10407 Richard J Hood, PLS	975.00
Check	06/27/2016	10454 Richard J Hood, PLS	420.00
Check	06/27/2016	10454 Richard J Hood, PLS	285.00
Check	09/08/2016	10481 Richard J Hood, PLS	367.50
Check	09/16/2017	631 Richard J Hood, PLS	1,125.00
Check	01/12/2018	10606 Richard J Hood, PLS	2,110.00

Hawksnest Road Expenses

Check	07/27/2018	666 Richard J Hood, PLS	660.00	
Check	11/08/2018	10694 Richard J Hood, PLS	2,278.00	
	Total Surveying		27,654.95	\$27,654.95
Engineering				
Check	04/08/2017	566 Down Cape Engineering	180.00	
Check	03/04/2013	390 Lantery Associates- Earl Lantery	1,000.00	
Check	04/14/2013	401 Lantery Associates- Earl Lantery	1,175.00	
Check	02/27/2014	10245 Lantery Associates- Earl Lantery	505.60	
Check	06/28/2017	10555 Lantery Associates- Earl Lantery	875.00	
	Total Engineering		<u>3,735.60</u>	\$3,735.60
Electrical				
Check	07/22/2016	489 John F. Linhares, Electrician	8,000.00	
Check	08/16/2016	10474 John F. Linhares, Electrician	10,250.00	
	Total Electrical		<u>18,250.00</u>	\$18,250.00
Disposal Fees				
CC	4/25/18	S & J Exco	255.00	
CC	4/25/018	S & J Exco	255.00	
	Total Disposal		<u>510.00</u>	<u>\$510.00</u>
				\$81,543.44

This summary is all the costs of Hawksnest and Raptor Road.

Raptor Road has more surveying costs but I did that project over a long period and got all the fill for free.

Overall, Raptor Road is 1/5th the length of Hawksnest and Raptor combined. So approximately \$65,000 is the cost of Hawksnest.

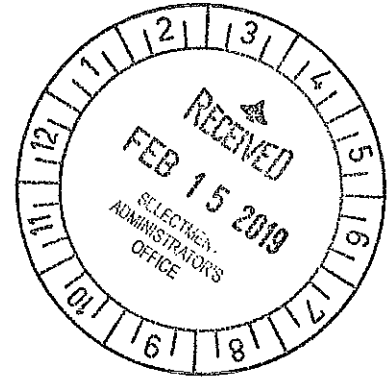
Robert D. Fratus, Jr.

74 Hawksnest Road
Harwich MA 02645

Cell Phone (508) 958-1424
Fax (508) 430-8265
E-Mail bob.fratus@verizon.net

January 14, 2019

Attn: Julie Kavanagh, Chair
Harwich Board of Selectmen
732 Main Street
Harwich Center, MA 02645
508-430-7514



Re: Round Cove Road – West of Rt. 137

Dear Members of the Board of Selectmen,

I am asking the Board to review the conditions of this section of Round Cove Road. This section of Road leads from Rt 137 and terminates in Hawksnest State Park at Hawksnest Pond. The section I would like addressed is the section that is unpaved and meets with Hawksnest Road. Beyond that is Hawksnest State Park.

Part of Round Cove Road has been paved. The pavement ends after the last house on the road. The remainder, between the pavement and Hawksnest Road, is in severe and almost unpassable condition. It is a Town road and should be maintained to be at least passable by a regular car. As it is now, the holes in the road are the size of small cars. Sooner or later, someone is going to rupture a gas tank. Every winter, people get stuck in those holes and have to be towed out.

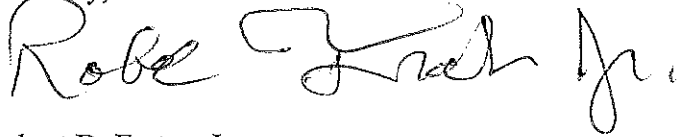
Hawksnest State Park is one of Harwich's attractions. It should be accessible in a safe and pleasant manner. As a Scenic Corridor it should not be in such a state of disrepair. From a safety view point, if there was a fire emergency in the Park or at the Pond, Round Cove Road is the quickest access. In the past few years there have been two large fires. If there is a medical emergency at the Pond, seconds count and an ambulance would have to enter via Hawksnest Road which would takes several more minutes than through Round Cove Road if they were coming from Station 2. Since we are spending millions to make Station 2 better and improve response times, it makes sense to improve this road so it is passable by emergency vehicles.

I believe the Town can get a lot of free fill from RH White who is installing the gas lines. Perhaps some of it could be used on Round Cove Road.

I have spent an enormous amount of money improving Hawksnest Road as well as designing and installing a giant cul-de-sac on Argyle Way North to ensure Adequate Access as required by the Town. I would think the Town would have to meet its own requirements on Town Roads.

Thank you for your time to consider this request.

Sincerely,

A handwritten signature in black ink, appearing to read "Robb Fratus Jr.", written in a cursive style.

Robert D. Fratus, Jr.

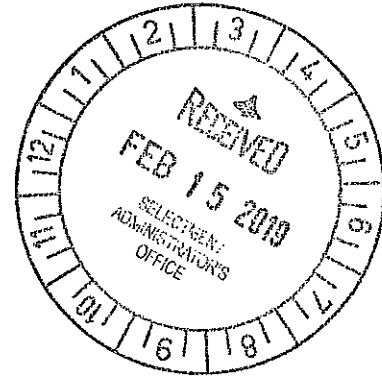
Robert D. Fratus, Jr.

74 Hawksnest Road
Harwich MA 02645

Cell Phone (508) 958-1424
Fax (508) 430-8265
E-Mail bob.fratus@verizon.net

January 14, 2019

Attn: Julie Kavanagh, Chair
Harwich Board of Selectmen
732 Main Street
Harwich Center, MA 02645
508-430-7514



Re: In-lieu-of-Sidewalk fee for Raptor Road

Dear Members of the Board of Selectmen,

I have told by the Planning department that I must pay a fee of \$7,330 called an In-lieu-of-sidewalk Fee upon completing Raptor Road. Since I have spent over \$25,000 on the most recent improvement to Hawksnest Road (between Raptor Road and Round Cove) and over \$25,000 from 74 Hawksnest down to Raptor Road, I am asking for the Board to waive the In-lieu-of-sidewalk fee.

Thank you for considering this request.

Sincerely,

A handwritten signature in cursive script that reads "Robert D. Fratus, Jr.".

Robert D. Fratus, Jr.

