

SELECTMEN’S MEETING AGENDA*

Donn B. Griffin Room, Town Hall

732 Main Street, Harwich, MA

Executive Session 5:30 P.M.

Regular Meeting 6:00 P.M.

Monday, March 13, 2023

Remote Participation Optional:

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

<https://meet.goto.com/996258165>

You can also dial in using your phone.

Access Code: 996-258-165

United States: [+1 \(872\) 240-3412](tel:+18722403412)

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

I. CALL TO ORDER

II. EXECUTIVE SESSION

- A. Pursuant to MGL c.30A section 21 (a)(3) to discuss strategy with respect to collective bargaining for all town unions and the Chair has determined that open session would have a detrimental effect on the town’s bargaining position; SEIU
- B. Pursuant to MGL c.30A section 21 (a)(3) to discuss strategy with respect to litigation involving 47 North Road if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares;

III. PLEDGE OF ALLEGIANCE

IV. PUBLIC COMMENTS/ANNOUNCEMENTS

- A. Committee Vacancies

V. CONSENT AGENDA

- A. Approve Board of Selectmen Meeting Minutes:
 - 1. February 27, 2023
 - 2. March 4, 2023 - Finance Committee and Board of Selectmen Joint Budget Meeting
- B. Vote to approve the Assistant Town Administrator’s recommendation to grant permission by NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY for the purpose of to install 30’ +/- of 1-3” conduit from the proposed handhole 289/HA2 to a customer installed handhole 289/HB2 at 18 Holmes Road
- C. Accept the following committee resignations effective immediately:
 - 1. Joanne D. Lepore, Council on Aging

VI. NEW BUSINESS

- A. Approve the following committee appointment recommendations from the Board of Selectmen Interview Committee:
 - 1. Harry Munns - Planning Board from Alternate Member to Full Member expiring 6/30/24.
- B. Disposition of Albro House 728 Main Street
- C. Discussion on FY24 Department Operating Budgets
- D. FY23 Personnel Bylaw FY23 Salary Tables
- E. Draft Articles Presentation

VII. TOWN ADMINISTRATOR’S REPORT

VIII. SELECTMEN’S REPORT

IX. CORRESPONDENCE

- A. Budgets – Information from Saturday, March 4 meeting

X. 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:

Patience Smith-Cabrera, Executive Assistant

Posted by: _____

Town Clerk

Date: _____

March 9, 2023

PUBLIC
COMMENTS /
ANNOUNCEMENTS

Town of Harwich
Board of Selectmen Committee Vacancies
March 8, 2023

Agricultural Commission (3 Full / 1 Alternate)	4
Capital Outlay Committee (Board of Selectmen/Town Administrator Appointee)	2
Community Center Facilities Committee	1
Conservation Commission (1 Alternate)	1
Council on Aging	2
Harwich Accessibility Rights Committee (2 Alternate)	2
Harwich Cultural Council	1
Harwich Energy and Climate Action Committee (2 Alternate)	2
Harwich Housing Committee	1
Historic District/Historical Commission (2 Full Member - 1 Associate Members)	3
Planning Committee - upcoming	1
Real Estate and Open Space Committee	1
Voter Information Committee	3
Youth Services (1 Full/1 Alternate)	2
Zoning Board of Appeals (2 Alternate)	2

Citizen's Committee Vacancy Forms are available on our website

CONSENT AGENDA

**MINUTES
SELECTMEN'S MEETING
TOWN HALL
MONDAY, FEBRUARY 27, 2023
5:00 P.M. - EXECUTIVE SESSION
6:00 P.M. - REGULAR MEETING
REMOTE PARTICIPATION OPTIONAL**

SELECTMEN PARTICIPATING: Michael MacAskill, Larry Ballantine, Julie Kavanagh & Donald Howell

ALSO PARTICIPATING: Joseph F. Powers

CALL TO ORDER

Mr. MacAskill called the meeting to order at 5:00 p.m. to begin with Executive Session.

Mr. Ballantine moved that the Board of Selectmen enter into Executive Session to discuss items as listed below and that the Chair has declared that an open session would have a detrimental effect on the towns bargaining position, 2nd by Ms. Kavanagh. The vote was 4-0-0 with Mr. MacAskill, Mr. Howell, Mr. Ballantine and Ms. Kavanagh all voting aye by roll call.

EXECUTIVE SESSION

- A. Pursuant to G.L. c. 30A, sec. 21(a)(2) to conduct strategy sessions in preparation for negotiations with all non-union personnel including those with employment agreements: Finance Director, Chief of Police, Fire Chief and Town Administrator
- B. Pursuant to MGL c.30A section 21 (a)(3) to discuss with respect to collective bargaining for all town unions and the Chair has determined that open session would have a detrimental effect on the town's bargaining position; Harwich Maintenance Employee Association (HMEA)
- C. Executive Session - G.L. c.30A, §21(a)(7) - To comply with any general or special law - G.L. c.214, §1B

Mr. MacAskill called the meeting back to order and stated that no action was taken on any item under executive session.

PUBLIC COMMENTS/ANNOUNCEMENTS

Fire Chief David LeBlanc was present and announced that the Fire Department has received notification that they are the recipient of a federal grant in the amount of \$68,571. This request was submitted last year and was originally denied because funds ran out before they got to Harwich's application. Since then, ARPA money has been infused into the grant program and Harwich was awarded the secondary award based on that. Chief LeBlanc stated that the town will be responsible for \$3,000 and that the rest will be covered by grant money for the purchase of 8

thermal imaging cameras. Chief LeBlanc acknowledged Firefighter Christina Regan and Deputy Fire Chief Craig Thornton for their work on this grant.

Highway Director Link Hooper was present and stated that the Azalea Drive bridge project is officially underway.

Patrick Otton was present and stated that 2 weeks ago he brought up the issue of registering rental properties. Mr. Otton would like to make sure that this topic is placed on an agenda for discussion and asked to be notified so he can participate.

A. Committee Vacancies

NEW BUSINESS

A. Scott Carpenter, Superintendent to present Fiscal Year 2024 Monomoy Regional School District budget

Superintendent Scott Carpenter was present with School Business Manager Michael MacMilan. Mr. MacMilan stated that they received draft budget figures from the state last week and have updated their presentation to the Board. The figures have not yet been voted by the school committee. Mr. MacSkill stated that he would have the updated information in the packet for next week and that the public could request copies from the Administration Department if needed.

Mr. MacMilan stated that they continue to see an impact of COVID in the need for more academic intervention and broader social and emotional learning supports. They are also seeing financial pressures including inflation, shortage of labor and supply chain issues. Their draft budget request is \$44,323,116. Based on the current draft budget and estimates of foundation enrollment and state funding, there is an increase of \$1,050,770 (3.8%) for Harwich and \$145,077 (1.5%) for Chatham. Mr. MacMilan briefly reviewed the aging building infrastructure and talked about signs of progress surrounding Harwich Elementary School reading achievement and middle school MCAS scores. Mr. MacMilan went on to say that building the budget and assessments include expenditures, revenues and policies. He noted that the 1.5 million dollar increase is a little higher than the last couple of years and seems to be in keeping with the average of the last couple of years. A graph was shown of key facts that impact the budget. Part of the schools budget process always includes asking principals and directors what their budget needs are, which have been outlined in the information provide. The biggest request in the budget is for the creation of 2 district wide curriculum positions. Mr. MacMilan reviewed the schools capital and extraordinary maintenance items which include external lighting, district facilities pickup truck, replacement of the middle school IT network switch, stabilization, replacement of carpet at the middle school and updating all of the PA systems.

Mr. Ballantine asked if the school has a capital plan for all of the other replacement items as previously discussed. Mr. MacMilan responded that they do have a 10 year capital plan for replacing items. He added that the school staff does a great job of maintaining what is existing.

Mr. Howell asked if the boiler replacement would be with or without upgrade of the control systems. Mr. MacMilan responded that it would depend and added that some of the control systems have already been replaced. If they were to replace a boiler, it would include some replacement of some of the control systems.

Mr. MacMilan talked about other revenue sources including school choice, circuit breaker (money received from the state for special education costs), grants and ESSER (federal funds to support response to COVID). He went on to review general fund revenue which includes chapter 70, excess and deficiency, transportation aid, charter school aid, Medicaid and other district revenue.

The total calculated budget is \$44,323,116 minus the calculated general fund revenue and state aid which leaves \$38,010,893 as the calculated amount of each town's share of what remains after revenue. Mr. MacMilan talked about enrollment trends and forecasts and added that enrollment is expected to remain relatively stable for 2 years before there is another decline. These changes impact the budget needs of the district and the assessment calculations. Mr. MacMilan presented slides showing the impact of the foundation of enrollment changes on the assessment calculations as well as information on the draft assessments which include local minimum contributions, operating assessments beyond minimum contributions, transportation, capital and debt. Using these new assessments, Harwich's portion is \$28,470,333, which is an updated number since the Selectmen's packet was released.

The school committee will be meeting and voting on March 9, 2023.

Mr. MacAskill asked what the school has in their E & D account now. Mr. MacMilan responded that the balance is about 2.2 million dollars and that number has been certified by the state. They are planning to use \$800,000 to offset the budget, noting that they are using well over the minimum amount required to offset the budget.

Mr. MacAskill asked Mr. Powers if the health insurance numbers that the town received last week were finalized. Mr. Powers responded that they have come in at a 1.3% increase.

Ms. Kavanagh stated that she was hoping that the state numbers would help, but they have not. Mr. MacMilan noted that they were hoping for the same and added that the revenue to help offset the assessments went down.

Ms. Kavanagh noted that there are 5 or 6 positions that are not funded by elementary and secondary school emergency relief funds (ESSER) and that they are looking to add \$250,000 with the 2 new curriculum positions. Mr. Carpenter responded that they are in a weird place when it comes to the long term impacts of COVID on the children, especially what they are seeing at the preschool level. They have more students that are needing preschool intervention. There is a concern that we are going to need supports that are carried out by ESSER moving forward and they also know that they have a bubble that is sitting at the 8th grade level that will ride over into the high school level. Mr. Carpenter went on to talk about future staffing levels to make sure that they have the proper social and emotional supports in place.

Ms. Kavanagh went back to her comments on the 2 curriculum positions and added that the academic, social and emotional issues are not going away and that to take other positions away and replace them with curriculum positions doesn't put more people in the classroom to help the students and teachers on the front lines. She asked why they wouldn't be funding the curriculum positions with the ESSER funds.

Ms. Kavanagh asked for information on how many special education teachers there are at each school and pointed out that there are a lot of children out there who have not been seen yet. Mr. Carpenter added that they don't know if the spike that they are seeing at the pre-k level is temporary or if it will be something that will have to be added into the long term budget. He assured the Board that the school has had many conversations regarding ESSER funds.

In response to Ms. Kavanagh question about special education teachers, Mr. MacMilan reported that Chatham has 2.5 full time budgeted for next year plus the .5 additional in the budget and Harwich has 6. By adding curriculum positions, they feel that they can support a much wider number of teachers, which the school feels is the most effective use of money. Their hope of the curriculum support positions would be to support improvements in what is happening in the classroom so that the teachers have better tools to support the students. Ms. Kavanagh asked if the teachers are wanting these curriculum positions. Mr. Carpenter responded that some do and some feel differently. They are finding that they have newer and younger staff but that the staff needs more support to get off the ground and be successful.

Mr. Howell asked if they would be looking to contract out or add staff for the pre-school staffing needs. Mr. MacMilan responded that it would be a staff addition. Mr. Howell stated that in order to be able to put together a school that operates and before you even address how many students there are, there are foundational problems that need to be addressed. The problem of disparity in enrollment is going to continue out unless something different happens in Chatham. Mr. Howell feels that the Selectmen in both towns need to have a discussion that this is not attainable, noting that the numbers provided blow a hole in what Harwich's budget was before everyone came into the room tonight.

Mr. Ballantine stated that he appreciates the clear presentation that was made. He asked if the circuit breakers cover the costs. Mr. MacMilan responded that by definition, it does not cover its costs. Mr. Ballantine hopes that we can keep lobbying the state for coverage.

Sharon Pflieger was present and stated that she has had personal experience with family members who have struggled in school and needed special education assistance. It is vital to have the special education teachers in the schools to help the students get through school and do well throughout their life.

Mr. Powers noted that it is a sour look based on the chapter 70 numbers and asked what the schools plan is if the chapter 70 number doesn't hold to the positive side, noting that we are already in the negative with local aid. Mr. MacMilan responded that the way that the chapter 70 formula works is that you are held harmless to the prior year's funding. The minimum amount you can receive is the prior year's chapter 70 plus \$30.00 per student. Mr. Powers asked if the

existing funding continues, does the school see anyone coming back to Monomoy from Nauset because of decreases. Mr. Carpenter responded that anytime a town on the cape says that a school budget is being impacted and there is a level of uncertainty, you see school choice applications coming into a district that is seen as being stable. Conveying stability is a good thing.

Mr. Powers noted that the information provided that shows the impact of foundation of enrollment will be jarring for anyone that reads it from a Harwich perspective. He asked how we can address the voters at town meeting on how we handle our assessments and that we had come to a great conclusion and now it feels like that it washing away. Mr. Powers asked if Harwich wants to keep pre-k, would that be all on Harwich because of the new assessment or would it be a split district cost. Mr. Carpenter responded that while there is a pre-k program in Harwich, there is also an intensive special needs program happening at Chatham Elementary. Chatham would like to have a pre-k back in their town as soon as there are enough kids to make it viable.

Mr. Powers stated that when you compare the costs for Harwich for all of the general fund operating budgets, we are looking at just over 30 million dollars and now we are talking about Harwich's assessment for the schools at just under 28.5 million dollars. Mr. Powers added that he has never been one to pit town versus education, but we are reaching that equilibrium where we will have to go back to the table to talk about assessment, adding that the pressure on town department heads is not going away.

Ms. Kavanagh said that she can imagine that more needs are going to be identified as we continue to see emotional and social issues. She added that school nurses are very important resources as well.

B. Discuss potential Monomoy Regional School District Regional Agreement amendments for 2023 Annual Town Meeting

Mr. Carpenter stated that last year, they brought to both towns a set of changes to the regional agreement that were fiscally related. Things adjusted how the towns pay for the schools and it was something that came to both boards. Town meetings approved that and created the new funding mechanism. The schools also said that they would be coming back to both boards with the changes that would update obsolete language in the agreement. Provided was a one page summary of what the changes are, which Mr. Carpenter reviewed. The amendments have been presented to the school committee and the Chatham Select Board and they are requesting that it be placed on the upcoming town meeting warrant for vote. The amendments also need to be sent to DESE.

Mr. MacAskill asked if the school committee and Chatham Select Board have voted this yet. Mr. Carpenter responded that Chatham has voted to place it on their town meeting warrant, but have not voted the exact language.

Mr. Howell asked for assurance that the methodology of amending the agreement is still required to go to town meeting. Mr. Carpenter responded that it is spelled out in the regional agreement that is how it has to happen.

Mr. MacAskill said that this will be brought back before the Board for discussion on warrant placement and support.

C. Approve a \$100 fee waiver request for a room rental at 204 Sisson Road submitted by a member of Harwich Climate Action Network

Mr. Howell stated that he knows how the Chair feels about fee waivers in general and understands. Mr. Howell said that he would be happy to pay the application fee and not have any further discussion.

No action was taken.

D. Discussion on 2022 Annual Town Meeting Petitioned Article 57 regarding 204 Sisson Road

Mr. MacAskill stated that he was approached by a person that was going to generate an article. He does remember fairly heavy debate to the article at town meeting and that the motion did pass. This discussion tonight is whether or not the Board is ignoring the article and the will of town meeting. His opinion is that it is not being ignored. There have been 2 committee studies of the building and both have said that the best use of the building is municipal use, that it is not a cultural center. There has been a significant amount of work in that building and there was an overwhelmingly passed budget which allowed the town to bring in a new department head to work on the cultural aspects of the building. The town's maintenance division has been in the building and has put together a capital needs list for it. The Selectmen had voted 5-0-0 to support the continued use of the building as it has been used and that they wanted to see the department head work with the Town Administrator and other appropriate staff to continue to assess the building and make a plan. The new department head has not been on the job for over a year yet and they have already made great progress. March 6th will be a process update on the building and where we are going with it. If you look at article 57, a lot of what was being asked is what we are doing and the asset is being treated as it should.

Mr. Powers relied upon his background and experience and knows that the town sought guidance from counsel. The petitioned article relates to a municipal building and municipal buildings are under the purview of the Board of Selectmen by statute. Even if the article passed, it does not compel the Selectmen to do anything.

Jon Chorey was present and thanked the Board for having this on their agenda. For informational purposes, Mr. Chorey was the past Chair of the Finance Committee and was the Chair at the time this article was on town meeting floor. He feels that the people at town meeting might not agree with the non-binding interpretation. The people voted for article 57 and spelled out what the article was. Mr. Chorey is before the Board tonight because he has been asking them for some precise information on the building, which he has yet to receive. Mr. Chorey stated that he is all for 204 Sisson Road, the cultural center.

Mr. MacAskill stated that this building is not a cultural center, that it is a municipal building with a cultural aspect. The artists involved are very important to the Board and the Board has not swayed once to change the artists or the cultural events that are happening in that building. This is a municipal building and Mr. Powers had pointed out that a certain percentage of the building needs to be cultural use and a certain percentage needs to be municipal use. On March 6, there will be a deeper dive on activities and to seek suggestions on the building.

Mr. Chorey reviewed what article 57 was for. The town asked for a 5-8 year capital plan for the building and Mr. Chorey is only seeing a 3 year plan. He would like to go further and see a 10 year capital plan. The town needs to know what the numbers are. Mr. Chorey always thought that this was a cultural center and feels that the municipal use aspect has only sprung up in the last 6-7 months.

Mr. Chorey commented that he went back and reviewed previous videos and noted that there were statements over and over that any studies would involve the Selectmen, Finance Committee, Capital Outlay Committee, Town Administrator, professionals in the town and the general public. Mr. Chorey does not believe that there has been one public hearing addressing all of those people. Mr. MacAskill responded that he remembers public meetings being discussed, but not public hearings. There have been many public hearings on 204 Sisson Road. Mr. Chorey added that no formal report on the building has been done and that what was submitted is not formal in his opinion.

Mr. Chorey stated that the town has not made a dime from this building and that the Board is asking for roughly 2 million dollars in capital for the building. He wanted to know how money can be asked for if you don't know what the building will be used for. He would like to see a clear definition before another dime is spent in that building and he would like to see the true cost of the building for 5-8 years as article 57 is spelled out. Mr. Chorey would like to see Sean Libby present at the March 6 meeting.

Mr. MacAskill thanked Mr. Chorey for bringing this up. There is a 5 year capital plan and even though it has not been voted yet, it shows the capital needs for the building. He added that it would be up to the Town Administrator or the Board if Mr. Libby will be present at the March 6 meeting. While Mr. Chorey's opinions are valuable, there is a whole other side to this, and people are very happy with what is being done with the building.

Mr. Powers stated that he anticipated the March 6 meeting to be talking about the RFP process for cultural programming and a RFP for human and social service programming. Mr. MacAskill and Mr. Powers will meet on Tuesday morning and may decide to add more to the agenda.

Mr. Powers stated that the building at 204 Sisson Road was closed from 2014-2016. On September 2, 2014, it was remanded back to the Town of Harwich to the Board of Selectmen. It has always been a municipal building for municipal use and it remains a municipal building.

Ms. Kavanagh continues to support both the municipal and cultural use of the building. It has grown in leaps and bounds and she loves to see what is going on there. She added that there have been multiple public meetings on this situation.

Mr. Ballantine stated that he is sympathetic to Mr. Chorey's points and that he would feel more comfortable if we had more of a detailed plan for the building going forward. Mr. MacAskill responded that he would re-agenda this topic, but that it has been discussed at length. Mr. Ballantine followed up by saying that he is not asking for a business plan, just more detail. He wants to use the building in the best ways possible and if that means reaching out to our neighbors, he would like to see that included in discussion.

Mr. Howell has said in the past and still feels that there was an expectation to get a hold of the existing and potential stakeholders to try and come to framework for a plan.

Mr. MacAskill said that in every meeting that he can remember, board members have been asked specific questions and other than specific costs, not one board members has changed the direction of the Town Administrator and department head moving forward on this building. Mr. Howell clarified that he did question the use of the auditorium.

Mr. MacAskill again stated that this would be brought back for the March 6 meeting.

E. Vote to increase membership for Board of Health by adding two Alternate Members

Mr. MacAskill stated that a suggestion was made to add 2 alternate members to the Board of Health. Mr. Powers reviewed the memo provided in the packet from the Health Director. To accomplish what is being requested at the very least would require a general bylaw amendment at Town Meeting. Mr. Powers was unsure if there would need to be a similar or some sort of charter change and would refer that part to counsel.

Mr. Howell said that the power derives from Massachusetts General Law, which cannot be violated. Much like the Planning Board, their alternate members are constrained to a very narrow purpose and cannot be used as a plug in for a meeting in order to get a quorum. He added that Mr. Powers is correct and that this request would be a change to the bylaws and charter. The only good news is that in practice, the town has never splits hairs over the difference between a public health person and a health care person.

Mr. Ballantine stated that he has a difference in opinion on what the role of an alternate member can be. His understanding is that an alternate can fill in for a full member if they are not there and if the chair so declares and that the member promises to be there for the duration of the hearing if it comes back. Mr. Howell responded that it is a statutory requirement and not a town requirement. Mr. MacAskill asked Mr. Powers to clarify what is correct. He added that whether the person can vote or not, it would be a great training ground for new people to be on a committee and learn, especially on a regulatory board.

Board of Health Chair Sharon Pflieger was present and reviewed their request. Adding healthcare into the description would make them somewhat more compliant. The Board of Health's understanding on an alternate member is that if a member is out for various reasons, and the board is looking to have a discussion, that the alternate member can participate in the discussions, maybe not the vote. If you only have 3 members present, it would be handy to have enough members present to have a good discussion.

Mr. Powers asked Ms. Pflieger if she has the relevant state law that generally governs the Board of Health and asked if it is Chapter 111. Ms. Pflieger responded that Chapter 111 is correct. Mr. Powers added that Chapter 111 would stand if there was no charter or bylaw, but that the existing bylaw and charter supersede that presently. Any changes would need to first start at the local level.

F. Discussion on MASS Department of Transportation (DOT) Route 28 West Harwich sidewalk project

Duncan Berry was present and thanked the Board for recent hiring of the Town Planner, noting that it has been a long time without long term service and that Mr. Halkiotis has been excellent. Mr. Berry wanted to address things that he feels have had some slippage in the 6 year history of the TIP project for West Harwich. Initially there was a site visit, then 2 brainstorming sessions, then the special district took place, followed by a conceptual design, then COVID hit. There have also been staffing changes all over the place. At the Planning Board level, they are concerned that discussions from the January 24 meeting may be being violated. There is un-clarity as to what was presented to them as a 75% plan was actually a mark-up of a 50% plan that was never presented to the public. They have only seen a concept plan and a 25% plan. Mr. Berry is asking if the Selectmen could track with the Planning Board on this project. They would appreciate the Selectmen's support to create a letter asking to put the brakes on in order to evaluate what we have, what the inventory is and help track the comments from the January 24 meeting.

Link Hooper was present and said that what was presented at the meeting in January was a 25% design hearing. There was a discussion that may have been misinterpreted about accelerating the next 75% submission with 100%. Although this project is slated for advertising in the fall of 2024, that is not a lot of time under MassDOT standards. While he appreciates Mr. Berry's comments, there was a lot of public outreach done and the public was involved as much as possible. It was made clear back then that these projects can have a 5-7 year waiting timeline and for funding to be materialized. Mr. Hooper was surprised at how amenable DOT has been in some of the asks that came from the brain storm sessions. They have already agreed to continue the brick sidewalks up to the Baptist Church and have contracted the footprint of the projects, which will have less impacts to private property. They are in the process of developing a meeting with Mr. Berry and the Planning Board and whomever else has concerns. Mr. Hooper stated that he can see how someone from the outside could feel as if they have not been listened to. The town did submit a lot of requests but DOT has federal standards that they have to build to. When you are taking someone else's money, there can be strings attached. Mr. Hooper added that design exceptions are also becoming harder and harder to come by.

Mr. Howell stated that there is also a historic planning versus engineering divide and that is where we are with this. He is more concerned about the planning and zoning rather than the engineering. Mr. Howell would like to track all of the things that were discussed at the January 24 meeting. Mr. Howell asked if the Board would have any objection to him attending the upcoming meeting on this topic. No objection was heard.

- G. Approve a 2023 Annual Class II Auto License renewal for Good Son's Motor Cars – 210 Queen Anne Road, Unit 12

Mr. Howell moved to approve a 2023 Annual Class II Auto License renewal for Goodson's Motor Cars-210 Queen Anne Road, Unit 12, 2nd by Mr. Ballantine and approved 4-0-0.

- H. Approve the following Special Permits for the Harwich Chamber of Commerce – 1 Schoolhouse Road
 - 1. One day entertainment – June 10, 2023 – 4:00 p.m. to 8:00 p.m. outside at Community Center, 100 Oak Street

Mr. Howell moved to approve the One day entertainment – June 10, 2023 – 4:00 p.m. to 8:00 p.m. outside at Community Center, 100 Oak Street, for the Harwich Chamber of Commerce, 2nd by Mr. Ballantine and approved 4-0-0.

