

**SELECT BOARD MEETING AGENDA\***

*Donn B. Griffin Room, Town Hall*

*732 Main Street, Harwich, MA*

*Executive Session 5:00 P.M.*

*Regular Meeting 6:00 P.M.*

*Monday, December 4, 2023*

**Remote Participation Optional:**

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

<https://meet.goto.com/739115757>

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

Access Code: 739-115-757

United States: [+1 \(408\) 650-3123](tel:+14086503123)

*\*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 G.L. c. 30A, sec. 21(a)(2) to conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel; Harwich Employees Association (HEA)
- 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 Employees Association (HEA)
- C. Pursuant to MGL c. 30A, §21(a)(6) to consider the purchase, exchange, lease or value of real property if the Chair declares that an open meeting may have a detrimental effect on the negotiating position of the Town; 62 Route 28, West Harwich

**III. PLEDGE OF ALLEGIANCE**

**IV. PUBLIC COMMENTS/ANNOUNCEMENTS**

**V. CONSENT AGENDA**

- A. Approve Select Board Meeting Minutes for November 20 and 27, 2023
- B. Vote to rescind the reappointment of Ron Saulnier as a Shellfish Constable for the Town of Harwich

**VI. JOINT MEETING ON THE FISCAL YEAR 2025 – 2029 CAPITAL OUTLAY PLAN AND FISCAL YEAR 2025 CAPITAL BUDGET WITH SELECT BOARD, CAPITAL OUTLAY COMMITTEE AND FINANCE COMMITTEE**

**VII. NEW BUSINESS**

- A. Discussion and Possible Vote to call a Special Town Election to fill the current Select Board vacancy, term to expire May 21, 2024
- B. Discussion regarding the potential use of Electronic Vote Tabulators (clickers) at future Town Meetings
- C. Discussion and Possible Vote on 2022 Special Town Meeting Article 3: Bylaw/Charter Review use of appropriated funds for governance review
- D. Discussion on potential municipal tax bill inserts per to MGL c. 60, §3(a)
- E. Approve a New 2024 Annual Class IV Auto Repair license for C and B Automotive, Inc. d/b/a Reflections Auto Restoration, 4 Evergreen Way, Unit 1
- F. Approve the Alcoholic Beverages Control Commission's Seasonal Population Form
- G. Approve the M.G.L Chapter 138, Section 15 off-premise annual liquor license renewal for A.J. Luke's of Harwich, Inc., 224 Route 28
- H. Approve the following M.G.L Chapter 138, Section 12 on-premise annual liquor licenses:
  - 1. Ashwood Food Service Inc. d/b/a Jake Rooney's, 119 Brooks Road
  - 2. Beachlight, LLC d/b/a Seal Pub, 703 Main Street
- I. Approve the following 2024 Common Victuallers license renewals:
  - 1. Alexander the Great d/b/a Alecsie's House of Pizza, 181 Route 137
  - 2. Ashwood Food Service, Inc. d/b/a Jake Rooney's, 119 Brook Road
  - 3. Beachlight, LLC d/b/a Seal Pub & Café, 703 Main Street
  - 4. Blue Stripe, LLC d/b/a Cape Sea Grille, 31 Sea Street
  - 5. BLM Restaurant Group d/b/a Lanyard Bar and Grill, 429 Route 28
  - 6. Dent Donuts, LLC d/b/a Dunkin Donuts, 481 Route 28
  - 7. Dent Donuts, LLC d/b/a Dunkins Donuts, 175 Route 137
  - 8. Ember Pizza, Inc. d/b/a Ember Coal Fired Pizza & Wings, 600 Route 28
  - 9. Epiros Holdings, LLC d/b/a George's Pizza House, 564 Route 28

10. Four Hundred East, Inc. d/b/a Four Hundred East, 1421 Orleans Road
  11. Morningstar Restaurant, Inc. d/b/a Villa Roma, 278 Route 28
  12. Red River BBQ LLC d/b/a Red River BBQ, 787 Route 28
  13. Round Cove Resort Owner LLC d/b/a Wequassett Resort and Golf Club, 2173 Route 28
  14. Ruggies, Inc. d/b/a Ruggies Restaurant, 707 Main Street
  15. Scribano's Inc. d/b/a Scribano's Italian Market, 302 Route 28
  16. Zack, Inc. d/b/a Castaways, 986 Route 28
  17. Zou Garden, Inc. d/b/a Szechuan Delight, 1421 Orleans Road
- J. Approve the following 2024 Lodging or Innholders license renewals:
1. Barnaby Inn, 36 Route 28
  2. Braddock, Inc. d/b/a Winstead Inn & Beach Resort, 114-118 Parallel Street
  3. Braddock, Inc. d/b/a Winstead Inn & Beach Resort, 4 Braddock Street
  4. Sands Hospitality, Inc. d/b/a The Platinum Pebble Boutique Inn, 186 Belmont Road
  5. Siceamp, Inc. d/b/a The Tern Inn, 91 Chase Street
  6. Round Cove Resort Owner LLC d/b/a Wequassett Resort and Golf Club, 2173 Route 28
- K. Approve the following Class IV Auto Repair license renewals:
1. Dave's Garage, 910 Route 28
  2. Nick & Claudine Enterprises, LLC d/b/a West Harwich Sav-on-gas, 4 Route 28
  3. Steven's Auto Repair d/b/a Steven's Auto, 216 Main Street
- L. Approve a Class I Agents and Sellers Auto license renewal for Harwich Port Boat Yard, 4 Harbor Road
- M. Approve the following 2024 Weekday & Sunday Entertainment license renewals:
1. Ashwood Food Service, Inc. d/b/a Jake Rooney's, 119 Brooks Road  
Weekday – 11:00 a.m. to 11:00 p.m. inside  
 Jukebox, Radio, Television, Live/Recorded Music, Amplification, Dancing by Live Performers, Trivia  
Sunday – 6:00 p.m. to 8:30 p.m.  
 Jukebox, Radio, Television, Live/Recorded Music, Amplification, Dancing by Live Performers
  2. Beachlight, LLC d/b/a Seal Pub & Café, 703 Main Street  
Weekday – 6:00 a.m. to 12:00 a.m. inside  
 6:00 p.m. to 9:00 p.m. outside (Thursday/Friday/Saturday)  
 Inside – Jukebox, Radio, Television/Outside – Acoustic guitar and unamplified singing  
Sunday – 6:00 a.m. to 12:00 a.m. inside  
 Recorded music, Television, Radio & Background Music  
 6:00 p.m. to 10:00 p.m. only Acoustic, unamplified live music & Karaoke
  3. Blue Stripe, LLC d/b/a Cape Sea Grille, 31 Sea Street  
Weekday – 4:00 p.m. to 12:00 a.m. inside  
 Live/recorded music, amplification, dancing by live performers  
Sunday – 4:00 p.m. to 12:00 a.m. inside  
 Live/recorded music, amplification, dancing by live performers
  4. BLM Restaurant Group d/b/a Lanyard Bar and Grill, 429 Route 28  
Weekday – 4:00 p.m. to 11:00 p.m. inside  
 Jukebox, Radio, Television, Live/Recorded Music, Amplification, Dancing by Live Performers  
 4:00 p.m. to 10:00 p.m. outside  
 Jukebox, Radio, Television, Live/Recorded Music, Amplification, Dancing by Live Performers  
Sunday - 4:00 p.m. to 11:00 p.m. inside  
 Jukebox, Radio, Television, Live/Recorded Music, Amplification, Dancing by Live Performers  
 4:00 p.m. to 10:00 p.m. outside  
 Jukebox, Radio, Television, Live/Recorded Music, Amplification, Dancing by Live Performers
  5. Ember Pizza, Inc. d/b/a Ember Coal Fired Pizza and Wings, 600 Route 28  
Weekday – 10:00 a.m. to 12:00 a.m. inside  
 Jukebox, Radio, Television, Live/Recorded Music, Amplification, Dancing by Live Performers  
 10:00 a.m. to 10:00 p.m. outside  
 Jukebox, Radio, Television, Live/Recorded Music, Amplification, Dancing by Live Performers  
Sunday - 10:00 a.m. to 12:00 a.m. inside  
 Jukebox, Radio, Television, Live/Recorded Music, Amplification, Dancing by Live Performers  
 10:00 a.m. to 10:00 p.m. outside  
 Jukebox, Radio, Television, Live/Recorded Music, Amplification, Dancing by Live Performers

6. Four Hundred East, Inc. d/b/a Four Hundred East, 1421 Orleans Road  
Weekday – 5:00 p.m. to 10:00 p.m. inside  
 Live/Recorded Music, Amplification, Dancing by Live Performers  
Sunday – 4:00 p.m. to 10:00 p.m. inside  
 Live/Recorded Music, Amplification, Dancing by Live Performers
7. Morningstar Restaurant, Inc. d/b/a Villa Roma, 278 Route 28  
Weekday – 4:30 p.m. to 11:00 p.m. inside  
 Jukebox, Radio, Television  
Sunday - 4:30 p.m. to 11:00 p.m. inside  
 Jukebox, Radio, Television
8. Red River BBQ LLC d/b/a Red River BBQ, 787 Route 28  
Weekday – 5:00 p.m. to 9:00 p.m. inside  
 Jukebox, radio, television, live/recorded music, amplification, dancing by live performers  
Sunday – 5:00 p.m. to 9:00 p.m. inside  
 Jukebox, radio, television, live/recorded music, amplification, dancing by live performers
9. Round Cove Resort Owner LLC d/b/a Wequassett Resort and Golf Club, 2173 Route 28  
Weekday – 12:00 p.m. – 12:00 a.m. inside  
 Live/Recorded Music, Amplification, Dancing by Live Performers and Patrons  
 12:00 p.m. – 10:00 p.m. outside  
 Live/Recorded Music, Amplification, Dancing by Live Performers and Patrons  
Sunday - 12:00 p.m. – 12:00 a.m. inside  
 Live/Recorded Music, Amplification, Dancing by Live Performers and Patrons  
 12:00 p.m. – 10:00 p.m. outside  
 Live/Recorded Music, Amplification, Dancing by Live Performers and Patrons

VIII. **TOWN ADMINISTRATOR’S REPORT**

IX. **SELECT BOARD’S MEMBER REPORT**

X. **CORRESPONDENCE**

XI. **ADJOURNMENT**

*\*Per the Attorney General’s Office: The Select Board 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:**

\_\_\_\_\_  
 Carol Campos, Executive Assistant

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

**Date:** \_\_\_\_\_  
 November 30, 2023

**PUBLIC**  
**COMMENTS /**  
**ANNOUNCEMENTS**

# **CONSENT AGENDA**

**MINUTES  
SELECT BOARD MEETING  
DONN B. GRIFFIN ROOM, TOWN HALL  
732 MAIN STREET, HARWICH, MA  
REGULAR MEETING 6:00 PM  
MONDAY, NOVEMBER 20, 2023**

**MEMBERS PARTICIPATING:** Julie Kavanagh, Chair, Michael MacAskill, Vice Chair, Jeff Handler, Clerk and Don Howell

**ALSO PARTICIPATING:** Meggan Eldredge, Assistant Town Administrator

**I. CALL TO ORDER:** Ms. Kavanagh called the meeting of the Harwich Select Board to order on November 20, 2023 at 6:00PM and read the Open Meeting Notice

**II. PLEDGE OF ALLEGIANCE**

Ms. Kavanagh invited all attendees to join in the Pledge of Allegiance

**III. PUBLIC COMMENTS/ANNOUNCEMENTS**

Meggan Eldredge announced that Saturday is the Small Business Saturday Open House at 204 Sisson Road from 11:00 AM to 2:00 pm. The Holiday Market and Open House is on Saturday, December 2, 2023 from 10am to 4:00pm also at 204 Sisson. All information is on the town's web page. She also noted that Town Hall is closed this Thursday and Friday for the Thanksgiving holiday. Ms. Eldredge also noted the addition of bright lights in the parking lot.

Mr. Handler announced that he has rescheduled the Office Hours next week from Thursday, November 30th to Wednesday, November 29th, 5:00pm to 7:00pm.

**IV. PUBLIC MEETING - JOINT MEETING WITH SELECT BOARD AND BOARD OF ASSESSORS**

- A. Classification Hearing - for the purpose of deciding whether all property should be taxed at the same rate for Fiscal Year 2024 as set forth in Chapter 40, Section 56 of the Massachusetts General Law.

Mr. Handler read the Public Hearing Notice.

Richard Waystack, Chair of the Board of Assessors called the meeting of the Board of Assessors to order. He introduced the members of the Board that were present: Bruce Nightingale, Jay Kavanaugh, Carlene Jones, Director of Assessing, Madison LeBlanc, Assistant Assessor, Gail McAleer, Consultant for Article 39.

November 20, 2023

Mr. Waystack distributed packets to the Select Board members from the Board of Assessors. He described the information in the packet in detail. He noted that their recommendation to the Select Board has not changed. He gave a detailed explanation as to why the recommendation remains the same. He also spoke of programs to reduce or defer taxes as well as applications from seniors and others for tax credits. In summary, the Board of Assessors voted for a residential factor of 1, that all properties in the community are taxed the same and that there is not a residential, open space or a small business exemption. In response to a question from Ms. Kavanagh, Mr. Waystack suggested ways to better educate the public on the available tax programs.

Board members asked questions that Mr. Waystack and Ms. Jones answered in detail.

Mr. MacAskill moved to vote to approve a residential factor of one, seconded by Mr. Howell.

Vote 4:0 in favor. Motion carried.

Mr. MacAskill moved to vote to not grant an open space exemption, seconded by Mr. Howell.

Vote 4:0 in favor. Motion carried.

Mr. MacAskill moved to vote to not grant a residential exemption, seconded by Mr. Howell.

Vote: 4:0 in favor. Motion carried.

Mr. MacAskill moved to not grant a small commercial exemption, seconded by Mr. Howell.

Vote 4:0 in favor. Motion carried.

Mr. MacAskill moved to authorize the Chair to sign the LA5 on behalf of the Select Board, seconded by Mr. Howell.

Vote 4:0 in favor. Motion carried.

Ms. Kavanagh and members of the Select Board signed the LA5.

A motion to adjourn the meeting of the Board of Assessors was made and seconded.

Mr. Waystack adjourned the meeting of the Board of Assessors.

## **V. CONSENT AGENDA**

### **A. Approve Select Board Meeting Minutes - 11/13/23**

November 20, 2023

Mr. Handler moved to vote to approve the Select Board Meeting Minutes with one correction, Michael Lach's name was spelled incorrectly and he requested that it be corrected for the record. Seconded by Mr. Howell.

Vote 4:0 in favor. Motion carried.

B. Accept the resignation of Sheila Eldredge as a member of the Treasure Chest Committee

Mr. Handler moved to accept the resignation of Sheila Eldredge as a member of the Treasure Chest Committee, seconded by Mr. Howell.

Vote 4:0 in favor. Motion carried.

C. Accept the resignation of Eileen Garrity as a member to the Harwich Accessibility Rights Committee

Mr. Handler moved to accept the resignation of Eileen Garrity as a member to the Harwich Accessibility Rights Committee, seconded by Mr. Howell.

Vote 4:0 in favor. Motion carried.

Mr. MacAskill requested adding an agenda item for next week to discuss the membership of the Harwich Accessibility Rights Committee.

## **VI. NEW BUSINESS:**

A. Update on 2023 Annual Town Meeting Article 12 Preschool Family Support Program

Julie Witas, Director of the Council on Aging was presented gave an update on the Preschool Family Support Program. She also noted the positive response to grant applications, enrollment numbers and the criteria for enrollment.

Board members expressed their thanks and commented on the positive emails they have received regarding the program. Questions were asked by Board Members and Ms. Witas answered in detail.

Ms. Witas also noted options for distributing funds and the Administration work load for the program.

Board members expressed the need to discuss funding other than Free Cash.

Mr. MacAskill requested bringing item C. in Old Business forward.