GRAVEL ROADS AND PARKING LOTS

ROADS

BELLS NECK ROAD

NORTH ROAD

SETH WHITEFIELD/HAWKSNEST ROAD

FAR END OF ROUND COVE ROAD

GORDON ROAD

CALEB STREET

LEXINGTON DRIVE

ROAD TO THE HERRING RUN

PARKING LOTS

FERNANDES BOG/FISHERMEN'S LANDING

CAHOON ROAD BEACH

SAND POND

THOMPSON'S FIELD (CHATHAM ROAD AND ROUTE 39 SIDES)

POTTERS FIELD

TENNIS COURTS AT BROOKS PARK

AUXILIARY PARKING LOT AT THE COMMUNITY CENTER

4 CONSERVATION TRUST WALKING TRAIL LOTS WITH A NEW ONE TO BE BUILT

GREAT WESTERN ROAD

QUEEN ANNE ROAD

TEXERIA PROPERTY

BAY ROAD

NEW ONE ON QUEEN ANNE ROAD

Invoice



1495605

HARWICH, TOWN OF/HIGHWAY
#2018 TBase
273 Queen Anne Road
Harwich MA 02645

1495605

Direct inquiries to:
Aggregate Industries - NER, Inc
P.O. Box 28903
New York NY 10087-8903
Phone: 1-855-339-4900

We are pleased to announce that invoices
can now be received via email!
Call to enroll today!

HARWICH, TOWN OF/HIGHWAY
273 QUEEN ANNE ROAD
HARWICH MA 02645

38369	10/29/2018	709709971
CUSTOMER NO.	INVOICE DATE	INVOICE NUMBER

Sales District: 3053 BARRY POWERS

Ship Date	Plant	FOB FP	Bill of Lading#	Material Description	Quantity	U/M	Unit Price	Gross Amount
10/25	SODN	FP	115395031	273 Queen Anne Road RA, RECYCLED ASPHALT, 1" - #200	34.310	TON	12.000	411.72
				Freight			2.50	85.78
10/25	SODN	FP	115395032	273 Queen Anne Road RA, RECYCLED ASPHALT, 1" - #200	34.690	TON	12.000	416.28
				Freight			2.50	86.73
				TOTAL RA, RECYCLED ASPHALT, 1" - #200	69.000	TON		
				Total Units	69.000	TON		
				Subtotal Material				828.00
				Subtotal Freight				172.51
				Amount Before Tax				1,000.51
				Tax				0.00
				Total Invoice Amount				1,000.51
<p>Payment Terms: Net 30 days from invoice list date</p> <p>Finance charges will be applied on overdue accounts at the rate of 1.5% per month / 18% per annum</p>								
<p>FP=Freight Prepaid, ZFC=FOB Carrier Location, TON=US Tons, TO=Metric Tons, M3=Cubic Meters, EA=Each, YD3=Cubic Yards</p>								

IMPORTANT: DETACH AND ENCLOSE THIS COUPON WITH YOUR PAYMENT

709709971
INVOICE NUMBER

HARWICH, TOWN OF/HIGHWAY
273 QUEEN ANNE ROAD
HARWICH MA 02645

DEDUCTION REASONS

- 1. Price \$ _____
- 2. Freight \$ _____
- 3. Tax \$ _____
- 4. Other \$ _____

AMOUNT REMITTED \$ _____

REMIT Aggregate Industries - NER, Inc
P.O. Box 28903
TO: New York NY 10087-8903

38369	10/29/2018	1,000.51
CUSTOMER NO.	INVOICE DATE	INVOICE AMOUNT

Invoice



SHIP TO

HARWICH, TOWN OF/HIGHWAY
2017 TBase
273 Queen Anne Road
Harwich MA 02645

1404157

Direct inquiries to:
Aggregate Industries - NER, Inc
P.O. Box 28903
New York NY 10087-8903
Phone: 1-855-339-4900

HARWICH, TOWN OF/HIGHWAY
273 QUEEN ANNE ROAD
HARWICH MA 02645

38369	10/19/2017	707992198
CUSTOMER NO.	INVOICE DATE	INVOICE NUMBER

Sales District: 3053 BARRY POWERS

Ship Date	Plant	FOB FP	Bill of Lading#	Material Description	Quantity	U/M	Unit Price	Gross Amount
10/17	SODN	FP	115394671	273 Queen Anne Road RA,RECYCLED ASPHALT,1" - #200 Reference: 74 Freight	31.720	TON	12.000	380.64
							2.50	79.30
10/17	SODN	FP	115394672	273 Queen Anne Road RA,RECYCLED ASPHALT,1" - #200 Reference: 75 Freight	32.850	TON	12.000	394.20
							2.50	82.13
10/17	SODN	FP	115394673	273 Queen Anne Road RA,RECYCLED ASPHALT,1" - #200 Reference: 76 Freight	31.090	TON	12.000	373.08
				TOTAL RA,RECYCLED ASPHALT,1" - #200	95.660	TON	2.50	77.73

FP=Freight Prepaid, ZFC=FOB Carrier Location, TON=US Tons, TO=Metric Tons, M3=Cubic Meters, EA=Each, YD3=Cubic Yards

IMPORTANT: DETACH AND ENCLOSE THIS COUPON WITH YOUR PAYMENT

HARWICH, TOWN OF/HIGHWAY
273 QUEEN ANNE ROAD
HARWICH MA 02645

707992198
INVOICE NUMBER

DEDUCTION REASONS

- 1. Price \$ _____
- 2. Freight \$ _____
- 3. Tax \$ _____
- 4. Other \$ _____

REMIT Aggregate Industries - NER, Inc
P.O. Box 28903
TO: New York NY 10087-8903

AMOUNT REMITTED \$ _____

38369	10/19/2017	1,387.08
CUSTOMER NO.	INVOICE DATE	INVOICE AMOUNT

Invoice



SHIP TO

HARWICH, TOWN OF/HIGHWAY
2017 TBase
273 Queen Anne Road
Harwich MA 02645

1404157

Direct inquiries to:
Aggregate Industries - NER, Inc
P.O. Box 28903
New York NY 10087-8903
Phone: 1-855-339-4900

HARWICH, TOWN OF/HIGHWAY
273 QUEEN ANNE ROAD
HARWICH MA 02645

*

38369	08/31/2017	707700407
CUSTOMER NO.	INVOICE DATE	INVOICE NUMBER

Sales District: 3053 BARRY POWERS

Ship Date	Plant	FOB FP	Bill of Lading#	Material Description	Quantity	U/M	Unit Price	Gross Amount
08/22	SODN	FP	115394507	273 Queen Anne Road RA,RECYCLED ASPHALT,1" - #200	34.670	TON	12.000	416.04
				Freight			2.50	86.68
08/22	SODN	FP	115394509	273 Queen Anne Road RA,RECYCLED ASPHALT,1" - #200	33.540	TON	12.000	402.48
				Freight			2.50	83.85
				TOTAL RA,RECYCLED ASPHALT,1" - #200	68.210	TON		
				Total Units	68.210	TON		
				Subtotal Material				818.52
				Subtotal Freight				170.53
				Amount Before Tax				989.05
				Tax				0.00
				Total Invoice Amount				989.05
<p>Payment Terms: Net 30 days from invoice list date</p> <p>Finance charges will be applied on overdue accounts at the rate of 1.5% per month / 18% per annum</p>								
<p>FP=Freight Prepaid, ZFC=FOB Carrier Location, TON=US Tons, TO=Metric Tons, M3=Cubic Meters, EA=Each, YD3=Cubic Yards</p>								