- 2. One day Wines and Malt – June 10, 2023 – 2:00 p.m. to 8:00 p.m. outside at Community Center, 100 Oak Street

Mr. Howell moved to approve the One day Wines and Malt – June 10, 2023 – 2:00 p.m. to 8:00 p.m. outside at Community Center, 100 Oak Street, for the Harwich Chamber of Commerce, 2nd by Ms. Kavanagh and approved 4-0-0.

- 3. Event permit – June 10, 2023 at Community Center, 100 Oak Street

Mr. Howell moved to approve the event permit- June 10, 2023 at Community Center, 100 Oak Street, for the Harwich Chamber of Commerce, 2nd by Ms. Kavanagh and approved 4-0-0.

- I. Approve the following 2023 license renewals for BLM Restaurant Group d/b/a Lanyard Bar and Grill – 429 Route 28
 - 1. Common Victuallers
 - 2. Weekday Entertainment
 - 1:00 p.m. to 1:00 a.m. inside
 - 1:00 p.m. to 10:00 p.m. outside
 - Jukebox, radio, television, dancing by patrons and live performers, live/recorded music, amplification
 - 3. Sunday Entertainment
 - 1:00 p.m. to 1:00 a.m. inside
 - 1:00 p.m. to 10:00 p.m. outside

Jukebox, radio, television, dancing by patrons and live performers,
live/recorded music, amplification

Mr. Howell moved to approve the 2023 license renewals for BLM Restaurant Group d/b/a Lanyard Bar and Grill- 429 Route 28, as listed above, 2nd by Ms. Kavanagh and approved 4-0-0.

OLD BUSINESS

A. Discussion with Director of Planning and Community Development on potential zoning amendment articles for 2023 Annual Town Meeting

Paul Halkiotis was present and stated that he has revised the bylaw amendment and submitted a memo with the highlighted changes. One of the changes that he is hesitating on would trigger additional action required. He is before the Board tonight to see if there is any feedback on the revised draft article. The Planning Board is having a public hearing tomorrow night and understands that some of the Selectmen will be attending.

Mr. Halkiotis had been asked to draft 3 bylaw amendments for annual town meeting. There was really not much discussion at all on the proposed amendments to the flood plan or the additional solar regulations. There was feedback provided on the draft accessory dwelling unit bylaw amendment. In the revised draft version, he removed the minimum lot size and included new requirements for property owners to connect the principal dwelling unit and ADU if the sewer is in front of their property which would minimize any adverse effects to groundwater. Mr. Halkiotis added a requirement that leases for ADU's be for no less than a 6 month time period. The owner would be required to sign an affidavit to this effect. Also added were revisions to the enforcement section if an owner is out of compliance. There were additional comments that were received from the Selectmen and Planning Board from the former Town Planner. Mr. Halkiotis found the comments to be on target. Given the timeframe to complete this assignment, Mr. Halkiotis wrote the public hearing notices before the amendments because there was a month out where he needed to schedule the hearing. He did run into other changes to sections of the bylaw that were connected in some way, however if those changes were to be incorporated, it would trigger the need to do another public hearing notice. A similar situation happened with the recommendation or request to change the minimum lot size requirements in the six ponds district. That section of the bylaw was not included in the original public hearing notice. It is possible for Mr. Halkiotis to write another public hearing notice and schedule a meeting, which would be a regular meeting of the Planning Board on March 28. He stated that it would be helpful for him to know when the hard deadline is to submit items for the warrant. Mr. Halkiotis did meet with the Zoning Board Chair last week who was able to provide background on some of their application experiences. As we know, as time goes on, zoning changes and when zoning changes, it can create non-conformities prior to enactment of these regulations. The ZBA Chair said that with all of the non-conforming properties, the majority of the applications that they are seeing is because something like a garage cannot meet the setback requirements. The ZBA Chair urged Mr. Halkiotis to look at the bylaw to see if flexibility can be added to cover non-conforming lot situations and offered to draft some language changes.

Mr. MacAskill recognized that Mr. Halkiotis was given very little time to accomplish this work.

Ms. Kavanagh thanked Mr. Halkiotis for his work done in a short period of time. She knows that the DCPC was going to be an issue as the Board had talked about the fact that there are a lot of other zoning issues that need to be addressed. At least if we could take the general ADU bylaw, change that, to start the process moving for others to move, then we can go through our other bylaw changes over the course of the year. Ms. Kavanagh thinks that eliminating the square footage will allow most people to come forward with an application see if they can meet all of the other requirements. If we receive inquiries from six ponds, we can explain that we know there is an issue and that it is being worked on. In terms of the sewer, the intent of the ADU was never to allow anyone to have additional bedrooms, even if the property was connected to the sewer. Any ADU being added to a dwelling with a sewer would be mandated to connect anyways. Ms. Kavanagh stated that she is in favor of the 6 month minimum requirement for rentals.

Mr. Ballantine thanked Mr. Halkiotis for his work done and agreed with Ms. Kavanagh's comments.

Mr. Howell asked what would stop a homeowner from moving into the ADU and renting out their house as an air b & b. Mr. Halkiotis responded that he could not speak to the air b & b part of the question, but that an owner was and is allowed to move into the ADU under the bylaw. It says that the owner needs to reside in one or the other. Mr. Howell noted that this is a concern form him. Ms. Kavanagh added that when the ADU bylaw was originally created it came with restrictions. If you were to create an ADU and decide to live in it as the owner and rent your house, it would still have a minimum housing timeline. You must live in one and the other would need to show a year round lease to the building commissioner to obtain a sign off. That is something that may want to be considered as it was the original intention.

B. Discussion on creating a Human Resources position

Mr. Howell asked to postpone this topic until next week when Ms. Anderson would be present.

C. Discuss the format and schedule for the March 4, 2023 Joint Budget Meeting

Mr. Powers provided a draft schedule for the March 4 meeting and emphasized that it is a joint meeting with the Board of Selectmen and Finance Committee. The Water/Wastewater Commission has also posted an agenda just in case they have a quorum present. What is shown on the schedule are the budgets that have the greatest changes because of enhancement of services.

Mr. Ballantine suggested that adding an extra half an hour at the end for additional discussion on sources and uses might not be a bad idea.

D. Vote to approve the projects for Cape Cod Water Resources Restoration Project (CCWRRP)

Ms. Kavanagh moved to approve the projects for Cape Cod Water Resources Restoration Project (CCWRRP) as outlined, 2nd by Mr. Howell and approved 4-0-0.

CONTRACTS

- A. Vote to approve a contract amendment with Vanasse Hangen Brustlin, Inc. (VHB) in the amount of \$278,500.00 for design work for the Saquatucket Harbor - Route 28 sidewalk project

Mr. Howell moved to approve a contract amendment with Vanasse Hangen Brustlin, Inc. (VHB) in the amount of \$278,500.00 for design work for the Saquatucket Harbor - Route 28 sidewalk project, 2nd by Ms. Kavanagh and approved 4-0-0.

TOWN ADMINISTRATOR'S REPORT

Mr. Powers announced a contract approval with Web Services of America which is related to software and mapping project that has been ongoing with the Cemetery Department. This would cover work in Evergreen Cemetery similar to work done in Island Pond. The contract amount is \$32,000.

Mr. Powers announced a contract that was issues to Cavossa Disposal for several town buildings. This is a standalone contract for an additional 12 months in the amount of \$13,560.77.

SELECTMEN'S REPORT

Mr. Howell reminded everyone that the Planning Board is holding a public hearing tomorrow night to discuss various zoning amendments. The meeting will start at 6:30 p.m. in the Griffin Room.

CORRESPONDENCE

No correspondence was discussed.

ADJOURNMENT

Mr. Howell moved to adjourn the meeting of the Board of Selectmen, 2nd by Ms. Kavanagh and approved 4-0-0.

Respectfully submitted,
Jennifer Clarke
Recording Secretary

**MINUTES
TOWN OF HARWICH
BOARD OF SELECTMEN AND FINANCE COMMITTEE
JOINT BUDGET MEETING
HARWICH TOWN HALL
732 MAIN STREET
SATURDAY, MARCH 4, 2023 - 9:00AM**

SELECTMEN PARTICIPATING: Michael MacAskill, Chairman, Donald Howell, Julie Kavanagh and Larry Ballantine

FINANCE COMMITTEE MEMBERS PRESENT: Peter Hughes, Chairman, Dan Tworek Mark Ameres, Bob MacCready and Michele Gallucci. Members participating remotely were Dana DeCosta, Mark Kelleher and Karen Doucette.

ALSO PARTICIPATING: Joseph F. Powers, Town Administrator and Ann Marie Ellis, Finance Director

CALL TO TORDER:

Chairman MacAskill called to order the Board of Selectmen for the Joint Budget Meeting for March 4, 2023 at 9:02AM.

Chairman Hughes called to order the Finance Committee for the Joint Budget Meeting for March 4, 2023. Chairman Hughes requested a waiver for exception to the Selectmen's policy on procedure for remote participation to allow 3 Finance Committee members to participate remotely.

Chairman MacAskill and members of the Select Board voiced no objection to the request.

Request granted.

NEW BUSINESS:

A. Joint Budget Meetings:

Joseph Power's, Town Administrator addressed all who were present or joining remotely. He suggested an overview of the sources and uses that the Town of Harwich plans on relying upon to fund the items that will come before Town Meeting.

Ann Marie Ellis, Finance Director/Town Accountant listed the forecast of the sources and uses with a tax levy limit of \$57,513,450. Ms. Ellis listed the total local receipts, Cherry Sheet (state

March 4, 2023

aid funds), the overlay surplus, the total transfer from other sources, the Cherry Sheet charges(what the State takes back from the Town) and real estate for a total of \$1, 275,310. The net available sources are \$74,390,709. The Town Operating Budget is projected \$30,090,941. After adding semi-fixed costs of 12,599,078 and Cape Tech and Monomoy Schools. The total expenditures are projected to be \$74,471,727. The net amount is \$1,194,292.

Chairman Hughes requested a copy of what was presented so that it may be time stamped as the information provided as of this date.

Chairman MacAskill noted that it is presently being printed.

Chairman Hughes asked the members of the Finance Committee if they had questions. No questions were asked.

Chairman MacAskill asked the Board of Selectmen if they had questions. No questions were asked.

Chairman Hughes recognized Dana DeCosta, Mark Kelleher and Karen Doucette as being online, Mr. DeCosta verified his presence. Mr. Kelleher verified his presence. Ms. Doucette verified her presence.

Town Administrator Powers noted that the updated Sources and Uses document will be distributed as soon as copies are completed. The Operating Budget is included in the binders and he noted that the total of the Departmental Budgets is \$30,090,941 which represents a 3.3% increase year over year. The 2024 BOS column is being compared to the 2023 original budget column. He also noted and listed other categories on the document and the total 2024 Operating Budget as \$42,690,019.

Chairman Hughes asked for clarification on the column 2024 BOS and that the Board of Selectmen have voted on that.

Town Administrator Powers replied that the BOS had voted to send that to the Finance Committee in accordance with the Charter. They have not yet voted Article 4 as an Article or the funding sources yet.

Mr. DeCosta asked about the State Assessment and the Cape Cod Commission assessments which were not listed.

Town Administrator Powers shared the Sources and Uses document on the screen and noted that the numbers that Mr. DeCosta questioned are on line #11 under Charges. He also shared a spreadsheet document on Raise and Appropriate which is not in the packet as it is a working document. He also noted the Table as it appears in Article 4. He explained that the delta between the funding sources and the Operating Budget is how they will determine what will be taken

March 4, 2023

from Raise and Appropriate. That amount is 24.5 million. He further explained the process and noted that there will be further discussions about funding sources and other Articles.

Mr. Howell clarified with Town Administrator Powers that they (BOS) had gone through the school presentation and that what Ms. Kavanagh was asking about (child care) was different from what the school was talking about.

Town Administrator Powers noted that this is a town wide project that the Town of Harwich is endorsing for Town of Harwich residents and parents separate and distinct from anything the school systems would be doing, He is working with Select Board member Kavanagh and he is working with a model from Wellfleet.

Chairman Hughes asked if the child care is either reimbursement or a payment to individual parents for child care and not a matter of the Town being in the child care business.

Ms. Kavanagh explained that the payments would go directly to the provider, the parent does not have to be involved.

Mr. Tworek asked if the Town maintains a special revenue fund and how much in Federal Funds the Town receives.

Ms. Ellis will seek out those answers and reply.

Town Administrator Powers noted another item of \$25,000 which is a technology bill separate from what the IT Department is working on. It is in support of library technology which goes to the Town's overall commitment to the Library Department.

Town Administrator Powers noted that as Departments are at the table he will make all aware of certain data sources as well as certain topics. Referring to Water/Wastewater he noted the Water/Wastewater documents in the binders. He recognized Dan Pelletier, Water/Wastewater Superintendent who was distributing documents which he noted are in an email for those participating remotely. Town Administrator Powers also noted an Enhancement of Services for reclassification, which is an Executive Session topic and will not be discussed at this meeting.

Water/Wastewater

Gary Carreiro, Chairman opened the meeting of the Board of Water/Wastewater Commissioners and named members present, Judith Underwood, Allin Thompson, Jr., Sandra Siegar, Dan Pelletier and Noreen Donahue.

Dan Pelletier, Superintendent Water/Wastewater summarized the FY23 anticipated Wastewater debt and what they are anticipating for FY24. He also gave detailed explanations of line items.

March 4, 2023

Town Administrator Powers noted a line item that should be stricken from this budget as it is a reclassification.

Ms. Donahue clarified that part of that number is for a new position in the Wastewater Department.

Town Administrator Powers agreed that the amount for the new position should remain in the book.

Dan Pelletier noted that there is a place holder salary of \$80,000 for the new position.

Chairman Hughes clarified with Mr. Pelletier that the \$80,000 is salary and wages and that benefits are not included. He requested a statement with any new positions that includes the anticipated salary, classification and associated benefits (retirement, medical, etc.).

Mr. Pelletier will generate that statement as soon as possible.

Chairman Hughes asked Committee members if they had questions. Questions were asked and answered.

Mr. Pelletier continued with his detailed explanation of line items.

Chairman Hughes commented that he is aware that it has been an exercise and struggle to get the numbers correct and he appreciates what Ms. Ellis has done working with the Commission to get it sorted out. The Committee now has solid numbers to work with going forward. He appreciates and recognizes that effort.

Chairman MacAskill asked Board members if they had questions. Questions were asked and answered.

Mr. Pelletier continued with his detailed explanation of line items.

Town Administrator Powers shared a screen with a table that broke down the cost of what was just discussed and changes made to include the proposed salary change. He asked if the Retained Earnings has been used in the past to offset and if there are recommendations to use Retained Earnings going forward.

Mr. Pelletier and Ms. Donahue replied with those answers and recommendations.

Town Administrator Powers believes it is a policy question for Water/Wastewater Commission, the Board of Selectmen and the Finance Committee.

March 4, 2023

Discussion followed regarding how much of the Operating Budget should be reserved within Retained Earnings.

Town Administrator Powers clarified that the Town is aware of the Retained Earnings for Wastewater at \$277,550 and it can be brought to bear in FY24.

Chairman Hughes asked where the benefits for the new position are captured.

Mr. Pelletier replied that they are captured within Indirect which he will need to recalculate to add for the new position. He also noted publicly that the new Cape Cod Aqua Fund through Barnstable County is now available. That is a zero and no interest loan and he hopes that anyone who is waiting for that opportunity can now take action and get on line as well. He anticipates that this time next year there will be 160-200 houses on line. He does not anticipate making the third milestone payment to Chatham for flow for some time.

Chairman Hughes asked Committee members if they had questions. Questions were asked and answered.

Town Administrator Powers asked for clarification on a statement made regarding the Operating Budget.

Dan Pelletier clarified the items referenced. He then continued to highlight items in the Water Department Budget in detail.

Chairman Hughes and other Committee members asked questions.

Mr. Pelletier responded with answers.

Chairman MacAskill asked Board members if they had questions. None were asked.

Ms. Donahue moved to adjourn, the motion was seconded and vote unanimous, in favor.

Commission adjourned.

Fire Department

Town Administrator Powers noted certain data sources and specific topics.

Chief David LeBlanc and Deputy Chief Craig Thornton presented the Fire Department Budget. Chief LeBlanc offered detail on line items including new hires and the reasons for other increases.

March 4, 2023

Chairman Hughes requested a statement with the salary and wages associated with the four new hires including benefits and any other additional information. He also asked about the number of calls to the Fire Department and the affect of Fontaine on that number.

Chief LeBlanc responded with the answers.

Chairman Hughes asked Committee members if they had questions.

Questions were asked and Chief LeBlanc responded with answers.

Chairman MacAskill asked Board members if they had questions. Clarification was requested for the numbers regarding new hires and overtime.

Questions were asked and Chief LeBlanc responded with answers and he will generate a breakdown of the full time/overtime numbers.

Chairman MacAskill requested that any documents generated or questions answered go to the Finance Committee and the Board of Selectmen. They will then be shared in the packet for next week's meeting.

Building Department

Town Administrator Powers noted certain data sources and specific topics.

Jack Mee, Building Commissioner noted that the he will be discussing the Enhancement of Services for the Building Department. He noted his specific requests and the reasons for them, specifically noting a shorter time in turn around for permits.

Town Administrator Powers recognized the Director of Planning and Community Development, Paul Halkiotis who is present and is in support of the Building Commissioner.

Chairman MacAskill asked Board members if they had questions.

Mr. MacCready asked for documentation of the permitting which Mr. Mee said he would supply.

Town Administrator Powers noted that generally they do not have that historical data. There is some data that is available but that is part of the problem they are trying to solve.

Other questions were asked and Mr. Mee responded with answers.

Chairman Hughes requested statements on salary and wages, benefits [etc. be](#) provided. He also asked questions. He asked other Committee members if they had questions.

March 4, 2023

Mr, Mee responded with answers.

Police Department

Town Administrator Powers noted certain data sources and specific topics.

Chief David Guillemette and Deputy Chief Kevin Considine presented the Police Department Budget.

Chief Guillemette spoke of the challenges of being a police officer in these times and the difficulties in hiring and keeping officers. He went on to prioritize specifically Officer Wellness and Training.

Chairman Hughes asked about the Town's crime statistics.

Chief Guillemette responded noting that the greatest increase is in mental illness cases and issues. They are looking into getting a clinician to help the Department.

Chairman Hughes asked Committee members if they had questions.

Questions were asked and Chief Guillemette responded with answers.

Chairman MacAskill asked Board members if they had questions.

Questions were asked and comments were made in support of the Police Department.

Chief Guillemette responded with answers.

There was discussion about the School Resource Officer and whether or not Cape Cod Tech. is paying their share. The Cape Tech has historically contributed \$20,000 annually to support the School Resource Officer.

Chairman MacAskill addressed the situation of being understaffed on the Police Department and questioned what the next steps will be.

Deputy Chief responded and noted that they have been consistently down 4 or 5 officers over the last five years. They are shifting their focus to recruiting. Four cruisers total \$180,000 which needs to be included in the Capital Plan

Chairman Hughes offered suggestions for incentives to make working for HPD more attractive. He noted the Capital Plan meeting this week and invited Chief Guillemette to attend to discuss cruisers and other items.

March 4, 2023

Conservation Department

Town Administrator Powers noted certain data sources and specific topics.

Amy Osowski, Conservation Administrator/Agent presented the Budget and request for staff. She offered the reasons for the request. She also requested expenses and gave detail to line items.

Chairman Hughes asked Committee members if they had questions. No questions were asked.

Chairman MacAskill asked Board members if they had questions. Comments were made in support of needing more staffing. He noted that John Ketchum, Chairman of the Conservation Commission sent a letter to the BOS supporting Ms. Usowski's request.

Ms. Usowski suggested and requested the money be broken down to \$3,400 for property related services and \$500 for dues, subscriptions and interstate travel for education. At Chairman MacAskill's request she will send that request to the Board and the Town Administrator in an email.

Community Center

Town Administrator Powers presented the Community Center's request as Carolyn Carey, Director is unable to attend. The request is for an Enhancement of Services to impact positively on programming. He offered detail on line items. The goal is to return to pre-Covid programming.

Mr. Howell asked about the electrical usage and discussion followed regarding the increase in those fees.

Chairman Hughes asked if this is a new position and Town Administrator Powers replied that it is restoring a position.

Chairman Hughes asked Committee members if they had questions.

Ms. Doucette would like to know the advantages to this positions other than to bring things back to pre-Covid levels.

Town Administrator Powers replied noted that this is community programming, the center of the Town and the life blood of what is offered to the community. He feels this is a philosophical discussion about what they want to offer to the town.

Chairman MacAskill asked about numbers, pre-Covid vs now and when certain items dropped off the budget, such as cleaning contracts.

March 4, 2023

Town Administrator Powers responded with the answers. The Program Director dropped off in FY21 and FY22. The custodial ask for Highway is for an additional custodian and overtime to cover program hours at the Community Center. He will send the information to the BOS and Finance Committee including a look back to verify that it is not a new position.

The meeting is suspended for a lunch break.

Town Administrator Powers resumed the meeting to begin with Cultural Affairs.

Cultural Affairs

Town Administrator Powers noted certain data sources and specific topics.

Kara Mewhinney, Director of Cultural Affairs, presented the requests and an explanation of what they are asking for and why.

Town Administrator Powers noted the connection between the Community Center and Cultural Affairs including the programming that Ms. Mewhinney is managing.

Chairman Hughes asked about signage for the Districts and if Ms. Mewhinney is overseeing the people and studios within 204. He also asked if there is a concept program in place for, if and when the auditorium is renovated.

Ms. Mewinney explained that she is in the process of getting signage to be placed within the district. She does oversee the programming within 204. She offered detail about those programs and revenues.

Chairman MacAskill noted that he has requested a breakdown on items from Ms. Mewhinney including what Chairman Hughes had questioned. She will be presenting it to the BOS at their next meeting.

Chairman Hughes asked Committee members if they had questions.

Questions were asked and answered.

Chairman MacAskill asked Board members if they had questions. No questions were asked.

Golf Department

Town Administrator Powers noted certain funding sources and specific topics.

March 4, 2023

Roman Greer, Golf Director and Shawn Fernandez, Golf Course Superintendent presented the budget request.

Chairman Hughes asked about the pre-Covid and post Covid numbers and about the youth program at the golf course.

Mr. Greer and Mr. Fernandez replied with answers of post-Covid numbers, a description of the youth program, the effects of water restrictions on the course and the use of organic fertilizers. Mr. Fernandez stressed that their goal is to be as green as possible.

Chairman Hughes asked Committee members if they had questions. Questions were asked and Mr. Fernandez replied with answers.

Chairman MacAskill asked Board members if they had questions. Questions were asked and Mr. Fernandez replied with answers.

Town Administrator Powers noted that they are ahead of schedule. On the suggestion of Chairman MacAskill he reviewed the change in numbers from the Water/Wastewater Department to allow both the Board of Selectmen and the Finance Committee to review the change in surplus. He noted that the change creates a delta of just under \$350,000 and asked Ms. Ellis to comment on the effect of that change.

Ms. Ellis noted what has to be done, Chairman Hughes suggested that it be resolved and then sent to both the Board and the Committee so that they have accurate information.

At this point, the meeting continues to be ahead of schedule and Departments are taken out of order to accommodate those who are present.

Brooks Free Library

Town Administrator Powers noted certain data sources and specific topics. He also noted that there is an appropriating Article that he created for \$25,000 in support of library technology, separate and distinct from what they are doing for Information Technology which can be a demonstration of the Town's commitment to the standard of appropriation required by the Mass State Library Board.

Virginia Hewitt, Library Director and Linda Cebula, Chair of the Board of Trustees presented the Brooks Free Library Budget with explanations of line items. Ms. Hewitt specifically noted possible changes in the salaries due to vacation payouts and sick leave buybacks which have not previously been included in the budget.

Town Administrator Powers noted that there is a central pool for those and they are reaffirming that department heads identify those, corrections will be made.

March 4, 2023

Ms. Hewitt also noted another change in Salary and Wages due to the actual numbers being slightly higher than the estimated 2% increase. She noted the correct number.

Ms. Cebula explained the twist in the Library budget because not only do they have to provide to and meet within the budget of the tax levy but they also have the Municipal Appropriation requirements.

Chairman MacAskill asked Board members if they had questions. Questions were asked.

Ms. Hewitt responded with answers including what has to be done for the Library to retain it's certification.

Chairman Hughes asked for clarification that if the budget is funded as presented, the Library will be able to be fully certified. He also asked about pre-Covid operations and current operations.

Ms. Hewitt and Ms. Cebula responded, that is correct, they will be able to be fully certified, Ms. Hewitt discussed pre-Covid and the present operations with staffing challenges.

Chairman Hughes asked Committee members if they had questions. Questions were asked and Ms. Hewitt responded with answers.

Department of Public Works

Town Administrator Powers noted certain data sources and specific topics.

Lincoln Hooper, Director and Office Manager Kim Berube presented the Department of Public Works budget. There is one EOS of one additional custodian and he explained the other items that create the increase. He explained what an Operational Price Expense (OPE) is and that all municipalities had taken those prices through the county fuel bid and that those prices can fluctuate. He anticipates going back to a fixed rate.