November 20, 2023



### C. Update on public access to Hinkley's Pond

Michael Lach, Executive Director of the Non-profit Harwich Conservation Trust, gave a history and description of the property, the issues that had arisen and the HCT's response to those issues. He also noted a suggestion that was made by Mr. Elias, to accommodate the interest of the fishermen and others from sunrise to sunset. The HCT is taking that into consideration as well as working on finding an appropriate access solution.

Mr. MacAskill commented on how he has accessed and enjoyed Hinkley's Pond. He noted access to other ponds that have been closed. He is hopeful that an increased police presence and the HCT working on the issue will result in a solution that does not include closing the access to Hinkley's Pond.

Tom Evans, President of the Harwich Conservation Trust was present and noted that part of their mission is providing appropriate access to the properties that they seek to preserve and protect for the common good of the town and its residents. He mentioned some of the many factors that they consider and that they want to find a solution for the good of everyone involved.

Gerard Elias was present and noted an issue of interest, the Legal Doctrine of Adverse Possession. He gave a brief description and asked that it be considered by the town. Mr. Elias also suggested that using the parking lot across the street is unsafe and gave his reasons.

### B. Approve the following M.G.L. Chapter 138, Section 12, on-premise annual liquor license renewals:

1. Allen Harbor Yacht Club, Inc., 371 Lower County Road
2. Blue Stripe LLC d/b/a Cape Sea Grille, 31 Sea Street
3. BLM Restaurant Group, Inc. d/b/a Lanyard Bar and Grill, 429 Route 28
4. Brax Landing Management, Inc. d/b/a Brax Landing, 705 Main Street
5. Cape Roots Market & Cafe LLC d/b/a Cape Roots Market & Cafe, 557 Route 28
6. Four Hundred East, Inc. 1421 Orleans Road
7. Harwich Port Seafare, Inc. d/b/a Harwich port Seafarer, 86 Sisson Road
8. Hot Stove Inc. d/b/a Hot Stove Saloon, 551 Route 28
9. Morningstar Restaurant, Inc. d/b/a Villa Roma, 278 Route 28
10. Red River Barbecue LLC, 787 Route 28
11. Shooting Star Realty LLC d/b/a Bucas Restaurant, 4 Depot Road
12. Spyridon and Aglaia Christakis d/b/a George's Pizza House, 564 Route 28

Mr. Handler moved to vote to approve the M.G.L. Chapter 138, Section 12, on-premise annual liquor license renewals as presented, seconded by Mr. MacAskill.

Vote 4:0 in favor. Motion carried.

November 20, 2023

C. Approve the following M.G.L. Chapter 138, Section 15, off-premise annual liquor license renewals:

1. ATJX, Inc. d/b/a Moonshine Liquors, 4 Great Western Road
2. Cranberry Liquors at Harwich Port, 555 Route 28
3. Main Street Quick Pik, Inc. d/b/a Main Street Market, 715 Main Street
4. Malik Corp. d/b/a Value Mart, 435 Route 28
5. Portside Liquors III Inc. d/b/a Portside Liquors, 1421 Route 39

Mr. Handler moved to approve the M.G.L. Chapter 138, Section 15, off-premise annual liquor license renewals , #1, #2, #3 and #5 as presented, seconded by Mr. Howell.

Vote 4:0 in favor. Motion carried.

Mr. Handler moved to approve with a condition to fix a noncompliant sticker, Malik Corp. d/b/a Value Mart, 435 Route 28, seconded by Mr. MacAskill.

Ms. Eldredge explained that the license will be held and not issued until the noncompliant sticker has been fixed.

Vote 4:0 in favor. Motion carried.

## **VII. OLD BUSINESS:**

A. Update on Information Technology costs overview of last five years

Ms. Kavanagh noted that all the information is included in the packet.

Sarah Eaton, Information Technology Director was present.

Board members asked questions which Ms. Eaton answered in detail.

B. Discussion and possible vote to add alternates and approve voting rights for certain committees including the Board of Health

Ms. Eldredge noted that Sharon Pflieger, Chair of the Board of Health, brought up the concept of adding more members to the Board of Health which is presently a five member Board. Ms. Eldredge noted that the changes that Ms. Pflieger suggested would mean both a By-law change and a Charter change.

Sharon Pflieger was present and clarified that she was only requesting an increase in the number of alternates. She also asked questions about the alternates which Ms. Eldredge answered in detail.

November 20, 2023

Ms. Kavanagh suggested other Boards that have alternates as a good reference for the Board of Health while the Select Board is creating an Article for Town Meeting to change the By-law and the Charter.

Mr. MacAskill moved to instruct the Town Administrator to create an article to add two alternates to the Board of Health and establish voting rights for the next Annual Town Meeting, seconded by Mr. Howell.

Discussion followed regarding the motion.

Vote 4:0 in favor. Motion carried.

- C. Update on public access to Hinkley's Pond  
Brought forward.

### **VIII. CONTRACTS:**

- A. Approve a contract with AVI-SPL, LLC for a sound system at 204 Sisson Road Auditorium in the amount of \$124,190.09

Mr. Handler moved to approve the contract with AVI-SPL, LLC as presented, seconded by Mr. Howell.

Vote 4:0 in favor. Motion carried.

- B. Approve a contract with Colonial Ford Inc. for the purchase of three police cruisers in the amount of \$175,194.36

Mr. Handler moved to approve the contract with Colonial Ford, Inc. as presented, seconded by Mr. Howell.

Kevin Considine, Deputy Chief was present and replied to a question, the cruisers are not hybrids.

Ms. Eldredge noted that the cruisers do not have to be hybrid but they do have to be more fuel efficient.

Vote 4:0 in favor. Motion carried.

### **IX. TOWN ADMINISTRATOR'S REPORT**

Ms. Eldredge announced and described in detail the contracts that have been approved by Joseph Powers, Town Administrator. She also noted two procurements for the Fire Department.

November 20, 2023

**X. SELECT BOARD MEMBER REPORT:**

Mr. Howell wished everyone a happy and safe thanksgiving.

Mr. Handler congratulated Monomoy High's field hockey and soccer programs for their accomplishments. He also mentioned the Finance Director Kathleen Barrette, commenting that her dedication and hard work does not go unnoticed. Happy Thanksgiving to everybody.

Mr. MacAskill wished everyone a happy Thanksgiving.

**XI. CORRESPONDENCE:**

None

**XII. ADJOURNMENT:**

Mr. Howell moved to adjourn, seconded by Mr. MacAskill.

Vote 4:0 in favor. Motion carried, meeting adjourned.

Respectfully submitted,

Judi Moldstad  
Board Secretary

November 20, 2023

**MINUTES  
SELECT BOARD MEETING  
DONN B. GRIFFIN ROOM, TOWN HALL  
732 MAIN STREET, HARWICH, MA  
REGULAR MEETING 6:00 PM  
EXECUTIVE SESSION TO FOLLOW  
MONDAY, NOVEMBER 27, 2023**

**MEMBERS PARTICIPATING:** Julie Kavanagh, Chair, Michael MacAskill, Vice Chair and Jeff Handler, Clerk

**ALSO PARTICIPATING:** Meggan Eldredge, Assistant Town Administrator

**I. CALL TO ORDER:**

Ms. Kavanagh called the meeting of the Harwich Select Board to order on Monday, November 27, 2023 at 6:00PM and read the Open Meeting Law Notice.

**II. PLEDGE OF ALLEGIANCE:**

Ms. Kavanagh invited attendees to join in the Pledge of Allegiance.

Ms. Kavanagh noted that the Select Board will be going into Executive Session following the Regular Meeting. They will not be returning and will adjourn in Executive Session.

**III. PUBLIC COMMENTS/ANNOUNCEMENTS**

Cindy Williams, Executive Director of the Harwich Chamber of Commerce was present. She gave information on the Christmas in Harwich weekend, noting events and details. All information is available on the town's web site.

Amy Osowski, Conservation Administrator was present and gave information regarding Americorp and their monthly educational walks for the public. All information is on the town's website under events.

Carolyn Carey, Community Center Director was present and gave information regarding the December events. All information is on the town's web site.

Robert Thomason of Harwich was present to ask a question regarding the Change Order for the Wixon Landing Improvement Project.

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Mr. Handler noted that this Wednesday from 5:00PM to 7:00 PM at 204 building, he and Selectman MacAskill will be holding office hours for anyone who would like to speak with them.

CONTRACTS were brought forward and taken out of order to address the Change Order.

#### **IV. CONSENT AGENDA:**

- A. Accept the resignation of Michelle Ryan from the Golf Committee, effective immediately
- B. Accept a gift from Ora Gaylord Arooth Trust for the Community Center in the amount of \$13,060
- C. Approve the Select Board Meeting Minutes for November 20, 2023

Mr. Handler moved to accept a gift from Ora Gaylord as presented and to approve the Select Board Meeting Minutes for November 20, 2023, seconded by Ms. Kavanagh.

Vote 3:0 in favor. Motion carried.

Mr. Handler noted, for the record, that he met with Martha Duffy, Golf Committee Chair at which time he was made aware that Michelle Ryan was considering resigning from the Golf Committee. He asked Ms. Duffy to speak with Ms. Ryan on his behalf and request that she hold her resignation until after this meeting. He feels that Ms. Ryan is an incredible asset to the town and he is sorry to see her go. He thanked Ms. Ryan for being a member of the Golf Committee and asked that she consider reapplying to the Golf Committee when things settle.

Mr. Handler moved to vote to accept the resignation of Michelle Ryan from the Golf Committee, effective immediately, seconded by Mr. MacAskill.

Mr. MacAskill commented that he understands Ms. Ryan's reasons for resigning and understands her frustration. The Select Board has been dealing with the Golf Committee situation for some time and noted posts on social media that have had a negative effect on the Board and the Committee. He noted that the information on social media is inaccurate and asked that people be aware and not take it as fact. Mr. MacAskill also noted a comment made by Sandra Hall that he has taken offense to giving specifics and his reasons.

Vote 3:0 in favor. Motion carried.

#### **V. NEW BUSINESS**

- A. Vote to reduce the number of members of the Harwich Accessibility Rights Committee from seven to five

Mr. Handler moved to reduce the number of members of the Harwich Accessibility Rights Committee from seven to five and to remove the alternates, seconded by Mr. MacAskill.

November 27, 2023

Mr. MacAskill would like to ask Selectman Howell, for further discussion, to meet with the Golf Committee as the Liaison to discuss the current Charge.

Vote 3:0 in favor. Motion carried.

- B. Discuss request from Conservation Administrator for a one time increase of the expenditure limit from the Wetland Revolving Fund; Votes may be taken

Amy Usowski, Conservation Administrator was present with Conservation Commission Member Brad Chase as well as Chairman John Ketchum who was present on line. Ms. Usowski gave a brief history noting what has happened, what they are requesting and why they are making the request. Ms. Usowski also explained the results of the RFP, the field studies that will be done and the benefit to having that information.

Board members asked questions about the RFP, the field studies and other issues which Ms. Usowski and Mr. Chase answered in detail.

Mr. MacAskill moved to approve the request from the Conservation Administrator for a one time increase of the expenditure limit from the Wetland Revolving Fund from \$6,000 to \$72,640, seconded by Mr. Handler.

Vote 3:0 in favor. Motion carried.

- C. Approve the following M.G.L. Chapter 138, Section 15, off-premise annual liquor license renewals:
1. Bourne Petroleum Ltd. d/b/a Harwich Exxon, 173 Pleasant lake Ave.
  2. Pizza Shark Partners d/b/a Pizza Shark, 403 Pleasant lake Ave.

Mr. Handler moved to approve the off-premise annual liquor license renewals as presented, seconded by Mr. MacAskill.

Vote 3:0 in favor. Motion carried.

- D. Approve the following M.G.L. Chapter 138, Section 12, on-premise annual liquor license renewals:
1. Ember Pizza, Inc. d/b/a Ember, 600 Route 28
  2. Harwichport House of Pizza, Inc. 330 Route 28
  3. Round Cove Resort Beverage LLC d/b/a Wequassett Inn, 2173 Route 28
  4. Shogun, Inc. d/b/a Noble House, 21 Route 28
  5. Zack, Inc. d/b/a Castaways, 986 Main Street

November 27, 2023

Mr. Handler moved to approve the on-premise annual liquor license renewals as presented, seconded by Mr. MacAskill.

Vote 3:0 in favor. Motion carried.

## **VI. OLD BUSINESS:**

A. Board discussion on items related to the Golf Committee; Votes may be taken.

Ms. Kavanagh gave a brief history of the situation noting that the SB is trying to support the town employees. They understand the concerns of the employees involved and noted two individuals from the Golf Committee who are involved in the situation. The SB may suspend the Golf Committee meetings until those two members terms have expired if they cannot come to a solution that allows them to move forward with those two members on the Committee.

Mr. Handler read his narrative noting the difficulty of the situation, how long it has been going on and what he feels is the bigger picture which is how the town governs itself. He emphasized that this is not about the whole Committee but that it has been going on for three years. Mr. Handler noted specifically what the two town employees have had to endure daily for an extended period of time. He commented that the SB has allowed the situation to continue for three years for which he personally apologized. Mr. Handler also noted at what point the union became involved and the result of that involvement. He commented that if the Committee Members involved were to resign effective immediately, the Golf Committee would be back in business. He stressed that the town employees should not have to deal with this situation now or ever and stated 3 options as a solution.

Mr. MacAskill commented that he would support two of the three suggestions but hopes that the two Committee Members involved would resign. He feels that as part of a review, the Charter should include a process for the removal of menaces on a Committee. Mr. MacAskill commented that anyone in the public that listened to Mr. Handler, now has the facts and knows that the SB is protecting employees.

Ms. Kavanagh is in favor of referring the two Committee Members to the Interview Committee and confirmed that a vote was not necessary at this time.

Mr. MacAskill suggested suspending the Golf Committee meetings until the end of June, 2024.

Mr. Handler moved to postpone all Golf Committee public meetings until June 30, 2024, seconded by Mr. MacAskill.

Vote 3:0 in favor. Motion carried.

Mr. MacAskill noted the different platforms or meetings at which the public will have the opportunity to ask questions regarding golf course issues.

November 27, 2023



## **VII. CONTRACTS: (TAKEN OUT OF ORDER)**

- A. Approve and authorize the Chair to sign Change Order #1 for Wixon Landing Improvement Project in the amount of \$3,400
- B. Approve the following three year Mooring Servicing Agent License Agreements:
  - 1. Allen Harbor Marine Services, Inc. servicing Allen Harbor mooring field
  - 2. Harwich Port Boat Yard, Inc. servicing Wychmere Inner and Outer mooring fields
  - 3. Lower Cape Marine Services, servicing Round Cove, Pleasant Bay and Herring River mooring fields

Mr. Handler moved to approve and authorize the Chair to sign Change Order #1 as presented, seconded by Mr. MacAskill.

Ms. Eldredge had the plans for the Wixon Landing Improvement Project which she explained in detail. She addressed questions that Mr. Thomason had previously emailed to her.

Mr. Thomason questioned why a Change Order was issued early in the project. He expressed his concerns about the project in general.

John Rendon, Harbormaster was present virtually and answered the question in detail.

Mr. MacAskill expressed his thanks to Mr. Thomason. He also expressed his support to Mr. Rendon for the Change Order and the improvements.

Vote 3:0 in favor. Motion carried.

Mr. Handler moved to approve the three year Mooring Servicing Agent License Agreements as presented, seconded by Mr. MacAskill.

Vote 3:0 in favor. Motion carried.

## **VIII. TOWN ADMINISTRATOR'S REPORT:**

Ms. Eldredge announced the hiring of a local building inspector which completed the Community Development staff. .

## **IX. SELECT BOARD MEMBER REPORT:**

Mr. Handler thanked Ms. Eldredge, Ms. Williams, Ms. Carey and Ms. Hewitt, Library Director for all that they do for the town of Harwich year round.

Mr. MacAskill thanked Ms. Mitchell, Town Clerk and her staff noting his support and the support of many members of the public.