IMPORTANT: DETACH AND ENCLOSE THIS COUPON WITH YOUR PAYMENT

HARWICH, TOWN OF/HIGHWAY
273 QUEEN ANNE ROAD
HARWICH MA 02645

707700407
INVOICE NUMBER

DEDUCTION REASONS

1. Price \$ _____
2. Freight \$ _____
3. Tax \$ _____
4. Other \$ _____

REMIT Aggregate Industries - NER, Inc
P.O. Box 28903
TO: New York NY 10087-8903

AMOUNT REMITTED \$ _____

38369	08/31/2017	989.05
CUSTOMER NO.	INVOICE DATE	INVOICE AMOUNT

Invoice



HARWICH, TOWN OF/HIGHWAY
 2017 TBase
 273 Queen Anne Road
 Harwich MA 02645

1404157

Direct inquiries to:
 Aggregate Industries - NER, Inc
 P.O. Box 28903
 New York NY 10087-8903
 Phone: 1-855-339-4900

HARWICH, TOWN OF/HIGHWAY
 273 QUEEN ANNE ROAD
 HARWICH MA 02645

38369	07/27/2017	707492930
CUSTOMER NO.	INVOICE DATE	INVOICE NUMBER

Sales District: 3053 BARRY POWERS

Ship Date	Plant	FOB FP	Bill of Lading#	Material Description	Quantity	U/M	Unit Price	Gross Amount
07/20	SODN	FOB	115394465	230 GREAT WESTERN ROAD RA,RECYCLED ASPHALT,1" - #200 Reference: 48	30.080	TON	12.000	360.96
07/20	SODN	FOB	115394466	230 GREAT WESTERN ROAD RA,RECYCLED ASPHALT,1" - #200 Reference: 49	27.160	TON	12.000	325.92
				TOTAL RA,RECYCLED ASPHALT,1" - #200	57.240	TON		
				Total Units	57.240	TON		
				Subtotal Material				686.88
				Subtotal Freight				0.00
				Amount Before Tax				686.88
				Tax				0.00
				Total Invoice Amount				686.88
<p>Payment Terms: Net 30 days from invoice list date</p> <p>Finance charges will be applied on overdue accounts at the rate of 1.5% per month / 18% per annum</p>								

FP=Freight Prepaid, ZFC=FOB Carrier Location, TON=US Tons, TO=Metric Tons, M3=Cubic Meters, EA=Each, YD3=Cubic Yards

IMPORTANT: DETACH AND ENCLOSE THIS COUPON WITH YOUR PAYMENT

HARWICH, TOWN OF/HIGHWAY
 273 QUEEN ANNE ROAD
 HARWICH MA 02645

707492930
INVOICE NUMBER

DEDUCTION REASONS

- 1. Price \$ _____
- 2. Freight \$ _____
- 3. Tax \$ _____
- 4. Other \$ _____

REMIT Aggregate Industries - NER, Inc
 P.O. Box 28903
 TO: New York NY 10087-8903

AMOUNT REMITTED \$ _____

38369	07/27/2017	686.88
CUSTOMER NO.	INVOICE DATE	INVOICE AMOUNT

LICENSE AGREEMENT

THIS LICENSE AGREEMENT (this "License") is entered into on this 30 day of May, 2017, by and between the Town of Harwich, acting by and through its Board of Selectmen, having an address of 732 Main Street, Harwich, Massachusetts 02645 (the "Town"), and Robert D. Fratus, Jr. and NA, having an address of P.O. Box 873, Brewster, Massachusetts 02631 (together, "Licensee").

WHEREAS, the Town is the owner of record of Hawksnest Road (a.k.a Seth Whitefield Road), Harwich, which is an unimproved nine-foot (9') wide dirt public way (the "Roadway");

WHEREAS, Licensee owns a parcel of land adjacent to the Roadway having an address of 74 Hawksnest Road, Harwich, Massachusetts (the "Licensee's Parcel");

WHEREAS, Licensee desires to improve access to Licensee's Parcel by upgrading the Roadway from a nine-foot (9') wide dirt road to eighteen-foot (18') wide gravel road, and has requested that the Town consent to Licensee making such improvements; and

WHEREAS, the Town is amenable to allowing Licensee to upgrade the Roadway to improve access to Licensee's Parcel on the terms and conditions set forth herein.

NOW, THEREFORE, for good and valuable consideration, the parties agree as follows:

1. USE, PURPOSE, TERM. The Town hereby grants Licensee and Licensee's contractors, agents, representatives, employees, permittees and invitees a license to enter, use and improve the portion of the Roadway shown as "License Area" (the "License Area") on the sketch plan attached hereto as Exhibit A and incorporated herein for the sole purpose of widening and upgrading the Roadway to improve access to Licensee's Parcel (the "Improvements"). Licensee acknowledges that Licensee is not required to construct the Improvements, but that should Licensee wish to construct the same, the Improvements shall be constructed at Licensee's sole cost and expense and strictly in accordance with the terms and conditions set forth below (the "Work"). Licensee acknowledges and agrees that the Town shall not have any obligation to pay for or contribute toward the Improvements and other costs of the Work.

Such entry and use by Licensee, Licensee's contractors, agents, representatives, employees, permittees and invitees may be exercised from the date of this License (the "Commencement Date") until the date of Acceptance (set forth below), unless sooner terminated in accordance with the provisions of Section 9 below. Such entry and such use shall be further limited by the provisions of Section 5 below.

2. CONSIDERATION. In consideration for this License, Licensee shall pay the Town a fee of one dollar (\$1.00) and shall bear all costs and expenses associated with the exercise of the rights granted hereunder, together with the observation and performance by

Licensee of all the obligations and covenants set forth within this License to the reasonable satisfaction of the Town.

3. CONDITION OF THE PREMISES. Licensee accepts the Roadway in its "as is" condition for the purpose of this License, and acknowledges and agrees that the Town has made no representations or warranties regarding the fitness of the Roadway, including the License Area, the supply of utilities thereto, or its suitability for the construction of the Improvements. Nothing in this License shall be construed as requiring the Town to maintain the Roadway, including, without limitation, the License Area and/or the Improvements made thereto.

4. LICENSEE'S CONDUCT. During the exercise of the rights hereby granted, Licensee shall at all times conduct Licensee so as not to unreasonably interfere with the use of the Roadway by the Town, by members of the public, and other parties having lawful rights in, on, or under said Roadway, and observe and obey directives of the Town and its duly designated representatives, as well as all applicable laws, statutes, ordinances, regulations and permitting or licensing requirements. In the event that the Licensee must close the Roadway to vehicular traffic during the Work, Licensee shall provide seven (7) days notice to the Town of such closure and identify and arrange for alternative routes of such travel during the closure.

Licensee shall, during the term of this License and at Licensee's sole expense, maintain the License Area and the Improvements and other structures thereon in good and safe order and condition. Licensee's responsibilities shall include the restoration or repair of any and all damage to the License Area, the remaining Roadway, and/or any improvements thereto or property thereon related to any act, failure to act or negligence of Licensee, Licensee's contractors, agents, representatives, employees, invitees and/or permittees (with Licensee, the "Licensee Parties"). This obligation shall survive the expiration or termination of this License.