Chairman Hughes asked Committee members if they had questions. He asked if there is a potential situation with C and D (Construction and Demolition) waste, being at capacity as there has been in the past.

Mr. Hooper replied that those situations are primarily driven by logistics of the processor, that it is taken to in Taunton and his Department is sometimes limited to two trips.

Chairman MacAskill asked Board members if they had questions. No questions were asked.

March 4, 2023

Chairman MacAskill noted that they have, in the past had a significant budget transfer regarding the dump link. He asked if this proposal has budgeted enough or if there are reasons that he cannot do that.

Mr. Hooper replied that the amount is driven by market conditions which are difficult to predict. He sees some decline in usages of the dump, C and D and MSW and is hopeful that he has projected correctly.

Mr. MacAskill noted that this is a Board discussion but also asked why they haven't looked at the cost to manage the dump not on a 7 day a week schedule and not taking trash from buildings, boats, docks etc. from Provincetown to Yarmouth. He also expressed concern of not being able to dispose of these items.

Mr. Hooper replied that he has, in the past requested an increase in the disposal rate and the residential rate has not increased in 7 years. It is a luxury to not have to increase on the residents due to the offset of the increase of commercial fees.

Chairman MacAskill will ask the Board to have this conversation and look at an audit of what they're doing and what it's costing . He asked Mr. Hopper to consider how they will be able to dispose of these items in the future.

Harbormaster

Town Administrator Powers noted certain data sources and specific topics.

John Rendon, Harbormaster and Heinz Proft, Natural Resource Director were present. Mr Rendon began by recognizing the staff.

Town Administrator Powers stated that he had asked Mr. Heinz here to afford him the opportunity to put something on the record.

Heinz Proft stated that the Natural Resources FY24 Budget is fine although he feels the constraints of Goods and Services. He thanked the Boards and Town Administration and fellow town employees past and present for a memorable 25 years. He shared that his intention is to retire. He has reached out to Barnstable County and he will submit a formal date to the Town Administrator and he will work with the Town Administrator and the Harbormaster to make the transition as smooth and seamless as possible. The Natural Resources projects and tasks that will be set up will function for a short term after he leaves. The Natural Resources Department is a small Department with himself as the only full time employee. So much of what he has achieved and accomplished in his 25 years is the result of the collective we. He has had seasonal help every year at the shellfish lab and has had countless volunteers who have helped him in the herring run and the eel migrating counts, he has had volunteer shellfish wardens and volunteer herring wardens that help count the eels and herring. The Harwich citizens have for years

March 4, 2023

donated their time to help water sampling programs in our Harbors, Herrings River and our fresh water ponds. They assist in the water sampling program in the Center for Coastal Studies for the contaminants merging concern. He has written proposals to Cape Cod Americorp who have helped with the herring run maintenance every year and they are about to do that in a couple of weeks. Many County and State Agencies, too many to count, have helped him as well. He thanked all of them especially with the shellfish flats, he is amazed at the willingness of Harwich citizens to help and do anything they can for the Town and the Natural Resources Department. Either he is persuasive or he looks very needy. He mentioned the Harbormaster Department earlier, he has served and assisted the Harbormaster through his 25 years as well and he has worked on the waterfront and helped in the daily marine operations. He has responded to incidents in Pleasant Bay and Nantucket Sound, Long Pond and even a downed aircraft off of Hyannis. The entire Harbormaster staff helps the Natural Resources Department function and run much more effectively and smoothly and he highly recommends that that continues, that collaborative effort in the future. It has been a privilege to work in Harwich and serve as a Natural Resources Director for as long as he has and he has fond memories. Thank you.

Chairman MacAskill thanked Mr. Heinz and commented that his will be tough shoes to fill. All attending showed their appreciation with a round of applause.

Town Administrator Powers remarked that in his 55 years he has never met a finer person and he knows that if he lived another 55 he would not meet a finer person than Heinz Proft. He continued and spoke of Mr. Heinz both personally and professionally. He thanked the Board and Committee for allowing Mr. Proft to make his announcement as he had requested.

The conversation continued regarding the Harbormaster's Budget. Mr. Rendon presented the budget offering a detailed explanation of the increases. He also noted that revenues continue to increase.

Chairman MacAskill asked Board members if they had questions. Questions were asked about specific numbers and Ms. Ellis replied with the answers.

Chairman Hughes asked Committee members if they had questions. A question was asked regarding the credit card machine at the marina.

Mr. Rendon replied with the answer.

Town Administrator Powers took a minute to tell a "Dad joke" for Heinz Profit.

Rec and Youth

Town Administrator Powers noted certain data sources and specific topics.

March 4, 2023

Eric Beebe, Recreation and Youth Director presented the Budget and mentioned a notable increase in the request. He gave a detailed explanation of the increases.

Chairman Hughes asked a question regarding salary for life guards and whether it should be increased to retain staff or entice new staff. He also asked about the growth of pickleball.

Mr. Bebee replied that most of their staff returns and that often a younger sibling will want to work for the Rec Department in Harwich. The pickleball numbers continue to grow for all age groups, not just seniors.

Chairman Hughes asked the Committee members if they had questions. Questions were asked and Mr. Bebee replied with answers.

Chairman MacAskill asked Board members if they had questions. Questions were asked and Mr. Bebee replied with answers.

Open Discussion

Town Administrator Powers explained that Open Discussion is an opportunity for Department Heads to be heard. There are two, one of which is on line which is Sheila House, Director of Youth and Family Services.

Sheila House, Director of Youth and Family Services noted that at the Selectmen's meeting on Monday, they will be talking with a local parent about future teen programming and other exciting things that are coming. She also announced that she will be retiring in May but will still be very involved around town.

Town Administrator Powers commented on the level of operation in Town and the great employees including Ms. House. As with Mr. Proft, this is the person who is the program, stepping away. He talked about advertising for a replacement and the need for a person in this position. He would like a community discussion on how they can enhance what Ms. House has already accomplished.

Chairman Hughes thanked Ms. House for her service and stressed the need for the Youth and Family Program.

Chairman Hughes asked Committee members if they had questions. No questions were asked.

Chairman MacAskill asked Board members if they had questions. No questions were asked.

Members of the Board and the Committee thanked Ms. House for all she has done.

March 4, 2023

Town Administrator Powers recognized Julie Witas, Social Services Coordinator who is in attendance and thanked her and all other Department Heads and others who have been in attendance at this meeting. He also thanked the Channel 18 Director Jamie Goodwin.

Town Administrator Powers commented on next steps. He and the Finance Director will be attending the Finance Committee's hearings on March 9th.

Chairman Hughes noted that the meeting on the 9th will be at the Channel 18 studio and they will have chairs set up for anyone who wishes to attend.

Town Administrator Powers noted that beyond the Budget, he is working on the Articles in the Draft Warrant. He is now dealing with the issue of the Capital Outlay Plan. He encouraged conversation noting that if he is to develop articles based on the project, there are 24 distinct projects which would result in 24 distinct articles. He could also do 7 articles based on the 7 funding sources. He asked for feedback on ways to streamline the Warrant to make it easy for everyone to access. It is his plan to present warrant articles substantially completed to the Board of Selectmen on Monday, March 13th.

Chairman Hughes commented that his takeaway from today's meeting is that there are a significant number of new positions being asked for to the point of realizing that they are growing government. Most or all of those requests are necessary. His philosophy, to educate the public, is to put those things in articles so that people at Town Meeting can vote up or down. It's their money and their town and they make the decision. He feels it is up to them (BOS and FinComm) to figure out how best to get it to Town Meeting. He made suggestions and commented that these are things that they need to discuss. He asked other Committee members for comments.

Comments and suggestions were made regarding next steps.

Chairman MacAskill asked Board members if they had comments.

Chairman MacAskill asked how it works on the Town Meeting floor when on Article 4 they vote the Budget and then there are Articles after that to add positions, will they go back and amend the Budget each time?

Mr. DeCosta answered that generally the employee Article is put before the Budget.

Chairman Hughes suggested that one way to do it is to put the personnel Articles up front and then vote the Budget. Another way is to vote a Budget without those things in it and then take up the Articles. Once done with the Articles you'd go back and do one amendment to the Budget. He feels it's important to give people the opportunity to make a decision by having a decent discussion. He also thinks it's important, if they do the personnel Articles, that they're in

March 4, 2023

agreement that they will go forward with them. The power of the Board of Selectmen and the Finance Committee at Town Meeting is being together on Articles.

Chairman MacAskill commented that he is looking forward to the debate. He has completely different thoughts and the new hires are presented as an Enhancement of Services by the Town Administrator that they hired to run the Town. They talk about these positions in great detail and believes the education has already taken place. Town Meeting is to support the Budget or not support the Budget.

Other Board members expressed opinions agreeing with both Chairmen's comments.

Town Administrator Powers made his closing remarks of gratitude and thanks for everyone on the Finance Committee for their role in the Town Meeting process. He also offered gratitude for the Board of Selectmen for being there and for all the staff and others that have been there and those that have worked on the meeting. He also thanked all the individuals who work for the Town.

Don Howell moved to adjourn, 2nd by Ms. Kavanagh. Vote unanimous, in favor. The meeting of the Board of Selectmen is adjourned.

Mr. Ameres moved to adjourn, 2nd by Mr. Tworek. Vote unanimous, in favor. The meeting of the Finance Committee is adjourned.

Respectfully submitted,

Judith R. Moldstad
Board Secretary

March 4, 2023

OFFICE OF THE TOWN ADMINISTRATOR

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

Phone (508) 430-7513

Fax (508) 432-5039

732 MAIN STREET, HARWICH, MA



MEMO

TO: Board of Selectmen

FROM: Meggan Eldredge, Assistant Town Administrator

RE: Utility Hearing
NSTAR Electric dba Eversource Electric
18 Holmes Road

DATE: March 3, 2022

A Utility Hearing was held on March 3, 2022 at 9:00 AM at the request of NSTAR ELECTRIC D/B/A Eversource ENERGY to install 30' +/- of 1-3" conduit from proposed handhole 289/HA2 to a customer installed handhole 289/HB2 at 18 Holmes Road.

Legal ads were published and notifications were given. There were no abutters present. There were no objections to install 30' +/- of 1-3" conduit from proposed handhole 289/HA2 to a customer installed handhole 289/HB2 at 18 Holmes Road.

There were no other questions, concerns or objections and the Hearing was adjourned at 9:05 AM. After careful review, I recommend that the Board approve NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY Plan No. 11108309 dated January 20, 2023.



TOWN OF HARWICH

Phone (508) 430-7513

Fax (508) 432-5039

732 MAIN STREET, HARWICH, MA 02645

MINUTES Utility Hearing – Petition/WO #11108309 Friday, March 3, 2023

THOSE IN ATTENDANCE: Meggan Eldredge, Assistant Town Administrator, Patience Smith-Cabrera, Executive Assistant, and Representative from Eversource, Marissa Jackson. No Abutters present.

The Assistant Town Administrator called the hearing to order at 9:06 A.M. and read the Utility Hearing Notice.

Ms. Jackson stated she was present as representative of Eversource. The purpose is to install underground service with no opening of the road necessary.

Ms. Eldredge reviewed information, no concerns from department heads. Ms. Jackson stated that this is a request to install 30' +/- of 1-3" conduit from proposed handhole 289/HA2 to a customer installed handhole 289/HB2 (new) at 18 Holmes Road. Ms. Eldredge asked if the road will need to be closed and Ms. Jackson stated that they will close one lane with a police detail with the road remaining open for passage.

Ms. Eldredge explained that she would make the recommendation to the Board of Selectmen at their next meeting on March 13, 2023 to approve this request. Ms. Jackson asked if the Selectmen's signatures will be forwarded to her once approved and Ms. Eldredge confirmed that they would.

The hearing was adjourned at 9:09 A.M.

Submitted by:
Patience Smith-Cabrera
Executive Assistant

Attachments

January 30, 2023

Town Administrators
732 Main Street
Harwich, MA 02653

Dear Board Members:

Enclosed is a petition to install 30' +/- of 1-3" conduit and one handhole 289/HA2 under the town road.

This construction is necessary to provide new underground service to 18 Holmes Road.

This petition will require a notice to abutters and a hearing.

If you have any questions, feel free to contact me at 508-790-9001 or the email address provided below.

Warm Regards,

Marissa L Jackson

Marissa L Jackson
Right of Way Agent
Marissa.Jackson@Eversource.com
NSTAR Electric
d/b/a Eversource Energy

Please return 1 signed copy to: **-Eversource-484 Willow Street-W. Yarmouth, MA 02673 Attn: Marissa Jackson**

**PETITION FOR
UNDERGROUND CABLE AND CONDUIT LOCATIONS**

January 30, 2023

To the Town Select Board

in **Harwich**, Massachusetts

NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY

request permission to locate underground cables, conduits, and manholes, including the necessary sustaining and protecting fixtures, in, under, along and across the following public way or ways:

Holmes Road, Harwich

Eversource to install 30' +/- of 1-3" conduit from proposed handhole 289/HA2 to a customer installed handhole 289/HB2

Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to install and maintain underground cables, conduits, and manholes, together with such sustaining and protecting fixtures as it may find necessary, said underground cables, conduits, and manholes to be installed in accordance with the plan files herewith marked Plan # 11108309 dated **January 20, 2023**.

NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY

By *Marissa L Jackson*

Right of Way Agent
Marissa L. Jackson

FORM OF ORDER FOR
UNDERGROUND CABLE AND CONDUIT LOCATIONS
WO# 11108309

By the Select Board of the Town of HARWICH, Massachusetts.

Notice having been given and a public hearing held, as provided by law,
IT IS HEREBY ORDERED: that the NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY
be and it is hereby granted a location for and permission to install and maintain underground cables,
conduits and manholes, together with such sustaining and protecting fixtures as said Company may
deem necessary, in, under, along and across the public way or ways hereinafter referred to, as
requested in petition of said Company dated the 30th day of January, 2023.

All construction under this order shall be in accordance with the following conditions:

Cables, conduits, and manholes shall be installed substantially at the point indicated upon the
plan marked Plan no. 11108309 dated **January 20, 2023** filed with said petition. The following are
the public ways or parts of ways under, along and across which the cables above referred to may be
installed under this order.

Holmes Road, Harwich
Eversource to install 30' +/- of 1-3" conduit from proposed handhole 289/HA2 to a customer
installed handhole 289/HB2

I hereby certify that the foregoing order was adopted at a meeting of the Board of Selectmen
of the Town of Harwich, Massachusetts held on the _____ day of
_____ 2023.

Clerk of Selectmen

_____, Massachusetts _____ 2023.

Received and entered in the records of location orders of the Town of Harwich Book
_____ Page _____.

Attest:

Town Clerk

We hereby certify that on _____ 2023, at _____ o'clock,
_____ M. at _____ a public hearing was held on the
petition of the

NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY

for permission to install and maintain the underground cables, conduits, manholes and fixtures described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to install underground cables, conduits, manholes and fixtures under said order. And that thereupon said order was duly adopted.

Select Board of the Town of _____
Town of Harwich, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of a location order and certificate of hearing with notice adopted by the Board of Selectmen of the Town of **HARWICH**, Massachusetts, on the _____ day of _____ 2023, and recorded with the records of location orders of said Town, Book _____, Page _____. This certified copy is made under the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

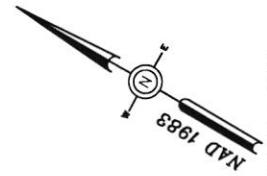
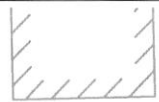
Attest:

Town Clerk

LEGEND

- ⊕ Proposed Hand Hole
- ⊗ Existing Hand Hole
- Proposed Conduit
- - - Existing Conduit
- Proposed Pole
- Existing Pole
- Ⓜ Proposed Multitap
- Ⓢ Proposed Manhole

Plan to accompany petition of EVERSOURCE ENERGY to install handhole 289/HA2 @ 289/2 and approximately 30'± of 1-3" conduit under public road to handhole 289/HB2 for electric service relocation for customer at #18 Holmes Road.



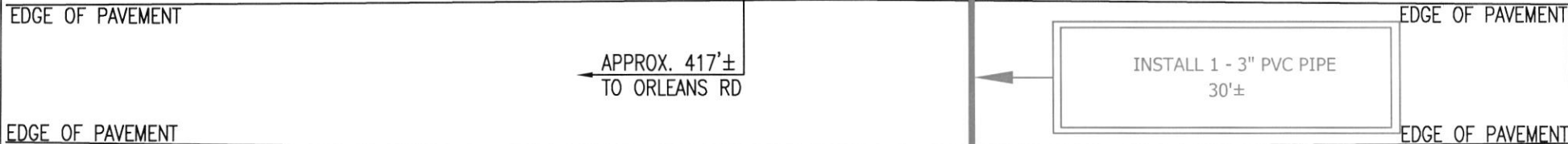
74-S6-5-0
19 HOLMES RD
N/F
LUND MARTIN C

74-S6-4-0
15 HOLMES RD
N/F
RUST MATTHEW D ET AL
FAUCHER ALLISON P

APPROX. P/L

APPROX. PARCEL LINE

APPROX. PARCEL LINE



HOLMES RD

74-S6-11-0
24 HOLMES RD
N/F
STEVENSON COLIN M &
STEVENSON JANE L

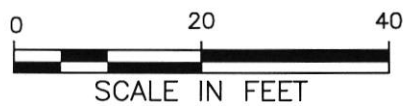
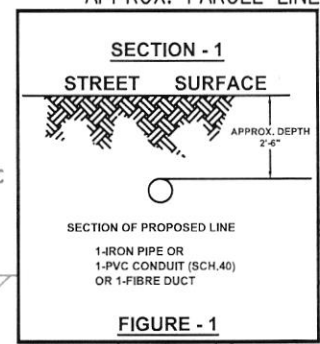
74-S6-12-0
18 HOLMES RD
N/F
HAARMAN RICHARD &
HARRMAN NANETTE

74-S6-13-0
14 HOLMES RD
N/F
MINNINGER STEVEN F &
MINNINGER REBECCA W

APPROX. PARCEL LINE

APPROX. PARCEL LINE

APPROX. PARCEL LINE



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

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

MASS. LAW

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

Plan#	11108309	NSTAR EVERSOURCE ELECTRIC d/b/a	1185 MASSACHUSETTS AVE. DORCHESTER, MASS. 02125
Ward #			
Work Order #	11108309	Plan of	HOLMES ROAD
Surveyed by:	N/A		HARWICH
Research by:	JC	Showing	PROPOSED HANDHOLE AND CONDUIT LOCATION
Plotted by:	BP	Proposed Structures:	BP
Approved:	T THIBAUT	Scale	1"=20'
P#		Date	01/20/2023
		SHEET	1 of 1

TOWN OF HARWICH
NOTICE OF PUBLIC HEARING
March 3, 2023

Pursuant to M.G.L. Ch. 166, § 22, a Public Hearing will be held at **9:00 AM on Friday, March 3, 2023** at the Harwich Town Hall in the Griffin Room, 732 Main Street, Harwich, MA in reference to the following matter:

A petition by NSTAR ELECTRIC COMPANY d/b/a/ Eversource Energy requesting permission to locate underground cables, conduits and manholes, including the necessary sustaining and protecting fixtures, in under, along and across the following public way or ways:

Holmes Road

PROPOSED: To install 30' +/- of 1-3" conduit from proposed handhole 289/HA2 to a customer installed handhole 289/HB2

All abutters and other interested persons are invited to attend. For further information, please call the Town Administrator's Office at (508) 430-7513 or stop by Town Hall, 732 Main Street, Harwich where the information is on file.

Meggan Eldredge
Assistant Town Administrator

Cape Cod Chronicle
February 9, 2023

**TOWN OF HARWICH
NOTICE OF PUBLIC HEARING
March 3, 2023**

Pursuant to M.G.L. Ch. 166, § 22, a Public Hearing will be held at **9:00 AM on Friday, March 3, 2023** at the Harwich Town Hall in the Griffin Room, 732 Main Street, Harwich, MA in reference to the following matter:

A petition by NSTAR ELECTRIC COMPANY d/b/a/ Eversource Energy requesting permission to locate underground cables, conduits and manholes, including the necessary sustaining and protecting fixtures, in under, along and across the following public way or ways:

Holmes Road

PROPOSED: To install 30' +/- of 1-3" conduit from proposed handhole 289/HA2 to a customer installed handhole 289/HB2

All abutters and other interested persons are invited to attend. For further information, please call the Town Administrator's Office at (508) 430-7513 or stop by Town Hall, 732 Main Street, Harwich where the information is on file.

Meggan Eldredge
Assistant Town Administrator

March 6 2023



Harwich Board of Selectmen
Main Street
Harwich MA 02645

Dear Selectmen:

Please accept this letter as my resignation from
the Board of Directors of the Council on Aging as
of March 1, 2023

I have enjoyed serving the Board and the Town of
Harwich.

Sincerely,

Joanni D. Lepore



NEW BUSINESS

Patience Smith-Cabrera

From: Larry Ballantine
Sent: Monday, March 6, 2023 3:41 PM
To: Patience Smith-Cabrera; Joe Powers; Paul Halkiotis
Cc: Julie Kavanagh; Meggan Eldredge; Danielle Freiner
Subject: Re: Appointment of a New Planning Board Member

Thanks Patience - seems we can move Paul to full as soon as we have an opening. Will then need to fill alternate to 6/30/24.

Larry

From: Patience Smith-Cabrera
Sent: Monday, March 6, 2023 3:01:43 PM
To: Larry Ballantine; Joe Powers; Paul Halkiotis
Cc: Julie Kavanagh; Meggan Eldredge; Danielle Freiner
Subject: RE: Appointment of a New Planning Board Member

Good afternoon all. Mr. Munns' expiration date as an alternate member is 6/30/2024. Thank you!

Patience Smith-Cabrera
Executive Assistant
Selectment/Administrator's Office
Town of Harwich
psmithcabrera@town.harwich.ma.us
508-430-7513

From: Larry Ballantine
Sent: Thursday, March 2, 2023 4:20 PM
To: Joe Powers <jpowers@town.harwich.ma.us>; Paul Halkiotis <phalkiotis@town.harwich.ma.us>
Cc: Julie Kavanagh <jkavanagh@townofharwich.us>; Meggan Eldredge <meldredge@town.harwich.ma.us>; Danielle Freiner <dfreiner@town.harwich.ma.us>; Patience Smith-Cabrera <psmithcabrera@town.harwich.ma.us>
Subject: Re: Appointment of a New Planning Board Member

Julie, as Paul has pointed out we interviewed Harry a couple months ago. I'm comfortable nominating Harry to full Planning Board member.

If you agree, we can add him to next BOS agenda.

Patience, can you check expiration date for us. I presume he would complete Bill Stotz's term.

Larry

From: Joe Powers
Sent: Thursday, March 2, 2023 4:12:53 PM
To: Paul Halkiotis
Cc: Julie Kavanagh; Larry Ballantine; Meggan Eldredge; Danielle Freiner; Patience Smith-Cabrera
Subject: RE: Appointment of a New Planning Board Member

Hi Paul:

I have copied Board of Selectmen Members Julie Kavanagh and Larry Ballantine on this reply as they are the Board's Interview Committee. I believe Harry should contact them to discuss his desire to go from alternate to full member.

However, I will defer to them on their process and next steps.

Thank you for bringing this matter to our attention.

Joe

Joseph F. Powers, ICMA-CM, MCPPO

Town Administrator

Town of Harwich

732 Main Street

Harwich, MA 02645

Office: (508) 430-7513

Mobile: (774) 801-8202

From: Paul Halkiotis

Sent: Thursday, March 2, 2023 3:19 PM

To: Joe Powers <jpowers@town.harwich.ma.us>; Patience Smith-Cabrera <psmithcabrera@town.harwich.ma.us>

Cc: Danielle Freiner <dfreiner@town.harwich.ma.us>; Duncan Berry <duncan@jduncanberry.com>; Shelagh Delaney <sdelaney@town.harwich.ma.us>; harry@munns.org

Subject: Appointment of a New Planning Board Member

Hi Joe,

Longtime Planning Board member Bill Stotz resigned a few weeks ago. That leaves an opening on the Planning Board that needs to be filled. In January the SelectBoard appointed Harry Munns as an Alternate Planning Board member. Harry has expressed an interest in becoming a regular member of the Board, I have discussed the matter with the Chairman, Duncan Berry, he agrees that Harry would be good addition to the Board. Although he has only served as an Alternate member for 2 months, based on questions and comments during the meetings it is evident that he has some experience with local government.

We would like to request that the SelectBoard vote to appoint Mr. Munns as a regular Planning Board member.