November 27, 2023

Ms. Kavanagh also offered her thanks and support to everyone mentioned.

**X. CORRESPONDENCE:**

None

**XI. EXECUTIVE SESSION:**

- A. Pursuant to G.L. c. 30A, sec. 21(a)(2) to conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel; Harwich Employees Association (HEA)
- 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 towns bargaining position; Harwich Employees Association (HEA)

Mr. Handler moved to move into Executive Session as presented, seconded by Mr. MacAskill.

Vote 3:0 in favor by roll call vote. Motion carried.

Mr. Handler moved to adjourn to Executive Session, noting that the Board will not be returning.

Respectfully submitted,

Judi Moldstad  
Board Secretary

November 27, 2023

**JOINT MEETING**  
**WITH SELECT BOARD,**  
**CAPITAL OUTLAY**  
**COMMITTEE & FINANCE**  
**COMMITTEE**

Five Year Capital Outlay Plan  
FY 2025 to 2029 DRAFT

Department	Project	FY2025	FY2026	FY2027	FY 2028	FY 2029	Five Year Total
Channel 8 (The Harwich Ch.)	Equipment upgrades	47,863	24,896	45,000	16,500	46,672	180,931
	<b>Channel 8 (The Harwich Channel)</b>	<b>47,863</b>	<b>24,896</b>	<b>45,000</b>	<b>16,500</b>	<b>46,672</b>	<b>180,931</b>
Facilities Maintenance	100 Oak Street (Community Center)	295,000	0	653,000	0	0	948,000
Facilities Maintenance	183 Oak Street (Cranberry Valley Golf Course)	0	85,000	0	0	0	85,000
Facilities Maintenance	183 Sisson Road (Public Safety Complex)	52,000	0	0	135,000	0	187,000
Facilities Maintenance	204 Sisson Road (old Middle School)	650,000	265,000	0	0	0	915,000
Facilities Maintenance	209 Queen Anne Rd (DPW Complex)	0	0	9,177,000	0	0	9,177,000
Facilities Maintenance	273 Queen Anne Rd (Transfer Station)	0	0	0	545,000	0	545,000
Facilities Maintenance	728 Main Street (Albro House)	0	0	0	0	100,000	100,000
Facilities Maintenance	732 Main Street (Town Hall)	0	0	0	275,000	350,000	625,000
Facilities Maintenance	739 Main Street (Brooks Free Library)	0	0	40,000	740,000	0	780,000
Facilities Maintenance	80 Parallel St (Brooks Academy)	1,160,000	0	0	0	0	1,160,000
Facilities Maintenance	715 Route 28 (Harbor complex)	200,000	0	0	0	0	200,000
	<b>Facilities Maintenance</b>	<b>2,357,000</b>	<b>350,000</b>	<b>9,870,000</b>	<b>1,695,000</b>	<b>450,000</b>	<b>14,722,000</b>
Fire Department	Ambulances	520,000	0	550,000	0	625,000	1,695,000
Fire Department	Engines/Other Fire Equipped Vehicles	0	1,300,000	0	0	0	1,300,000
Fire Department	Vehicles	90,000	0	75,000	0	0	165,000
	<b>Fire Department</b>	<b>610,000</b>	<b>1,300,000</b>	<b>625,000</b>	<b>0</b>	<b>625,000</b>	<b>3,160,000</b>
Golf	Irrigation Update	2,500,000	0	0	0	0	2,500,000
Golf	Bunker renovation	0	0	0	0	900,000	900,000
	<b>Golf</b>	<b>2,500,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>900,000</b>	<b>3,400,000</b>
Harbormaster	Allen Harbor Jetty	0	0	2,350,000	0	0	2,350,000
Harbormaster	Herring River Ramp replacement	40,000	0	300,000	0	0	340,000
Harbormaster	Saquatucket Bulkhead replacements	0	650,000	0	9,915,000	0	10,565,000
Harbormaster	Vehicle replacement	0	65,000	0	0	0	65,000
	<b>Harbors</b>	<b>40,000</b>	<b>715,000</b>	<b>2,650,000</b>	<b>9,915,000</b>	<b>0</b>	<b>13,320,000</b>
Harwich Elementary School	Maintenance	120,000	0	65,000	54,000	1,115,000	1,354,000
	<b>Harwich Elementary School</b>	<b>120,000</b>	<b>0</b>	<b>65,000</b>	<b>54,000</b>	<b>1,115,000</b>	<b>1,354,000</b>
Information Technology	Technology reinvestment	250,000	250,000	250,000	250,000	0	1,000,000
Information Technology	Electronic Records/Content Management	200,000	100,000	100,000	100,000	100,000	600,000
	<b>Information Technology</b>	<b>450,000</b>	<b>350,000</b>	<b>350,000</b>	<b>350,000</b>	<b>100,000</b>	<b>1,600,000</b>
Police Department	Police Cruiser replacements	219,000	210,000	210,000	220,000	225,000	1,084,000
Police Department	Other vehicles/related equipment	0	0	0	0	0	0
Police Department	Equipment replacements	51,000	51,000	0	0	73,000	175,000
Police Department	Protective vests	0	0	0	0	70,000	70,000
	<b>Police Department</b>	<b>270,000</b>	<b>261,000</b>	<b>210,000</b>	<b>220,000</b>	<b>368,000</b>	<b>1,329,000</b>
Public Works	Road maintenance/improvements	1,500,000	1,750,000	1,500,000	1,500,000	1,600,000	7,850,000
Public Works	Vehicle replacements	765,000	680,000	715,000	765,000	700,000	3,625,000
	<b>Public Works</b>	<b>2,265,000</b>	<b>2,430,000</b>	<b>2,215,000</b>	<b>2,265,000</b>	<b>2,300,000</b>	<b>11,475,000</b>
Water Department	Vehicle replacements	270,000	0	0	0	0	270,000
Water Department	Equipment replacements	232,000	0	0	0	0	232,000
Water Department	Well rehabilitation	150,000	0	0	0	0	150,000
Water Department	New well construction	0	0	3,500,000	0	0	3,500,000
Water Department	196 Chatham Road improvements	0	0	0	1,500,000	0	1,500,000
Water Department	Paint Pleasant Lake Ave. tank	1,750,000	0	0	0	0	1,750,000
Water Department	Pipe discontinuity upgrade	0	1,500,000	0	0	0	1,500,000
	<b>Water Department</b>	<b>2,402,000</b>	<b>1,500,000</b>	<b>3,500,000</b>	<b>1,500,000</b>	<b>0</b>	<b>8,902,000</b>
Watershed (WMP)	Phase 4 Collection System design	0	0	0	0	0	0
	<b>Watershed (WMP)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Wastewater Department	Collections System Improvements	75,000	0	0	0	0	75,000
Wastewater Department	Vehicle Replacements	0	65,000	0	0	0	65,000
	<b>Wastewater Department</b>	<b>75,000</b>	<b>65,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>140,000</b>
	<b>ANNUAL TOTALS</b>	<b>11,136,863</b>	<b>6,995,896</b>	<b>19,465,000</b>	<b>15,961,500</b>	<b>4,789,672</b>	<b>58,348,931</b>

**Town of Harwich – FY 25 to 29**  
**Capital Project Request**

Department/Committee:	The Harwich Channel		
Requested By:	Jamie Goodwin		
Request Date:	11/1/2023		
Project Request:	Capital Improvement schedule FY 25-29		
Asset Category:	Information Technology		
Priority:	2. Essential		
Project description: Enter a description of your request. Attach quotes, pictures, or additional details			
Purpose:	Replace Equipment		
Date needed by:	7/1/2024		
Benefit Upgrades for continued Harwich Channel Operations			
Estimated Project Cost:	\$180,931 for all years included		
Funding Request by Year:	FY1 \$47,863	FY4 \$16,500	
	FY2 \$24,896	FY5 \$46,672	
	FY3 \$45,000		
Describe any discounts or cost reductions (trade-ins, etc.) Provide any reductions to the total requested cost			
Are there available revenue sources or grants other than Municipal funds? Comcast Subscriber Fees in the Cable Fund			
Consequence on your department of delaying purchase/project Unable to broadcast Public meetings			
Input the estimated dollar impact of this purchase or project on your operating budget by fiscal year for the next 3 fiscal years → Increase = Additional Cost, Decrease = Savings			
<u>Personnel Budget</u>		<u>Expense Budget</u>	
Increase/(Decrease)	Fiscal Year	Increase/(Decrease)	Fiscal Year
\$Enter amount	Enter fiscal year	\$Enter amount	Enter fiscal year
\$Enter amount	Enter fiscal year	\$Enter amount	Enter fiscal year
\$Enter amount	Enter fiscal year	\$Enter amount	Enter fiscal year



**TOWN Of Harwich  
DPW Facilities  
FISCAL YEAR 2024-2029 CAPITAL IMPROVEMENT PROGRAM**

Town Priority	Project	FY	FY	FY	FY	FY	Funds Required
		2025	2026	2027	2028	2029	
S	204 Sisson Rd general repairs		\$185,000				\$185,000
C	204 Sisson Rd Rear storefront door		\$80,000				\$80,000
L/E	204 Sisson Rd Slate roof and gutter	\$650,000					\$650,000
L/E	Albro House Engineering					\$100,000	\$100,000
L/E	Brooks Academy Restoration Repairs	\$1,160,000					\$1,160,000
L/E	Community Center Generator			\$168,000			\$168,000
L/E	Community Center Roof			\$485,000			\$485,000
L/E	Community CTR Condensing Units	\$295,000					\$295,000
N	DPW Facilities and Mechanic shop			\$9,177,000			\$9,177,000
N	DPW Redesign Recycle Area				\$545,000		\$545,000
L/E	Golf Pro Shop A/C Replacement		\$85,000				\$85,000
O	Harbormaster Generator ATS	\$200,000					\$200,000
L/E	Library AHU and Dehumidification				\$590,000		\$590,000
N	Library Interior Design			\$40,000			\$40,000
N	Library interior renovation				\$150,000		\$150,000
L/E	Public Safety FD 1 Window replacement				\$135,000		\$135,000
S	Public Safety landscaping brick repair	\$52,000					\$52,000
L/E	Town Hall EPDM Roof repair				\$275,000		\$275,000
L/E	Town Hall HVAC Replacement					\$350,000	\$350,000
	<b>TOTAL Costs</b>	\$2,357,000	\$350,000	\$9,870,000	\$1,695,000	\$450,000	\$14,722,000

Green= Green community potential project

S = Safety

O = Operational

L/E = Life cycle / Efficiency

C = Cosmetic

N = New

**Town of Harwich – FY 25 to 29**  
**Capital Project Request**

Department/Committee:	DPW Facilities		
Requested By:	Lincoln Hooper		
Request Date:	10/26/2023		
Project Request:	Community Center Upgrades 100 Oak St		
Asset Category:	Infrastructure		
Priority:	2. Essential		
<b>Project description:</b> Replace the Rec and COA A/C units fy25, replace roof and generator FY27			
Purpose:	Other		
Date needed by:	7/1/2024		
<b>Benefit</b> The building provides services to both the young and elderly. During the periods of High heat and humidity visitors use these areas to seek shelter while utilizing services.			
Estimated Project Cost:	\$948,000		
Funding Request by Year:	FY1 \$295,000	FY4 \$0	
	FY2 \$0	FY5 \$0	
	FY3 \$653,000		
Describe any discounts or cost reductions (trade-ins, etc.) Provide any reductions to the total requested cost			
Are there available revenue sources or grants other than Municipal funds? Identify available revenue sources (excluding tax levy, free cash, and stabilization funds)			
Consequence on your department of delaying purchase/project During the periods of high heat and humidity the temps can be unbearable for people to use the facility. The units are over 23 years old and beyond useful life. Roof and generator will be 27 years old and due to be replaced.			
Input the estimated dollar impact of this purchase or project on your operating budget by fiscal year for the next 3 fiscal years → Increase = Additional Cost, Decrease = Savings			
<u>Personnel Budget</u>		<u>Expense Budget</u>	
Increase/(Decrease)	Fiscal Year	Increase/(Decrease)	Fiscal Year
\$Enter amount	Enter fiscal year	\$Enter amount	Enter fiscal year
\$Enter amount	Enter fiscal year	\$Enter amount	Enter fiscal year
\$Enter amount	Enter fiscal year	\$Enter amount	Enter fiscal year



**Town of Harwich – FY 25 to 29**  
**Capital Project Request**

Department/Committee:	DPW Facilities		
Requested By:	Lincoln Hooper		
Request Date:	10/26/2023		
Project Request:	Golf Pro Shop A/C replacement; 183 Oak St		
Asset Category:	Infrastructure		
Priority:	2. Essential		
<b>Project description:</b> Replace Air Handling Units and condensing Units with energy efficient heat pumps.			
Purpose:	Other		
Date needed by:	7/1/2025		
<b>Benefit</b> Units are old and require frequent repairs. With the solar panels, less fossil fuels will be required for operations.			
Estimated Project Cost:	\$85,000		
Funding Request by Year:	FY1 \$0	FY4 \$0	
	FY2 \$85,000	FY5 \$0	
	FY3 \$0		
Describe any discounts or cost reductions (trade-ins, etc.) Provide any reductions to the total requested cost			
Are there available revenue sources or grants other than Municipal funds? Identify available revenue sources (excluding tax levy, free cash, and stabilization funds)			
Consequence on your department of delaying purchase/project Units may not last much longer. Refrigerant for this older system is expensive and difficult to locate			
Input the estimated dollar impact of this purchase or project on your operating budget by fiscal year for the next 3 fiscal years → Increase = Additional Cost, Decrease = Savings			
<u>Personnel Budget</u>		<u>Expense Budget</u>	
Increase/(Decrease)	Fiscal Year	Increase/(Decrease)	Fiscal Year
\$Enter amount	Enter fiscal year	\$Enter amount	Enter fiscal year
\$Enter amount	Enter fiscal year	\$Enter amount	Enter fiscal year
\$Enter amount	Enter fiscal year	\$Enter amount	Enter fiscal year

**Town of Harwich – FY 25 to 29**  
**Capital Project Request**

Department/Committee:	DPW Facilities		
Requested By:	Lincoln Hooper		
Request Date:	10/26/2023		
Project Request:	Public Safety Repairs 183 / 175 Sisson Rd		
Asset Category:	Infrastructure		
Priority:	2. Essential		
<b>Project description:</b>			
Remove decorative brick walkway and cobblestone. Reinforce sub base and reinstall brick FY25, Replace the exterior windows throughout Fire Station One FY28			
Purpose:	Other		
Date needed by:	7/1/2024		
<b>Benefit</b>			
Remove trip hazard to the public and employees			
Estimated Project Cost:	\$187,000		
Funding Request by Year:	FY1 \$52,000	FY4 \$135,000	
	FY2 \$0	FY5 \$0	
	FY3 \$0		
Describe any discounts or cost reductions (trade-ins, etc.) Provide any reductions to the total requested cost			
Are there available revenue sources or grants other than Municipal funds? Identify available revenue sources (excluding tax levy, free cash, and stabilization funds)			
Consequence on your department of delaying purchase/project Some areas of the walkway have sunk up to ¾ of an inch causing a trip hazard and non-compliance with 521 CMR regulations. Windows at Station one deirting to the point of replacement. Replacing will provide energy enhancements.			
Input the estimated dollar impact of this purchase or project on your operating budget by fiscal year for the next 3 fiscal years → Increase = Additional Cost, Decrease = Savings			
<u>Personnel Budget</u>		<u>Expense Budget</u>	
Increase/(Decrease)	Fiscal Year	Increase/(Decrease)	Fiscal Year
\$Enter amount	Enter fiscal year	\$Enter amount	Enter fiscal year
\$Enter amount	Enter fiscal year	\$Enter amount	Enter fiscal year
\$Enter amount	Enter fiscal year	\$Enter amount	Enter fiscal year