5. WORK. Licensee shall commence and complete the Work within 180 days. Licensee shall notify the Town no later than ten (10) business days prior to the commencement of the Work and pursue its completion with reasonable diligence. Licensee shall complete the Work within sixty (60) days of commencement, which completion date may be extended by the Town for events beyond the reasonable control of Licensee provided that Licensee has been using good faith and commercially diligent efforts to undertake the Work. In the event that Licensee does not complete the Work within ninety (90) days from the commencement date, as such date may have been extended by the Town from time to time, the Town shall have the right to use the Bond referenced in Section 7 below.

The parties acknowledge that the sketch plan attached hereto as Exhibit B is a preliminary drawing of the Improvements (the "Approved Plans"). The Improvements shall be constructed substantially in accordance with the Approved Plans. Licensee shall not make any other alterations to the License Area or any alterations to the rest of the Roadway without the Town's prior written consent, which may be withheld in its sole discretion.

Licensee shall procure all necessary permits before undertaking the Work, provide copies of the same to the Town, and cause all the Work to be performed expeditiously, using commercially diligent efforts, in a good and workmanlike manner, and in accordance with the

requirements of insurers, employing new materials of good quality. Licensee shall at all times comply with (i) the Approved Plans and (ii) all applicable local, state and federal rules, regulations, statutes, and by-laws. If Licensee does not perform the Work, Licensee shall employ responsible contractors to perform the Work,

Licensee shall install such fencing and other safety devices, if any, necessary to ensure the safety of the Town's personnel, persons on the License Area and the Roadway, adjacent property owners and their property and the general public. The Town is not responsible for the security of the Roadway, including the License Area, and the Work, which shall be at all times the sole responsibility of Licensee.

Licensee shall not permit any mechanics' liens, or similar liens, to remain upon the License Area, and/or the Roadway for labor and material furnished to Licensee or claimed to have been furnished to Licensee in connection with work of any character performed or claimed to have been performed at the direction of Licensee and Licensee shall cause any such lien to be released of record forthwith without cost to the Town. All laborers and materialmen furnishing labor and materials for the Work shall release the Town from any and all liability.

Licensee may bring such vehicles and other equipment upon the License Area as would ordinarily be used to undertake the Work, but Licensee shall not store any equipment or materials thereon without the Town's prior written consent or park any vehicles thereon. Licensee shall be solely responsible for the security of Licensee's equipment and materials relating to the Improvements. The Town shall have no responsibility for any damage to the same from theft or vandalism or any other cause whatsoever.

Licensee shall inform the Town by written notice to the Town Administrator at least fourteen (14) days prior to the completion of the Work so that the Town may inspect the same and assess compliance with the terms hereof. If the Town determines that the Work has been completed in compliance with the Approved Plans and terms hereof, the Town shall provide written acceptance of the Improvements (the "Acceptance"). If the Town reasonably determines that the Work has not been completed in compliance with the terms hereof, the Town shall notify Licensee in writing of such noncompliance and Licensee shall promptly take such additional work as is necessary to ensure that the Improvements materially conform to the Approved Plans and are completed in accordance with the terms hereof. Licensee shall be responsible for curing defects in the Improvements for a period of one (1) year after the date of Acceptance. The date of any such Acceptance by the Town shall fix the Term hereof pursuant to Section 1.

The provisions of this Section shall survive the termination of this License.

6. INDEMNIFICATION AND RELEASE. Licensee agrees to indemnify, defend and hold harmless the Town from and against any and all claims, demands, suits, actions, costs, judgments, whatsoever, including reasonable attorneys' fees, which may be imposed upon, incurred by, or asserted against the Town by reason of (a) any failure on the part of Licensee to comply with any provision or term required to be performed or complied with by Licensee under this License, (b) for the death, injury or property damage suffered by

any person in or around the Roadway, including without limitation the License Area, relating in any way to Licensee's exercise of its rights under this License and/or the Improvements and/or the negligence or willful misconduct of any of Licensee Parties, (c) the release, emission, storage or maintenance by Licensee or any of the other Licensee Parties of any toxic or hazardous waste or materials, pollutants, or substances, including without limitation, asbestos, PCBs, petroleum products and byproducts, substances defined or listed as "hazardous substances" or "toxic substances" or "hazardous waste" or "hazardous material", as those terms are defined by any applicable laws, rules or regulations; or (d) any defect in the materials installed or improvements made or negligence in the assembly or construction of the Improvements in, on, under or upon the License Area.

Licensee hereby releases the Town, its employees, officers, agents, board members, and attorneys from any claims, actions, rights of action, causes of action, damages, costs, loss of services, expenses, compensation, attorneys' fees or other liability or responsibility for Licensee's losses or damages related to the condition of the Roadway, including the License Area, and Licensee agrees and covenants that it will not assert or bring, nor cause any third-party to assert or bring, any claim, demand, lawsuit or cause of action against the Town, including, without limitation, claims for property damages, diminution in property value claims, personal injury or death damages and any other damages relating to, or arising from, Licensee's use of the Roadway/License Area.

The provisions of this Section shall survive the expiration or termination of this License.

7. INSURANCE; BOND

Performance bonds shall apply to projects in excess of \$100,000.00. Prior to the commencement of any Work, Licensee shall provide the Town with copies of a performance and labor and materials payment bond provided by Licensee or Licensee's contractor, in the amount of 100% of the value of the Improvements to be performed by Licensee under the terms of this License, ensuring the completion of the Improvements, and payment for labor and materials, which bond shall name Licensee and the Town as Obligees under said bond (the "Bond"). The Bond shall be issued by a surety licensed by the State Division of Insurance to do business under the laws of the Commonwealth of Massachusetts and reasonably acceptable to the Town, and said Bond remain in effect until thirteen (13) months has passed from the date of Acceptance. In the event that Licensee fails to construct or complete the Improvements materially in conformance with the Approved Plan, the Town shall have the right to use the Bond.

Licensee shall maintain during the Term hereof commercial public liability insurance, including coverage for bodily injury, wrongful death and property damage, in the minimum amount set forth herein to support the obligations of Licensee under the terms of this License to indemnify, defend and hold harmless the Town.

Prior to entering upon the License Area, Licensee shall obtain insurance in the minimum amounts required hereunder and shall provide the Town with certificates of insurance in each case indicating the Town is an additional insured on the policy(ies) (except workers compensation) and showing compliance with the following provisions. Licensee shall require the

insurer to give at least thirty (30) days' written notice of termination, reduction or cancellation of the policy(ies) to the Town. The insurance coverage required hereunder shall be placed with insurance companies licensed by the Massachusetts Division of Insurance to do business in the Commonwealth of Massachusetts and have a Best's rating of A or better.