Paul

**FY 2024 OPERATING BUDGET
Board of Selectmen Recommendations**

February 21, 2023

DEPT #	DEPT NAME	2022 ACTUAL	2023 ORIG BUD	2023 REVISED BUD	2024 REQUEST	2024 TA	2024 BOS	2024 FinCom
	GENERAL FUND - BAL	3,497,289	1,819,823	2,265,618	761,076	761,076	761,076	1,015,050
1 114	MODERATOR S&W	0	1,000	1,000	1,000	1,000	1,000	1,000
2 122	SELECTMEN S&W	11,400	762,500	552,058	12,500	12,500	12,500	12,500
3 122	SELECTMEN - EXP	4,225	8,750	8,750	8,750	8,750	8,750	8,750
4	Sub-Total	15,625	771,250	560,808	21,250	21,250	21,250	21,250
5 131	FINANCE COMMITTEE S&W	0	3,000	3,000	3,000	3,000	3,000	3,000
6 131	FINANCE COMMITTEE - EXP	888	2,000	2,000	2,000	2,000	2,000	2,000
7	Sub-Total	888	5,000	5,000	5,000	5,000	5,000	5,000
8 131	FINANCE COMMITTEE RESERVE FUND	0	50,000	50,000	50,000	50,000	50,000	50,000
9 135	TOWN ACCOUNTANT - S&W	253,797	284,406	284,406	274,743	274,743	274,743	282,824
10 135	TOWN ACCOUNTANT - EXP	8,757	8,139	8,139	9,844	9,844	9,844	9,844
11 136	AUDIT - EXP	40,000	45,000	45,000	49,000	49,000	49,000	49,000
12	Sub-Total	302,554	337,545	337,545	333,587	333,587	333,587	341,668
13 141	ASSESSORS - S&W	153,596	206,844	206,844	267,306	223,595	223,596	234,344
14 141	ASSESSORS - EXP	80,062	140,450	140,450	167,080	147,080	147,080	147,080
15	Sub-Total	233,658	347,294	347,294	434,386	370,675	370,676	381,424
16 143	TOWN COLLECTIONS - S&W	9,460	15,000	15,000	14,000	14,000	14,000	14,000
17 143	TOWN COLLECTIONS - EXP	5,060	6,140	6,140	9,190	9,190	9,190	9,190
18	Sub-Total	14,520	21,140	21,140	23,190	23,190	23,190	23,190
19 144	POSTAGE	41,921	50,000	50,000	50,000	50,000	50,000	50,000
20 145	TREASURER - S&W	285,319	296,268	303,995	300,122	300,122	300,122	307,839
21 145	TREASURER - EXP	99,093	92,353	92,353	93,173	93,173	93,173	93,173

**FY 2024 OPERATING BUDGET
Board of Selectmen Recommendations**

February 21, 2023

DEPT #	DEPT NAME	2022 ACTUAL	2023 ORIG BUD	2023 REVISED BUD	2024 REQUEST	2024 TA	2024 BOS	2024 FinCom
22	Sub-Total	384,413	388,621	396,348	393,295	393,295	393,295	401,012
23 148	MEDICARE & VACATION	335,417	444,354	444,354	444,354	444,354	444,354	506,358
24 149	ADMINISTRATION - S&W	396,135	543,821	549,104	418,861	418,861	553,861	553,861
25 149	ADMINISTRATION - EXP	117,995	133,000	133,000	183,000	183,000	163,000	163,000
26	Sub-Total	514,129	676,821	682,104	601,861	601,861	716,861	716,861
27 152	LEGAL SERVICES - EXP	193,633	185,000	185,000	185,000	185,000	185,000	185,000
28 152	CLAIMS & SUITS	0	500	500	500	500	500	500
29	Sub-Total	193,633	185,500	185,500	185,500	185,500	185,500	185,500
30 155	INFORMATION TECHNOLOGY - S&W	62,655	91,940	92,549	94,758	94,758	94,758	94,758
31 155	INFORMATION TECHNOLOGY - EXP	253,651	439,500	439,500	474,247	474,247	474,247	474,247
32	Sub-Total	316,306	531,440	532,049	569,005	569,005	569,005	569,005
33 156	IT CHANNEL 18 S&W	143,040	153,629	160,576	166,596	166,596	166,596	169,054
34 156	IT CHANNEL 18 EXP	27,193	37,240	37,240	48,194	48,194	48,400	48,400
35	Sub-Total	170,233	190,869	197,816	214,790	214,790	214,996	217,454
36 157	CONSTABLE S & W	375	700	700	700	700	700	700
37 161	TOWN CLERK - S&W	274,661	238,499	238,499	241,762	241,762	241,762	242,745
38 161	TOWN CLERK - EXP	40,983	61,304	61,304	60,360	60,360	60,360	60,360
39	Sub-Total	315,644	299,803	299,803	302,122	302,122	302,122	303,105
40 171	CONSERVATION - S&W	153,334	160,786	168,078	193,950	170,167	193,950	197,658
41	CONSERVATION - EXP	5,059	6,686	6,686	9,032	9,032	9,032	11,532
42	Sub-Total	158,393	167,472	174,764	202,982	179,199	202,982	209,190
43 173	HOUSING ADVOCATE - S&W			71,949	75,223	75,223	75,223	75,223

**FY 2024 OPERATING BUDGET
Board of Selectmen Recommendations**

February 21, 2023

DEPT #	DEPT NAME	2022 ACTUAL	2023 ORIG BUD	2023 REVISED BUD	2024 REQUEST	2024 TA	2024 BOS	2024 FinCom
44	HOUSING ADVOCATE - EXP			0	2,500	2,500	2,500	2,500
45	Sub-Total			71,949	77,723	77,723	77,723	77,723

FY 2024 OPERATING BUDGET
Board of Selectmen Recommendations

February 21, 2023

DEPT #	DEPT NAME	2022 ACTUAL	2023 ORIG BUD	2023 REVISED BUD	2024 REQUEST	2024 TA	2024 BOS	2024 FinCom
46 174	TOWN PLANNER - S&W	128,473	153,036	153,036	171,503	171,503	171,503	174,015
47	TOWN PLANNER - EXP	2,442	5,601	5,601	6,581	6,581	6,581	6,581
48	Sub-Total	130,916	158,637	158,637	178,084	178,084	178,084	180,596
49 176	BOARD OF APPEALS - S&W	0	2,050	2,050	2,050	2,050	2,050	2,050
50	BOARD OF APPEALS - EXP	265	800	800	4,256	4,256	4,256	4,256
51	Sub-Total	265	2,850	2,850	6,306	6,306	6,306	6,306
52 180	ALBRO HOUSE - EXP	2,814	5,000	5,000	5,000	5,000	5,000	5,000
53 181	OLD RECR BUILDING - EXP	4,239	6,500	6,500	6,500	6,500	6,500	6,500
54 182	WEST HARWICH SCHOOL - EXP	402	1,600	1,600	0	0	0	0
55	Sub-Total	7,455	13,100	13,100	11,500	11,500	11,500	11,500
56 183	COMMUNITY DEVELOPMENT - S&W	5,053	0	0	0	0	0	0
57 183	COMMUNITY DEVELOPMENT - EXP	11,032	5,898	5,898	5,898	5,898	5,898	5,898
58	Sub-Total	16,086	5,898	5,898	5,898	5,898	5,898	5,898
59 191	PUBLIC BUILDINGS REPAIRS	0	2,000	2,000	2,000	2,000	2,000	2,000
60 192	TOWN/FIN COM REPORTS	0	10,000	10,000	10,000	10,000	10,000	10,000
61 194	ADVERTISING	0	30,000	30,000	30,000	30,000	30,000	30,000
62 210	POLICE - S&W	3,885,844	4,310,121	4,318,878	4,404,665	4,404,665	4,404,665	4,353,117
63 210	POLICE - EXP	336,392	528,237	528,237	604,555	604,555	604,555	604,555
64	Sub-Total	4,222,236	4,838,358	4,847,115	5,009,220	5,009,220	5,009,220	4,957,672
65 220	FIRE - S&W	4,229,895	4,397,138	4,480,136	5,109,239	5,109,239	5,109,239	5,002,085
66 220	FIRE - EXP	497,698	597,499	597,499	780,714	780,714	780,714	800,714
67	Sub-Total	4,727,593	4,994,637	5,077,635	5,889,953	5,889,953	5,889,953	5,802,799

**FY 2024 OPERATING BUDGET
Board of Selectmen Recommendations**

February 21, 2023

DEPT #	DEPT NAME	2022 ACTUAL	2023 ORIG BUD	2023 REVISED BUD	2024 REQUEST	2024 TA	2024 BOS	2024 FinCom
68 241	BUILDING - S&W	456,026	455,517	458,506	602,565	602,565	602,565	610,081
69 241	BUILDING - EXP	7,059	14,885	14,885	17,085	17,085	17,085	17,085
70	Sub-Total	463,085	470,402	473,391	619,650	619,650	619,650	627,166
71 291	EMERGENCY MANAGEMENT - S&W	5,810	5,408	5,408	5,515	5,515	5,515	5,515
72 291	EMERGENCY MANAGEMENT - EXP	3,176	8,500	8,500	8,500	8,500	8,500	8,500
73	Sub-Total	8,987	13,908	13,908	14,015	14,015	14,015	14,015
74 296	NATURAL RESOURSCES S&W	114,867	116,307	124,203	124,320	124,320	124,320	124,320
75 296	NATURAL RESOURCES - EXP	25,394	27,100	27,100	27,100	27,100	27,100	27,100
76	Sub-Total	140,262	143,407	151,303	151,420	151,420	151,420	151,420
77 297	PLEASANT BAY ALLIANCE	23,760	25,232	25,232	25,232	25,232	25,232	25,232
78 411	TOWN ENGINEER - S&W	0	101,589	166,589	176,277	176,277	176,277	176,277
79 411	TOWN ENGINEER - EXP	41,420	39,350	39,350	40,850	40,850	40,850	40,850
80	Sub-Total	41,420	140,939	205,939	217,127	217,127	217,127	217,127
81 421	HIGHWAY - S&W	2,727,671	2,778,807	2,780,153	2,899,220	2,901,095	2,901,095	3,066,415
82 421	HIGHWAY - EXP	3,590,599	3,355,968	3,355,968	3,881,470	3,881,470	3,881,470	3,881,470
83	Sub-Total	6,318,271	6,134,775	6,136,121	6,780,690	6,782,565	6,782,565	6,947,885
84 423	SNOW/ICE - S&W	110,215	40,000	40,000	40,000	40,000	40,000	40,000
85 423	SNOW/ICE - EXP	293,332	95,000	95,000	95,000	95,000	95,000	95,000
86	Sub-Total	403,547	135,000	135,000	135,000	135,000	135,000	135,000
87 424	STREET LIGHTS	24,165	30,000	30,000	30,000	30,000	30,000	30,000
88 491	CEMETERY ADMINISTRATION - S&W	71,434	71,434	76,690	80,162	80,162	80,162	80,162
89 491	CEMETERY ADMINISTRATION - EXP	4,470	5,108	5,108	5,108	5,108	5,108	5,108
90	Sub-Total	75,904	76,542	81,798	85,270	85,270	85,270	85,270

**FY 2024 OPERATING BUDGET
Board of Selectmen Recommendations**

February 21, 2023

DEPT #	DEPT NAME	2022 ACTUAL	2023 ORIG BUD	2023 REVISED BUD	2024 REQUEST	2024 TA	2024 BOS	2024 FinCom
91 510	BOARD OF HEALTH - S&W	213,724	269,893	276,921	273,872	273,872	273,872	284,597
92 510	BOARD OF HEALTH - EXP	10,320	18,425	18,425	18,425	18,425	18,425	18,425
93 510	BOARD OF HEALTH - OPIOID ABATEMENT	0	0	0	102,328	102,328	102,328	102,328
93	Sub-Total	224,044	288,318	295,346	394,625	394,625	394,625	405,350

OFFICE OF THE TOWN ADMINISTRATOR

Phone (508) 430-7513

Fax (508) 432-5039

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

732 MAIN STREET, HARWICH, MA 02645



Memo

To: Joseph F. Powers, Town Administrator

From: Meggan M. Eldredge, Assistant Town Administrator

Date: March 7, 2023

RE: Personnel Bylaw FY23 Salary tables

Joe,

As you are aware, the Federal minimum wage was increased to \$15.00 as of January 1, 2023. Several PBL seasonal and part-time positions are paid at an FY23 rate below this minimum wage rate. Because we are currently in FY23 and will soon be hiring seasonal and part-time staff within the categories of employment below minimum wage, I have prepared a revised compensation schedule for Seasonal and Part-Time personnel.

The proposed changes impact three grades: PT-1 (Library Pages, Election Worker, and Sealer of Weights and Measures), Seasonal grade 3 (Tennis instructor, golf utility person, playground/camp instructor, summerball instructor and shellfish intern), and Seasonal grade 4 (Golf Ass't, Golf Maintenance person, work leader, IT Ass't, Summerball Director, Parking Attendant and Harbor Assistant).

In resetting the hourly wage steps to reflect minimum wage, the same differential between existing steps was used for steps 2 and 3 in order to achieve a rate higher than \$15/hr.

No other changes were made to the FY23 class and compensation tables. I am respectfully requesting the rate changes be reviewed and ultimately voted on by the Board of Selectmen to impact this coming spring and summer employees.

MINIMUM WAGE ADJUSTMENT FOR FY23 SEASONALS

GRADE	JOB TITLE	STEP 1		STEP 2		STEP 3		STEP 4		STEP 5
12	Golf Instructor (S-12)	34.23		50.94		68.19		84.36		
11	Golf Employee and Operations Manager (S-11) Shellfish Instructor (S-11A)	23.88		24.94		26.00		27.06		28.12
10	Beach Supervisor (S10)	20.81		21.33		21.85		22.37		22.89
9	Ass't Beach Supervisor (S-9A) Playground Director (S-9B) Waterfront Director (S-8C)	18.21		18.73		19.25		19.77		20.29
8	Lifeguard (S-8D) Swimming Instructor (S-9E) Ass't. Harbormaster (S-8F)	16.65		17.17		17.69		18.21		18.73
7	Seasonal Laborer (S-7B)	16.13		16.65		17.17		17.69		18.21
6	Activities Coordinator (S-6C)	15.09		15.61		16.13		16.65		17.17
5	Parking Enforcement Officer (S-5A)	14.57	15.09	15.09		15.61		16.13		16.65
4	Golf Ass't (S-4) Golf Maintenance Person (S-4A) Work Leader (S-4D) IT Ass't (S-4E) Summerball Director (S-4G) Parking Attendant (S-4H) Harbor Assistant (S-3G)	14.25	15.00	14.57	15.09	15.09		15.61		16.13
3	Tennis Instructor (S-3) Golf Utility Person (S-3B) Playground/Camp Instructor (S-3F) Summerball Instructor(S-3H) Shellfish Interns (S-3E)	14.25	15.00	14.33	15.09	14.86	15.35	15.39		15.92

**LIST OF ARTICLES TO BE PLACED IN THE
2023 ANNUAL TOWN MEETING WARRANT**

TOWN OFFICERS AND COMMITTEES

To choose various Town Officers and Committees.

REPORTS OF TOWN OFFICERS AND COMMITTEES

To hear reports of all Town Officers and Committees for the year 2022.

ELECTED OFFICIALS SALARIES

To see if the Town will vote the salaries of the Elected Officials of the Town for fiscal year commencing July 1, 2023 and ending June 30, 2024 as follows; and to act fully thereon. Estimated cost: \$119,107

Selectmen (5)	\$2,400 each	12,000
Moderator	\$1,000	1,000
Water & Wastewater Commissioners (5)	\$1,000 each	5,000
Library Trustees (7)	\$1,000 each	7,000
Town Clerk	\$94,107	94,107
		119,107

TOWN OPERATING BUDGET

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow such sums of money as may be required to defray Town charges for Fiscal Year 2024; and to act fully thereon. By request of the Board of Selectmen. (BUDGET – APPENDIX B). Estimated Cost: \$42,690,019

Betterments	70,000
Cable Fund	214,996
CPA	166,650
Golf Infrastructure	98,450
Overlay Surplus	200,000
State Aid	766,160
Water Enterprise	818,912
Wastewater Enterprise	34,929
Subtotal	2,370,097
Local Receipts	15,782,472
Taxes	24,537,450
Operating Budget	42,690,019

MONOMOY REGIONAL SCHOOL DISTRICT BUDGET

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow such sums of money as may be required to pay for the Monomoy Regional School District Assessment for Fiscal Year 2024, and to act fully thereon. By request of the Monomoy Regional School Committee. Estimated cost: \$28,470,423

Operating	26,277,630
Capital	153,210
Transportation	642,650
Debt	1,396,933
MRSD Assessment	28,470,423

CAPE COD REGIONAL TECHNICAL SCHOOL DISTRICT BUDGET

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sufficient sum of money as may be required to pay for the Cape Cod Regional Technical High School District Assessment for Fiscal Year 2024, and to act fully thereon. By request of the Cape Cod Regional Technical High School District. Estimated cost: \$2,014,200

Operating	\$1,400,362
Debt	\$613,838
CCRTHS Assessment	\$2,014,200

WATER DEPARTMENT BUDGET

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow such sums of money as may be required to defray the Water Department Operating Budget for Fiscal Year 2024, and to act fully thereon. By request of the Water and Wastewater Commission. Estimated cost: \$ 4,255,954

Salaries	\$1,280,901
Expenses	\$1,629,127
Debt	\$536,648
Indirect Costs	\$759,278
OPEB	\$50,000
Total	\$4,255,954

WASTEWATER DEPARTMENT BUDGET

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow such sums of money as may be required to defray the Wastewater Department Operating Budget for Fiscal Year 2024, and to act fully thereon. By request of the Water and Wastewater Commission. Estimated cost: \$1,992,677

Salaries	173,882
Expenses	444,528
Debt	1,312,119
Indirect Costs	62,148
Total	1,992,677

FUND CAPE COD COMMUNITY MEDIA CENTER

To see if the Town vote to raise and appropriate or transfer from available fund or borrow such sums of money that may be required for the purpose of funding the public access station, Cape Cod Community Media Center, 17 Shad Hole Rd. Dennis Port, MA 02639. Providing the public access television to the citizens of Harwich; or to act fully thereon. By request of the Board of Selectmen. Estimated cost: \$157,037

ITEMS FUNDED FROM THE CABLE FUND

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sufficient sum of money to fund the items in the table below included in the FY 2024 Capital Outlay Plan, and to act fully thereon. By request of the Board of Selectmen. Estimated cost: \$47,222.00.

Equip Meeting Rooms & Field Equipment	4,388
Fund Ch. 22 at Monomoy Regional High School	42,834
Total	47,222

CHILDCARE/EARLY INTERVENTION SUPPORT PROGRAM

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sufficient sum of money to fund childcare/early intervention support program for families in the Town of Harwich, said money to also be used to fund administrative and/or program management costs, and to act fully thereon. By request of the Board of Selectmen. Estimated cost: \$250,000.00

FUND TECHNOLOGY ENHANCEMENTS FOR BROOKS FREE LIBRARY

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sufficient sum of money to be used for the purchase and replacement of technology equipment and software for the Brooks Free Library, and to act fully thereon. By request of the Board of Selectmen and the Board of Library Trustees. Estimated cost: \$25,000.00

AMEND CEMETERY REGULATIONS

To see if the Town will vote, pursuant to General Laws Chapter 114, Section 23, to approve the Cemetery Regulations, as adopted by the Cemetery Commissioners, a copy of which shall be on file with the Town Clerk once they are adopted by the Cemetery Commission; and to act fully thereon. By request of the Board of Selectmen

SPECIAL LEGISLATION REGARDING ENFORCEMENT OF WATER CONSERVATION MEASURES

To see if the Town will vote to request its representatives in the General Court to introduce special legislation regarding enforcement of water conservation measures, and to authorize the General Court, with the approval of the Board of Selectmen, to make changes of form to the text thereto as may be necessary or advisable in order to accomplish the intent and public purpose of this legislation in order to secure passage, as follows:

AN ACT RELATIVE TO THE WATER AND WASTEWATER COMMISSION OF THE TOWN OF HARWICH

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

Section 1: Notwithstanding any general or special law to the contrary, the water and wastewater commission of the town of Harwich is hereby authorized to assess a fine in the amount of five hundred dollars for the violation of any water conservation general bylaw or regulation. Such fines may be enforced through the noncriminal disposition procedures of section 21D of chapter forty of the General Laws.

Section 2: The water and wastewater commission may notify a water customer that a violation of a water conservation or regulation has been observed at a location owned, leased, or operated by said customer, and may provide notice of the intent of the commission to assess a fine for said violation or violations within ten days of said notice. The water customer may request a hearing within said ten days before the commission. The commission may delegate the conduct of the hearing to a hearing office, which may be a commission member or its designee. At the conclusion of the hearing, the commission or its designee shall render a decision. If the fine is upheld, the commission may add the amount of the fine or fines to the water bill of a water customer. Any water customer aggrieved by the decision may request that the commission abate the amount of the fine appearing on the water bill. If the abatement request is denied, the commission may impose a lien on the property pursuant to General Laws c. 40, §42A to 42F and §42E.

Section 3: The commission may also enforce any water conservation bylaw or regulation by the assessment of a civil penalty not to exceed \$5,000 for each violation.

Section 4: The commission may, after a public hearing, shut off the water at the meter or curb stop of any water customer found to have repeatedly violated a water conservation bylaw or regulation of the town of Harwich.

Section 5: This act shall take effect upon passage.

Or to take any other action relative thereto. By request of the Board of Water and Wastewater Commission.

AMEND GENERAL BYLAW CHAPTER 300 WATER CONSERVATION BYLAW

To see if the Town will vote to amend the General Bylaws, Chapter 300, by deleting the current text in its entirety and replacing it with the following:

§ 300 Water Conservation Bylaw.

§300.1: Authority. This bylaw is adopted by the Town under its police powers pursuant to the Home Rule Amendment of the Massachusetts Constitution, Article LXXXIX, to protect public health and welfare and pursuant to its powers under M.G.L. c. 40, §§ 21 et seq. and implements the Town's authority to regulate water use pursuant to M.G.L. c. 41, § 69B. This by-law also implements the Town's authority under M.G.L. c. 40, § 41A, conditioned upon a declaration of water supply emergency issued by the Department of Environmental Protection under G.L. c. 21G, §§ 15-17. This by-law is also intended to implement other water conservation requirements of M.G.L. c. 21G, the "Massachusetts Water Management Act" and its regulations promulgated at 310 CMR 36.00. The Town's Water and Wastewater Commission (hereinafter "the Commission") is hereby authorized to enact regulations to carry out the purposes of this bylaw.

§300.2: Purpose.

The purpose of this bylaw is to protect, preserve and maintain the public health, safety, welfare, and the environment whenever there is in force a "State of Water Supply Conservation", a "State of Drought" or a "State of Water Supply Emergency" by ensuring an adequate supply of water for drinking and fire protection. The purpose of this bylaw is also to protect the quality and quantity of water in local aquatic habitats such as ponds, rivers, and wetlands. These purposes will be accomplished by providing for the imposition and enforcement of any duly implemented restrictions, requirements, provisions, or conditions on water use imposed by the Town in accordance with this by-law and/or by the Department of Environmental Protection under its state law authorities.

§300.3: Applicability.

All Town customers of the public water supply system and private well users shall be subject to this by-law. This by-law shall be in effect year-round, or for such periods of time as the Commission may designate.

§300.4: Definitions.

As used in this article, the following terms shall have the meanings indicated.

- a. "Agriculture" shall mean farming in all its branches as defined at M.G.L. c. 128, § 1A.1.¹
- b. "Automatic irrigation system, including sprinklers" shall mean any system for watering vegetation other than a hand-held hose, a bucket or a drip-irrigation system outside the hours designated by the Commission.
- c. "Nonessential outdoor water use" shall mean those uses that are not required:
 1. for health or safety reasons;

¹ This statutory definition includes cultivation of the soil, dairying and the production, cultivation, growing and harvesting of agricultural, aquacultural, floricultural or horticultural commodities as well as forest harvesting, raising livestock inclusive of bees and fur-bearing animals and forestry, lumbering, preparation for market, delivery to storage or market or to carriers to market incidental to an agricultural operation.

2. by regulation;
 3. for the production of food and fiber;
 4. for the maintenance of livestock; or
 5. to meet the core functions of a business.
- d. Nonessential outdoor water uses that are subject to mandatory restrictions include:
1. irrigation of lawns, shrubs or gardens via sprinklers or automatic irrigation systems;
 2. washing of vehicles, except in a commercial car wash or as necessary for operator safety or to prevent damage and/or maintain performance of agricultural or construction vehicles or equipment; and
 3. washing of exterior building surfaces, parking lots, driveways, or sidewalks, except as necessary to apply paint, preservatives, stucco, pavement, or cement.
- e. Exceptions to nonessential outdoor water uses may include irrigation of lawns, gardens, flowers and ornamental plants by means of a hand-held hose controlled by a nozzle or a drip-irrigation system outside the hours designated by the Commission; and irrigation with harvested and stored storm-water runoff, or such other exceptions as may be determined by the Commission.
- f. The following outdoor water uses are subject to review and approval by the Town, through its Commission or its designee:
1. irrigation of public parks and recreation fields outside the hours designated by the Commission.
 2. irrigation to establish replanted or re-sodded lawn or plantings during the months of May and September;
 3. irrigation of newly planted lawns (seeded or sodded) in the current calendar year for homes or businesses newly constructed in the previous twelve months; and
 4. filling of privately owned outdoor pools.
- g. "Person" shall mean any individual, corporation, trust, partnership, association, agency or authority, or other entity and any officer, employee, group, or agent of such persons.

"State of Drought" shall mean a Drought Advisory, Watch, Warning or Emergency declared by the Secretary of Energy and Environmental Affairs in consultation with the Massachusetts Drought Management Task Force.