**Town of Harwich – FY 25 to 29**  
**Capital Project Request**

Department/Committee:	DPW Facilities		
Requested By:	Lincoln Hooper		
Request Date:	10/26/2023		
Project Request:	204 Sisson Repairs		
Asset Category:	Infrastructure		
Priority:	2. Essential		
<b>Project description:</b>			
Remove the slate roof and replace roof with asphalt shingles, replace gutters fy 25. Repairs to split faced block, tile floor and install storefront door at rear of building in FY26			
Purpose:	Other		
Date needed by:	7/1/2024		
<b>Benefit</b>			
Repair roof prior to interior damage and prevent injury from falling slate. Prevent further damage to exterior walls and flooring			
Estimated Project Cost:	\$915,000		
Funding Request by Year:	FY1 \$650,000	FY4 \$0	
	FY2 \$265,000	FY5 \$0	
	FY3 \$0		
Describe any discounts or cost reductions (trade-ins, etc.) Provide any reductions to the total requested cost			
Are there available revenue sources or grants other than Municipal funds? Identify available revenue sources (excluding tax levy, free cash, and stabilization funds)			
Consequence on your department of delaying purchase/project Current roof is missing multiple shingles with many more broken. Slate falling from the roof could cause serious harm. Potential for water damage to the building interior. Exterior block and tile flooring is failing and exposing building envelope.			
Input the estimated dollar impact of this purchase or project on your operating budget by fiscal year for the next 3 fiscal years → Increase = Additional Cost, Decrease = Savings			
<u>Personnel Budget</u>		<u>Expense Budget</u>	
Increase/(Decrease)	Fiscal Year	Increase/(Decrease)	Fiscal Year
\$Enter amount	Enter fiscal year	\$Enter amount	Enter fiscal year
\$Enter amount	Enter fiscal year	\$Enter amount	Enter fiscal year
\$Enter amount	Enter fiscal year	\$Enter amount	Enter fiscal year

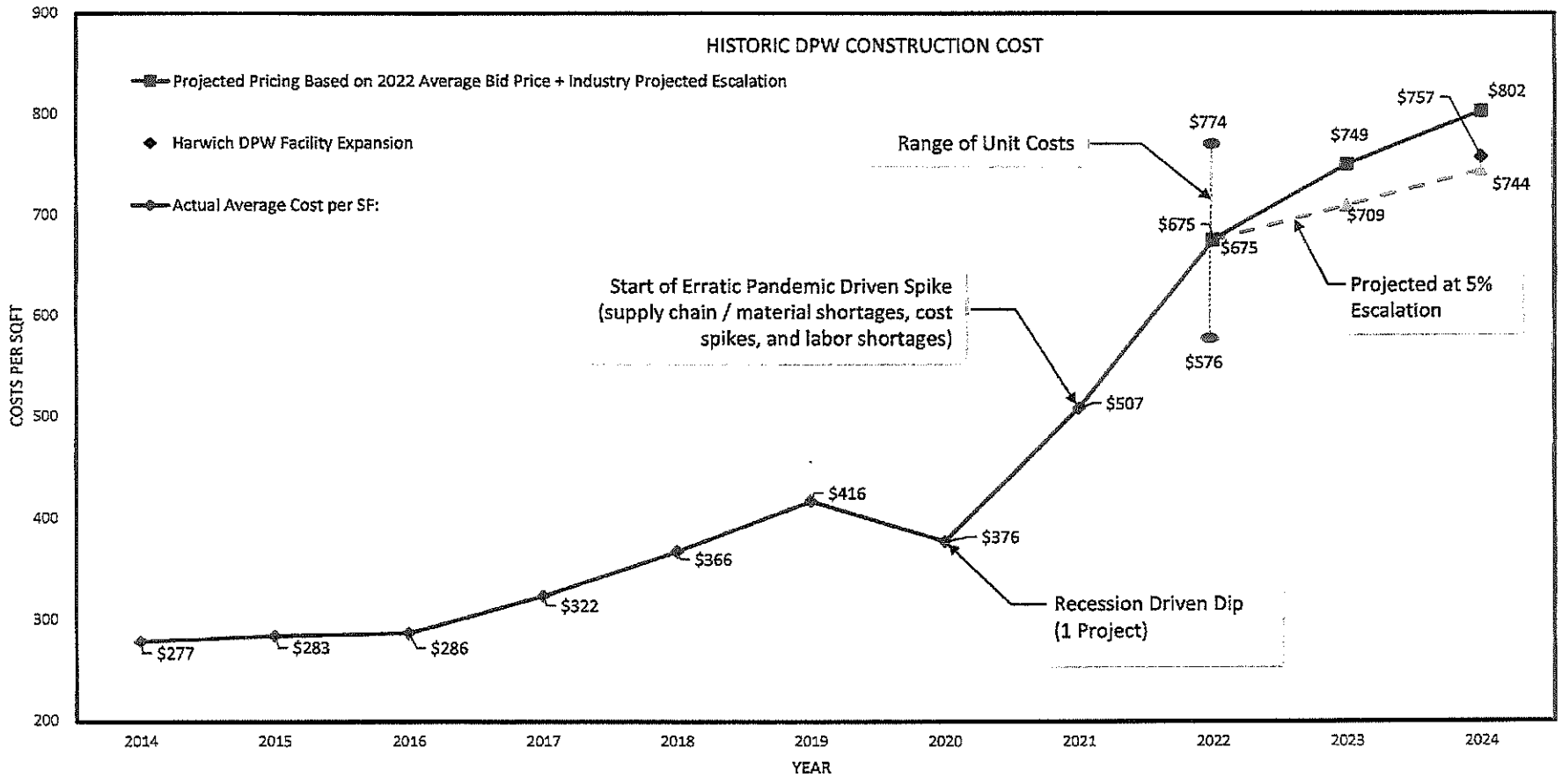
**Town of Harwich – FY 25 to 29**  
**Capital Project Request**

Department/Committee:	DPW Facilities		
Requested By:	Lincoln Hooper		
Request Date:	10/26/2023		
Project Request:	DPW Complex Improvements 273/209 Queen Anne Rd		
Asset Category:	Infrastructure		
Priority:	2. Essential		
Project description: Build a new Pre-engineered building with the mechanic bays, a welding bay, and a carpenter bay. FY 27 and redesign the recycling center in FY28			
Purpose:	Other		
Date needed by:	7/1/2027		
Benefit Operational changes that have occurred since the initial construction of the DPW barn is requiring additional space to perform maintenance and repairs to the fleet of vehicles. Initially the mechanics only maintained the highway vehicles and now 100% of town vehicles. The extra bay will be shared with Facilities Maintenance as they have also grown in numbers and scope of work. Gain efficiencies in the recycling operations.			
Estimated Project Cost:	\$9,722,000		
Funding Request by Year:	FY1 \$0	FY4 \$545,000	
	FY2 \$0	FY5 \$0	
	FY3 \$9,177,000		
Describe any discounts or cost reductions (trade-ins, etc.) Provide any reductions to the total requested cost			
Are there available revenue sources or grants other than Municipal funds? Identify available revenue sources (excluding tax levy, free cash, and stabilization funds)			
Consequence on your department of delaying purchase/project Space requirements for materials, parts, tools, equipment and personnel have grown, space constraints limit the efficiencies that could be achieved.			
Input the estimated dollar impact of this purchase or project on your operating budget by fiscal year for the next 3 fiscal years → Increase = Additional Cost, Decrease = Savings			
<u>Personnel Budget</u>		<u>Expense Budget</u>	
Increase/(Decrease)	Fiscal Year	Increase/(Decrease)	Fiscal Year
\$Enter amount	Enter fiscal year	\$Enter amount	Enter fiscal year

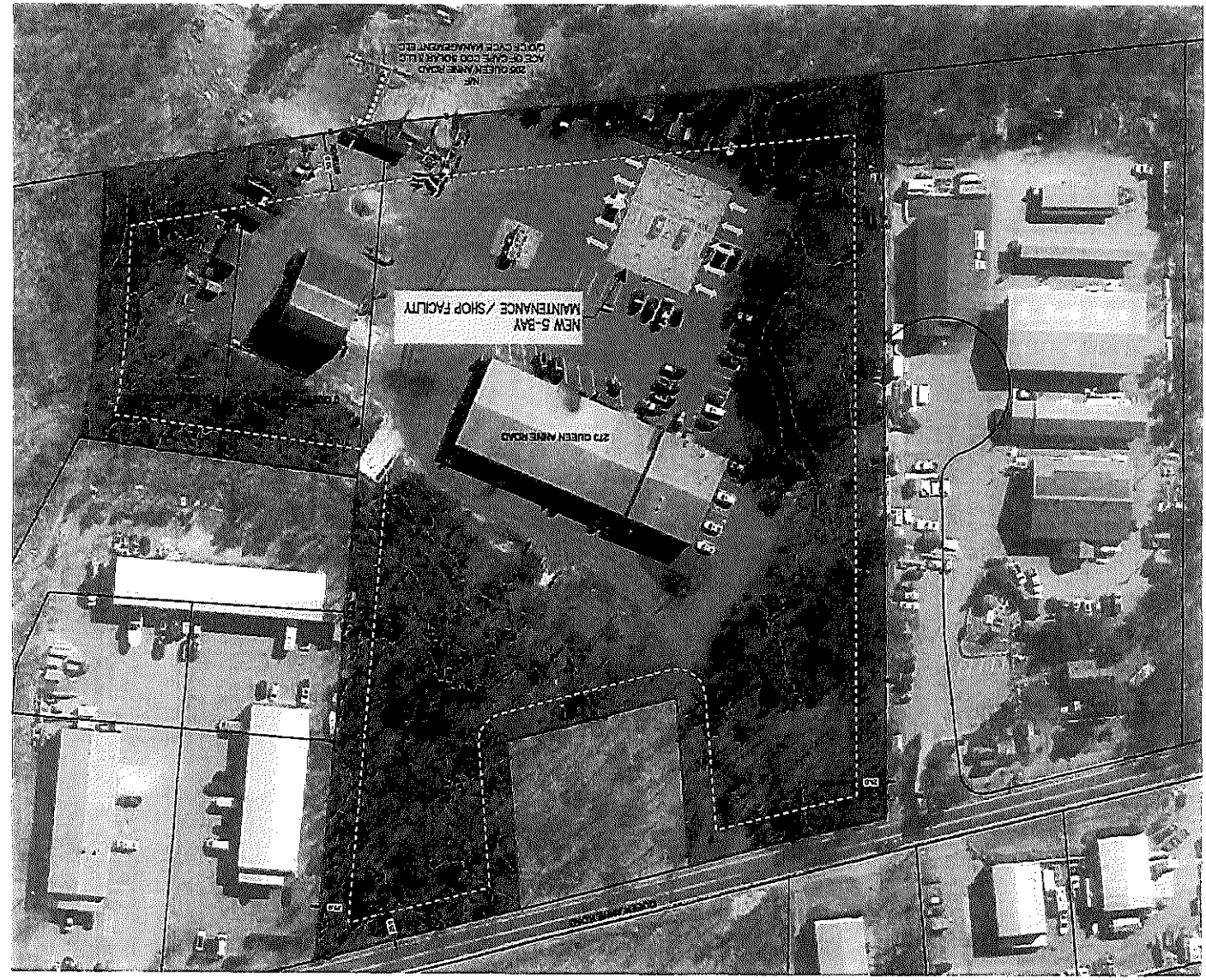
Site Development	Size	Cost/SF	Cost
Site Development (acres) (assumes level site with no contamination, existing structures/utilities, etc.)	0.5	\$ 550,000	\$ 275,000
Salt/Sand Sheds (SF)		\$ 148	\$ -
	(Insert "X" below if applicable)		
Specialty Site Work (e.g. steep grades, retaining walls, contamination etc.)		\$ 500,000	
<b>Total Site Work:</b>			<b>\$ 275,000</b>
<b>Escalation and Design Contingency</b>			
	Subtotal Bldg, Equip, & Site:	\$	4,444,409
	Small Project Adjustment (12%):	\$	533,329
	Design Contingency (10%):	\$	497,774
	Escalation (11%) to: 2023	\$	602,306
	Escalation (7%) to: 2024	\$	425,447
	Escalation (4%) to: 2025	\$	-
	<b>Total Escalation &amp; Design Contingency:</b>	\$	<b>1,525,527</b>
	<b>Total Construction:</b>	\$	<b>6,503,265</b>
	<b>Total Construction Cost/SF:</b>	\$	<b>813</b>
<b>Owner's Soft Costs</b>			
A&E Fees (design, bid, const.)	(Assume 10% of Const. Value)	\$	650,327
A&E Special Services	(Assume 1.5% of Const. Value)	\$	97,549
Owner's Project Manager Fees	(Assume 4% of Const. Value)	\$	260,131
Furnishings (FFE)	Allowance	\$	100,000
Communication, / Low Voltage System	Allowance	\$	250,000
Temporary Facilities	Allowance	\$	-
Printing Cost - Advertisement	Allowance	\$	10,000
Legal Costs	Allowance	\$	50,000
Utility Backcharges	Allowance	\$	50,000
Commissioning	Allowance	\$	65,000
Moving Costs	Allowance	\$	40,000
Construction Tests & Inspections	Allowance	\$	75,000
Owner's Contingency	Allowance	\$	200,000
Construction Contingency (6%)	Allowance	\$	390,196
	<b>Total Soft Costs:</b>	\$	<b>2,238,202</b>
<b>OPINION OF PROBABLE TOTAL PROJECT COST (Rounded)</b>			<b>\$ 8,740,000</b>

Notes:

- 1) Opinion of probable cost prepared without the benefit of programming or design.
- 2) Opinion of probable costs can be reduced by \$540,000 if subsurface conditions are suitable for standard foundations.



DIMENSIONS	
Project	20,000
Min. Lot Area (sq. ft.)	20,000
Min. Lot Frontage (ft.)	100
Min. Front Yard (ft.)	25
Min. Side Yard (ft.)	25
Min. Rear Yard (ft.)	50



TOWN OF HARMON, MA

WESTON @ CAMPSAFT  
 375 Main Street, Suite 100  
 Hingham, MA 02043  
 weston@campsaft.com

DATE: 10/15/2024  
 DRAWN BY: [Redacted]  
 CHECKED BY: [Redacted]  
 PROJECT NO: [Redacted]

HARMON DPW  
 5-BAY FACILITY  
 CONCEPTUAL  
 EXPANSION

**TOWN OF HARWICH — FY 2029 ONLY**  
**Capital Project Request**

<b>Department/Committee:</b>	DPW Facilities		
<b>Requested By:</b>	Lincoln Hooper		
<b>Request Date:</b>	10/11/2023		
<b>Project Request:</b>	Albro House Foundation, 728 Main Street		
<b>Asset Category:</b>	Building Improvements		
<b>Priority:</b>	2. Essential		
<b>Project description:</b> Complete a structural engineering assessment of the foundation. Will seek funding for any recommendations in future years			
<b>Purpose:</b>	Other		
<b>Date needed by:</b>	07/01/2028		
<b>Benefit</b> Strengthen foundation of the building will prolong the lifespan of this historic building			
<b>Estimated Project Cost:</b>	\$100,000.00		
<b>Funding Request by Year:</b>	FY1 \$0	FY4 \$0	
	FY2 \$0	FY5 \$100,000	
	FY3 \$0		
<b>Describe any discounts or cost reductions (trade-ins, etc.)</b> Provide any reductions to the total requested cost			
<b>Are there available revenue sources or grants other than Municipal funds?</b> Identify available revenue sources (excluding tax levy, free cash, and stabilization funds)			
<b>Consequence on your department of delaying purchase/project</b> Building appears to be settling and could be a sign of a failing foundation. The longer delayed the more of a possibility of further deterioration.			
<b>Input the estimated dollar impact of this purchase or project on your operating budget by fiscal year for the next 3 fiscal years -Increase = Additional Cost, Decrease = Savings</b>			
<b>Personnel Budget</b>		<b>Expense Budget</b>	
<b>Increase/(Decrease)</b>	<b>Fiscal Year</b>	<b>Increase/(Decrease)</b>	<b>Fiscal Year</b>
\$Enter amount	Enter fiscal year	\$Enter amount	Enter fiscal year
\$Enter amount	Enter fiscal year	\$Enter amount	Enter fiscal year
\$Enter amount	Enter fiscal year	\$Enter amount	Enter fiscal year