- (a) Comprehensive General Liability Insurance in the minimum amount of \$1,000,000.00 Bodily Injury and Property Damage Liability, Combined Single Limit with a \$2,000,000.00 Annual Aggregate Limit.
- (b) Automobile Liability (applicable for any contractor who has an automobile operating exposure) of at least \$100,000.00 Bodily Injury and Property Damage per accident.
- (c) Workers' Compensation Insurance as required by law. Include Employers Liability Part B

To the extent possible, Licensee shall obtain, for each policy of insurance secured by it, provisions permitting waiver of any claims against the Town for loss or damage within the scope of the insurance, and Licensee, for itself and its insurers, waives all claims against the Town as to such claims covered by such insurance.

8. RISK OF LOSS. Licensee agrees that it shall use and occupy the Roadway, including the License Area, at its own risk, and the Town, its agents, employees, representatives, officers, agents, board members and attorneys shall not be liable to Licensee for any injury or death to persons entering the License Area/Roadway pursuant to the License, or loss or damage to vehicles, equipment or other personal property of any nature whatsoever of Licensee, or of anyone claiming by or through Licensee, that are brought upon the License Area/Roadway pursuant to the License, except if such injury, death, loss or damages is caused by the willful act or gross negligence of the Town, or its employees, agents or contractors.

9. TERMINATION and REVOCATION. This License shall be revocable by either party upon written notice of revocation at least thirty (30) days prior to the termination date stated within said notice, except in the event of default in Licensee's obligations, including the insurance obligations, in which case reasonable notice may be given less than thirty (30) prior to the termination date.

In the event of the termination of this License by either party, Licensee shall remove any and all equipment and materials from the License Area and shall, at the Town's request and at Licensee's sole expense, restore and/or repair the License Area to such condition as shall be reasonably specified by the Town within thirty (30) days from the effective date of such termination. All Improvements allowed to remain on the License Area by the Town shall become the Town's property. This obligation shall survive the termination of this License.

10. RIGHTS OF THE TOWN TO ENTER. The Town reserves the right and Licensee shall permit the Town to enter upon and use the License Area at any time and for any and all purposes at the Town's sole discretion, and Licensee's use shall not interfere with the Town's use of the License Area.

11. NOTICE. For purposes of this License, the parties shall be deemed duly notified in accordance with the terms and provisions hereof, if written notices are hand-delivered, sent by registered or certified mail, postage prepaid, or sent by recognized overnight mail, or sent by confirmed facsimile transmission, to the addresses set forth above, or to such other addresses as may from time to time hereafter be designated by the parties by like notice.

12. HAZARDOUS MATERIALS. Licensee agrees not to bring upon, use, generate, release, store or dispose of any Hazardous Materials on, under, about or within the License Area in violation of any law or regulation. As used in this section, "Hazardous Materials" shall mean any toxic or hazardous waste or materials, pollutants, or substances, including without limitation, asbestos, PCBs, petroleum products and byproducts, substances defined or listed as "hazardous substances" or "toxic substances" or "hazardous waste" or "hazardous material", as those terms are defined by any applicable laws, rules or regulations.

13. MISCELLANEOUS

A. No Estate Created. This License shall not be construed as creating or vesting in Licensee any estate in the License Area, but only the limited right of use as hereinabove stated.

B. Survival of Terms and Provisions. All appropriate terms and provisions relating to the restoration of the License Area affected hereby shall survive the expiration and/or termination of this License, in addition to the survival of other terms stated herein to so survive.

C. Waivers. Notwithstanding anything herein to the contrary, no provision of this License, no entry upon, travel over or other use of the License Area by the Town, nor the Town's granting of any rights or assumption of any obligations hereunder shall not waive, bar, diminish or in any way affect: (i) any legal or equitable right of the Town to regulate or issue any order with respect to the Roadway and/or Improvements; (ii) waive any limitations on liability afforded a body politic of the Commonwealth of Massachusetts; or (iii) pursue any other claim, action, suit, damages or demand related thereto.

D. Severability. If any court determines any provision of this License to be invalid or unenforceable, the remainder of this instrument shall not be affected and each provision of this License Agreement shall be valid and enforceable to the fullest extent permitted by law.

E. Governing Law. This License shall be governed by and construed in accordance with the laws of the Commonwealth of Massachusetts, and any and all legal actions brought in connection with this License shall be brought in courts within the Commonwealth of Massachusetts.

F. Modifications or amendments to this License shall be in writing and duly executed by both parties hereto to be effective.

In Witness Whereof, the parties hereto have caused this License Agreement to be executed on this 30th day of May, 2017



TOWN OF HARWICH
By Its Board of Selectmen

LICENSEE:

Robert Fratus

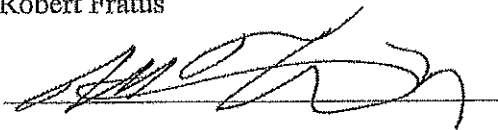
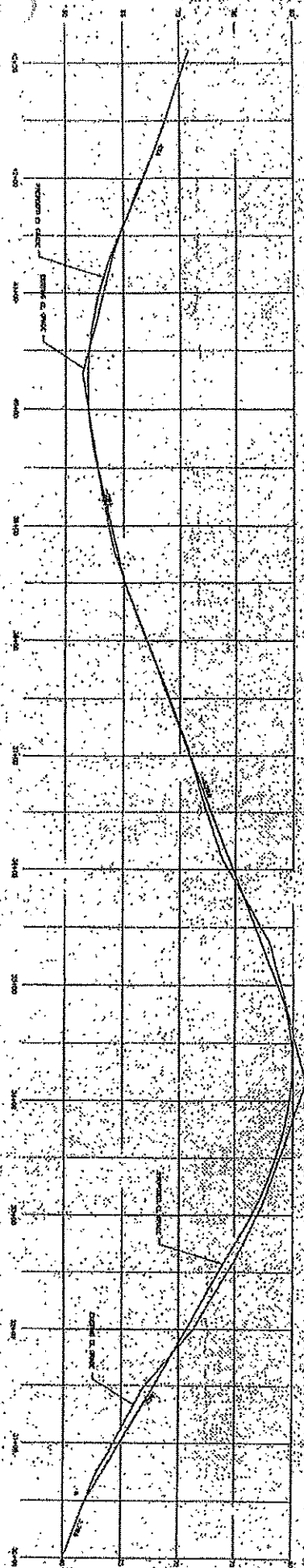
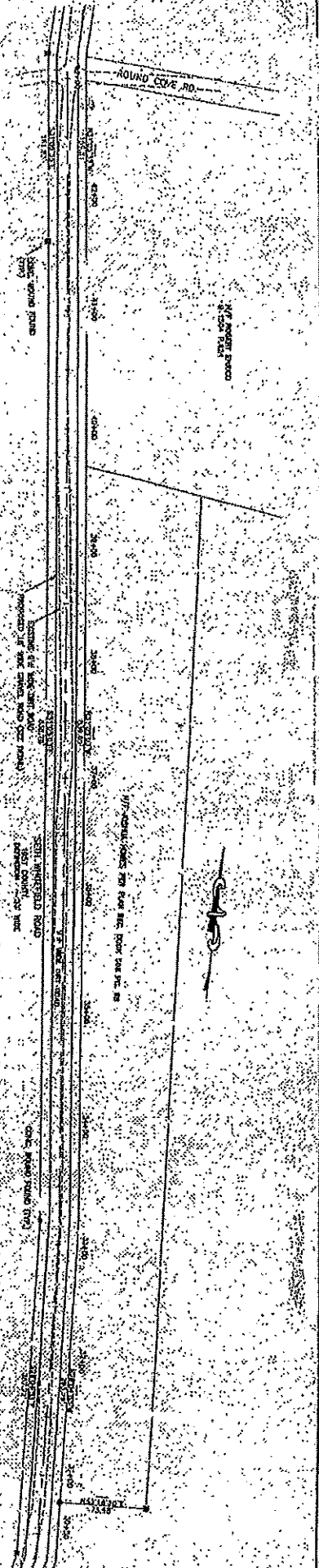
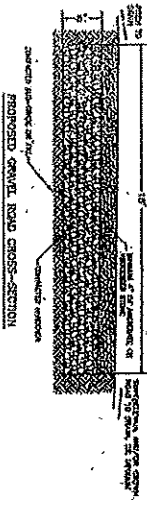
A handwritten signature in black ink, appearing to read "Robert Fratus", written over a horizontal line.