- h. "State of Water Supply Emergency" shall mean a State of Water Supply Emergency declared by the Department of Environmental Protection under M.G.L. c. 21G, §§ 15-17.
- i. "State of Water Supply Conservation" shall mean a State of Water Supply Conservation declared by the Town pursuant to §300.5 of this by-law.
- j. "Water Customers" shall mean all persons using the public water supply regardless of that person's responsibility for payment for use of the water.
- k. "Water Users" shall mean all persons using the public water supply or using privately-owned wells within the Town boundaries, including privately-owned wells used for irrigation.

§ 300.5: Declaration of a State of Water Supply Conservation.

The Town, through its Commission or its designee authorized to act as such:

- a) may declare a State of Water Supply Conservation upon a determination that conservation measures are appropriate to ensure an adequate supply of water for drinking and fire protection, to protect the quality and quantity of water in local aquatic habitats such as ponds, rivers, and wetlands; and
- b) shall declare a State of Water Supply Conservation as necessary to ensure compliance with the Water Management Act.

Upon notification to the public that a State of Water Supply Conservation has been declared, no water customer shall violate any provision, restriction, requirement, or condition of the declaration. The Commission may designate the Water Department Superintendent, Town Administrator, or DPW Director to declare a State of Water Supply Conservation at any time that conditions warrant. Public notice of a State of Water Supply Conservation shall be given under §300.9 of this bylaw before it may be enforced. The applicable restrictions, conditions or requirements shall be included in the public notice.

§ 300.6: State of Drought.

Upon notification to the public that a State of Drought has been declared by the Secretary of Energy and Environmental Affairs, no water user shall violate any provision, restriction, requirement, or condition of the Town's water use restrictions. Public notice of a State of Drought shall be given under §300.9 of this bylaw before it may be enforced. The applicable restrictions, conditions, or requirements shall be included in the public notice.

§ 300.7: Declaration of a State of Water Supply Emergency.

Upon notification to the public that a declaration of a State of Water Supply Emergency has been issued by the Department of Environmental Protection, no person shall violate any provision, restriction, requirement, or condition of any order approved or issued by the Department of

Environmental Protection for the purpose of bringing about an end to the State of Water Supply Emergency. Public notice of a State of Water Supply Emergency shall be given under §300.9 of this bylaw before it may be enforced. The applicable restrictions, conditions or requirements shall be included in the public notice.

§300.8: Restricted Water Uses.

A declaration of a State of Water Supply Conservation, State of Drought or State of Water Supply Emergency shall include one or more of the following restrictions, conditions or requirements limiting nonessential outdoor water use by water users as necessary to control the volume of water pumped each day, except as provided as an acceptable exemption in §300.4. The applicable restrictions, conditions or requirements shall be included in the public notice required under §300.9.

a) Nonessential outdoor water use days: Nonessential outdoor water use is permitted only on the days per week specified in the State of Water Supply Conservation, State of Drought or State of Water Supply Emergency and public notice thereof. During a State of Water Supply Conservation, nonessential outdoor water use is restricted as necessary to ensure compliance with the Water Management Act, or for a Town or Water District without a Water Management Act permit, to two days or fewer per week.

b) Nonessential outdoor water use hours: Nonessential outdoor water use is permitted only during the hourly periods specified in the State of Water Supply Conservation, State of Drought or State of Water Supply Emergency and public notice thereof. At a minimum, nonessential outdoor water use is prohibited during the hours from 9AM to 5PM.

c) Nonessential outdoor water use method restriction: Nonessential outdoor water use is restricted to a bucket or hand-held hose controlled by a nozzle or a drip-irrigation system outside the hours of 9:00 am to 5:00 pm.

d) Nonessential outdoor water use ban: Nonessential outdoor water use is prohibited at all times.

e) Automatic irrigation systems, including sprinklers: The use of automatic irrigation systems is prohibited.

§300.9: Public Notification and Notification of DEP.

a) Public Notification of a State of Water Supply Conservation or a State of Drought – Notice to the public of all provisions, including all restrictions, requirements and conditions imposed by the Town as part of a State of Water Supply Conservation or a State of Drought shall be made as soon as possible, but no later than 48 hours following the declaration of a State Water Supply Conservation or State of Drought by publication in a newspaper of general circulation within the Town and by signage on major roadways or intersections. Notification may also include email, Web sites, public service announcements on local media, reverse 911 calls or other such means reasonably calculated to reach and inform all public and private water users.

b) Public Notification of a State of Water Supply Emergency – Notice to the public of all provisions, including all restrictions, requirements and conditions imposed by a State of Water

Supply Emergency declared by the Department of Environmental Protection shall be made as soon as practical after the public water system receives notice of the Department of Environmental Protection's declaration of a State of Water Supply Emergency, by publication in a newspaper of general circulation within the Town and by signage on major roadways or intersections. Notification may also include email, Web sites, public service announcements on local media, reverse 911 calls or other such means reasonably calculated to reach and inform all water users of the State of Water Supply Emergency.

c) Any restriction imposed pursuant to §300.5, §300.6, and §300.7 or in the Department's State of Water Supply Emergency or Order shall not be effective until notification to the public is provided.

d) Notification of DEP: Submittal of MassDEP's form "Notification of Water Use Restriction" shall be provided to the Massachusetts Department of Environmental Protection within 14 days of the effective date of the restrictions, per MassDEP regulations (310 CMR 22.15(8)).

§300.10: Termination of a State of Water Supply Conservation.

Notice of a State of Water Supply Conservation may be terminated by a majority vote of the Commission or by decision of their designee upon a determination by either or both of them that the conditions requiring the State of Water Supply Conservation no longer exist, or in accordance with the Water Management Act permit conditions. Public notification of the termination of a State of Water Supply Conservation shall be given in the same manner as is required in §300.9 for notice of its imposition.

§300.11: Termination of a State of Drought; Notice.

Upon notification to the Town, the Commission or their designee that the State of Drought has been terminated by the Secretary of Energy and Environmental Affairs, the public will be notified of the termination in the same manner as is required in §300.9 for notice of its imposition.

§300.12: Termination of a State of Water Supply Emergency; Notice.

Upon notification to the Town or to the Commission or their designee that the declaration of a State of Water Supply Emergency has been terminated by the Department of Environmental Protection, the public will be notified of the termination in the same manner as is required in §300.9 for notice of its imposition.

§300.12: Fines.

The Town, through its Commission or its designee including the Water Superintendent, Building Inspector and/or local police, may enforce this by-law. Any person violating this by-law shall be liable to the Town for a fine in the amounts listed below:

- 1) First violation: \$100.00
- 2) Second and subsequent violations: \$300.00

Each day of violation shall constitute a separate offense. Fines shall be recovered by complaint before the District Court, or by non-criminal disposition in accordance with Section 21D of Chapter 40 of the Massachusetts General Laws. For purposes of non-criminal disposition, the enforcing person shall be any police officer of the town or the Water Superintendent or the Superintendent's designee. If a State of Water Supply Emergency has been declared, the Commission may, in accordance with G.L. c. 40, § 41A, shut off the water at the meter or the curb stop.

§300.13 Additional Penalties.

Subject to the approval of a home rule petition by the Massachusetts General Court, violations of this bylaw or any regulations issued by the Commission pursuant to this bylaw may be punishable by the imposition of a fine of \$500 for each violation. Each day of violation shall constitute a separate offense. Fines shall be recovered by complaint before the District Court, or by non-criminal disposition in accordance with Section 21D of Chapter 40 of the Massachusetts General Laws.

As an alternative method for collecting fines, the Commission may notify a Water Customer that a violation has been observed at a location owned, leased, or operated by said customer, and may provide notice of the intent of the Commission to assess a fine for said violation or violations within ten days of said notice. The Water Customer may request a hearing within said ten days before the Commission. The Commission may delegate the conduct of the hearing to a hearing office, which may be a Commission member or a designee. At the conclusion of the public hearing, the Commission or its designee shall render a decision. If the fine is upheld, the Commission may add the amount of the fine or fines to the water bill of a Water Customer. Any Water Customer aggrieved by the decision may request that the Commission abate the amount of the fines appearing on the water bill. If the amount of the fine appearing on the water bill is not abated, the property shall be subject to the imposition of a lien pursuant to General Laws c. 40, §42A to 42F and §42E.

The Town may also enforce this bylaw by the assessment of a civil penalty not to exceed \$5,000 for each violation. The Town may, after a public hearing, shut off the water at the meter or curb stop of any Water User found to have repeatedly violated this bylaw, or has failed and refused to pay any fines or penalties issued by the Commission pursuant to this bylaw.

§300.14: Right of entry.

Agents of the enforcement person may enter by owner permission or by warrant only any property for the purpose of inspecting or investigating any violation of this bylaw or for the purpose of enforcing the same.

§300.14: Severability.

The invalidity of any portion or provision of this by-law shall not invalidate any other portion or provision thereof.

§300.15: Effective Date.

Except for §300.13, this bylaw shall take effect upon approval of the Attorney General and publication of the bylaw in accordance with General Laws c. 40, § 32. The provisions of §300.13 shall take effect upon the approval by the General Court of a home rule petition authorizing the additional penalties set forth therein.

Or to take any other action relative thereto. By request of the Board of Water and Wastewater Commission.

VOTE TO RESCIND ARTICLE 11 OF THE 2000 SPECIAL TOWN MEETING

To see if the Town will vote to rescind [PLACEHOLDER PENDING BOARD DISCUSSION AND LEGAL INPUT]

ACCEPT MGL, C.41, SECTION 110A

To see if the Town will vote to accept the provisions of G.L., Chapter 41, §110A relative to office hours on Saturday; or take any other action relative thereto. By request of the Board of Selectmen and the Town Clerk.

AMENDMENT TO THE AGREEMENT BETWEEN THE TOWNS OF CHATHAM AND HARWICH WITH RESPECT TO THE FORMATION OF A REGIONAL SCHOOL DISTRICT

To see if the Town will vote to authorize the Board of Selectmen to execute an amendment to the "Agreement between the Towns of Chatham and Harwich with Respect to the Formation of a Regional School District" as available at the Town Clerk's Office of each respective town, and to act fully thereon. By Request of the Board of Selectmen and Monomoy Regional School District. [Need to confirm that language is identical to Town of Chatham's warrant]

PROMOTE THE TOWN OF HARWICH

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sufficient sum of money for the Harwich Chamber of Commerce to promote the Town and its businesses and cultural endeavors to advance economic development initiatives for and with the Town of Harwich. Said monies to be used to manage and fulfill year-round visitor/resident/business information services, to promote and market the Town, to generate and initiate materials and activities that encourage the establishment, growth and sustainability of businesses in Harwich, and to implement economic development objectives and activities in partnership with the Town; and to act fully thereon. By request of the Board of Selectmen. Estimated cost: \$50,000

SUPPLEMENTAL ANNUAL ALLOCATION OF MASS CULTURAL COUNCIL FOR LOCAL CULTURAL COUNCIL GRANTS

To see if the Town will vote to raise and appropriate and/or transfer from available a sufficient sum of money to supplement the Massachusetts Cultural Council annual allocation for community grant awards to artist, performers, and interpretive scientist who bring events and programs to local venues which enhance the cultural experience of Harwich citizens of all ages, and to act fully thereon. By request of the Board of Selectmen and the Harwich Cultural Council. Estimated Cost: \$4,000

DEFRAY THE EXPENSES OF THE CHASE LIBRARY AND HARWICH PORT LIBRARY

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

ANNUAL DEPARTMENTAL REVOLVING FUNDS AUTHORIZATION

To see if the Town will vote to set spending limits for various revolving funds that have been authorized pursuant to Section 8.1 of the Town Code; and to act fully thereon. By request of the Town Administrator.

<i>Revolving Fund</i>	<i>FY 2024 Spending Limit</i>	<i>Disposition of FY22 Fund balance</i>
<i>Golf Pro Shop and Restaurant Lease Revenue</i>	<i>\$250,000</i>	<i>Available for expenditure</i>
<i>Golf Infrastructure fund</i>	<i>\$140,000</i>	<i>Available for expenditure</i>
<i>Council on Aging</i>	<i>\$125,000</i>	<i>Available for expenditure</i>
<i>Cemetery</i>	<i>\$100,000</i>	<i>Available for expenditure</i>
<i>Community Center</i>	<i>\$100,000</i>	<i>Available for expenditure</i>
<i>Recreation</i>	<i>\$175,000</i>	<i>Available for expenditure</i>
<i>Albro House</i>	<i>\$10,000</i>	<i>Available for expenditure</i>
<i>Wetlands</i>	<i>\$6,000</i>	<i>Available for expenditure</i>
<i>204 Sisson Road Municipal Building</i>	<i>\$300,000</i>	<i>Available for expenditure</i>
<i>Sidewalks</i>	<i>\$50,000</i>	<i>Available for expenditure</i>
<i>Tax Title Collection</i>	<i>\$36,000</i>	<i>Available for expenditure</i>

HERRING FISHERIES

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

PETITIONED ARTICLES WILL BE PRESENTED SEPARATELY AS SUBMITTED

Additional Articles to be added:

- Zoning Bylaw Amendment relative to Accessory Dwelling Units (ADU);
- Zoning Bylaw Amendment relative to the Flood Plain;
- Zoning Bylaw Amendment relative to Solar Photovoltaic;
- Personnel “List of Positions?” article;
- Judah Eldredge supplemental funding article;
- Prior Year’s Unpaid Bills (if any).

List of CPC Articles for 2023 Annual Town Meeting

Community Preservation Act - Land Bank Debt Service

To see if the Town will vote to appropriate from Community Preservation Act Funds - \$166,650.00 from the FY 2022 Certified Undesignated Fund Balance to fund the payment of Land Bank Debt Service; and to act fully thereon. By request of the Community Preservation Committee. Estimated Cost: \$166,650.00.

Community Preservation Act – Appropriations & Housekeeping Expenses

To see if the Town will vote to appropriate the following sums of money from the FY 2024 estimated annual revenues of the Harwich Community Preservation Act Fund as required by G.L., Chapter 44B and Chapter 149, §298 of the Acts of 2004 as follows:

- A sum of money for the acquisition, creation, and preservation of open space;
- A sum of money for the acquisition, preservation, restoration, and rehabilitation of historic resources;
- A sum of money for the acquisition, creation, preservation, and support of community housing;
- A sum of money for Administrative Expenses;
- And the remainder of Anticipated Revenues to be placed in the Undesignated Fund Balance to be available for use for open space, historic, community housing, and recreation in accordance with the Community Preservation Act requirements.

APPROPRIATION	FY 2024
Open Space Reserve	\$ 198,700.00
Historic Preservation Reserve	\$ 198,700.00
Community Housing Reserve	\$ 198,700.00
Administrative Expenses	\$ 50,000.00
Undesignated Fund (Anticipated)	\$1,390,900.00

and to act fully thereon. By request of the Community Preservation Committee.

Community Preservation Act – Herring River Land Preservation Project

To see if the Town will vote to appropriate from Community Preservation Act Funds 125,000.00 from the FY2022 Certified Open Space Reserve to fund the Bells Neck Road-Herring River Land Preservation Project; Any funds left unspent from this Article are to be returned to the Community Preservation Act Fund – Open Space Reserve; and to act fully thereon. By request of the Community Preservation Committee. Estimated Cost: \$125,000.00.

Community Preservation Act – Funding Harwich Affordable Housing Trust Fund

To see if the Town will vote to appropriate from Community Preservation Act Funds \$250,000.00 with \$210,000 from the FY2022 Certified Community Housing Fund Reserve and \$40,000 from FY 2024 Community Housing Anticipated Revenue to fund the Affordable Housing Trust; Any funds left unspent from this Article are to be returned to the Community Preservation Act Funds –

Community Housing Reserve; and to act fully thereon. By request of the Community Preservation Committee. Estimated Cost: \$250,000.00.

Community Preservation Act – Lower Cape Housing Institute

To see if the Town will vote to appropriate from Community Preservation Act Funds - \$7,500.00 from the FY 2024 Community Housing Anticipated Revenues to fund the Lower Cape Housing Institute; Any funds left unspent from this Article are to be returned to the Community Preservation Act Fund – Community Housing Reserve; and to act fully thereon. By request of the Community Preservation Committee. Estimated Cost: \$7,500.00.

Community Preservation Act – Brooks Academy Renovations

To see if the Town will vote to appropriate from Community Preservation Act Funds - \$640,000.00 to fund the Exterior Preservation and Window Restoration at Brooks Academy Museum and an additional \$50,000.00 to fund combination storm windows in the event that the preservationists determine that combination storm windows are necessary to the preservation, said appropriations consisting of \$250,000.00 from FY 2022 Historic Certified Balance; \$198,700.00 from FY 2024 Historic Anticipated Revenues, and \$241,300.00 from FY 2024 Undesignated Fund Anticipated Revenues; Any funds left unspent from this Article are to be returned to the Community Preservation Act Fund – Historic Preservation Reserve; and to act fully thereon. By request of the Community Preservation Committee. Estimated Cost: \$690,000.

Community Preservation Act – Preservation of 203 Bank Street Old Fire Station

To see if the Town will vote to appropriate from Community Preservation Act Funds - \$350,000.00 from the FY2024 Undesignated Fund Anticipated Revenues to fund the 203 Bank Street Preservation of the Old Fire Station; Any funds left unspent from this Article are to be returned to the Community Preservation Act Fund – Undesignated Fund Balance; and to act fully thereon. By request of the Community Preservation Committee. Estimated Cost: \$350,000.00.

Community Preservation Act – Oak Street Bike Path Crossing Lights

To see if the Town will vote to appropriate from Community Preservation Act Funds - \$13,000.00 from the FY2024 Undesignated Fund Anticipated Revenues to fund the Oak Street Bike Path Crossing Lights Project; Any funds left unspent from this Article are to be returned to the Community Preservation Act Fund – Undesignated Fund Balance; and to act fully thereon. By request of the Community Preservation Committee. Estimated Cost: \$13,000.00.

Community Preservation Act – Senior Softball Fields Restrooms

To see if the Town will vote to appropriate from Community Preservation Act Funds - \$150,000.00 from the FY2024 Undesignated Fund Anticipated Revenues to fund the Senior Softball Fields Restroom Project; Any funds left unspent from this Article are to be returned to the Community Preservation Act Fund – Undesignated Fund Balance; and to act fully thereon. By request of the Community Preservation Committee. Estimated Cost: \$150,000.00.

Community Preservation Act – Resurface Courts at Brooks Park

To see if the Town will vote to appropriate from Community Preservation Act Funds - \$110,000.00 from the FY2024 Undesignated Fund Anticipated Revenues to fund the Brooks Park Tennis Court/Pickle Ball Resurfacing Project; Any funds left unspent from this Article are to be returned

to the Community Preservation Act Fund – Undesignated Fund Balance; and to act fully thereon. By request of the Community Preservation Committee. Estimated Cost: \$110,000.00.

Community Preservation Act – Additional Funding: Sand Pond Restroom Project

To see if the Town will vote to appropriate from Community Preservation Act Funds - \$35,000.00 from the FY2024 Undesignated Fund Anticipated Revenues to fund the Sand Pond Restroom additional funding request; Any funds left unspent from this Article are to be returned to the Community Preservation Act Fund – Undesignated Fund Balance; and to act fully thereon. By request of the Community Preservation Committee. Estimated Cost: \$35,000.00.

Community Preservation Act – Skinequit Pond Remediation Project

To see if the Town will vote to appropriate from Community Preservation Act Funds - \$92,000.00 from the FY2024 Undesignated Fund Anticipated Revenues to fund the Skinequit Pond Remediation Project; Any funds left unspent from this Article are to be returned to the Community Preservation Act Fund – Undesignated Fund Balance; and to act fully thereon. By request of the Community Preservation Committee. Estimated Cost: \$92,000.00.

**LIST OF DRAFT CAPITAL ARTICLES TO INSERTED INTO THE
2023 ANNUAL TOWN MEETING WARRANT**

CAPITAL OUTLAY PLAN ITEMS FUNDED FROM FREE CASH

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sufficient sum of money to fund the items in the table below included in the FY 2024 Capital Outlay Plan, and to act fully thereon. By request of the Board of Selectmen. Estimated cost: \$5,486,151.

	Project	Amount	Department
1	Beautify the villages of Harwich	50,000	Administration
2	Engines/Other Fire Equipped Vehicles	350,000	Fire Department
3	Equipment replacements	15,809	Fire Department
4	Wixon Landing improvements	30,000	Harbormaster
5	Technology reinvestment	387,000	Info. Tech.
6	Equipment replacements	64,115	Police Department
7	Police Cruisers	183,000	Police Department
8	Technology replacement	20,000	Police Department
9	Equipment replacements	75,000	Public Works
10	Road maintenance/improvements	700,000	Public Works
11	Vehicle replacements	515,000	Public Works
12	100 Oak Street (Community Center)	145,500	Facilities Maintenance
13	204 Sisson Road (old Middle School)	1,982,427	Facilities Maintenance
14	273 Queen Anne Rd (Transfer Station)	157,300	Facilities Maintenance
15	80 Parallel St (Brooks Academy)	600,000	Facilities Maintenance
16	ADA compliance requirements	121,000	Facilities Maintenance
17	739 Main Street (Brooks Free Library)	90,000	Facilities Maintenance
TOTAL:		5,486,151	

CAPITAL OUTLAY PLAN ITEMS FUNDED FROM WATER RETAINED EARNINGS

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sufficient sum of money to fund the items in the table below included in the FY 2024 Capital Outlay Plan, and to act fully thereon. By request of the Board of Selectmen. Estimated cost: \$775,000.

Pavement management plan	175,000
New well construction	600,000
Total	775,000

CAPITAL OUTLAY PLAN ITEMS FUNDED FROM CHAPTER 90 FUNDS

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sufficient sum of money to fund the roads maintenance plan in the FY 2024 Capital Outlay Plan, and to act fully thereon. By request of the Board of Selectmen. Estimated cost: \$700,000.

DRAFT

List of Potential Borrowing Articles for 2023 Annual Town Meeting

West Harwich Route 28 Sewer Main Installation

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money for the design, permitting, and construction of a dry sewer pipe along Route 28 including any and all other costs incidental and related thereto; provided that any borrowing authorized hereunder shall be contingent on the passage of a Proposition 2 and ½ debt exclusion vote; and to act fully thereon.

By request of the Board of Selectmen. Estimated cost: \$6,500,000.

Explanation: Funds approved under this article would be used to construct a dry sewer pipe for future use on Route 28 in West Harwich from the Dennis town line to the Herring River Bridge. The Massachusetts Department of Transportation (Mass DOT) is planning to repave this stretch of Route 28 in 2024. Once Mass DOT completes its paving project, a road cut moratorium will be placed on this stretch of Route 28 for 5 years.

Motion:

I move that the article be accepted and adopted and that the Town appropriate the sum of Six Million, five hundred thousand dollars (\$6,500,000) for the design, permitting, and construction of a dry sewer pipe along Route 28 including any and all other costs incidental and related thereto; that to meet said appropriation the Treasurer with the approval of the Board of Selectmen is hereby authorized to borrow said sum and to issue bonds and notes of the Town therefor pursuant to General Laws Chapter 44, Sections 7 and 8 or any other enabling authority; provided that any borrowing authorized hereunder shall be contingent on the passage of a Proposition 2 and ½ debt exclusion vote

Ballot Question:

Shall the Town of Harwich be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued for the design, permitting, and construction of a dry sewer pipe along Route 28 including any and all other costs incidental and related thereto?

PROPOSITION 2 ½ Debt Exclusion – Will have a companion Ballot Question on the ATE Warrant.

West Harwich Route 28 Water Main Replacement

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to complete the design, permitting, and construction of the Route 28 water main replacement project including any and all other costs incidental and related thereto, and to act fully thereon.

By request of the Board of Selectmen and the Water and Wastewater Commission. Estimated cost: \$17,500,000.

Explanation: The existing water main along Route 28 was installed in the 1940's and is beyond its useful life. This section of water main has experienced several large water main breaks requiring large distribution system shut downs due to limited & aging gate valves.

Motion:

I move that the article be accepted and adopted and that the Town appropriate the sum of Seventeen Million Dollars, Five Hundred Thousand dollars (\$17,500,000) to complete the design, permitting, and construction of the Route 28 water main replacement project including any and all other costs incidental and related thereto; that to meet said appropriation the Treasurer with the approval of the Board of Selectmen is hereby authorized to borrow said sum and to issue bonds and notes of the Town therefor pursuant to General Laws Chapter 44, Sections 7 and 8 or any other enabling authority.

East Harwich Wastewater Collection System Expansion

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to implement Phase 3 and portions of Phase 8 of the Town of Harwich Comprehensive Wastewater Management Plan (CWMP), approved by the Massachusetts Secretary of Energy and Environmental Affairs in a Massachusetts Environmental Policy Act Certificate dated May 13, 2016, consisting of the design, permitting, and construction of sewers in the Pleasant Bay Watershed, including any and all other costs incidental and related thereto; provided that any borrowing authorized hereunder shall be contingent on the passage of a Proposition 2 and ½ debt exclusion vote, and to act fully thereon.

By request of the Board of Selectmen. Estimated cost: \$50,000,000.

Explanation: The proposed wastewater collections system will satisfy the nitrogen removal requirements set forth in the Pleasant Bay Watershed Permit for the Round Cove and Pleasant Bay sub-watersheds.

PROPOSITION 2 ½ Debt Exclusion – Will have a companion Ballot Question on the ATE Warrant.