**TOWN OF HARWICH — FY 2029 ONLY**  
**Capital Project Request**

Department/Committee:	DPW Facilities		
Requested By:	Lincoln Hooper		
Request Date:	10/11/2023		
Project Request:	Town Hall repairs		
Asset Category:	Building Improvements		
Priority:	2. Essential		
<b>Project description:</b> Remove and replace EPDM roofing and insulation. Replace the 30-ton roof top air conditioner and the two 12-ton units. Replace and upgrade the drives and controls for the boiler heating pumps. Replace boiler.			
Purpose:	Other		
Date needed by:	7/1/2027		
<b>Benefit</b> The building provides services to both the young and the elderly. During the periods of high heat and humidity visitors and residents use these areas to seek shelter while utilizing services.			
Estimated Project Cost:	\$625,000.00		
Funding Request by Year:	FY1 \$0	FY4 \$275,000	
	FY2 \$0	FY5 \$350,000	
	FY3 \$0		
Describe any discounts or cost reductions (trade-ins, etc.) Provide any reductions to the total requested cost			
Are there available revenue sources or grants other than Municipal funds? Identify available revenue sources (excluding tax levy, free cash, and stabilization funds)			
Consequence on your department of delaying purchase/project Potential for the systems to fail with no repair parts available.			
Input the estimated dollar impact of this purchase or project on your operating budget by fiscal year for the next 3 fiscal years --> Increase = Additional Cost, Decrease = Savings			
Increase/(Decrease)	Fiscal Year	Increase/(Decrease)	Fiscal Year
\$Enter amount	Enter fiscal year	\$Enter amount	Enter fiscal year
\$Enter amount	Enter fiscal year	\$Enter amount	Enter fiscal year
\$Enter amount	Enter fiscal year	\$Enter amount	Enter fiscal year



## Brooks Free Library

739 Main Street  
Harwich MA 02645  
508-430-7562  
vhewitt@clamsnet.org

*Virginia Hewitt*  
From: Virginia Hewitt, Library Director  
To: Joseph Powers, Town Administrator  
CC: Kathleen Barrette, Finance Director  
Subj: Library Response Re: Projects for FY25- FY28 Capital Plan Projects  
Date: Oct. 24, 2023

This letter is in response to your instructions that departments submit modifications to existing projects and/or new project requests for FY25 - FY28 years of the Capital Plan between Oct. 18<sup>th</sup> and Nov. 3<sup>rd</sup>.

Brooks Free Library has two projects on the current, approved FY24 - FY28 Capital Plan - \$40,000 for design plans in FY27 and \$150,000 in FY28 for interior modifications. These projects are listed on the Capital Plan under Facilities Maintenance, not under Brooks Free Library.

The Library is not submitting any new project for the FY25-FY28 years of the Capital and is not seeking any changes to the two existing projects currently on the Capital Plan for FY27 and FY28.

Please note: For FY28 there is a total of \$740,000 under Facilities Maintenance for Brooks Library.

- \$150,000 of that is for the interior modification project and was submitted by the Library. My response relates only to the Library initiated portion of those funds.
- The remaining \$590,000 in FY28 for facilities maintenance at the Library is work proposed by the DPW Facilities Manager. Any modifications related to that work will be submitted by the Facilities Manager.

BROOKS FREE LIBRARY STATISTICS

	Open Hours	Items Checked Out	Use of Electronic Resources	Total Use of Collection	Items in Collection	Reference Questions	Number of Cardholders	Harwich Residents w/ Card
FY97	2025	92285			38992	2219	8907	
FY98	1937	103910			42603	2472	9322	not
FY99	2013	110487			45199	4360	10562	counted
FY00	2060	111872			51984	3955	12313	
FY01	2108	123401			54684	4613	13540	
FY02	2076	128462			58439	6053	10867	
FY03	2078	132869			56833	8955	12094	7811
FY04	2066	145212			55784	11416	11661	7838
FY05	2038	151871			59565	12263	12308	7574
FY06	1848	156630			63041	12126	13108	8043
FY07	1796	169529			66393	13866	13370	8289
FY08	1980	193024			68620	13183	14298	8457
FY09	1970	211719			70454	15035	11936	8682
FY10	1978	225385			72620	15471	12606	9014
FY11	1993	233533	New item in		76093	15626	12702	8983
FY12	2004	235597	state report		81688	15861	12573	8814
FY13	1981	235941	for FY2015		85450	16472	12379	8898
FY14	1940	237565			90739	16656	12511	8948
FY15	1922	237876	24564	262440	93757	16840	13231	9555
FY16	2192	229141	32328	261469	93159	17770	13801	9950
FY17	1931	218229	25028	243257	131973	17738	13831	9906
FY18	2357	223840	25278	249118	138677	18304	13410	9709
FY19	2367	227722	30629	258351	107511	18780	13617	9613
FY20	1669	196445	69206	265651	103803	13146	12810	9203
FY21	371	170589	97869	268458	109704	11941	9897	7560
FY22	2382	238069	182050	420119	123989	12051	9709	7054
FY23	2376	252451	189526	441977	117158	14233	9722	7078

	Adult Programs	Adult Program Attendance	Youth Programs	Youth Program Attendance	Children's Programs	Children's Program Attendance	Total Programs	Total Program Attendance
FY97	5	110			119	3551	124	3661
FY98	8	1430			119	3419	127	4849
FY99	51	1076			161	3446	212	4522
FY00	10	335			172	4769	182	5104
FY01	80	520			196	6019	276	6539
FY02	71	673			234	8255	305	8928
FY03	235	1916	included in	Adult count	285	8338	520	10254
FY04	341	2592	until	FY2010	284	6759	625	9351
FY05	496	2826			249	5939	745	8765
FY06	602	2608			254	7317	856	9925
FY07	396	1065			269	7303	665	8368
FY08	323	2460			286	8306	609	10766
FY09	534	3776			304	7701	838	11477
FY10	575	4047	42	273	317	6541	934	10861
FY11	602	3638	40	244	336	6775	978	10657
FY12	534	4340	30	519	330	7131	894	11990
FY13	701	4121	35	242	283	6357	1019	10720
FY14	572	4396	29	305	305	8493	906	13086
FY15	532	5097	65	348	257	7146	854	12591
FY16	540	4222	92	512	319	7883	951	12617
FY17	567	3482	84	428	561	12814	1212	16724
FY18	551	4046	59	592	668	13589	1278	18227
FY19	620	3786	47	324	584	15376	1251	19486
FY20	361	2240	53	254	562	10882	976	13376
FY21	187	2545	24	653	138	2188	349	5386
FY22	205	1392	16	92	225	10577	446	12061
FY23	271	2252	33	176	294	13973	598	16401

**Library Interior Modifications Packet  
for Capital Outlay Committee 11.28.23 Meeting**

updated 11.25.23/VH

Summary

FY27: \$40,000 for a space study and development of plans

FY28: \$150,000 for construction work

- This project is on the current, approved FY24 – FY28 Capital Plan
- No changes are being sought to what is on the FY24- FY28 Capital Plan.

Project Description:

- The purpose of project is to reconfigure the interior floor space of the Library to accommodate changes since last major renovation was completed in 1998.
- We're not seeking major renovation but are instead planning more modest changes to the floor plan, within the existing building footprint.
- The goal is to accommodate changes in library services, patterns of use and the needs and interests of community members and to improve the efficiency of operations.

Benefits of this project

Project will benefit the community by reconfiguring public spaces: Areas of focus include:

- improving discoverability of materials and resources through the consolidation of collections, better functional locations, improved shelving and display areas
- separation of quiet spaces from areas that accommodate interactive activity
- consolidate tweens & teens collections and provide a dedicated Young Adult area
- providing modern, functional furnishings appropriate for each space
- adding small group study and video-conferencing rooms
- improved technology assistance spaces
- more efficiently designed and located public service desks (smaller footprint of some service desks, more centrally located)

Staff will benefit from much needed additional work and storage areas and/or improved design of current work spaces. Areas of focus will include:

- consolidation of administrative offices
- improved building infrastructure (lack of power outlets & data jacks in many areas)

- space/desk design for more efficient processing of inter-library loans
- storage solutions/space for materials, technology, and collections

Other potential sources of funds:

- Project is not a major renovation; would not qualify for Library Services & Technology Act construction grant from the Mass. Board of Library Commissioners.
- Project would not qualify for Community Preservation Act historic preservation funds.
- Despite inflation, we are not requesting an increase of the amount on the Capital Plan at this time due to supplemental funds planned to help defray the cost of the project
  - On 2.13.19 the Library Trustees voted to reserve our portion of the Town's annual State Aid for Libraries award to provide supplemental funds for this project.
  - Current balance in Acct 12406102 Brooks Free Library State Aid- \$105,747.

Consequence of delaying the project

It has been over 25 years since the last major renovation of Brooks Free Library was completed in 1998. Much has changed in Harwich, in the world we live in, and in public libraries since that renovation was planned in the early to mid-1990's.

This project is intended to make improvements to the configuration of the public spaces and service points to better accommodate patron use and activity, to ensure the Library meets the needs and interests of community members, to rectify inadequate and/or poorly designed work and storage areas, and to remedy electrical and telecommunications deficits within the building.

Not doing this project or delaying it will impact the Library's ability to provide modern library services and would mean operational problems caused by inadequate and poorly designed staff work areas, lack of storage space and building infrastructure issues would continue. Some incremental changes may be possible without this project but such changes would be piecemeal and not conducted in a coordinated manner as part of comprehensive improvement plan.

**Town of Harwich – FY 25 to 29**  
**Capital Project Request**

Department/Committee:	DPW Facilities		
Requested By:	Sean Libby (via Library Director Hewitt)		
Request Date:	10/24/2023		
Project Request:	Brooks Free Library Interior, 739 Main Street		
Asset Category:	Infrastructure		
Priority:	2. Essential		
<b>Project description:</b> Design (\$40,000 – FY 2027) and Construction (\$150,000 – FY 2028) for interior modifications to the Library.			
Purpose:	Increase Efficiency		
Date needed by:	7/1/2026		
<b>Benefit</b> Describe the benefit of this request to your department or the community			
Estimated Project Cost:	\$190,000		
Funding Request by Year:	FY1 \$0	FY2 \$0	FY3 \$40,000
		FY4 \$150,000	FY5 \$0
Describe any discounts or cost reductions (trade-ins, etc.) Provide any reductions to the total requested cost			
Are there available revenue sources or grants other than Municipal funds? Identify available revenue sources (excluding tax levy, free cash, and stabilization funds)			
Consequence on your department of delaying purchase/project Interior modifications necessary to enhance/streamline services within the Library. Supported by the Board of Library Trustees and Administration.			
Input the estimated dollar impact of this purchase or project on your operating budget by fiscal year for the next 3 fiscal years → Increase = Additional Cost, Decrease = Savings			
<u>Personnel Budget</u>		<u>Expense Budget</u>	
Increase/(Decrease)	Fiscal Year	Increase/(Decrease)	Fiscal Year
\$Enter amount	Enter fiscal year	\$Enter amount	Enter fiscal year
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\$Enter amount	Enter fiscal year	\$Enter amount	Enter fiscal year

**Town of Harwich – FY 25 to 29**  
**Capital Project Request**

Department/Committee:	DPW Facilities		
Requested By:	Lincoln Hooper		
Request Date:	10/26/2023		
Project Request:	Brooks Library AHU Replacement		
Asset Category:	Infrastructure		
Priority:	2. Essential		
Project description: Replace two Air Handling units with new high efficiency units with higher dehumidification capabilities			
Purpose:	Other		
Date needed by:	7/1/2027		
Benefit Lower building humidity and gaining better cooling efficiencies			
Estimated Project Cost:	\$590,000		
Funding Request by Year:	FY1 \$0	FY2 \$0	FY3 \$0
			FY4 \$590,000 FY5 \$0
Describe any discounts or cost reductions (trade-ins, etc.) Provide any reductions to the total requested cost			
Are there available revenue sources or grants other than Municipal funds? Identify available revenue sources (excluding tax levy, free cash, and stabilization funds)			
Consequence on your department of delaying purchase/project Current building humidity level hovers at 70-75% which is bad air quality especially for paper products			
Input the estimated dollar impact of this purchase or project on your operating budget by fiscal year for the next 3 fiscal years → Increase = Additional Cost, Decrease = Savings			
<u>Personnel Budget</u>		<u>Expense Budget</u>	
Increase/(Decrease)	Fiscal Year	Increase/(Decrease)	Fiscal Year
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\$Enter amount	Enter fiscal year	\$Enter amount	Enter fiscal year
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**Town of Harwich – FY 25 to 29**  
**Capital Project Request**

Department/Committee:	DPW Facilities		
Requested By:	Lincoln Hooper		
Request Date:	10/26/2023		
Project Request:	Brooks Academy Restoration / Repairs; 80 Parrallel St		
Asset Category:	Infrastructure		
Priority:	2. Essential		
<b>Project description:</b> Supplement CPC funds for exterior restoration. Repair and restore the cupola, roof, gutters, columns and basement bulkhead.			
Purpose:	Other		
Date needed by:	7/1/2024		
<b>Benefit</b> Compiling projects that was previously stretched out across FY24 – FY27 will save costs associated with Achitect, OPM and inflation in addition to finalizing the restoration.			
Estimated Project Cost:	\$1,160,000.00		
Funding Request by Year:	FY1 \$1,160,000	FY4 \$0	
	FY2 \$0	FY5 \$0	
	FY3 \$0		
<b>Describe any discounts or cost reductions (trade-ins, etc.)</b> Provide any reductions to the total requested cost			
<b>Are there available revenue sources or grants other than Municipal funds?</b> Identify available revenue sources (excluding tax levy, free cash, and stabilization funds)			
<b>Consequence on your department of delaying purchase/project</b> The building envelope will continue to deteriorate and we will not meet accessibility requirements without a LULA lift.			
<b>Input the estimated dollar impact of this purchase or project on your operating budget by fiscal year for the next 3 fiscal years → Increase = Additional Cost, Decrease = Savings</b>			
<u>Personnel Budget</u>		<u>Expense Budget</u>	
Increase/(Decrease)	Fiscal Year	Increase/(Decrease)	Fiscal Year
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**Town of Harwich – FY 25 to 29**  
**Capital Project Request**

Department/Committee:	DPW Facilities		
Requested By:	Lincoln Hooper		
Request Date:	10/26/2023		
Project Request:	Harbormaster Generator 715 MA-28		
Asset Category:	Infrastructure		
Priority:	2. Essential		
Project description: Install a whole building generator for the new building			
Purpose:	New Equipment		
Date needed by:	7/1/2024		
Benefit Generator would enable normal operations and prevent property damage during power outages.			
Estimated Project Cost:	\$200,000		
Funding Request by Year:	FY1 \$200,000	FY4 \$0	
	FY2 \$0	FY5 \$0	
	FY3 \$0		
Describe any discounts or cost reductions (trade-ins, etc.) Provide any reductions to the total requested cost			
Are there available revenue sources or grants other than Municipal funds? Identify available revenue sources (excluding tax levy, free cash, and stabilization funds)			
Consequence on your department of delaying purchase/project The building is a raised building on the waterfront with higher than normal chance of frozen water lines even during short power outages.			
Input the estimated dollar impact of this purchase or project on your operating budget by fiscal year for the next 3 fiscal years → Increase = Additional Cost, Decrease = Savings			
<u>Personnel Budget</u>		<u>Expense Budget</u>	
Increase/(Decrease)	Fiscal Year	Increase/(Decrease)	Fiscal Year
\$Enter amount	Enter fiscal year	\$Enter amount	Enter fiscal year
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# HARWICH FIRE DEPARTMENT

## MEMORANDUM

David J. LeBlanc, **Chief of Department**  
Craig W. Thornton, **Deputy Fire Chief**

**Date:** October 24, 2023  
**To:** Town Administrator, Capital Outlay Committee  
**From:** Craig Thornton, Deputy Fire Chief  
**Subject:** Fire – Capital – FY25 Ambulance

The Fire Department operates four Advanced Life Support Ambulances that are replaced on an 8 year schedule. Every other year the Department plans to replace an ambulance so that the oldest ambulance is no more than 8 years old and the mileage is approximately 160,000 miles.