Exhibit A



ROAD PROFILE
1" = 4' VERT
1" = 40' HORZ



D-425

JOHN CHIN ENGINEERING, INC.
 200 W. MAIN STREET, SUITE 407
 WASHINGTON, MA 01890
 TEL: 978-335-2200
 FAX: 978-335-2201
 WWW.JCHIN.COM

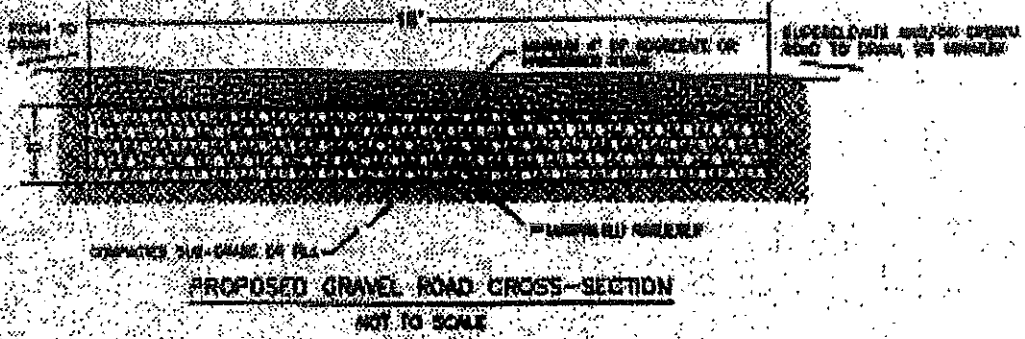
4-17-17
 DATE: 4-17-17
 5002



PLAN AND PROFILE
 OF NORTHERLY PORTION OF
 SETH WHITEFIELD ROAD
 HARWICH, MA
 ROBERT FRATIUS, JR.
 REGISTERED PROFESSIONAL ENGINEER
 SEPTEMBER 12, 2008
 REVISED APRIL 12, 2017 (QUEST)

D-425

Exhibit B





Unpaved Section of Round Cove Road

Widened - No T-base or Millings as required by License Agreement

Widened and T-based per License Agreement



Article #54 May 6, 2019 Harwich Town Meeting

D. Preliminary Impact on Plastic Bottle Ban

Mr. Clark said he has asked the department heads to look at this and the Fire Department has indicated that it is critical to serve bottled water for Emergency Management purposes. He added that Link Hooper was concerned that this may include other beverages and they do prepare meals during snow removal using plastic bottles.

Meggan Eldredge, Health Department
Jack Brown, head of the Finance committee

Original text:

ARTICLE: 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 as Chapter 125, Article I, §125-1:

The procurement by the Town of Harwich of either water or any other beverage in plastic containers of any size is prohibited and the dispensing of water or any beverage in plastic containers is prohibited on town property.

Issue:

1. change 'dispensing' to 'sale' and replace procurement of 'plastic containers' with 'single-use plastic bottles'
2. Also, to address emergency and public safety operations:

Change:

The procurement by the Town of Harwich of either water or any other beverage in single-use plastic bottles of any size is prohibited and the sale of water or any beverage in plastic containers is prohibited on town property.

Add:

Any Town department when engaged in public safety operations shall be exempt from this Bylaw.

EFFECTIVE DATE: AS SOON AS PRACTICABLE BUT NO LATER
than JANUARY 1, 2020.

Patrick Otton
617-244-2761

RETIREE HEALTH INSURANCE Regulation 2018, Amended 2019

Subject to any eligibility rules or regulations proscribed by the town's health insurance plans, persons retiring from service to the Town of Harwich pursuant to G.L. c 32 (the public pension law), and who are not enrolled in a town-sponsored health insurance plan at the time of retirement, have one year from the date of retirement to opt in to participate in a town-sponsored health insurance plan as a retiree, as follows: retirees wishing to opt in during this one year time period may only be enrolled either at the next open enrollment period within one year after date of retirement, or, upon a qualifying event occurring within one year from the date of retirement. Written notification of such "opt in" must be given in writing to the Harwich Town Treasurer.

Those retirees who are enrolled in a town-sponsored health insurance plan at the time of retirement must sign the town provided form stating they will remain in the plan.

If a retiree who is enrolled in a town-sponsored health insurance plan chooses to opt out of such plan they may not return to any town-sponsored health insurance plan once they have opted out.

Bridge Option-Within the one year opt-in time frame, an employee may notify the Town Treasurer that he or she has health insurance which will expire within five years of the person's retirement date and ask for approval from the Town Treasurer and Town Administrator for a waiver on the one year opt-in regulation to a time certain.

Sandy Robinson

From: Oldach, Mary <moldach@monomoy.edu>
Sent: Sunday, December 30, 2018 5:10 PM
To: Link Hooper; Budzynkiewicz, Emily (DOT); Chris Nickerson; Christopher Clark; Kathleen Isernio; Sandy Robinson; Scott Carpenter; Steven Tupper
Subject: SRTS Application Draft
Attachments: SRTS APP 12_30_18 DRAFT.pdf; SRTS APP 12_30_18 DRAFT.pdf

Hello everyone,

Attached is the draft of the SRTS Infrastructure Grant application for almost \$600,000 in sidewalk and intersection improvements in the HES/Harwich Center area.

Thank you for everyone's input thus far. There are application questions that I cannot answer, and I need your help to complete the questions below (I attached the draft application with the questions highlighted). I am not sure which questions are best answered by Harwich DPW or CCC, thank you for your support on flushing these answers out:

Part II

- #23 - Distances to School by increment (Emily)
- #29
- #30 - note photos needed

Part III

- #32 - multi part question
- #34 - Need ADA improvement documentation if we have it.
- #36
- #37
- #39

(Please note that the DPW estimate doc and letters of support will be uploaded).

To keep us on track for submission, I would like to have the narrative for these questions back by Friday, January 4th.