Motion:

I move that the article be accepted and adopted and that the sum of Fifty Million Dollars (\$50,000,000) be appropriated to implement Phase 3 and portions of Phase 8 of the Town of Harwich Comprehensive Wastewater Management Plan (CWMP), approved by the Massachusetts Secretary of Energy and Environmental Affairs in a Massachusetts Environmental Policy Act Certificate dated May 13, 2016, consisting of the design, permitting, and construction of sewers in the Pleasant Bay Watershed, including any and all other costs incidental and related thereto; that to meet said appropriation the Treasurer with the approval of the Board of Selectmen is hereby authorized to borrow said sum and to issue bonds and notes of the Town therefor pursuant to General Laws Chapter 44, Sections 7 and 8 and General laws Chapter 29C or any other enabling authority; provided that any borrowing authorized hereunder shall be contingent on the passage of a Proposition 2 and ½ debt exclusion vote.

Ballot Question:

Shall the Town of Harwich be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued in order to implement Phase 3 and portions of Phase 8 of the Town of Harwich Comprehensive Wastewater Management Plan (CWMP), approved by the Massachusetts Secretary of Energy and Environmental Affairs in a Massachusetts Environmental Policy Act Certificate dated May 13, 2016, consisting of the design, permitting, and construction of sewers in the Pleasant Bay Watershed, including any and all other costs incidental and related thereto?

Capital Outlay Plan Borrowing: West Harwich Route 28 Sewer Main Installation

Article 17: To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to construct a dry sewer pipe along Route 28 including any and all other costs incidental and related thereto; provided that any borrowing authorized hereunder shall be contingent on the passage of a Proposition 2 and ½ debt exclusion vote. And further, in accordance with Chapter 44, Section 20 of the General Laws, the premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to pay project costs and the amount authorized to be borrowed for each such project shall be reduced by the amount of any such premium so applied, and to act fully thereon.

By request of the Board of Selectmen. Estimated cost: \$6,500,000.

Explanation: Funds approved under this article would be used to construct a dry sewer pipe for future use on Route 28 in West Harwich from the Dennis town line to the Herring River Bridge. The Massachusetts Department of Transportation (Mass DOT) is planning to repave this stretch of Route 28 in 2024. Once Mass DOT completes its paving project, a road cut moratorium will be placed on this stretch of Route 28 for 5 years.

PROPOSITION 2 ½ Debt Exclusion – Will have a companion Ballot Question on the ATE Warrant.

Capital Outlay Plan Borrowing: West Harwich Route 28 Water Main Replacement

Article 18: To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to complete the Route 28 water main replacement project including any and all other costs incidental and related thereto;, and to act fully thereon.

By request of the Board of Selectmen. Estimated cost: \$17,500,000.

Explanation: The existing water main along Route 28 was installed in the 1940's and is beyond its useful life. This section of water main has experienced several large water main breaks requiring large distribution system shut downs due to limited & aging gate valves.

PROPOSITION 2 ½ Debt Exclusion – Will have a companion Ballot Question on the ATE Warrant.

CAPITAL OUTLAY PLAN ARTICLES

Capital Outlay Plan Borrowing: East Harwich Wastewater Collection System Expansion

Article 19: To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to implement Phase 3 and portions of Phase 8 of the Town of Harwich Comprehensive Wastewater Management Plan (CWMP), approved by the Massachusetts Secretary of Energy and Environmental Affairs in a Massachusetts Environmental Policy Act Certificate dated May 13, 2016, consisting of the construction of sewers in the Pleasant Bay Watershed, including any and all other costs incidental and related thereto; provided that any borrowing authorized hereunder shall be contingent on the passage of a Proposition 2 and ½ debt exclusion vote. And further, in accordance with Chapter 44, Section 20 of the General Laws, the premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to pay project costs and the amount authorized to be borrowed for each such project shall be reduced by the amount of any such premium so applied, and to act fully thereon..

By request of the Board of Selectmen. Estimated cost: \$50,000,000.

Explanation: The proposed wastewater collections system will satisfy the nitrogen removal requirements set forth in the Pleasant Bay Watershed Permit for the Round Cove and Pleasant Bay sub-watersheds.

PROPOSITION 2 ½ Debt Exclusion – Will have a companion Ballot Question on the ATE Warrant.

Date received in the Town Clerk's Office

RECEIVED
TOWN CLERK
HARWICH, MA

2023 JAN 24 A 11: 29

Date received in the Selectmen's Office



**PETITION ARTICLE TO BE INCLUDED
HARWICH ANNUAL TOWN MEETING WARRANT**

TO: BOARD OF SELECTMEN

PETITIONER: Patrick Otton **PHONE:** 617-244-2761

ARTICLE: To see if the Town will vote to:

Prohibit the sale, distribution and use of any
type of balloon inflated with any type of lighter-than-
air gas within the town of Harwich.

(Please see Attachment for complete description)

ESTIMATED COST: \$ 0.00

Explanation:

(Background Information/Justification)

Improper disposal of balloons and restraining
Attachments often released to float and drift away
or not properly disposed are a significant
well documented hazard to wild life and
marine life.

INSTRUCTIONS: All articles submitted by petition must contain the signatures of at least 10 registered voters of the Town of Harwich and must be submitted to the Office of the Selectmen not later than Noon-the second Friday in February for inclusion in the May Annual Town Meeting Warrant. Articles submitted by petition for inclusion in a Special Town Meeting must contain the signatures of at least 100 registered voters of the Town of Harwich and must be submitted to the Office of the Selectmen at least 40 days before the Special Town Meeting. **(changed under article 39 of the May 2013 ATM)**

A. Purpose and intent.

The purpose of this bylaw is to address public concerns regarding the environmental hazards to wildlife and marine life in the Town of Harwich posed by the release and improper disposal of balloons, balloons and their restraining attachments.

B. Definitions.

As used, the following terms shall have the meanings indicated:

LIGHTER-THAN-AIR GAS

A gas that is buoyant in air because it has an average density lower than that of air (including, but not limited to helium gas).

BALLOON

Including, but not limited to, plastic, latex, rubber or Mylar balloons

RESTRAINING ATTACHMENTS

How the balloon is held in place, including but not limited to, ribbon, rope, string, or sticks

C. Applicability.

Effective September 15, 2023, no person shall sell, distribute or use any type of balloon inflated with any type of lighter-than-air gas within the Town of Harwich.

No person shall throw, deposit, discard, or otherwise discharge inflated, underinflated or non-inflated balloons into any street, alley, waterway, park, beach, or other public place in the Town of Harwich unless placing in a trash receptacle.

Further, no person shall knowingly release or cause to be released into the air any balloon(s) inflated with any lighter-than-air gas.

D. Exemptions.

Launching or operation of lighter-than-air aircraft, or the launching of balloons inflated with lighter-than-air gas by government agencies or scientific organizations, is allowed.

E. Enforcement.

Violations of this bylaw shall be subject to noncriminal disposition pursuant to the provisions of Chapter _____, of these bylaws.

This bylaw may be enforced by any Town of Harwich police officer or other designee/agent authorized by the Board of Selectmen.

F. Fines and penalties.

Any person or establishment violating this chapter shall be punished by a non-criminal fine.

Notwithstanding the general penalties set forth under Chapter _____, of these bylaws, the specific penalties for violations of this bylaw shall be as follows:

(1)

First offense: written warning.

(2)

Second offense: \$50.

(3)

Third offense: \$100.

A. Purpose and intent.

The purpose of this bylaw is to address public concerns regarding the environmental hazards to wildlife and marine life in the Town of Harwich posed by the release and improper disposal of balloons, balloons and their restraining attachments.

B. Definitions.

As used, the following terms shall have the meanings indicated:

LIGHTER-THAN-AIR GAS

A gas that is buoyant in air because it has an average density lower than that of air (including, but not limited to helium gas).

BALLOON

Including, but not limited to, plastic, latex, rubber or Mylar balloons

RESTRAINING ATTACHMENTS

How the balloon is held in place, including but not limited to, ribbon, rope, string, or sticks

C. Applicability.

Effective September 15, 2023, no person shall sell, distribute or use any type of balloon inflated with any type of lighter-than-air gas within the Town of Harwich.

No person shall throw, deposit, discard, or otherwise discharge inflated, underinflated or non-inflated balloons into any street, alley, waterway, park, beach, or other public place in the Town of Harwich unless placing in a trash receptacle.

Further, no person shall knowingly release or cause to be released into the air any balloon(s) inflated with any lighter-than-air gas.

D. Exemptions.

Launching or operation of lighter-than-air aircraft, or the launching of balloons inflated with lighter-than-air gas by government agencies or scientific organizations, is allowed.

E. Enforcement.

Violations of this bylaw shall be subject to noncriminal disposition pursuant to the provisions of Chapter _____, of these bylaws.

This bylaw may be enforced by any Town of Harwich police officer or other designee/agent authorized by the Board of Selectmen.

F. Fines and penalties.

Any person or establishment violating this chapter shall be punished by a non-criminal fine.

Notwithstanding the general penalties set forth under Chapter _____, of these bylaws, the specific penalties for violations of this bylaw shall be as follows:

(1)

First offense: written warning.

(2)

Second offense: \$50.

(3)

Third offense: \$100.

Hines

#	PRINT Name Legibly	Signature	Print Street Address
1	Rebecca Burnit	Rebecca Burnit	Sisson Rd #115
2	Suzan Welsh	Suzan Welsh	Manion Rd #11
3	DAVID (over)	David Dion	MARION RD #17
4	herry Ginnella	herry Ginnella	34 Mcquerty Rd Harwich
5	Paula DeLeg	Karen Widegra	57 Woodcrest Dr
6	Shawna Gilmore	Shawna Gilmore	186 Belmont Rd
7	MARIA PIRES	Maria Pires	10 White Pine Ct/H
8	MARCOS MIRANDA	Marcos Miranda	10 White Pine Ave - Harwich
9	AMMY HANES	Ammy Hanes	115 SISSON ROAD Harwich
10	Melissa Ziemann	Melissa Ziemann	115 SISSON RD Harwich MA
11	LESLEY KULOM	Lesley Kulom	Unlabeled Harwich MA
12	MARK STOKES	Mark Stokes	5 - Landmy #1 Rd
13	Regina Stokes	Regina Stokes	" "
14	MARK HORAN	Mark Horan	11 Julia Court, Harwich MA
15	BOB SACKEN	Bob Sacken	12 INTERVALE CANYE HARWICH MA
16	Robert Brown	Robert Brown	78 Schooner Drive
17			
18			
19			
20			
21			
22			
23			
24			
25			
26			
27			
28			
29			
30			

For Office Use Only

I hereby certify that the above Sixteen (16) names are those of registered voters in
Number of names - use numbers and words

The Town of Harwich

Date: January 31, 2023

Anne N. Doucette, Town Clerk
 Emily Mitchell

TOWN OF HARWICH
 5/1/2023 LOCAL TOWN MEETING
 List of Signatories for a Petition

PROHIBIT INFLATED BALLOON SALE/DISTRIBUTION

Voter ID	Name of Voter	Residential Address	Ward	Precinct	Party
06BRT2937000	BRAMAN, ROBERT T	78 SCHOONER DR HARWICH, MA 02646	0	2	R
02BRA1952001	BURRILL, REBECCA R	115 C SISSON RD HARWICH, MA 02646	0	1	U
08GSN1359006	GILMORE, SHAWN R	186 BELMONT RD HARWICH, MA 02671	0	1	U
07GKY0273000	GONNELLA, KERRY ANN	34 MCGUERTY RD HARWICH, MA 02645	0	3	D
03GDD2962000	GREW, DAVID	11 MARION RD HARWICH, MA 02645-1021	0	3	U
06HTY2370000	HINES, TAMATHA R	115 SISSON RD HARWICH, MA 02646-1025	0	1	D
09HMK2259000	HORAN, MARK D	11 JULIA CT HARWICH, MA 02645	0	4	U
09KLY0666000	KOLOGY, LESLEY ANN	57 ROUND COVE RD HARWICH, MA 02645-1333	0	2	U
10MMS0659001	MIRANDA, MARCOS PIRES	10 WHITE PINE CIR HARWICH, MA 02645	0	2	D
11PMA2659001	PIRES, MARIA M	10 WHITE PINE CIR HARWICH, MA 02645	0	2	D
05SRT2948000	SPENCER, ROBERT STEWART	12 INTERVALE LN HARWICH, MA 02661	0	2	U
02SMK2557000	STOKER, MARK EVAN	5 LANDING PLACE RD HARWICH, MA 02645-2066	0	2	U
03SRA0457000	STOKER, REGINA OSHEA	5 LANDING PLACE RD HARWICH, MA 02645-2066	0	2	U
08FSN1255000	WELSH, SUZAN ANNE	11 MARION RD HARWICH, MA 02645-1021	0	3	U
09WKN1558000	WIDEGREN, KAREN L	51 HILLCREST DR HARWICH, MA 02645	0	2	U
01ZMA0876000	ZIEMAN, MELISSA A	115 SISSON RD HARWICH, MA 02646	0	1	U

End of Report



**PETITION FOR INSERTION OF THE
FOLLOWING ARTICLE IN THE WARRANT
FOR THE TOWN MEETING OF
Harwich**

RECEIVED
TOWN CLERK
HARWICH, MA

2023 FEB -6 P 12: 12



We, the undersigned Registered Voters of the Town, hereby petition your honorable board to insert the following Article in the Warrant for the Town Meeting of Harwich.

To see if the Town will vote to amend the Town's General Bylaw by inserting a new bylaw entitled, Plastic Reduction, as follows, and to authorize the Town Clerk to assign appropriate numbering therefor:

CHAPTER ____: PLASTIC REDUCTION

This bylaw is enacted pursuant to the general police power in order to protect the health, safety and welfare of the inhabitants of the Town.

Effective Date

This Bylaw shall take effect on September 1, 2024.

Purpose and Intent

Plastic food containers and single-use utensils form a significant portion of the solid waste stream going into landfills. Local landfills are running out of room; our future solid waste may have to be transported hundreds of miles to a landfill at considerable cost. Plastic food containers are not recyclable, nor are they biodegradable. Once buried in our landfills, they will persist for centuries. If incinerated the toxins in plastic are linked to cancer and threaten our air quality. Appropriate alternative and sustainable products are readily available from the vendors used by local food establishments; cooperative bulk buying arrangements are possible. Thus, elimination of plastic food containers and utensils is in the best interest of the health and welfare of Town inhabitants.

Definitions

"Disposable Food Service Container" means single-use disposable products for serving or transporting prepared, ready-to-consume food. This includes plates, bowls, trays, hinged or lidded containers, and utensils.

"Food Establishment" means an operation that stores, prepares, packages, serves, vends, or otherwise provides food for human consumption, as further defined in 105 CMR 590.002. Any establishment requiring a permit to operate in accordance with the State Food Code, 105 CMR 590.000, et. seq., shall be considered a Food Establishment for purposes of this Bylaw.

"Plastic" is defined as any type of plastic resin, which may contain recycled material, and may be sold as recyclable, biodegradable, or compostable. The material is commonly categorized in terms of #1, #2, #3, #4, #5, #6, #7; plastic as referenced includes all categories.

"Prepared Food" means any food prepared for consumption on the Food Establishment's premises, using any cooking or food preparation technique. This does not include any raw uncooked meat, fish or eggs unless provided for consumption without further food preparation.

"Town Facility" means any building, structure, land, or park owned or operated by the Town of Harwich, its agents and departments.

"Town Facility Users" means all persons, societies, associations, organizations, or special event promoters who require a permission to use a Town Facility. Town Facility Users also includes concession contracts with the Town, Town-managed concessions, Town-sponsored events, and food services provided at the Town's expense.

Prohibition

A. Except as provided herein, Food Establishments are prohibited from dispensing Prepared Food to customers in Disposable Food Service containers and utensils made from Plastic.

B. Town Facility Users are prohibited from dispensing Prepared Food to customers in Disposable Food Service containers made from Plastic and providing utensils made from Plastic.

Public and private schools, educational institutions, summer camps, childcare facilities, and other childcare programs approved to participate in USDA Child Nutrition Programs are exempt.

Administration and Enforcement

This Bylaw is enforced by the Town Administrator, or any committee appointed by them. Any Food Establishment or Town Facility User which violates any provision of this Bylaw shall be subject to the following penalties:

First Offense: Written warning

2nd Offense: \$150 fine

3rd Offense and Subsequent Offenses: \$300 fine

Any such fines collected shall be payable to the Town of Harwich. Each day the violation continues constitutes a separate violation. After detection of an initial violation, the designated inspection authority will be required to verify subsequent compliance until compliance with this bylaw is established. All businesses will be routinely inspected until the Town Administrator deems the inspection to be no longer be required.

SIGNER INFORMATION

INSTRUCTIONS TO SIGNERS

For your signature to be valid, you must be a registered voter in the town named above and your signature should be written substantially as registered.

If you are prevented by physical disability from writing you may authorize some person to write your name and residence in your presence.

SIGNER'S STATEMENT

We, the undersigned, are qualified voters of the Town of Harwich and in accordance with the provisions of law request the above article be inserted in the warrant for the Special Town Meeting of Harwich.

	CHECK	I SIGNATURE to be made in person with name substantially as registered (except in case of physical disability as stated above)	IF NOW REGISTERED AT (street, number and apartment number, if any) (city or town will be the same as stated above)	PRECINCT
1	<input checked="" type="checkbox"/>	<i>Debra Kelly</i>	#503 96 Queen Anne Rd Harwich, MA 02645	
2	<input checked="" type="checkbox"/>	<i>Gay A. Hunt</i>	10 Essex Rd Harwich, MA 02646	

ATTENTION VOTERS: Before signing, read signer information on other side.

___Harwich___ TOWN

ATTENTION REGISTRARS: Before certifying signatures, see instructions to registrars below

	CHECK	I SIGNATURE to be made in person with name substantially as registered (except in case of physical disability as stated above)	II NOW REGISTERED AT (street, number and apartment number, if any) (city or town will be the same as stated above)	PRECINCT
3	<input checked="" type="checkbox"/>	<i>Janet S. Cymbala</i>	<i>19 Surrey Ln, Harwich</i>	<i>1</i>
4	<input checked="" type="checkbox"/>	<i>Francis J. Sawyer</i>	<i>2 Englewood Dr C-1</i>	
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				
16				
17				
18				
19				
20				
21				
22				
23				
24				
25				

WARNING – criminal penalty for unlawfully signing, altering, defacing, mutilating, destroying or suppressing this petition: fine of up to \$1,000 or imprisonment for up to 1 year.

REGISTRAR INFORMATION

INSTRUCTIONS TO REGISTRARS

- You must time stamp or write in date and time these papers are received
 - Check this against the name of each qualified voter to be certified. For names not certified use the code at the right.
 - Draw a line through any blank spaces not containing signatures.
 - Each sheet must be certified by at least three registrars. A facsimile stamp is acceptable.
 - For names not certified use the code to the right.
- N – No such registered voter at that address
 S – unable to identify signature or address as that of voter because of form of signature or address
 T – already signed this petition

CERTIFICATION OF NAMES

Harwich town February 9 month and day

We certify that Three (3) number of names use numbers and words

above signatures checked this are the names of qualified voters from this town.

At least three registrars names must be signed or stamped below.

Mary Ann E. Pica
Nikolai A. Dimitra
Raymond C. Estwood

Registrars of voters or Election commissioners of Harwich town

**PETITION FOR INSERTION OF THE
FOLLOWING ARTICLE IN THE WARRANT
FOR THE TOWN MEETING OF
Harwich**

RECEIVED
TOWN CLERK
HARWICH, MA
2023 FEB -6 P 12: 1



We, the undersigned Registered Voters of the Town, hereby petition your honorable board to insert the following Article in the Warrant for the Town Meeting of Harwich.

To see if the Town will vote to amend the Town's General Bylaw by inserting a new bylaw entitled, Plastic Reduction, as follows, and to authorize the Town Clerk to assign appropriate numbering therefor:

CHAPTER ____: PLASTIC REDUCTION

This bylaw is enacted pursuant to the general police power in order to protect the health, safety and welfare of the inhabitants of the Town.

Effective Date

This Bylaw shall take effect on September 1, 2024.

Purpose and Intent

Plastic food containers and single-use utensils form a significant portion of the solid waste stream going into landfills. Local landfills are running out of room; our future solid waste may have to be transported hundreds of miles to a landfill at considerable cost. Plastic food containers are not recyclable, nor are they biodegradable. Once buried in our landfills, they will persist for centuries. If incinerated the toxins in plastic are linked to cancer and threaten our air quality. Appropriate alternative and sustainable products are readily available from the vendors used by local food establishments; cooperative bulk buying arrangements are possible. Thus, elimination of plastic food containers and utensils is in the best interest of the health and welfare of Town inhabitants.

Definitions

"Disposable Food Service Container" means single-use disposable products for serving or transporting prepared, ready-to-consume food. This includes plates, bowls, trays, hinged or lidded containers, and utensils.

"Food Establishment" means an operation that stores, prepares, packages, serves, vends, or otherwise provides food for human consumption, as further defined in 105 CMR 590.002. Any establishment requiring a permit to operate in accordance with the State Food Code, 105 CMR 590.000, et. seq., shall be considered a Food Establishment for purposes of this Bylaw.

"Plastic" is defined as any type of plastic resin, which may contain recycled material, and may be sold as recyclable, biodegradable, or compostable. The material is commonly categorized in terms of #1, #2, #3, #4, #5, #6, #7; plastic as referenced includes all categories.

"Prepared Food" means any food prepared for consumption on the Food Establishment's premises, using any cooking or food preparation technique. This does not include any raw uncooked meat, fish or eggs unless provided for consumption without further food preparation.

"Town Facility" means any building, structure, land, or park owned or operated by the Town of Harwich, its agents and departments.

"Town Facility Users" means all persons, societies, associations, organizations, or special event promoters who require a permission to use a Town Facility. Town Facility Users also includes concession contracts with the Town, Town-managed concessions, Town-sponsored events, and food services provided at the Town's expense.

Prohibition

A. Except as provided herein, Food Establishments are prohibited from dispensing Prepared Food to customers in Disposable Food Service containers and utensils made from Plastic.

B. Town Facility Users are prohibited from dispensing Prepared Food to customers in Disposable Food Service containers made from Plastic and providing utensils made from Plastic.

Public and private schools, educational institutions, summer camps, childcare facilities, and other childcare programs approved to participate in USDA Child Nutrition Programs are exempt.

Administration and Enforcement

This Bylaw is enforced by the Town Administrator, or any committee appointed by them. Any Food Establishment or Town Facility User which violates any provision of this Bylaw shall be subject to the following penalties:

First Offense: Written warning

2nd Offense: \$150 fine

3rd Offense and Subsequent Offenses: \$300 fine

Any such fines collected shall be payable to the Town of Harwich. Each day the violation continues constitutes a separate violation. After detection of an initial violation, the designated inspection authority will be required to verify subsequent compliance until compliance with this bylaw is established. All businesses will be routinely inspected until the Town Administrator deems the inspection to be no longer be required.

INSTRUCTIONS TO SIGNERS

SIGNER INFORMATION

For your signature to be valid, you must be a registered voter in the town named above and your signature should be written substantially as registered.

If you are prevented by physical disability from writing you may authorize some person to write your name and residence in your presence.

SIGNER'S STATEMENT

We, the undersigned, are qualified voters of the Town of Harwich and in accordance with the provisions of law request the above article be inserted in the warrant for the Special Town Meeting of Harwich.

CHECK	I SIGNATURE to be made in person with name substantially as registered (except in case of physical disability as stated above)	II NOW REGISTERED AT (street, number and apartment number, if any) (city or town will be the same as stated above)	PRECINCT
✓	<i>William E. Breyer</i>	19 CRODELL RD HARW. PT.	
✓	<i>[Signature]</i>	459 ROUTE 28, HARWICH PORT, MA	
✓	<i>Karin B Landon</i>	93 Neil Rd.	

ATTENTION VOTERS: Before signing, read signer information on other side.

Harwich TOWN

ATTENTION REGISTRARS: Before certifying signatures, see instructions to registrars below

CHECK	I SIGNATURE to be made in person with name substantially as registered (except in case of physical disability as stated above)		II NOW REGISTERED AT	PRECINCT
			(street, number and apartment number, if any) (city or town will be the same as stated above)	
3	✓	Stabel Thompson	62 Hoyt Rd H'Poey	
4	✓	Doris Berardi	459 Route 28 Harwich Port, MA	1
5	✓	Carolee Wentworth	9 Paddock Drive	
6	✓	Don Weble	11 Spruce Grove Rd	
7	✓	Robin Boyer	14 Edward Road, Harwich	
8	✓	Adrian Crowell	" " "	
9	✓	Janis McLean	39 Oak St	
10	✓	Walter Rennie Hill	52 John Joseph Rd Harwich	
11	✓	Kent Hill	" " " " " "	
12	✓	Pat G	12 Intervale Lane Harwich, MA	
13	✓	Thom Witting	1399 Hells Path One, Harwich MA	
14				
15				
16				
17				
18				
19				
20				
21				
22				
23				
24				
25				

WARNING – criminal penalty for unlawfully signing, altering, defacing, mutilating, destroying or suppressing this petition: fine of up to \$1,000 or imprisonment for up to 1 year.