This plan has been in place since the department went from two to three ambulances around 1995 and has worked very well for the town. This ambulance replacement in FY25 is part of the normal schedule.

As part of our licensure, all ambulances have to be inspected by the State every year. We have found that the oldest ambulance, especially when we have delayed replacement, typically has the most issues and often does not pass inspection.

The department did look into a re-chassis program once we went to four ambulances, however the cost and time that the ambulance would be out of service made this program not a viable solution.



# HARWICH FIRE DEPARTMENT

## MEMORANDUM

David J. LeBlanc, **Chief of Department**  
Craig W. Thornton, **Deputy Fire Chief**

**Date:** October 24, 2023  
**To:** Town Administrator, Capital Outlay Committee  
**From:** Craig Thornton, Deputy Fire Chief  
**Subject:** Fire – Capital – FY27 Ambulance

The Fire Department operates four Advanced Life Support Ambulances that are replaced on an 8 year schedule. Every other year the Department plans to replace an ambulance so that the oldest ambulance is no more than 8 years old and the mileage is approximately 160,000 miles.

This plan has been in place since the department went from two to three ambulances around 1995 and has worked very well for the town. This ambulance replacement in FY27 is part of the normal schedule.

As part of our licensure, all ambulances have to be inspected by the State every year. We have found that the oldest ambulance, especially when we have delayed replacement, typically has the most issues and often does not pass inspection.

The department did look into a re-chassis program once we went to four ambulances, however the cost and time that the ambulance would be out of service made this program not a viable solution.



# HARWICH FIRE DEPARTMENT

## MEMORANDUM

David J. LeBlanc, **Chief of Department**  
Craig W. Thornton, **Deputy Fire Chief**

**Date:** October 11, 2023  
**To:** Town Administrator, Capital Outlay Committee  
**From:** Craig Thornton, Deputy Fire Chief  
**Subject:** Fire – Capital – FY29 Ambulance

The Fire Department operates four Advanced Life Support Ambulances that are replaced on an 8 year schedule. Every other year the Department plan to replace an ambulance so that the oldest ambulance is no more than 8 year old and the mileage is approximately 160,000 miles.

This plan has been in place since the department went from two to three ambulances around 1995 and has worked very well for the town. This ambulance replacement in FY29 is part of the normal schedule.

As part of our licensing, all ambulances has to be inspected by the State every year. We have found that the oldest ambulance, especially when we have delayed replacement, typically has the most issues and often does not pass inspection.

As of this writing there are many unknowns on what the exact cost of this ambulance request will be for FY29. Current labor negotiations and strikes will have an impact on future costs.

Current lead times on our proposed ambulance is approximately 24 months.

**Town of Harwich – FY 25 to 29**

**Capital Project Request**

Department/Committee:	Fire Department		
Requested By:	Craig Thornton, Deputy Fire Chief		
Request Date:	10/23/2024		
Project Request:	Ambulance Replacement Process		
Asset Category:	Rolling Stock/Vehicle		
Priority:	2. Essential		
Project description: The Ambulance replacement process occurs (on average) every other year and is intended to replace an ambulance that has been in service for eight (8) years			
Purpose:	Replace Equipment		
Date needed by:	7/1/2024		
Benefit Reduction in maintenance costs			
Estimated Project Cost:	\$1,695,000		
Funding Request by Year:	FY1 \$520,000	FY4 \$0	
	FY2 \$0	FY5 \$\$625,000	
	FY3 \$550,000		
Describe any discounts or cost reductions (trade-ins, etc.) Trade in older ambulance			
Are there available revenue sources or grants other than Municipal funds? Identify available revenue sources (excluding tax levy, free cash, and stabilization funds)			
Consequence on your department of delaying purchase/project Increase in maintenance costs			
Input the estimated dollar impact of this purchase or project on your operating budget by fiscal year for the next 3 fiscal years → Increase = Additional Cost, Decrease = Savings			
<u>Personnel Budget</u>		<u>Expense Budget</u>	
Increase/(Decrease)	Fiscal Year	Increase/(Decrease)	Fiscal Year
\$Enter amount	Enter fiscal year	\$Enter amount	Enter fiscal year
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# HARWICH FIRE DEPARTMENT

## MEMORANDUM

David J. LeBlanc, **Chief of Department**  
Craig W. Thornton, **Deputy Fire Chief**

**Date:** October 24, 2023  
**To:** Town Administrator, Capital Outlay Committee  
**From:** Craig Thornton, Deputy Fire Chief  
**Subject:** Fire – Capital – FY26 Pumper

This Engine/Pumper would replace our current 2012 Sutphen Engine/Pumper. The 2012 would move to a reserve Engine/Pumper and be used when the primary Engine/Pumper is out of service due to maintenance or committed to emergencies.

We have decided to move this capital request up from FY28 to FY26 due to the length of time that is being reported to build fire trucks. We also feel that with the rising costs of materials and labor, it is important for us to bring this to the Town sooner than later as we do not have a complete forecast of what the costs will be in the future.

The National Fire Protection Association, 1901 Automotive Fire Apparatus Standard recommends "that apparatus greater than 15 years old that have been properly maintained and that are still in serviceable condition be placed in reserve status and upgraded". Industry-wide, current build time for Fire Engines can run up to 4 years.

**Town of Harwich – FY 25 to 29**  
**Capital Project Request**

Department/Committee:	Fire Department		
Requested By:	Craig Thornton, Deputy Fire Chief		
Request Date:	10/24/2023		
Project Request:	Fire Engine Replacement		
Asset Category:	Rolling Stock/Vehicle		
Priority:	2. Essential		
Project description: Purchase a new Fire Engine, Place the older Engine in Reserve Status			
Purpose:	Replace Equipment		
Date needed by:	7/1/2025		
Benefit Reduction in Maintenance Costs			
Estimated Project Cost:	\$1,300,000.00		
Funding Request by Year:	FY1 \$0.00	FY4 \$0.00	
	FY2 \$1,300,000.00	FY5 \$0.00	
	FY3 \$0.00		
Describe any discounts or cost reductions (trade-ins, etc.) Provide any reductions to the total requested cost			
Are there available revenue sources or grants other than Municipal funds? Identify available revenue sources (excluding tax levy, free cash, and stabilization funds)			
Consequence on your department of delaying purchase/project Increase in Maintenance Costs			
Input the estimated dollar impact of this purchase or project on your operating budget by fiscal year for the next 3 fiscal years → Increase = Additional Cost, Decrease = Savings			
Personnel Budget		Expense Budget	
Increase/(Decrease)	Fiscal Year	Increase/(Decrease)	Fiscal Year
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# HARWICH FIRE DEPARTMENT

## MEMORANDUM

David J. LeBlanc, **Chief of Department**  
Craig W. Thornton, **Deputy Fire Chief**

**Date:** October 24, 2023  
**To:** Town Administrator, Capital Outlay Committee  
**From:** Craig Thornton, Deputy Fire Chief  
**Subject:** Fire – Capital – FY25 Utility Vehicle

The Fire Department has utility vehicles located at each station that are used for emergency responses daily.

This request will replace Car 70, located at HQ. This vehicle is heavier duty, and has a higher towing capacity than our other utility vehicles. The regional technical rescue team stores its trailer at our HQ station. This trailer requires that the tow vehicle has capable towing capacity for the weight of the trailer. Our members who are a part of the regional team are responsible for getting that trailer to a technical rescue incident. Car 70 is used to trailer our marine and water rescue assets as well.

Car 70 is a 2006 Ford F350 which has rust and corrosion on the body and the bed of the truck.

These vehicles are also used when there are less than two firefighters available to respond to an incident, for lower priority incidents, when additional personnel may not be needed, and to transport additional firefighters to scenes as needed.

This vehicle is also used by the shift for various administrative functions and non-emergent activities as well as by the EMS Officer in the course of his duties.





# HARWICH FIRE DEPARTMENT

## MEMORANDUM

David J. LeBlanc, **Chief of Department**  
Craig W. Thornton, **Deputy Fire Chief**

**Date:** October 24, 2023  
**To:** Town Administrator, Capital Outlay Committee  
**From:** Craig Thornton, Deputy Fire Chief  
**Subject:** Fire – Capital – FY27 Inspectors Vehicle

The current fire inspectors vehicle is a 2006 Ford Explorer. This vehicle is used daily for fire inspections throughout the town. The Inspector also uses the vehicle for classes and training off-cape. The vehicle regularly responds to medical and fire emergencies.

The department would like to replace this vehicle as is over 10 years old and has gone through significant maintenance efforts that would allow the vehicle to be road safe and dependable.

The department would look at vehicles that would be functionally appropriate for the fire inspector. The inspectors vehicle currently has small ladders and tools that are used during inspections. The inspector stores a self contained breathing apparatus(SCBA) and his structural firefighting gear in the vehicle. All of the equipment should be secured and not allowed to be a projectile, the SCBA shall be mounted and the firefighting gear should be kept in a enclosed area away from the main compartment of the vehicle, away from the occupants.

**Town of Harwich – FY 25 to 29**  
**Capital Project Request**

Department/Committee:	Fire Department		
Requested By:	Craig Thornton, Deputy Fire Chief		
Request Date:	10/24/2023		
Project Request:	Vehicle Replacements		
Asset Category:	Rolling Stock/Vehicle		
Priority:	2. Essential		
Project description: Replacement of the 2006 Ford Explorer used by the Fire Inspector (\$90,000 – FY 25) and Car 70, a utility vehicle (2006 Ford F350) which has substantial body rot (\$75,000 – FY 27)			
Purpose:	Replace Equipment		
Date needed by:	7/1/2024		
Benefit Reduction in maintenance costs			
Estimated Project Cost:	\$165,000		
Funding Request by Year:	FY1 \$90,000	FY4 \$0	
	FY2 \$0	FY5 \$0	
	FY3 \$75,000		
Describe any discounts or cost reductions (trade-ins, etc.) Provide any reductions to the total requested cost			
Are there available revenue sources or grants other than Municipal funds? Identify available revenue sources (excluding tax levy, free cash, and stabilization funds)			
Consequence on your department of delaying purchase/project Increase in maintenance costs; F350 may require substantial work.			
Input the estimated dollar impact of this purchase or project on your operating budget by fiscal year for the next 3 fiscal years → Increase = Additional Cost, Decrease = Savings			
<u>Personnel Budget</u>		<u>Expense Budget</u>	
Increase/(Decrease)	Fiscal Year	Increase/(Decrease)	Fiscal Year
\$Enter amount	Enter fiscal year	\$Enter amount	Enter fiscal year
\$Enter amount	Enter fiscal year	\$Enter amount	Enter fiscal year
\$Enter amount	Enter fiscal year	\$Enter amount	Enter fiscal year

**Town of Harwich – FY 25 to 29**  
**Capital Project Request**

Department/Committee:	Golf Department		
Requested By:	Roman Greer, Director of Golf		
Request Date:	10/30/2023		
Project Request:	Irrigation System Upgrade, 183 Oak Street		
Asset Category:	Construction		
Priority:	2. Essential		
<b>Project description:</b> Replacement of heads and wiring (not pipe) for golf course irrigation system. Current heads and wiring has reached the end of it's lifespan (last done in 2005) and we are seeing loss in coverage and efficiency. Recommended by USGA consultant.			
Purpose:	Replace Equipment		
Date needed by:	7/1/2024		
<b>Benefit</b> The upgrade of irrigation heads and wiring will ensure efficient use and coverage of the golf course irrigation system, saving water resources and keeping the grass healthy and playability at a high level for the next 20 years.			
Estimated Project Cost:	\$2,500,000		
Funding Request by Year:	FY1 \$2,500,000	FY4 \$0	
	FY2 \$0	FY5 \$0	
	FY3 \$0		
Describe any discounts or cost reductions (trade-ins, etc.) The equipment will be purchased on state contract. We plan to go out to bid for labor only.			
Are there available revenue sources or grants other than Municipal funds? Project costs will be funded by Golf Improvement Fund			
Consequence on your department of delaying purchase/project The irrigation system will continue to lose efficiency and coverage, resulting in poor turf conditions negatively impacting golf course playability.			
Input the estimated dollar impact of this purchase or project on your operating budget by fiscal year for the next 3 fiscal years → Increase = Additional Cost, Decrease = Savings			
<u>Personnel Budget</u>		<u>Expense Budget</u>	
Increase/(Decrease)	Fiscal Year	Increase/(Decrease)	Fiscal Year
\$NA	Enter fiscal year	\$NA	Enter fiscal year
\$NA	Enter fiscal year	\$NA	Enter fiscal year
\$NA	Enter fiscal year	\$NA	Enter fiscal year

**TOWN OF HARWICH – FY 2029 ONLY**  
**Capital Project Request**

Department/Committee:	Golf		
Requested By:	Roman Greer, Director of Golf		
Request Date:	10/13/2023		
Project Request:	Bunker Renovation, 183 Oak Street		
Asset Category:	Construction		
Priority:	2. Essential		
Project description: Renovate all 55 golf course bunkers. Includes drainage, edging and sod			
Purpose:	Service Enhancement		
Date needed by:	7/1/2028		
Benefit To renovate a key golf course playability feature, maintaining the revenue generating viability of the golf course.			
Estimated Project Cost:	\$900,000		
Funding Request by Year:	FY1 \$0	FY4 \$0	
	FY2 \$0	FY5 \$900,000	
	FY3 \$0		
Describe any discounts or cost reductions (trade-ins, etc.) N/A			
Are there available revenue sources or grants other than Municipal funds? Golf department dedicated funds – Golf Improvement Reciepts Reserve Fund			
Consequence on your department of delaying purchase/project Revenue generating viability of golf course will suffer from deteriorating golf course conditions.			
Input the estimated dollar impact of this purchase or project on your operating budget by fiscal year for the next 3 fiscal years → Increase = Additional Cost, Decrease = Savings			
<u>Personnel Budget</u>		<u>Expense Budget</u>	
Increase/(Decrease)	Fiscal Year	Increase/(Decrease)	Fiscal Year
\$N/A	Enter fiscal year	\$N/A	Enter fiscal year
\$N/A	Enter fiscal year	\$N/A	Enter fiscal year
\$N/A	Enter fiscal year	\$N/A	Enter fiscal year

**Town of Harwich – FY 25 to 29**  
**Capital Project Request**

Department/Committee:	Harbormaster		
Requested By:	John Rendon		
Request Date:	10/2/2023		
Project Request:	Allen Harbor Jetty Repair		
Asset Category:	Construction		
Priority:	2. Essential		
Project description: Repair/Reconstruct Allen Harbor West Jetty			
Purpose:	Ensure Public Safety		
Date needed by:	7/1/2026		
Benefit Every year the Town is required to dredge Allen Harbor entrance channel due in part to the porous and deteriorated nature of the west jetty. The structure was rated as "Poor" in the 2013 MA Coastal Infrastructure Inventory & Assessment Report directed by MA Dept of Conservation & Recreation and conducted by Bourne Engineering. Project has been engineered by GEI Consultants and repair alternatives have been briefed to BOS. Recommendation to repair inshore section of jetty with FRP Composite and outshore section with upgraded armor stone for sea level rise have been approved by BOS. Local, state and federal permits for the project are being applied for by GEI. Project has been shifted from FY24 to FY27 due to funding and permitting considerations.			
Estimated Project Cost:	\$2,350,000		
Funding Request by Year:	FY1 \$0	FY4 \$0	
	FY2 \$0	FY5 \$0	
	FY3 \$2,350,000		
Describe any discounts or cost reductions (trade-ins, etc.) None			
Are there available revenue sources or grants other than Municipal funds? None			
Consequence on your department of delaying purchase/project Catastrophic failure of the jetty resulting in navigational safety on loss of revenue concerns.			
Input the estimated dollar impact of this purchase or project on your operating budget by fiscal year for the next 3 fiscal years → Increase = Additional Cost, Decrease = Savings			
<u>Personnel Budget</u>		<u>Expense Budget</u>	
Increase/(Decrease)	Fiscal Year	Increase/(Decrease)	Fiscal Year
\$0	25	\$0	25
\$0	26	\$0	26
\$0	27	\$0	27