Please let me know if I can help in anyway with this part of the application.

Many thanks for your support,
Mary

Mary Oldach, M.Ed.
Principal, Harwich Elementary School
508-430-7216

MASSDOT - HIGHWAY DIVISION

MassDOT Safe Routes to School Infrastructure Project Application

School Applicant Information

Date: 12/28/2018

- 1. Name of Applicant School: Harwich Elementary School
- 2. School Applicant Contact: Mary Oldach
- 3. Title/Role: Principal
- 4. Phone: (508)430-7216
- 5. Email: moldach@monomoy.edu
- 6. Address: 263 South Street
- 7. Address 2: Harwich Elementary School
- 8. Town/City: Harwich, MA
- 9. Zip Code: 02660

Municipal Co-Applicant Information

- 10. Municipal Applicant Contact: Christopher Clark
- 11. Title/Role: Town Administrator
- 12. Phone: (508)430-7513
- 13. Email: cclark@town.harwich.ma.us
- 14. Address: Harwich Town Hall
- 15. Address 2: 732 Main Street
- 16. Town/City: Harwich Center, MA
- 17. Zip Code: 02645

Part I - School Information

A. School Characteristics

18. Is the school designated Title I?

Yes No

19. What percent of students are eligible for free or reduced-price lunch? 40 43 %

20. Total enrollment: 563

21. What grades are served by the school?

K 1 2 3 4 5 6 7 8
 Other Preschool

22. Are there any plans for potential closure, relocation, or expansion of the school? Please explain

No, Harwich Elementary in a vibrant school which operates at near full capacity.

23. Student distances to school DOT Map (Emily)

Distance	< 1/2 mile	1/2 to 1 mile	1 - 1.5 miles	1.5 - 2 miles	> 2 miles
Number of students	0	0	0	0	0
% of school population	0	0	0	0	0

24. Are any students bused within a mile of the school? If yes, please explain

Yes No

Yes Monomoy Regional School District offers bus transportation to all students The poor condition of the existing sidewalk infrastructure and nonexistence of sidewalks within our project area is a deterrent to walking safely to school.

25. Do school districts charge families a fee for bus transportation to/from school?

Yes No

If yes, what is the fee? \$ _____ per Week Month Year

26. Provide number of students that take each mode of transportation TO and FROM school (on a typical day) Many HES

Mode	Walk	Bicycle	Family Vehicle	Carpool (multiple families in one vehicle)
Number of students TO School	0	0	0	0
% of school population	0	0	0	0

Number of students FROM School	0	0	0	0
% of school population	0	0	0	0

Mode	School Bus	Public Transit	Childcare/ after school program vehicles	Other
Number of students TO School	0	0	0	0
% of school population	0	0	0	0
Number of students FROM School	0	0	0	0
% of school population	0	0	0	0

Part II - Facility Location and General Information

27. **Project Description:** Provide a brief description of the project including road names and project limits (i.e., where the project is located), and length of project: Limit your response to 150 words.

This application focuses on improvements for a new and existing, but inadequate, sidewalk network and intersection improvements around Harwich Elementary School. The project is a triangle sidewalk network that embraces the school and connects it to Harwich Center with Town Hall, the public library, several recreational assets, connection to the rail trail, public safety facilities and various businesses. Our concern is primarily for the safety of schoolchildren who currently utilize an aged and incomplete sidewalk network. The current network has sidewalks that are only 3 feet wide and made of various materials with virtually no updated Americans with disability act features. This condition leads to concerns when mixed with the intersection of two state numbered route,s route 124 and route 39, The mixing of vehicular traffic with school age children walking along inadequate or nonexistent sidewalk networks is a great safety concern and impacts the number of students who walk to school. Our school district currently provides bussing to all students in acknowledgment of this safety concern.

28. Is the proposed project on an existing walking and/or bicycling route(s)?

- Yes No

29. How were the proposed project improvements identified? (Walk audit, Road Safety Audit, or other similar assessment at or near the school?) *Cape Cod Com., DPW*

- Walk audit Road Safety Audit
- Other similar assessment _____

30. Insert photographs (limit 10) of the existing project area *DPW please provide pictures*

Attachments:

Part III - Identification of Problem, Need or Opportunity

31. Project objectives: Please check all project objective(s) that apply.

- Increase Number of pedestrians to/from school
- Increase number of students that bicycle to/from school
- Improve safety for students that currently walk to school
- Improve safety for students that currently bicycle to school
- Slow vehicular traffic around school
- Reduce conflicts between pedestrians and/or bicycles and traffic
- Improve the safety of roadway crossings
- Improve pedestrian/bicycle mobility and circulation
- Improve accessibility for pedestrians with disabilities
- Create new bicycle or pedestrian routes to school

32. Indicate existing issues or deficiencies in the project study area impacting walking and biking safety and mobility. Check all that apply and provide supporting narrative.

- A history of crashes, particularly involving pedestrians and/or bicyclists. Please explain

There were 64 crashes in the vicinity of the proposed SRTS project between 2012 and 2016 most recent 5 years in the RMV records. While there were no pedestrian crashes reported in that period the crashes indicate a challenging roadway environment where it is important that pedestrian crossings are up to standard

- Speeding issues in the project area *HPD - Many to get*

- Lack of safe crossing(s) (unmarked midblock crossing, long crossing distances or poor yielding compliance at existing crossings), poor/no lighting *TOWN / DPW*

- Lack of sidewalks or other pedestrian facilities *TOWN / DPW*

- Lack of bicycle infrastructure and facilities *TOWN / DPW*

- Frequent or potential areas where pedestrians and bicycles experience conflicts with motor vehicles *TOWN / DPW*

- Issues with site distance for motorists and pedestrian/bicycle visibility *TOWN / DPW*

- Need upgraded facilities to make routes accessible and ADA compliant *TOWN / DPW*

- Other *Please add any other consideration?*

33. Does the project have community support? If so, explain

- Yes No

Yes, both the Monomoy Regional School District School Committee and the Board of Selectmen, Town of Harwich have submitted letters of support which are attached to this application.

34. Do initiatives or committees exist that support SRTS in the community? If so, explain

Need ADA info if we have it

- Yes No

The proposed SRTS project is identified specifically or is contained within larger efforts identified in the following plans produced by the Cape Cod Commission Cape Cod Safe Route to Schools Opportunities for BicyclePedestrian Network Connections 2018 Connecting Town Centers to the Regional Pedestrian Bicycling Network on Cape Cod 2014 A Plan for Improved Pedestrian and Bicycle Facilities in Harwich 2011 Harwich Center Technical Assistance Memorandum 2009 The Harwich Center Initiative Final Report 2000 identifies key issues and areas of concern for the sidewalks including the type of materials with associated cost, maintenance considerations, extent of sidewalks width and American Disability Act ADA compliance. Areas of concern also include the proper placement of crosswalks, ADA compliance and visibility to motorists. *any of the ADA improvement documentation you have*

35. Is the project(s) identified in an adopted plan or other formal document? If so, explain

- Yes No

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36. Is the proposed project part of a larger project planned at or near the school? If yes, what other improvements are planned?