REGISTRAR INFORMATION

INSTRUCTIONS TO REGISTRARS

- You must time stamp or write in date and time these papers are received
 - Check this ✓ against the name of each qualified voter to be certified. For names not certified use the code at the right.
 - Draw a line through any blank spaces not containing signatures.
 - Each sheet must be certified by at least three registrars. A facsimile stamp is acceptable.
 - For names not certified use the code to the right.
- N – No such registered voter at that address
 S – unable to identify signature or address as that of voter because of form of signature or address
 T – already signed this petition

CERTIFICATION OF NAMES

Harwich town February 9 month and day

We certify that Fourteen (14) number of names use numbers and words

above signatures checked this ✓ are the names of qualified voters from this town.

At least three registrars names must be signed or stamped below.

Maury E. Poirer
 Deborah A. Demaria
 Raymond C. Estwald

Registrars of voters or Election commissioners of Harwich town

TOWN OF HARWICH
5/1/2023 LOCAL TOWN MEETING
List of Signatories for a Petition

PLASTIC REDUCTION BYLAW

Voter ID	Name of Voter	Residential Address	Ward	Precinct	Party
11SRN0553000	BAUER, ROBIN L	14 EDWARD RD HARWICH, MA 02645	0	3	U
04BDS1560000	BERARD, DORIS E	459 ROUTE 28 HARWICH, MA 02646	0	1	U
04BTS2760000	BERARD, THOMAS L	459 ROUTE 28 HARWICH, MA 02646	0	1	U
11BBE1940000	BRYDGES, BONNIE E	19 CROWELL RD HARWICH, MA 02646	0	2	D
05CWM1653001	CROWELL, WILLIAM D	14 EDWARD RD HARWICH, MA 02645	0	3	U
02CJT2632000	CYMBALA, JANET S	19 SURREY LN HARWICH, MA 02645	0	1	D
04HKN2743000	HILL, KENTON RONALD	52 JOHN JOSEPH RD HARWICH, MA 02645-2800	0	2	U
01LKN1539000	LARSON, KARIN B	93 NEEL RD HARWICH, MA 02646	0	2	D
01LFS1046000	LAUZON, FRANCIS N	2 ENGLEWOOD DR HARWICH, MA 02645	0	1	D
05MJS0153003	MCGRORY, JANIS C	39 OAK ST HARWICH, MA 02645	0	2	U
06RLE0250000	RENNIE-HILL, LESLIE	52 JOHN JOSEPH RD HARWICH, MA 02645-2800	0	2	U
11SGY2861000	SMITH, GARY A	10 ESSEX PL HARWICH, MA 02646	0	1	U
05SRT2948000	SPENCER, ROBERT STEWART	12 INTERVALE LN HARWICH, MA 02661	0	2	U
08TIL1540000	THOMPSON, ISOBEL A	62 HOYT RD HARWICH, MA 02646	0	1	D
08WDA0446000	WEBBER, DONA RAE	11 SPRUCE GROVE RD HARWICH, MA 02645	0	3	D
07WCE2637000	WENTWORTH, CAROLEE H	9 PADDOCK DR HARWICH, MA 02645	0	1	U
02WKN2762004	WITTING, KAREN A	1399 HALLS PATH ONE HARWICH, MA 02645	0	3	U

End of Report

Date received in the Town Clerk's Office
RECEIVED
TOWN CLERK
HARWICH, MA
2023 FEB -9 A 9:22

Date received in the Selectmen's Office
RECEIVED
FEB 09 2023
SELECTMEN/
ADMINISTRATOR'S
OFFICE

**PETITION ARTICLE TO BE INCLUDED
HARWICH ANNUAL TOWN MEETING WARRANT**

TO: BOARD OF SELECTMEN

PETITIONER: Patrick Otton **PHONE:** 617-244-2761

ARTICLE: To see if the Town will vote to:

To see if the Town will vote to authorize and ask the Select Board to petition the Great and General Court of the Commonwealth of Massachusetts for special legislation, the text of which is set forth, prohibiting the application of fertilizer in the Town of Harwich except for the purposes of commercial agriculture and the residential use of organic fertilizer with low nitrogen and phosphorus for the use in growing fruits and vegetables that is allowable under the USDA National Organic Program organic standards (OMRI listed).

(please see attached further Article)

ESTIMATED COST: 0

Explanation:

(Background Information/Justification)

This Home Rule petition asks the state legislature to allow the Town of Harwich to establish its own fertilizer regulations. Beacon Hill does not have the seashore, ponds, embayments and estuaries. These are all endangered by human sourced pollution of nitrogen and phosphorous from fertilizers. Harwich's 22 ponds and 11+ miles of coastline are the life and assets for all residents, property owners, visitors, and business in Harwich. It is the reason we live here and they need to be protected and cared for.

(please see attached further Explanation)

INSTRUCTIONS: All articles submitted by petition must contain the signatures of at least 10 registered voters of the Town of Harwich and must be submitted to the Office of the Selectmen not later than Noon-the second Friday in February for inclusion in the May Annual Town Meeting Warrant. Articles submitted by petition for inclusion in a Special Town Meeting must contain the signatures of at least 100 registered voters of the Town of Harwich and must be submitted to the Office of the Selectmen at least 40 days before the Special Town Meeting. (changed under article 39 of the May 2013 ATM)

#	PRINT Name Legibly	Signature	Print Street Address
✓ 1	Kerry Connelly	Kerry Connelly	34 McQuerty rd Harwich MA
✓ 2	Victor J Goldsmith	Victor J Goldsmith	10 PADDOCK DR
✓ 3	SHEILA HOUSE	Sheila House	42 Pine Knoll Rd Harwich
✓ 4	Judith Miller	Judith Miller	239 Church St
✓ 5	Peter Abel	Peter Abel	196 Beech Rd
✓ 6	Kelly Ekstrom	Kelly Ekstrom	196 Bay Road, Harwich
✓ 7	Rebecca R. Birrell	Rebecca R. Birrell	115 Sisson Rd Unit C
✓ 8	MARK Kalkha	Mark Kalkha	22 Goreham Fitchio Walk
✓ 9	JANIS McGRATH	Janis McGrath	39 DAK ST
✓ 10	Hattie Smith	Hattie Smith	10 GRASSY FOND Rd #12
✓ 11	Christie Laidlaw	Christie Laidlaw	740 main ST Harwich
✓ 12	JOP CHOREY	Jop Chorey	153 GORHAM ROAD
✓ 13	Nancy Hipp	Nancy Hipp	28 Cahoon Rd
✓ 14	Clayton Ryan	Clayton Ryan	16 Indigo Ln
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			
26			
27			
28			
29			
30			

I, the undersigned, do hereby certify that the above Twelve (12) names are those of registered voters in
 The Town of Harwich.

Date: February 9, 2023

Emily Mitchell
 Anita N. Doucette, Town Clerk

Emily Mitchell

ARTICLE

Authorize special act to enable Harwich to regulate the application of fertilizers

To see if the Town will vote to authorize and ask the Select Board to petition the Great and General Court of the Commonwealth of Massachusetts for special legislation, the text of which is set forth below, prohibiting the application of fertilizer in the Town of Harwich except for the purposes of commercial agriculture and the residential use of organic fertilizer with low nitrogen and phosphorus for the use in growing fruits and vegetables that is allowable under the USDA National Organic Program organic standards (OMRI listed), and to authorize the General Court, with the approval of the Select Board, to make changes of form to the text thereto as may be necessary or advisable in order to accomplish the intent and public purpose of this legislation in order to secure passage, as follows:

An Act prohibiting the application of fertilizer used in the Town of Harwich except for the purposes of commercial agricultural and the residential use of organic fertilizer with low nitrogen and phosphorus for the use in growing fruits and vegetables that is allowable under the USDA National Organic Program organic standards (OMRI listed).

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

Section 1. There is sound scientific evidence to conclude that nitrogen and phosphorus in fertilizers are contaminants that negatively affect fresh and salt waters when present in excessive amounts. These excessive amounts of nitrogen and phosphorus contribute to undesirable algae and aquatic plant growth within all Harwich water bodies. This undesirable algae and aquatic plant growth has an adverse effect on public health through the degradation of waters used for drinking water, shell fishing, and recreational swimming and boating.

Section 2. It is necessary to prohibit the application of fertilizer that contains phosphorus and nitrogen so as to improve the water quality of the Town of Harwich. The soils of Harwich are unique insofar as Harwich has significant amounts of coarse, sandy soils that are subject to rapid water infiltration, percolation and leaching of nutrients, and such unique local conditions require that Harwich prohibit the application of nitrogen and phosphorus added to soils through the application of fertilizers. This Act should help Harwich to achieve compliance with the Total Maximum Daily Loads (TMDL) prescribed by the Commonwealth of Massachusetts for nitrogen and phosphorus in its waters.

Section 3. Notwithstanding any General or Special law to the contrary, including but not limited to any General or Special law conferring exclusive authority upon the Department of Agriculture to regulate and control the application of fertilizers elsewhere in the Commonwealth, the application of fertilizer containing nitrogen or phosphorus, or any other pollutants in the Town of Harwich is prohibited, except for the purposes of commercial agricultural and the residential use of organic fertilizer with low nitrogen and phosphorus for the use in growing fruits and vegetables that is allowable under the USDA National Organic Program organic standards (OMRI listed).

Section 4. This act shall take effect upon passage.
Or to take any other action related thereto. (Select Board)

(Simple Majority Vote Required)

PROPOSED MOTION

I move this article be accepted and adopted as printed in the warrant and that the Select Board be authorized to approve the final language of the Special Legislation.

SUMMARY

Water is what brings people here and makes us want to stay in this special place of ours. Water is our most valuable environmental resource and our most valuable economic asset. It directly or indirectly affects every resident, property owner, visitor, and business in Harwich. Harwich has 22 ponds/lakes and 11 miles of coastline, water is our lifeblood and it is our responsibility to keep it healthy and protect what we love. Yes, please move forward to regulate fertilizers. Supporting the preparation of a Home Rule Petition an act addressing clean and healthy waters will protect Harwich's environment, wildlife, residents, visitors, pets, economy and property values before all is lost.

SB: Recommendation to be made at Town Meeting

FC: Recommendation to be made at Town Meeting

Authorize special act to enable Harwich to regulate the application of fertilizers
(Background Information/Justification)

Why do you live on Cape Cod? The seashore? The ponds? The woodlands? The embayments? The estuaries? All of these are under sever threat of degradation and loss due to the impact of human development. Speaking only of water quality, human behavior degrades water in three principal causes: septic systems, fertilizers, and run-off.

Nitrogen harms all salt water ecosystems and life. Phosphorous harms all fresh water ecosystems and life. Given our sandy soil, a permeable sand bar, above a sole-source aquifer for which we rely for our drinking water, these elements quickly permeate and spread throughout the Cape.

The number one source of nitrogen pollution and phosphorus pollution are septic systems.

Fix: Sewering *Cost:* \$4,000,000,000.00 (Billion) *Time:* 50 years

The number two source of nitrogen, phosphorous and potassium pollution are chemical fertilizers.

Fix: Stop applying chemical fertilizers *Cost:* \$0.00 (Nothing) *Time:* Today, Immediate

The third source of water contamination is run-off from rolling down-hill waterfront landscaped lots and roadways.

Fix: Stop applying chemical fertilizers, build roadway catch basins *Cost:* tbd *Time:* on-going

Both Nantucket and Orleans have successfully passed via town meetings to ask the MA legislature for Home rule on regulating fertilizers. Yes, this is a 'hot' topic, pros & cons, questions on how to implement, how to enforce, how to educate, what alternatives are available, etc. etc. Orleans has lead the way, done the hard work and it is all summarized on the Orleans' town web page.

see: <https://www.town.orleans.ma.us/1109/Fertilizer-Home-Rule-Petition-2022>

The native and natural ecology of Cape Cod long ago figured out how to thrive and grow with our sandy soil and intermittent rains. Both the seashore and the ponds thrived with life. However today with our current landscaping habits and practices we are endangering the environment we live in. Nitrogen and phosphorous pollution on Cape Cod is negatively affecting our fresh water ponds and seashore – those very resources for which we live and visit the Cape.

Beacon Hill is not on Cape Cod. Given our local conditions and risks to our environment the Town of Harwich should be able to establish its own fertilizer regulations. This petition will ask the state legislature to allow Harwich to establish its own fertilizer regulations rather than Beacon Hill. Until permission from the MA legislature is given there will be no change in the current landscaping practices.

In 2021 Harwich had to rescind an earlier fertilizer regulation made that year by the Board of Health. Please, lets move forward to regulate fertilizers, making it a little easier to live on Cape Cod, to appreciate what we have before it is all lost. Cape Cod is a seasonal tourist based economy, what will it look like with further cyanobacteria algae blooms, loss of eelgrass, loss of shellfish, etc.? Cape Cod is not an urban environment. Trying to make it so is destroying the very essence of why we choose to live on Cape Cod.

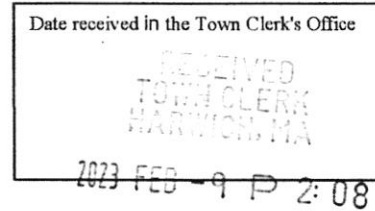
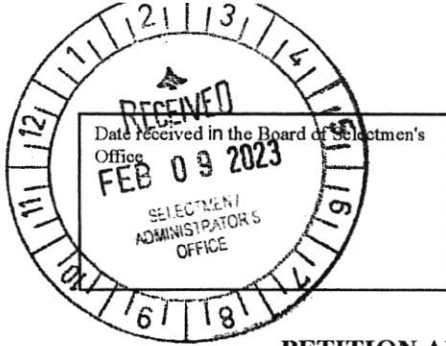
Water is what brings people here and makes us want to stay in this special place of ours. Water is our most valuable environmental resource and economic asset. It directly or indirectly affects every resident, property owner, visitor, and business in Harwich. Harwich has 22 ponds/lakes and 11+ miles of coastline. Water is our lifeblood and it is our responsibility to keep it healthy and protect what we love.

TOWN OF HARWICH
5/1/2023 LOCAL TOWN MEETING
List of Signatories for a Petition

APPLICATION OF FERTILIZER PROHIBITION

Voter ID	Name of Voter	Residential Address	Ward	Precinct	Party
05APR2760003	ABEL, PETER C	196 BAY RD HARWICH, MA 02645-1525	0	3	U
02BRA1952001	BURRILL, REBECCA R	115 C SISSON RD HARWICH, MA 02646	0	1	U
09CJN2752000	CHOREY, JONATHAN P	153 GORHAM RD HARWICH, MA 02646	0	1	U
04EKY1269000	EKSTROM, KELLY A	196 BAY RD HARWICH, MA 02645-1525	0	3	U
11GVA2353002	GOLDSMITH, VICTORIA A	10 PADDOCK DR HARWICH, MA 02645	0	1	D
07GKY0273000	GONNELLA, KERRY ANN	34 MCGUERTY RD HARWICH, MA 02645-1506	0	3	D
06HSA0655000	HOUSE, SHEILA	42 PINE KNOLL RD HARWICH, MA 02645	0	1	D
01KMK0852000	KELLEHER, MARK P	22 GORDON RITCHIE RD HARWICH, MA 02671	0	1	U
06LCE0667000	LAIDLAW, CHRISTINE ISABEL	740 MAIN ST HARWICH, MA 02645	0	4	D
05MJS0153003	MCGRORY, JANIS C	39 OAK ST HARWICH, MA 02645	0	2	U
10RCN1243000	RYAN, CLAYTON T JR	16 INDIGO LN HARWICH, MA 02645	0	4	U
08SPI2047000	SMITH, PATTI A	10 GRASSY POND RD HARWICH, MA 02646	0	1	U

End of Report



**PETITION ARTICLE TO BE INCLUDED
HARWICH ANNUAL TOWN MEETING WARRANT**

TO: BOARD OF SELECTMEN

PETITIONER: Denise Bouvier, Trustee First Shelley Path Realty Trust and Others

PHONE (508)521-3226

ARTICLE: To see if the Town will vote pursuant to Massachusetts General Laws chapter 82, section 21 – 24, as amended, and any other applicable statutes to accept the laying out as a town way by order of the Board of Selectmen.

A certain parcel of land situated in Harwich, Barnstable County, Massachusetts, shown as Old Brewster Road, so called, shown on a plan of land entitled "Definitive Subdivision, Shelley Path, Lotting Plan, prepared for Robert & Patricia Shelley, prepared by Cyprus Design Inc. 1501 Main St., Unit 24, Tewksbury MA 01876" recorded with the Barnstable District Registry of Deeds at Book 668, Page 72.

Beginning at a point on the Northerly side of Main Street Extension and Old Brewster Road, so called, all as shown on said plan, to a point South Westerly $34^{\circ} 56' 00''$ for a distance of 72.18', thence North Easterly $21^{\circ} 02' 55''$ for a distance of 52.21', thence turning Easterly 90° for a distance of 33.00', thence turning South Westerly by two courses, a distance of 40.14' and 50.83' respectively, thence turning $34^{\circ} 56' 00''$ to points on a curve, 93.55' and 27.05' respectively, thence turning North Westerly $16^{\circ} 35' 05''$, a distance of 91.14' to the point of beginning: and such plan is referred to for more particular description and to authorize the Board of Selectmen to take by eminent domain, an easement, or in fee; or take any other action relative thereto.

ESTIMATED COST: \$0.00

Explanation:

(Background Information/Justification)

This article proposes submittal of an improved road created and approved under the subdivision control law for acceptance by the Town of Harwich through a vote of town meeting. Acceptance of a portion of Old Brewster Road as shown on the approved subdivision plan will allow the Town of Harwich to facilitate and provide life safety services over the roadway.

All future maintenance, plowing, replacement and improvement costs of the roadway will be borne by the homeowner's association in perpetuity ensuring that the Town of Harwich incurs no costs associated with the dedication of the way or its future upkeep.

INSTRUCTIONS: All articles submitted by petition must contain the signatures of at least 10 registered voters of the Town of Harwich and must be submitted to the Office of the Selectmen not later than Noon-the second Friday in February for inclusion in the May Annual Town Meeting Warrant. Articles submitted by petition for inclusion in a Special Town Meeting must contain the signatures of at least 100 registered voters of the Town of Harwich and must be submitted to the Office of the Selectmen at least 40 days before the Special Town Meeting.

#	PRINT Name Legibly	Signature	Address Now Registered (number, street name, and apartment number if applicable)
✓ 1	BRIAN REEFEN	<i>[Signature]</i>	627 Queen Anne Rd, Harwich
✓ 2	CANDACE REEFEN	<i>[Signature]</i>	627 Queen Anne Rd, Harwich
✓ 3	ANGELA FRANCIS	<i>[Signature]</i>	8 MORGAN CIR HARWICH, MA.
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			
26			
27			
28			
29			
30			

For Office Use Only

I hereby certify that the above Three (3) names are those of registered voters in
Number of names - use numbers and words
The Town of Harwich *[Signature]*
Date: February 9, 2023 Emily Mitchell, Town Clerk

Date received in the Board of Selectmen's Office

Date received in the Town Clerk's Office

**PETITION ARTICLE TO BE INCLUDED
HARWICH ANNUAL TOWN MEETING WARRANT**

TO: BOARD OF SELECTMEN

PETITIONER: Denise Bouvier, Trustee First Shelley Path Realty Trust and Others

PHONE (508)521-3226

ARTICLE: To see if the Town will vote pursuant to Massachusetts General Laws chapter 82, section 21 – 24, as amended, and any other applicable statutes to accept the laying out as a town way by order of the Board of Selectmen.

A certain parcel of land situated in Harwich, Barnstable County, Massachusetts, shown as Old Brewster Road, so called, shown on a plan of land entitled "Definitive Subdivision, Shelley Path, Lotting Plan, prepared for Robert & Patricia Shelley, prepared by Cyprus Design Inc. 1501 Main St., Unit 24, Tewksbury MA 01876" recorded with the Barnstable District Registry of Deeds at Book 668, Page 72.

Beginning at a point on the Northerly side of Main Street Extension and Old Brewster Road, so called, all as shown on said plan, to a point South Westerly $34^{\circ} 56' 00''$ for a distance of 72.18', thence North Easterly $21^{\circ} 02' 55''$ for a distance of 52.21', thence turning Easterly 90° for a distance of 33.00', thence turning South Westerly by two courses, a distance of 40.14' and 50.83' respectively, thence turning $34^{\circ} 56' 00''$ to points on a curve, 93.55' and 27.05' respectively, thence turning North Westerly $16^{\circ} 35' 05''$, a distance of 91.14' to the point of beginning: and such plan is referred to for more particular description and to authorize the Board of Selectmen to take by eminent domain, an easement, or in fee; or take any other action relative thereto.

ESTIMATED COST: \$0.00

Explanation:

(Background Information/Justification)

This article proposes submittal of an improved road created and approved under the subdivision control law for acceptance by the Town of Harwich through a vote of town meeting. Acceptance of a portion of Old Brewster Road as shown on the approved subdivision plan will allow the Town of Harwich to facilitate and provide life safety services over the roadway.

All future maintenance, plowing, replacement and improvement costs of the roadway will be borne by the homeowner's association in perpetuity ensuring that the Town of Harwich incurs no costs associated with the dedication of the way or its future upkeep.

INSTRUCTIONS: All articles submitted by petition must contain the signatures of at least 10 registered voters of the Town of Harwich and must be submitted to the Office of the Selectmen not later than Noon-the second Friday in February for inclusion in the May Annual Town Meeting Warrant. Articles submitted by petition for inclusion in a Special Town Meeting must contain the signatures of at least 100 registered voters of the Town of Harwich and must be submitted to the Office of the Selectmen at least 40 days before the Special Town Meeting.

#	PRINT Name Legibly	Signature	Address Now Registered (number, street name, and apartment number if applicable)
✓ 1	Elizabeth Dubuque	<i>Ed Dubuque</i>	74 Hawksnest Rd.
✓ 2	Paul Wiersma	<i>Paul Wiersma</i>	3 Shady Dr
✓ 3	Robert Fratus	<i>Rob Fratus</i>	74 Hawksnest Rd
✓ 4	Debra Viera	<i>Debra Viera</i>	3 Shady Dr.
✓ 5	Tessa LeBlanc	<i>Tessa LeBlanc</i>	4 Sand Piper Rd
✓ 6	Mary-Ann LeBlanc	<i>Mary-Ann LeBlanc</i>	4 Sand Piper Rd
✓ 7	David LeBlanc	<i>David LeBlanc</i>	4 Sand Piper Rd
✓ 8	Dawn Gaudin	<i>Dawn Gaudin</i>	98 Old Chatham Rd
✓ 9	Jennifer Lundell	<i>Jennifer Lundell</i>	14 Murray Lane
✓ 10	TERESA LUSTIG	<i>Teresa Lustig</i>	9 PARALLEL ST.
✓ 11	Tracy Ennes	<i>Tracy Ennes</i>	306 Main St
12			
13			
14			
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			
26			
27			
28			
29			
30			

For Office Use Only

I hereby certify that the above Eleven (11) names are those of registered voters in
Number of names - use numbers and words

The Town of Harwich

Date: February 9, 2023

Emily Mitchell

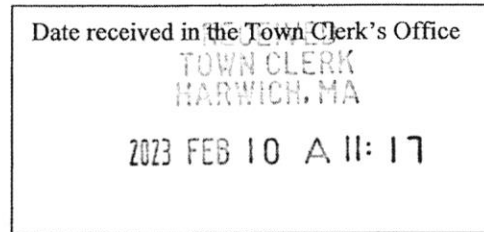
 Emily Mitchell, Town Clerk

TOWN OF HARWICH
 5/1/2023 LOCAL TOWN MEETING
 List of Signatories for a Petition

ROAD TAKING-OLD BREWSTER ROAD/SHELLEY PATH

Voter ID	Name of Voter	Residential Address	Ward	Precinct	Party
12BBN2463000	BREEN, BRIAN F	627 QUEEN ANNE RD HARWICH, MA 02645	0	2	D
06BAA1666000	BREEN, C ANDREA	627 QUEEN ANNE RD HARWICH, MA 02645	0	2	U
01DEH1864000	DUBUQUE, ELIZABETH	74 HAWKSNEST RD HARWICH, MA 02645	0	2	U
10ETY0566000	ENNES, TRACY	306 MAIN ST HARWICH, MA 02645	0	4	U
10RAA1072000	FRANCIS, ANGELA MARIE	8 MORGAN CIR HARWICH, MA 02645	0	4	U
06FRT1463002	FRATUS, ROBERT D JR	74 HAWKSNEST RD HARWICH, MA 02645	0	2	U
04GDD0764001	GOULD, DAVID H	98 OLD CHATHAM RD HARWICH, MA 02645	0	4	U
08LDD0468001	LEBLANC, DAVID J	4 SANDPIPER RD HARWICH, MA 02661	0	2	U
05LMY1167000	LEBLANC, MARCY A	4 SANDPIPER RD HARWICH, MA 02661	0	2	U
05LTA0499000	LEBLANC, TESSA ROSE	4 SANDPIPER RD HARWICH, MA 02661	0	2	U
11LJR2189001	LUNDELL, JENNIFER L	14 MURRAY LN HARWICH, MA 02671	0	1	U
10VDA0861000	VIERA, DEBBRA B	3 SHADY DR HARWICH, MA 02645	0	2	D
04VPL0169000	VIERA, PAUL A	3 SHADY DR HARWICH, MA 02645	0	2	U
09ZTA0655000	ZONTINI, THERESA MARIE	9 PARALLEL ST HARWICH, MA 02645	0	1	D

End of Report



**PETITION ARTICLE TO BE INCLUDED
HARWICH ANNUAL TOWN MEETING WARRANT**

TO: BOARD OF SELECTMEN

PETITIONER: Daniel Baker

PHONE: 774-392-0657

ARTICLE: To see if the Town will vote to:

Ask the Board of Selectman, acting on behalf of the Town, to petition the state legislature, to amend the Massachusetts General Laws governing the dispersal of School Choice funds, to include all other forms of alternative education, as currently allowed by the state, e.g., homeschool and private school participants, etc. In addition, the petition should be made with language requesting that any changes to the MGL's should consider interim support to address any negative draw down impacts to the Public School System, during any resultant adjustment phase.