**Town of Harwich – FY 25 to 29**  
**Capital Project Request**

Department/Committee:	Harbormaster			
Requested By:	John Rendon			
Request Date:	10/2/2023			
Project Request:	Herring River Route 28 Ramp Replacement			
Asset Category:	Construction			
Priority:	2. Essential			
Project description: Replace existing boat ramp that is in poor condition.				
Purpose:	Service Enhancement			
Date needed by:	7/1/2024			
Benefit The existing ramp is in very poor condition. The leading edge of the ramp is exposed due to erosion of the parking lot fill. The base of the ramp (more of a concrete pad) is not sloped properly resulting in trailers getting hung-up on the waterside edge. FY27 Project is for the construction of the replacement ramp; design and permitting of the project to be completed in FY25.				
Estimated Project Cost:	\$340,000			
Funding Request by Year:	FY1 \$40,000	FY4 \$0		
	FY2 \$0	FY5 \$0		
	FY3 \$300,000			
Describe any discounts or cost reductions (trade-ins, etc.) None				
Are there available revenue sources or grants other than Municipal funds? None				
Consequence on your department of delaying purchase/project Damaged boat trailers and difficulty in operations (launch and recovery of boats)				
Input the estimated dollar impact of this purchase or project on your operating budget by fiscal year for the next 3 fiscal years → Increase = Additional Cost, Decrease = Savings				
	<u>Personnel Budget</u>		<u>Expense Budget</u>	
Increase/(Decrease)	Fiscal Year	Increase/(Decrease)	Fiscal Year	
\$0	25	\$0	25	
\$0	26	\$0	26	
\$0	27	\$0	27	

**Town of Harwich – FY 25 to 29**  
**Capital Project Request**

Department/Committee:	Harbormaster		
Requested By:	John Rendon		
Request Date:	10/2/2023		
Project Request:	Saquatucket Marina Bulkhead Replacement – Engineering & Permitting		
Asset Category:	Design		
Priority:	2. Essential		
Project description: Design and permit replacement bulkheads at Saquatucket Municipal Marina			
Purpose:	Ensure Public Safety		
Date needed by:	7/1/2025		
Benefit As part of the engineering assessment and design for the 2018 reconstruction of the Saquatucket Municipal Marina by GEI Consultants, the condition of the existing bulkhead was thoroughly evaluated. Needed repairs to some of the corroded batter pile gussets that help to support the bulkhead, were completed during the 2018 project to extend the life of the bulkhead. With GEI’s professional engineering determination that the bulkhead still had many years of useful life (approx 7-10 years), it was decided that replacement of the bulkhead would be added to the department’s capital plan for future planning and funding. There is sufficient room to drive bulkhead sheets in front of the existing bulkhead without having to disassemble the dock system.			
Estimated Project Cost:	\$650,000 (design/permit) \$9,915,000 Construction (FY28)		
Funding Request by Year:	FY1 \$0	FY2 \$650,000	FY3 \$0
		FY4 \$9,915,000	FY5 \$0
Describe any discounts or cost reductions (trade-ins, etc.) None			
Are there available revenue sources or grants other than Municipal funds? None			
Consequence on your department of delaying purchase/project Significant failure of the bulkhead will have a serious impact on the safety and operations of the municipal marina.			
Input the estimated dollar impact of this purchase or project on your operating budget by fiscal year for the next 3 fiscal years → Increase = Additional Cost, Decrease = Savings			
<u>Personnel Budget</u>		<u>Expense Budget</u>	
Increase/(Decrease)	Fiscal Year	Increase/(Decrease)	Fiscal Year
\$0	25	\$0	25

**Town of Harwich – FY 25 to 29**  
**Capital Project Request**

Department/Committee:	Harbormaster		
Requested By:	John Rendon		
Request Date:	10/2/2023		
Project Request:	Harbormaster Department Truck Replacement		
Asset Category:	Rolling Stock/Vehicle		
Priority:	2. Essential		
Project description: Replace 2014 F-150 with new F-250 or equivalent.			
Purpose:	Ensure Public Safety		
Date needed by:	7/1/2025		
Benefit The salt water environment in which the department truck operates causes significant wear and tear on the body of the vehicle. Existing 2014 F-150 is already showing areas of the underbody that are rusting. From a maritime public safety perspective, it is essential that we have a reliable and capable vehicle to effectively respond to our expansive area of responsibility, which includes our three primary harbors of Saquatucket, Wychmere, and Allen Harbor, in addition to the Herring River, Round Cove, Pleasant Bay and Long Pond. The department truck is critical to department operations for the trailering and movement of boats, hauling of buoys and anchors, recovery of derelict dinghies and boats, movement of pump-out carts and skids, etc. A replacement with the larger F-250 engine is required, as the existing F-150 is unable to tow our primary patrol boat Marine 77 (28' Eastern).			
Estimated Project Cost:	\$65,000		
Funding Request by Year:	FY1 \$0	FY4 \$0	
	FY2 \$65,000	FY5 \$0	
	FY3 \$0		
Describe any discounts or cost reductions (trade-ins, etc.) Trade in 2014 F-150			
Are there available revenue sources or grants other than Municipal funds? None			
Consequence on your department of delaying purchase/project With a primary mission of maritime public safety, failure to have a reliable vehicle to launch department boats or respond to maritime emergencies within the large area of responsibility would adversely affect the safety of operations.			
Input the estimated dollar impact of this purchase or project on your operating budget by fiscal year for the next 3 fiscal years → Increase = Additional Cost, Decrease = Savings			
	<u>Personnel Budget</u>		<u>Expense Budget</u>



## **Capital Outlay – Harbormaster Truck Replacement (Attached)**

The salt water environment in which the department truck operates causes significant wear and tear on the body of the vehicle. Existing 2014 F-150 is already showing areas of the underbody that are rusting. From a maritime public safety perspective, it is essential that we have a reliable and capable vehicle to effectively respond to our expansive area of responsibility, which includes our three primary harbors of Saquatucket, Wychmere, and Allen Harbor, in addition to the Herring River, Round Cove, Pleasant Bay and Long Pond. The department truck is critical to department operations for the trailering and movement of boats, hauling of buoys and anchors, recovery of derelict dinghies and boats, movement of pump-out carts and skids, etc. A replacement with the larger F-250 engine is required, as the existing F-150 is unable to tow our primary patrol boat Marine 77 (28' Eastern).

**Town of Harwich – FY 25 to 29**  
**Capital Project Request**

Department/Committee:	Monomoy Regional School District (Harwich Elementary School)		
Requested By:	Scott Carpenter, Superintendent		
Request Date:	11/2/2023		
Project Request:	Harwich Elementary School, 263 South Street		
Asset Category:	Building Improvements		
Priority:	2. Essential		
Project description: Various capital projects related solely to Harwich Elementary School. Additional details will be provided by the Monomoy School District Administration team. Year 1 (2025) is to replace roof top mechanical units.			
Purpose:	Replace Equipment		
Date needed by:	7/1/2024		
Benefit Ensuring necessary and regular maintenance occurs at the town's only elementary school.			
Estimated Project Cost:	\$1,354,000		
Funding Request by Year:	FY1 \$120,000	FY4 \$54,000	
	FY2 \$0	FY5 \$1,115,000	
	FY3 \$65,000		
Describe any discounts or cost reductions (trade-ins, etc.) Provide any reductions to the total requested cost			
Are there available revenue sources or grants other than Municipal funds? None; costs to be borne in the Town of Harwich's Monomoy School Assessment			
Consequence on your department of delaying purchase/project Mechanical system failures			
Input the estimated dollar impact of this purchase or project on your operating budget by fiscal year for the next 3 fiscal years → Increase = Additional Cost, Decrease = Savings			
<u>Personnel Budget</u>		<u>Expense Budget</u>	
Increase/(Decrease)	Fiscal Year	Increase/(Decrease)	Fiscal Year
\$Enter amount	Enter fiscal year	\$Enter amount	Enter fiscal year
\$Enter amount	Enter fiscal year	\$Enter amount	Enter fiscal year
\$Enter amount	Enter fiscal year	\$Enter amount	Enter fiscal year

**Town of Harwich – FY 25 to 29**  
**Capital Project Request**

Department/Committee:	Information Technology and Town Clerk		
Requested By:	Sarah Eaton		
Request Date:	10/25/2023		
Project Request:	Electronic Records / Content Management		
Asset Category:	Information Technology		
Priority:	2. Essential		
<b>Project description:</b>			
To procure electronic records and content management software for the digital archiving and record retention of vital Town documents. The project would also include the back scanning of records and the imaging uploading of them into the software system.			
Purpose:	Service Enhancement		
Date needed by:	7/1/2024		
<b>Benefit</b>			
The benefits of this project will allow the Town to have a digital archive of vital records and documents. Allowing for efficient document searching and preservation of records.			
Estimated Project Cost:	\$600,000		
Funding Request by Year:	FY1 \$200,000	FY4 \$100,000	
	FY2 \$100,000	FY5 \$100,000	
	FY3 \$100,000		
Describe any discounts or cost reductions (trade-ins, etc.) Provide any reductions to the total requested cost			
Are there available revenue sources or grants other than Municipal funds? The IT department has applied for the State IT Grant for the amount of \$200,000 to off set the first year costs.			
Consequence on your department of delaying purchase/project Delaying of the project would add another year to the Town being behind in the digital age.			
Input the estimated dollar impact of this purchase or project on your operating budget by fiscal year for the next 3 fiscal years → Increase = Additional Cost, Decrease = Savings			
<u>Personnel Budget</u>		<u>Expense Budget</u>	
Increase/(Decrease)	Fiscal Year	Increase/(Decrease)	Fiscal Year
\$Enter amount	Enter fiscal year	\$Enter amount	Enter fiscal year
\$Enter amount	Enter fiscal year	\$Enter amount	Enter fiscal year
\$Enter amount	Enter fiscal year	\$Enter amount	Enter fiscal year

**Town of Harwich – FY 25 to 29**  
**Capital Project Request**

Department/Committee:	Information Technology		
Requested By:	Sarah Eaton		
Request Date:	10/25/2023		
Project Request:	Technology Reinvestment		
Asset Category:	Information Technology		
Priority:	3. Enhancement		
<b>Project description:</b> Upgrading of the Town's technological infrastructures, services and equipment.			
Purpose:	Service Enhancement		
Date needed by:	7/1/2024		
<b>Benefit</b> Upgrade in technology will provide a more secure environment of data. It will also allow better access to information and services to the public.			
Estimated Project Cost:	\$1,000,000		
Funding Request by Year:	FY1 \$250,000	FY4 \$250,000	
	FY2 \$250,000	FY5 \$0	
	FY3 \$250,000		
Describe any discounts or cost reductions (trade-ins, etc.) Provide any reductions to the total requested cost			
Are there available revenue sources or grants other than Municipal funds? Will apply again in April of 2024 for the Municipal Fiber Grant from the State.			
Consequence on your department of delaying purchase/project Delaying the project would put the Town at a greater data breach risk as many of the hardware is out of date and leave the town open to cyber threats or attacks.			
Input the estimated dollar impact of this purchase or project on your operating budget by fiscal year for the next 3 fiscal years → Increase = Additional Cost, Decrease = Savings			
<u>Personnel Budget</u>		<u>Expense Budget</u>	
Increase/(Decrease)	Fiscal Year	Increase/(Decrease)	Fiscal Year
\$Enter amount	Enter fiscal year	\$Enter amount	Enter fiscal year
\$Enter amount	Enter fiscal year	\$Enter amount	Enter fiscal year
\$Enter amount	Enter fiscal year	\$Enter amount	Enter fiscal year

**Town of Harwich – FY 25 to 29**  
**Capital Project Request**

Department/Committee:	Police Department		
Requested By:	Guillemette / Considine		
Request Date:	10/23/2023		
Project Request:	Cruiser Replacement		
Asset Category:	Rolling Stock/Vehicle		
Priority:	2. Essential		
Project description: Purchase three marked police cruisers			
Purpose:	Ensure Public Safety		
Date needed by:	7/1/2024		
Benefit To keep current with our cruiser replacement plan as well as to continue to hand down older police cruisers for use by many down departments.			
Estimated Project Cost:	\$1,084,000		
Funding Request by Year:	FY1 \$219,000	FY4 \$220,000	
	FY2 \$210,000	FY5 \$225,000	
	FY3 \$210,000		
Describe any discounts or cost reductions (trade-ins, etc.) N/A			
Are there available revenue sources or grants other than Municipal funds? TBD upon further analysis			
Consequence on your department of delaying purchase/project Safety consequences.			
Input the estimated dollar impact of this purchase or project on your operating budget by fiscal year for the next 3 fiscal years → Increase = Additional Cost, Decrease = Savings			
<u>Personnel Budget</u>		<u>Expense Budget</u>	
Increase/(Decrease)	Fiscal Year	Increase/(Decrease)	Fiscal Year
\$N/A	Enter fiscal year	\$N/A	Enter fiscal year
\$N/A	Enter fiscal year	\$N/A	Enter fiscal year
\$N/A	Enter fiscal year	\$N/A	Enter fiscal year

**Town of Harwich – FY 25 to 29**  
**Capital Project Request**

Department/Committee:	Police Department		
Requested By:	Guillemette / Considine		
Request Date:	10/23/2023		
Project Request:	Equipment Replacement		
Asset Category:	Departmental Equipment/Machinery		
Priority:	2. Essential		
<b>Project description:</b>			
Updated cost for FY 25 and FY 26 for Taser 7			
Purpose:	Ensure Public Safety		
Date needed by:	7/1/2024		
<b>Benefit</b>			
Replacing tasers every 5 years ensures we keep in compliance with the latest technology and training which is vital for officer safety and suspect safety.			
Estimated Project Cost:	\$175,000.00		
Funding Request by Year:	FY1 \$51,000.00	FY4 \$0	
	FY2 \$51,000.00	FY5 \$73,000.00	
	FY3 \$0		
Describe any discounts or cost reductions (trade-ins, etc.)			
N/A			
Are there available revenue sources or grants other than Municipal funds?			
TBD upon further analysis			
Consequence on your department of delaying purchase/project			
Potential safety consequences. Risk of failure or long term break down of these tools.			
Input the estimated dollar impact of this purchase or project on your operating budget by fiscal year for the next 3 fiscal years → Increase = Additional Cost, Decrease = Savings			
<u>Personnel Budget</u>		<u>Expense Budget</u>	
Increase/(Decrease)	Fiscal Year	Increase/(Decrease)	Fiscal Year
\$N/A	Enter fiscal year	\$N/A	Enter fiscal year
\$N/A	Enter fiscal year	\$N/A	Enter fiscal year
\$N/A	Enter fiscal year	\$N/A	Enter fiscal year