Is there a project or plan we can reference?

- Yes No

37. Have current design plans been developed for the proposed project? If so, please indicate the design phase (%) and attach to this application

Not sure if the answer is yes or no?

- Yes No

38. Has a cost estimate been developed for the proposed project? If so, please provide the overall budget and identify the budget components of this specific project

- Yes No

PARALLEL STREET NEW CONSTRUCTION 1050 LF VERTICAL FACED GRANITE LF 1050 LF 4000 4200000
 BITUMINOUS ASPHALT SIDEWALK SQYD 583 SQYDS 4500 2623500 ADA COMPLIANT PEDESTRIAN
 RAMPS EA 4 RAMPS 100000 400000 RELOCATEDNEW DRAINAGE SYSTEMS EA 4 SYSTEMS 580000
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39. Are any other infrastructure improvements planned at or near the school by MassDOT or the local municipality or school district or another entity? If so, explain *I will add info on the playground project.*

Yes No

IS there anything else?

MASSDOT - HIGHWAY DIVISION

MassDOT Safe Routes to School Infrastructure Project Application

School Applicant Information

Date: 12/28/2018

- 1. Name of Applicant School: Harwich Elementary School
- 2. School Applicant Contact: Mary Oldach
- 3. Title/Role: Principal
- 4. Phone: (508)430-7216
- 5. Email: moldach@monomoy.edu
- 6. Address: 263 South Street
- 7. Address 2: Harwich Elementary School
- 8. Town/City: Harwich, MA
- 9. Zip Code: 02660

Municipal Co-Applicant Information

- 10. Municipal Applicant Contact: Christopher Clark
- 11. Title/Role: Town Administrator
- 12. Phone: (508)430-7513
- 13. Email: cclark@town.harwich.ma.us
- 14. Address: Harwich Town Hall
- 15. Address 2: 732 Main Street
- 16. Town/City: Harwich Center, MA
- 17. Zip Code: 02645

Part I - School Information

A. School Characteristics

18. Is the school designated Title I?

Yes No

19. What percent of students are eligible for free or reduced-price lunch? 40 43 %

20. Total enrollment: 563

21. What grades are served by the school?

K 1 2 3 4 5 6 7 8
 Other Preschool

22. Are there any plans for potential closure, relocation, or expansion of the school? Please explain

No, Harwich Elementary in a vibrant school which operates at near full capacity.

23. Student distances to school DOT Map (Emily)

Distance	<1/2 mile	1/2 to 1 mile	1 - 1.5 miles	1.5 - 2 miles	> 2 miles
Number of students	0	0	0	0	0
% of school population	0	0	0	0	0

24. Are any students bused within a mile of the school? If yes, please explain

Yes No

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IS there anything else?



HARWICHPolice

DEPARTMENT

183 Sisson Road, Harwich, MA 02645

Tel 508-430-7541 Fax 508-432-2530



DAVID J. GUILLEMETTE
Chief of Police

KEVIN M. CONSIDINE
Deputy Chief

WEEKLY ACTIVITY REPORT FOR WEEK OF 3/31/19 THROUGH 4/06/19

PATROL

- 371 Calls and patrol-initiated activity logged
 - 15 Arrests
 - 1 Overdose (prescription meds) non-fatal

- 38 Traffic Enforcement Assignments completed

- 35 motor vehicle stops resulting in:
 - 21 Verbal warnings
 - 7 Written warnings
 - 2 Criminal complaint
 - 1 Services Rendered
 - 4 Investigations

- 12 Motor vehicle accidents investigated

ADMINISTRATION

- Chief met with Fin Comm member
- Union negotiations
- In-Service make up Boylston MA
- Retirement coffee and send off for Deputy Chief Gagnon
- Promotional ceremony held for promotions to Sgt., Lt. and Deputy Chief



*Sheila House, MS, LMHC
Harwich Youth & Family Counselor
Town of Harwich • 728 Main Street
Harwich, MA 02645*

**MONTHLY REPORT-Board of Selectmen
Sheila House, LMHC - April 10, 2019**

- Current caseload of 20 individuals. Clients receive mental health counseling, case management, mentoring, and wellness referrals as needed.
- Administrative block time (closing files, curriculum planning, update email lists, generate and distribute information to school administrators)
- **Wednesday, March 13th**- Review materials for administration of the Massachusetts Youth Risk Behavior Survey, with Jennifer Police assistant principal Monomoy High School. Grades 7-11 will complete survey on June 6th, 12th graders will complete survey May 2nd. I was able to secure grant funds in the amount of \$5,000 from Cape Cod Foundation, to pay for the gathering and analysis of data. As has been the case during the 2014 and 2016 surveys, I will be working with Scott Carpenter to roll out the data to parents and students. The survey will help identify needs with regards to responding to risky behavior, as well as identifying trends over the past 5-6 years.
- **Friday, March 15th** – Second Middle School Social, held at the Harwich Community Center, cohosted by Harwich Youth Services and Chatham Youth & Recreation. Activities included lazertag, game room, music and arts & crafts. Next social will be held at the Chatham Community Center, sometime in May.
- **March 16-23- VACATION**
- Invitation from Kathy Budreski to take part in a Q&A at Brewster Ladies Library about legalization of marijuana and possible effects on youth. Event is April 30th at 7:00 pm
- **Wednesday, March 27th** – Presented with colleague Stephanie Briody to John Dickson's 8th grade civics class, who have chosen the topic of opioid addiction for their class project. We will be working with the class to create awareness about prevention efforts, including Recovery BUILD, an

after school program for youth who are working toward leading a substance-free life.

- **Monday, April 1st**- Meeting with Stephanie Briody, to provide detail to Mr. Dickson's class.
- **Tuesday, April 9th** – Panel member for outreach event at Cape Codder Resort identifying current supports and gaps in services with regards to all age populations (mental health & substance abuse).

Interesting articles:

Social Media Breaks, What Do They Accomplish?

https://onezero.medium.com/what-do-social-media-breaks-accomplish-95471d34130c?fbclid=IwAR1b0U3a0d9HwVGkkgQcjKT2j_EtiXU1g3v9RHBH8hTEv5BOVC67f9O11LM

Alternatives to AA for Maintaining Sobriety

<https://www.thetemper.com/sober-communities-beyond-traditional-aa/?fbclid=IwAR0QJOMr5764yGCGQBEGqTDbz5NR2-5mxjc-MWEviNGoT4qc4Y6kk52N-vk>

Teens Tracking Peers' Location on Snapchat

https://www.screenagersmovie.com/tech-talk-tuesdays/how-teens-track-each-other-on-snap-map?utm_campaign=shareaholic&utm_medium=facebook&utm_source=socialnetwork&fbclid=IwAR0XbsMu_pi71HjDRR6IEVtTwFclv8rkCf0uJbPyWwQZLJgeUpJi1MwMGX8

Please feel to call me at (508) 430-7836 if you have any questions.

Best Regards,

Sheila

Sheila House, MS, LMHC
Harwich Youth & Family Services