ESTIMATED COST: \$0.00

Explanation:

(Background Information/Justification)

This article is intended to encourage changes to the Massachusetts General Laws to extend the dispersal of School Choice funds to all other forms of state allowed alternative education, e.g., homeschool and private school participants, etc. Under the current School Choice laws, MGL Part I Title XII Chapter 76 Sections 12B & 12C, School Choice funds may only be dispersed to another Massachusetts public school or alternative state allowed charter schools, all other state allowed education alternatives, e.g., homeschool and private school participants, etc., are excluded from the School Choice program, and thus, excluded from any School Choice funds following the student thereto. State authorized School Choice funding following the student to one form of state allowed alternative education, while excluding School Choice funding from all other state allowed alternative forms of education, leans heavily towards being discriminatory.

#	PRINT Name Legibly	Signature	Address Now Registered (number, street name, and apartment number if applicable)
✓ 1	Mary Kaldis-Thompson	Mary Kaldis-Thompson	14 Tupelo Drive Harwich MA
✓ 2	Christopher Thompson	Christopher Thompson	14 Tupelo Drive Harwich MA
✓ 3	Matthew Thompson	Matthew Thompson	14 Tupelo Drive Harwich MA
N 4	Charles J. DONNOR	Charles J. Donnor Jr	15 Tupelo Drive, Harwich MA
✓ 5	Karen Beetham	Karen Beetham	11 Tupelo Dr. Harwich MA
✓ 6	Gerald Beetham	Gerald Beetham	11 Tupelo Dr Harwich MA
✓ 7	Kathleen Shurtell	Kathleen Shurtell	6 TUPELO DR. HARWICH, MA
✓ 8	DENNIS STORRELL	Dennis Shurtell	6 TUPELO DR. HARWICH, MA
N 9	Cheryl Yafiades	Cheryl Yafiades	7 TUPELO DR. HARWICH, MA
✓ 10	Arlene M Johnson	Arlene M Johnson	19 Tupelo Dr
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			
26			
27			
28			
29			
30			

As mentioned during last year's town meeting, real estate values and AP classes are important, but does Harwich really believe that children who would thrive in an alternative state allowed education opportunity should be sacrificed to benefit others?

Potential benefit for the Taxpayers: School Choice could eventually be a benefit to the taxpayers of Massachusetts, as well. Currently Charter Schools are entitled to receiving the full funding allotted for each child, although if future changes to the School Choice laws incorporate fractional funding vs full funding for all state allowed alternative education (including charter schools); families would have some skin in the game, which would result in wiser alternative educational choices and eventually a reduction in taxpayer burden.

Today, if the parent/student determines that state allowed homeschooling/private schooling is the correct educational choice for the student, they have to pay 100% out of pocket. Only those of sufficient wealth can afford school choices outside the public/charter school system. Those families that do pay out of pocket are also paying taxes supporting a public school/charter system that does not suit their needs, without the ability to recoup funds legally allotted for their child.

For families that are currently homeschooling/private schooling in the Monomoy School district, and this change would end discriminatory leaning practices and ensure fair and equitable treatment for all.

National School Choice Week: The third week in January has been proclaimed "National School Choice Week" by Presidential, gubernatorial and mayoral proclamations (which includes homeschooling/private schooling); and has recently been further supported by Senate Simple Resolution 11 which passed by unanimous consent on February 1 2023 and introduced to the House under Resolution H.Res.51 (2023-2024). For more information regarding "National School Choice Week", please go to website "schoolchoiceweek.com".

Many likely know that Arizona recently signed the most comprehensive School Choice program into law. Many other states have enacted similar programs. State-by-state School Choice information can also be found the "schoolchoiceweek.com" website.

Please join us to help end discriminatory leaning practices in education and vote for freedom of choice, educational diversity, fair/equitable treatment for all and greater student success.

INSTRUCTIONS: All articles submitted by petition must contain the signatures of at least 10 registered voters of the Town of Harwich and must be submitted to the Office of the Selectmen not later than ***Noon-the second Friday in February*** for inclusion in the May Annual Town Meeting Warrant. Articles submitted by petition for inclusion in a Special Town Meeting must contain the signatures of at least 100 registered voters of the Town of Harwich and must be submitted to the Office of the Selectmen at least 40 days before the Special Town Meeting.

#	PRINT Name Legibly	Signature	Address Now Registered (number, street name, and apartment number if applicable)
✓ 1	Daniel W. Baker	<i>Daniel W. Baker</i>	54 North Westgate Road
✓ 2	Susan A. Baker	<i>Susan A. Baker</i>	54 North Westgate Road
✓ 3	Hannah M. Baker	<i>Hannah Baker</i>	54 North Westgate Road.
✓ 4	Lufone Tribastone	<i>Lufone Tribastone</i>	19 Sugar Hill Dr.
✓ 5	Steven Tribastone	<i>Steven Tribastone</i>	19 Sugar Hill Dr.
✓ 6	Andrew Senatore	<i>Andrew Senatore</i>	56 N. Westgate Rd
✓ 7	Heidi Baker	<i>Heidi R. Baker</i>	54 N. Westgate Rd
✓ 8	TERESA L. MORRIS	<i>Teresa L. Morris</i>	8 Hummingbird Lane
✓ 9	Andrea Cahoun	<i>Andrea Cahoun</i>	1601 Factory Rd.
✓ 10	Leo Cahounes	<i>Leo Cahounes</i>	1601 Factory Rd
✓ 11	Judy Frallicciardi	<i>Judy Frallicciardi</i>	1024 Factory Rd
✓ 12	ALFONSO FRALICCIA	<i>Alfonso Frallicciardi</i>	1024 FACTORY RD
13			
14			
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			
26			
27			
28			
29			
30			

For Office Use Only

I hereby certify that the above Twenty (20) names are those of registered voters in

Number of names - use numbers and words

The Town of Harwich

Date: February 13

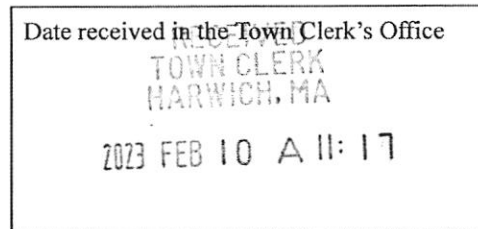
Emily Mitchell
Emily Mitchell, Town Clerk

TOWN OF HARWICH
5/1/2023 LOCAL TOWN MEETING
List of Signatories for a Petition

SCHOOL CHOICE FUNDS

Voter ID	Name of Voter	Residential Address	Ward	Precinct	Party
07BDL0962000	BAKER, DANIEL W	54 NORTH WESTGATE RD HARWICH, MA 02645-1600	0	4	R
06BHH2295000	BAKER, HANNAH MARIE	54 NORTH WESTGATE RD HARWICH, MA 02645-1600	0	4	U
11BHI0297000	BAKER, HEIDI RACHEL	54 NORTH WESTGATE RD HARWICH, MA 02645-1600	0	4	R
06BSN1665001	BAKER, SUSAN A	54 NORTH WESTGATE RD HARWICH, MA 02645-1600	0	4	R
08BGD0552000	BEETHAM, GERALD W	11 TUPELO DR HARWICH, MA 02645	0	4	U
05BKN2352001	BEETHAM, KAREN LYNNE	11 TUPELO DR HARWICH, MA 02645	0	4	U
11CAA0156000	CAKOUNES, ANDREA K	1601 FACTORY RD HARWICH, MA 02645	0	4	U
08CLO1756001	CAKOUNES, LEO G	1601 FACTORY RD HARWICH, MA 02645	0	4	U
06FAO1956000	FRALLICCIARDI, ALFONSO J	1024 FACTORY RD HARWICH, MA 02645-1635	0	4	D
06FJH1956002	FRALLICCIARDI, JUDETH E	1024 FACTORY RD HARWICH, MA 02645-1635	0	4	R
05JAE1135000	JOHNSON, ARLENE M	19 TUPELO DR HARWICH, MA 02645	0	4	U
08KMY2360003	KALDIS-THOMPSON, MARY	14 TUPELO DR HARWICH, MA 02645-1711	0	4	U
01MTA2752000	MORRIS, TERESA LYNN	8 HUMMINGBIRD LN HARWICH, MA 02645-2021	0	2	U
11SAW0759000	SENATORE, ANDREW T	56 NORTH WESTGATE RD HARWICH, MA 02645	0	4	U
07SDS2749000	SHORTELE, DENNIS P	6 TUPELO DR HARWICH, MA 02645-1711	0	4	U
02SKN1750004	SHORTELE, KATHLEEN P	6 TUPELO DR HARWICH, MA 02645-1711	0	4	D
01TCR0690002	THOMPSON, CHRISTOPHER J	14 TUPELO DR HARWICH, MA 02645-1711	0	4	R
01TMW0492001	THOMPSON, MATTHEW S	14 TUPELO DR HARWICH, MA 02645-1711	0	4	R
07TLE1153000	TRIBASTONE, LUANNE	19 SUGAR HILL DR HARWICH, MA 02645	0	3	R
08TSN1489000	TRIBASTONE, STEVEN	19 SUGAR HILL DR HARWICH, MA 02645	0	3	R

End of Report



**PETITION ARTICLE TO BE INCLUDED
HARWICH ANNUAL TOWN MEETING WARRANT**

TO: BOARD OF SELECTMEN

PETITIONER: Leo Cakounes

PHONE: 508-364-2512

ARTICLE: To see if the Town will vote to:


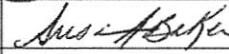


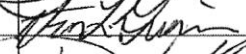
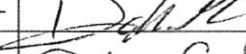
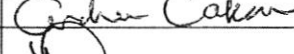
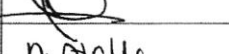
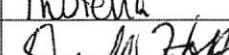
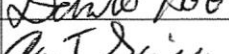
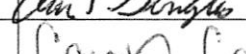

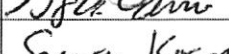
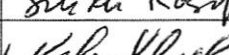
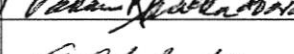
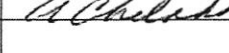
To see if the Town will vote to authorize and Direct the Board of Selectmen to enter into an Agreement with an Established Educational Facility, private party, or Not for Profit entertee, through all means necessary including yet not limited to, a Inter-municipal agreement or long term lease for purpose to create and operate an Agricultural/Environmental Educational Facility on said land acquired at the Harwich Annual Town Meeting 2000, Article 11, situated at 374 Main Street, North Harwich, shown on Harwich Assessors Map 47 as Parcel A-10 containing 33.6 acres, more or less. Being further shown on a plan recorded in the Barnstable County Registry of Deeds in Plan 460 Page 55 and further described in the deed recorded in the Barnstable Registry of Deeds of Book 10792 Page 257 being known as The Main Street Bog. Further authorize the Board of Selectmen to pursue any means necessary to accomplish this action, including yet not limited to, partition to Massachusetts State Legislature subject to Section 7 Chapter 293 of the Acts of 1998 entitled Establishment of Cape Cod Open Space Land Acquisition Program, an any other related questions of purposeful use of said land. Execute any and all instruments as may be necessary on behalf of the Town and to ack fully thereon.

ESTIMATED COST: \$0.00

Explanation:

(Background Information/Justification)

To expand the use of public land to Agricultural and Environmental Education which current use is Agriculture

#	PRINT Name Legibly	Signature	Address Now Registered (number, street name, and apartment number if applicable)
✓ 1	Leo Cakouvas		1601 FACTORY Rd
✓ 2	Susan A. Baker		54 N. Westgate Rd.
T 3	Susan A. Baker		54 N. Westgate Rd.
✓ 4	Daniel W. Baker		54 North Westgate Road
✓ 5	Frank L Greener		33 Rocky Way
✓ 6	Debra Greener		33 Rocky Way
✓ 7	Andrea Cakouvas		1601 Factory Rd.
✓ 8	Michael Merrill		22 Moss Hill Rd.
✓ 9	Maggie Stella		16 Freeman St.
N 10	Donald Holt		20 Lynch Lane
✓ 11	Aaron T. Giness		4 Aaron's way
✓ 12	Carolyn Carey		88 Northeast Drive
✓ 13	Gary Carrico		8 Community Way
✓ 14	Susan Kosoff		84 Neel Road
✓ 15	Uthman Khatamuddin		4 Picty Green Lane
✓ 16	Angelica Chilaka		331 Main St.
17			
18			
19			
20			
21			
22			
23			
24			
25			
26			

27			
28			
29			
30			

For Office Use Only

I hereby certify that the above Fourteen (14) names are those of registered voters in
Number of names - use numbers and words

The Town of Harwich

Date: February 13, 2023

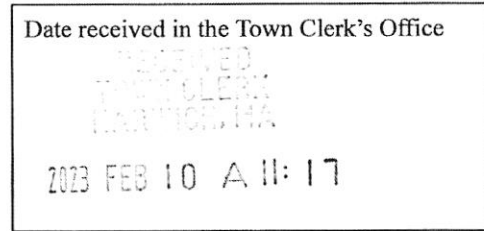
Emily Mitchell
Emily Mitchell, Town Clerk

TOWN OF HARWICH
 5/1/2023 LOCAL TOWN MEETING
 List of Signatories for a Petition

ESTABLISHED EDUCATIONAL FACILITY-374 MAIN STREET

Voter ID	Name of Voter	Residential Address	Ward	Precinct	Party
07BDL0962000	BAKER, DANIEL W	54 NORTH WESTGATE RD HARWICH, MA 02645-1600	0	4	R
06BSN1665001	BAKER, SUSAN A	54 NORTH WESTGATE RD HARWICH, MA 02645-1600	0	4	R
11CAA0156000	CAKOUNES, ANDREA K	1601 FACTORY RD HARWICH, MA 02645	0	4	U
08CLO1756001	CAKOUNES, LEO G	1601 FACTORY RD HARWICH, MA 02645	0	4	U
02CCN1866000	CAREY, CAROLYN B	88 NOR'EAST DR HARWICH, MA 02645	0	3	D
11CGY1571000	CARREIRO, GARY A	8 COMMUNITY WAY HARWICH, MA 02645-2900	0	2	U
12CAA0150000	CHILAKA, ANGELINA ANN	339 MAIN ST HARWICH, MA 02645	0	4	D
11GAN2561000	GINGRAS, AARON T	4 AARON'S WAY HARWICH, MA 02645	0	4	U
03GDA2866002	GREINER, DEBRA E	33 ROCKY WAY HARWICH, MA 02645	0	1	R
02GFK1067000	GREINER, FRANK L JR	33 ROCKY WAY HARWICH, MA 02645	0	1	U
01KVN0333000	KHACHADOORIAN, VAHAN J	4 PUTTING GREEN LN HARWICH, MA 02645-1947	0	4	D
09KSN0843000	KOSOFF, SUSAN	84 NEEL RD HARWICH, MA 02646-2516	0	2	D
02MML1671000	MACASKILL, MICHAEL D	22 MOSS HILL RD HARWICH, MA 02645	0	1	U
05SMT0289000	STELLA, MARGARET S	6 FREEMAN ST HARWICH, MA 02646	0	1	D

End of Report



**PETITION ARTICLE TO BE INCLUDED
HARWICH ANNUAL TOWN MEETING WARRANT**

TO: BOARD OF SELECTMEN

PETITIONER: Leo Cakounes

PHONE: 508-364-2512

ARTICLE: To see if the Town will vote to:

To see if the Town will vote to Amend action of the Towns Annual Meeting of 2000, Article 11 purchase of 374 Main Street, North Harwich, described in deed recorded at Barnstable County Registry of Deeds Book 10792 Page 257 and shown on a plan Recorded at Barnstable County Registry of Deeds in Plan Book 460 Page 55 by adding the following...the property described in the article for (AGRICULTURAL AND ENVIRONMENTAL EDUCATION,) preservation, open space, and to ack fully thereon.

ESTIMATED COST: \$0.00



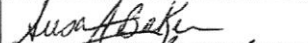
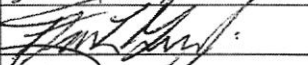
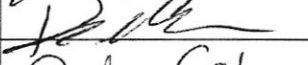
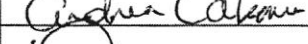
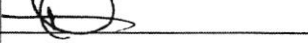
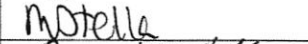

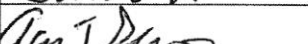
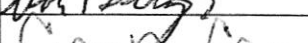

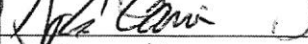

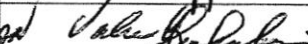
Explanation:

(Background Information/Justification)

To Expand the use of Public Land to Agriculture and Environmental Education which current use is Agiculture

INSTRUCTIONS: All articles submitted by petition must contain the signatures of at least 10 registered voters of the Town of Harwich and must be submitted to the Office of the Selectmen not later than **Noon-the second Friday in February** for inclusion in the May Annual Town Meeting Warrant. Articles submitted by petition for inclusion in a Special Town Meeting must contain the signatures of at least 100 registered voters of the Town of Harwich and must be submitted to the Office of the Selectmen at least 40 days before the Special Town Meeting.

INSTRUCTIONS: All articles submitted by petition must contain the signatures of at least 10 registered voters of the Town of Harwich and must be submitted to the Office of the Selectmen not later than Noon-the second Friday in February for inclusion in the May Annual Town Meeting Warrant. Articles submitted by petition for inclusion in a Special Town Meeting must contain the signatures of at least 100 registered voters of the Town of Harwich and must be submitted to the Office of the Selectmen at least 40 days before the Special Town Meeting.

#	PRINT Name Legibly	Signature	Address Now Registered (number, street name, and apartment number if applicable)
✓ 1	Leo Cakournes		1601 FACTORY RD.
✓ 2	Daniel W. Baker		54 North Westgate Road
✓ 3	Susan A. Baker		54 N. Westgate Road
✓ 4	Frank L. Greener		33 Rocky Way
✓ 5	Debra Greener		33 Rocky Way
✓ 6	Andrea Cakournes		1601 Factory Rd.
✓ 7	Michael MacAkill		22 Moss Hill Rd
✓ 8	Maggie Stella		6 Freeman St
N ✓ 9	Donald Holt		20 Lynch Lane
✓ 10	AARON T. GINGLES		4 AARON'S WAY
✓ 11	Carolyn Carey		88 Norwood Dr
✓ 12	GARY CARREIRO		8 Community Way
✓ 13	Susan Kosoff		54 Neil Road
✓ 14	VAAAN KATHAROU		4 Pitting Green Lane
✓ 15	Angela Chulaka		339 Main St - Harwich
16			

17			
18			
19			
20			
21			
22			
23			
24			
25			
26			
27			
28			
29			
30			

For Office Use Only

I hereby certify that the above Fourteen (14) names are those of registered voters in
Number of names - use numbers and words

The Town of Harwich

Date: February 13, 2023

Emily Mitchell
Emily Mitchell, Town Clerk

TOWN OF HARWICH
5/1/2023 LOCAL TOWN MEETING
List of Signatories for a Petition

AMEND ATM 2000 ARTICLE 11-PURCHASE OF 374 MAIN STREET

Voter ID	Name of Voter	Residential Address	Ward	Precinct	Party
07BDL0962000	BAKER, DANIEL W	54 NORTH WESTGATE RD HARWICH, MA 02645-1600	0	4	R
06BSN1665001	BAKER, SUSAN A	54 NORTH WESTGATE RD HARWICH, MA 02645-1600	0	4	R
11CAA0156000	CAKOUNES, ANDREA K	1601 FACTORY RD HARWICH, MA 02645	0	4	U
08CLO1756001	CAKOUNES, LEO G	1601 FACTORY RD HARWICH, MA 02645	0	4	U
02CCN1866000	CAREY, CAROLYN B	88 NOR'EAST DR HARWICH, MA 02645	0	3	D
11CGY1571000	CARREIRO, GARY A	8 COMMUNITY WAY HARWICH, MA 02645-2900	0	2	U
12CAA0150000	CHILAKA, ANGELINA ANN	339 MAIN ST HARWICH, MA 02645	0	4	D
11GAN2561000	GINGRAS, AARON T	4 AARON'S WAY HARWICH, MA 02645	0	4	U
03GDA2866002	GREINER, DEBRA E	33 ROCKY WAY HARWICH, MA 02645	0	1	R
02GFK1067000	GREINER, FRANK L JR	33 ROCKY WAY HARWICH, MA 02645	0	1	U
01KVN0333000	KHACHADOORIAN, VAHAN J	4 PUTTING GREEN LN HARWICH, MA 02645-1947	0	4	D
09KSN0843000	KOSOFF, SUSAN	84 NEEL RD HARWICH, MA 02646-2516	0	2	D
02MML1671000	MACASKILL, MICHAEL D	22 MOSS HILL RD HARWICH, MA 02645	0	1	U
05SMT0289000	STELLA, MARGARET S	6 FREEMAN ST HARWICH, MA 02646	0	1	D

End of Report

TOWN
ADMINISTRATOR'S
REPORT

HARWICH HARBORMASTER DEPARTMENT

February 2023 Monthly Report

Operations

- None

Administration

- Went to waitlist with open permits: (1) Pleasant Bay Mooring, (2) Outer Harbor, (1) Allen Harbor, (1) Wychmere 26'-30'11".
- Emailed for outstanding boat excise taxes.
- Mailed out slip/mooring permit waitlist forms.
- Mailed out ramp pass renewal forms.

Maintenance

- Bottom painted and waxed the hull and performed routine yearly maintenance on 77B.
- Greased the bearings and ensured that the lights were functioning on the 77B trailer.
- Bottom painted and replaced old and damaged reflective tape on channel markers.
- Ship Shops replaced a fuel tank level sending unit and replaced gaskets on the hydraulic steering ram on 77A.
- Painted the new steel truck bed that the Highway Department installed on the work truck.
- Began repairing PVC pipe on the shellfish lab pumps.
- Had an electrician make repairs to electrical connections that service the WiFi repeaters on the Saquatucket Harbor docks.
- Hauled a damaged floating dock at the Saquatucket Harbor east bulkhead for repairs.
- Routine building and grounds maintenance.
- Recovered old derelict sunfish hull from Wah Wah Taysee public beach.

Meetings

- Hosted meeting with neighboring Harbormasters to discuss potential strategy to address adverse impacts of expanded Time of Year (TOY) restrictions mandated by MA Department of Marine Fisheries (DMF); TOY's are have a detrimental impact on scheduling and execution of required dredge projects.
- Attended meeting with Natural Resources Director and project engineer from Coastal Engineering to discuss proposed utilization of biodegradable shellfish bags as remediation for 14 Mill Point private pier, ramp, and float project.
- Attended virtual meeting with U.S. Army Corps of Engineers and MA Department of Marine Fisheries to discuss adjustments to Time of Year restrictions for town-wide comprehensive dredge permit.
- Attended virtual meeting with members from Association to Preserve Cape Cod (APCC) and Water Department staff to discuss coordination of Herring River Route 28 Landing stormwater retrofit project with Water Dept project to run waterline under the Herring River.
- All members of department attended Microsoft 365 computer training.
- All members completed annual Ethics Training
- Board of Selectmen meeting (6 Feb) – Herring River Landing Route 28 – Stormwater Remediation Project
- Waterways Committee Meeting (15 Feb)

CORRESPONDENCE

CAPITAL OUTLAY PLAN ARTICLES

Capital Outlay Plan Borrowing: East Harwich Wastewater Collection System Expansion

Article 19: To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to implement Phase 3 and portions of Phase 8 of the Town of Harwich Comprehensive Wastewater Management Plan (CWMP), approved by the Massachusetts Secretary of Energy and Environmental Affairs in a Massachusetts Environmental Policy Act Certificate dated May 13, 2016, consisting of the construction of sewers in the Pleasant Bay Watershed, including any and all other costs incidental and related thereto; provided that any borrowing authorized hereunder shall be contingent on the passage of a Proposition 2 and ½ debt exclusion vote. And further, in accordance with Chapter 44, Section 20 of the General Laws, the premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to pay project costs and the amount authorized to be borrowed for each such project shall be reduced by the amount of any such premium so applied, and to act fully thereon..

By request of the Board of Selectmen. Estimated cost: \$50,000,000.

Explanation: The proposed wastewater collections system will satisfy the nitrogen removal requirements set forth in the Pleasant Bay Watershed Permit for the Round Cove and Pleasant Bay sub-watersheds.

PROPOSITION 2 ½ Debt Exclusion – Will have a companion Ballot Question on the ATE Warrant.