**TOWN OF HARWICH – FY 2029 ONLY**  
**Capital Project Request**

Department/Committee:	Police Department		
Requested By:	Chief Guillemette / Deputy Chief Considine		
Request Date:	10/12/2023		
Project Request:	Replacement of bullet resistant protective vests		
Asset Category:	Departmental Equipment/Machinery		
Priority:	2. Essential		
<b>Project description:</b> During FY'29 the current vests in use by officers will be out of warranty and will need to be replaced. This is a 5 year re-occurring purchase.			
Purpose:	Replace Equipment		
Date needed by:	7/1/2028		
<b>Benefit</b> Life saving benefit to police officers of the department			
Estimated Project Cost:	\$70,000		
Funding Request by Year:	FY1 \$0	FY4 \$0	
	FY2 \$0	FY5 \$70,000	
	FY3 \$0		
Describe any discounts or cost reductions (trade-ins, etc.) N/A			
Are there available revenue sources or grants other than Municipal funds? TBD upon further analysis			
Consequence on your department of delaying purchase/project Safety consequences / risk of serious injury or death			
Input the estimated dollar impact of this purchase or project on your operating budget by fiscal year for the next 3 fiscal years → Increase = Additional Cost, Decrease = Savings			
<u>Personnel Budget</u>		<u>Expense Budget</u>	
Increase/(Decrease)	Fiscal Year	Increase/(Decrease)	Fiscal Year
\$N/A	Enter fiscal year	\$N/A	Enter fiscal year
\$N/A	Enter fiscal year	\$N/A	Enter fiscal year
\$N/A	Enter fiscal year	\$N/A	Enter fiscal year

**Town of Harwich — FY 25 to 29**  
**Capital Project Request**

<b>Department/Committee:</b>	DPW		
<b>Requested By:</b>	Lincoln Hooper		
<b>Request Date:</b>	10/30/2023		
<b>Project Request:</b>	Road Maintenance		
<b>Asset Category:</b>	Infrastructure		
<b>Priority:</b>	2. Essential		
<b>Project description:</b>			
The purpose of the 5-year road maintenance plan is to avoid costly reconstruction by maintaining the 482 (142 miles) of public roads. The main focus of the plan is installing new drainage systems in coordination with the sewer project.			
<b>Purpose:</b>	Ensure Public Safety		
<b>Date needed by:</b>	7/1/2024		
<b>Benefit</b>			
To preserve and improve important infrastructure			
<b>Estimated Project Cost:</b>	\$7,850,000		
<b>Funding Request by Year:</b>	FY1 \$1,500,000	FY4 \$1,500,000	
	FY2 \$1,750,000	FY5 \$1,600,000	
	FY3 \$1,500,000		
<b>Describe any discounts or cost reductions (trade-ins, etc.)</b>			
N/A			
<b>Are there available revenue sources or grants other than Municipal funds?</b>			
The 5-year road maintenance plan is approximately \$1.5M per year, which is augmented by approximately \$650,000 per year in Chapter 90 funds.			
<b>Consequence on your department of delaying purchase/project</b>			
If not funded, we may not be able to provide new drainage infrastructure in coordination with			
<b>Input the estimated dollar impact of this purchase or project on your operating budget by fiscal year for the next 3 fiscal years -4 Increase = Additional Cost, Decrease = Savings</b>			
<b>Personnel Budget</b>		<b>Expense Budget</b>	
<b>Increase/(Decrease)</b>	<b>Fiscal Year</b>	<b>Increase/(Decrease)</b>	<b>Fiscal Year</b>
\$Enter amount	Enter fiscal year	\$Enter amount	Enter fiscal year
\$Enter amount	Enter fiscal year	\$Enter amount	Enter fiscal year
\$Enter amount	Enter fiscal year	\$Enter amount	Enter fiscal year



**TOWN OF HARWICH  
FIVE YEAR ROAD MAINTENANCE PLAN  
FY25 - FY29**

<b>FY25</b>	<b>\$1,500,000.00</b>
<b>FY26</b>	<b>\$1,750,000.00</b>
<b>FY27</b>	<b>\$1,500,000.00</b>
<b>FY28</b>	<b>\$1,500,000.00</b>
<b>FY29</b>	<b>\$1,600,000.00</b>

**FIVE YEAR TOTAL            \$7,850,000.00**

## SEWER DRAINAGE COSTS

ROAD	# SYSTEMS	# 8 HR DETAILS	DRAINAGE AMOUNT	POLICE AMOUNT	TOTAL AMOUNT
Orleans Road	44	50	\$517,000.00	\$26,000.00	\$543,000.00
Bay Road	4	5	\$47,000.00	\$2,600.00	\$49,600.00
Kendrick Road	10	11	\$117,500.00	\$5,720.00	\$123,220.00
Church Street	12	13	\$141,000.00	\$6,760.00	\$147,760.00
Pleasant Bay Road	22	24	\$258,500.00	\$12,480.00	\$270,980.00
Williamsburg Avenue	8	9	\$94,000.00	\$4,680.00	\$98,680.00
Fredericksburg Avenue	2	2	\$23,500.00	\$1,040.00	\$24,540.00
Vicksburg Avenue	8	9	\$94,000.00	\$4,680.00	\$98,680.00
Huckleberry Path	12	13	\$141,000.00	\$6,760.00	\$147,760.00
Captain Phillips Road	6	7	\$70,500.00	\$3,640.00	\$74,140.00
Christopher Road	12	13	\$141,000.00	\$6,760.00	\$147,760.00
Phillip Court	4	4	\$47,000.00	\$2,080.00	\$49,080.00
Randolph Lane	6	7	\$70,500.00	\$3,640.00	\$74,140.00
Meredith Way	6	7	\$70,500.00	\$3,640.00	\$74,140.00
Kimberly Way	10	11	\$117,500.00	\$5,720.00	\$123,220.00
Stevens Way	6	7	\$70,500.00	\$3,640.00	\$74,140.00
Elliot Way	6	7	\$70,500.00	\$3,640.00	\$74,140.00
Pamela Way	6	7	\$70,500.00	\$3,640.00	\$74,140.00
Halls Way	4	4	\$47,000.00	\$2,080.00	\$49,080.00
Victoria Road	6	7	\$70,500.00	\$3,640.00	\$74,140.00
Bova Cove Road	4	4	\$47,000.00	\$2,080.00	\$49,080.00
Connecticut Avenue	8	9	\$94,000.00	\$4,680.00	\$98,680.00
Grist Mill Road	8	9	\$94,000.00	\$4,680.00	\$98,680.00
Pine Orchard Road	12	13	\$141,000.00	\$6,760.00	\$147,760.00
Bay Pine Road	8	9	\$94,000.00	\$4,680.00	\$98,680.00
Bay Ridge Road	12	13	\$141,000.00	\$6,760.00	\$147,760.00
Charlene Lane	6	7	\$70,500.00	\$3,640.00	\$74,140.00
Standish Woods Circle	28	31	\$329,000.00	\$16,120.00	\$345,120.00
Mary Willet Court	8	9	\$94,000.00	\$4,680.00	\$98,680.00
Martha Eaton Court	6	7	\$70,500.00	\$3,640.00	\$74,140.00
Jasper Moore Trail	10	11	\$117,500.00	\$5,720.00	\$123,220.00
Lydia Bangs Way	6	7	\$70,500.00	\$3,640.00	\$74,140.00
Elm Drive	8	9	\$94,000.00	\$4,680.00	\$98,680.00
Chestnut Lane	12	13	\$141,000.00	\$6,760.00	\$147,760.00
Maple Lane	4	4	\$47,000.00	\$2,080.00	\$49,080.00
Olde Homestead Way	12	13	\$141,000.00	\$6,760.00	\$147,760.00
Halls Path One	12	13	\$141,000.00	\$6,760.00	\$147,760.00
<b>TOTALS</b>	358	398	\$4,206,500.00	\$206,960.00	\$4,413,460.00

## FY25 ROAD MAINTENANCE PLAN

SEWER DRAINAGE	\$1,200,000.00
MISCELLANEOUS DRAINAGE	\$250,000.00
PAVEMENT MARKING MAINTENANCE	\$50,000.00
FY25 TOTAL	\$1,500,000.00

## FY26 ROAD MAINTENANCE PLAN

SEWER DRAINAGE	\$1,450,000.00
MISCELLANEOUS DRAINAGE	\$250,000.00
PAVEMENT MARKING MAINTENANCE	// \$50,000.00
<b>FY26 TOTAL</b>	<b>\$1,750,000.00</b>

## **FY27 ROAD MAINTENANCE PLAN**

<b>SEWER DRAINAGE</b>	<b>\$1,200,000.00</b>
<b>MISCELLANEOUS DRAINAGE</b>	<b>\$250,000.00</b>
<b>PAVEMENT MARKING MAINTENANCE</b>	<b>\$50,000.00</b>
<b>FY27 TOTAL</b>	<b>\$1,500,000.00</b>

## **FY28 ROAD MAINTENANCE PLAN**

<b>SEWER DRAINAGE</b>	<b>\$1,200,000.00</b>
<b>MISCELLANEOUS DRAINAGE</b>	<b>\$250,000.00</b>
<b>PAVEMENT MARKING MAINTENANCE</b>	<b>\$50,000.00</b>
<b>FY28 TOTAL</b>	<b>\$1,500,000.00</b>

## FY29 ROAD MAINTENANCE PLAN

<b>PAVING</b>		<b>\$1,456,926.80</b>
<b>10 ROADS</b>		
OAK STREET	\$110,083.60	
KELDAN WAY	\$70,739.20	
OLD PINE DRIVE	\$76,271.80	
OLD IVY DRIVE	\$43,886.00	
COTTONWOOD RD	\$410,351.80	
BUTTONWOOD RD	\$205,349.00	
ASPEN ROAD	\$48,902.40	
CEDARDALE ROAD	\$159,936.00	
LAKEWOOD DRIVE	\$291,960.00	
LITTLE WAY	\$39,447.00	
<b>MISCELLANEOUS PATCHING</b>		<b>\$68,073.20</b>
<b>PAVEMENT MARKING MAINTENANCE</b>		<b>\$75,000.00</b>
	<b>FY29 TOTAL</b>	<b>\$1,600,000.00</b>

**Town of Harwich – FY 25 to 29**  
**Capital Project Request**

Department/Committee:	Department of Public Works		
Requested By:	Link Hooper		
Request Date:	10/12/2023		
Project Request:	Vehicle Replacement Plan		
Asset Category:	Rolling Stock/Vehicle		
Priority:	2. Essential		
<b>Project description:</b> Replacement of vehicles and equipment that no longer can be utilized due to poor condition.			
Purpose:	Replace Equipment		
Date needed by:	7/1/2024		
<b>Benefit</b> Continue to provide services to the community.			
Estimated Project Cost:	\$3,625,000.00		
Funding Request by Year:	FY1 \$765,000.00	FY4 \$765,000.00	
	FY2 \$680,000.00	FY5 \$700,000.00	
	FY3 \$715,000.00		
Describe any discounts or cost reductions (trade-ins, etc.) Trade in values (reductions) are incorporated in the cost of the equipment and vehicles.			
Are there available revenue sources or grants other than Municipal funds? No			
Consequence on your department of delaying purchase/project Delaying the replacement of vehicles and equipment will increase down time and increase repair costs. Vehicles will be taken out of service if in an unsafe condition.			
Input the estimated dollar impact of this purchase or project on your operating budget by fiscal year for the next 3 fiscal years → Increase = Additional Cost, Decrease = Savings			
<u>Personnel Budget</u>		<u>Expense Budget</u>	
Increase/(Decrease)	Fiscal Year	Increase/(Decrease)	Fiscal Year
\$Enter amount	Enter fiscal year	\$Enter amount	Enter fiscal year
\$Enter amount	Enter fiscal year	\$Enter amount	Enter fiscal year
\$Enter amount	Enter fiscal year	\$Enter amount	Enter fiscal year



DEPARTMENT OF PUBLIC WORKS VEHICLE REPLACEMENT PLAN - FY25											
DIVISION	UNIT #	DEPT	YEAR	MAKE/DESCRIPTION	VIN #	MILEAGE OR HOURS	REGISTRATION NUMBER	REPLACEMENT VALUE	CONDITION	REP. DATE	ANNUAL COST
	TT3	DISPOSAL	2011	STECO SEMI-TRAILER	5EWES4527C1254875	N/A	M-60949	\$120,000	POOR	2025	
	DT1	HIGHWAY	1998	STECO DUMP TRAILER	159DSF2T1W1252937	N/A	M-60948	\$120,000	POOR	2025	
	L36	DISPOSAL	2009	PETERBILT ROLLOFF TRUCK	1NP1L40X69D786457	397,821	M-77536	\$275,000	FAIR	2025	
	3	HIGHWAY	2005	PETERBILT DUMP TRUCK	2NPLHD7X15M860573	37,631	M-72606	\$250,000	POOR	2025	\$765,000
	20	PARK	2009	FORD F-350 PICK UP TRUCK	1FTWF31R59EB25423	124,010	M-55459	\$120,000	POOR	2026	
	8	HIGHWAY	2005	PETERBILT DUMP TRUCK	2NPLHD7X35M860574	41,630	M-72607	\$250,000	FAIR	2026	
	L34	DISPOSAL	2017	MACK TRACTOR	1M1AN079HM026389	466,707	M-97083	\$190,000	FAIR	2026	
	2	HIGHWAY	2008	FORD F-350 DUMP TRUCK	1FDWF37R68ED23722	63,843	M-92622	\$120,000	FAIR	2026	\$680,000
	31	HIGHWAY	2009	MORBARK WOODCHIPPER	4S8SZ16179W4918	1,800	M-46997	\$80,000	POOR	2027	
	L32	DISPOSAL	2016	MACK TRACTOR	1M1AN07Y7GM025241	510,248	M-95028	\$190,000	FAIR	2027	
	ACT1	HIGHWAY	2005	INGERSOLL-RAND COMP.	351987	375	M-75892	\$45,000	FAIR	2027	
	5	HIGHWAY	2015	FORD F550 HOOK TRUCK	1FDUF5HT6FEB24941	87,387	M-72608	\$175,000	FAIR	2027	
	29	HIGHWAY	2009	HOLDER TRACTOR	204000317	2,871	M-24485	\$225,000	FAIR	2027	\$715,000
	12	HIGHWAY	2014	PETERBILT DUMP TRUCK	1NPTL70X2ED236801	21,488	M-86289	\$295,000	GOOD	2028	
	11	HIGHWAY	2011	PETERBILT DUMP TRUCK	2NP3HN8X6CM168553	25,365	M-83479	\$225,000	FAIR	2028	
	9	HIGHWAY	2014	VOLVO LOADER	L70GA00002822	6,200	M-81607	\$245,000	GOOD	2028	\$765,000
	TT4	DISPOSAL	2018	STECO TRAILER	1PLZ04525JPB61231	N/A	M-98298	\$120,000	FAIR	2029	
	14	HIGHWAY	2015	FORD F-350 DUMP TRUCK	1FDRF3HT4FEA98785	64,370	M-91402	\$120,000	GOOD	2029	
	22	HIGHWAY	2017	FORD F-350 DUMP TRUCK	1FDRF3HT6HEC11669	41,184	M-98297	\$120,000	GOOD	2029	
	C&D3	DISPOSAL	2018	STECO TRAILER	1PLZ0452XKPA61711	N/A	M-1810A	\$120,000	FAIR	2029	
	21	CEMETERY	2015	FORD F-350 DUMP TRUCK	1FDRF3HT6FEA98786	71,169	M-91401	\$120,000	GOOD	2029	
	AR1	HIGHWAY	2014	FALCON ASPHALT RECYCLER	1F9P31622EM339186	N/A	M-70782	\$100,000	GOOD	2029	\$700,000
	30	HIGHWAY	2007	JOHNSTON SWEEPER	1FVAB6BV97DW94947	56,068	M-63572	\$395,000	GOOD	2030	
	L90H	DISPOSAL	2017	VOLVO LOADER	VCE0L90HV0S623792	115,049	M-40991	\$275,000	GOOD	2030	\$670,000
	16	HIGHWAY	2019	FORD F-450 DUMP	1FDUF4HT1KEC92250	28,714	M3030A	\$120,000	GOOD	2031	
	C7D5	DISPOSAL	2022	STECO TRAILER	1PLZ04525NPB63857	NA	M-7317A	\$120,000	GOOD	2031	
	C&D4	DISPOSAL	2021	STECO TRAILER	1PLZ04523NPB63856	N/A	M-7315A	\$120,000	GOOD	2031	
	13	HIGHWAY	2019	FORD F-350 PICKUP	1FTRF3BT7KEC92248	47,245	M3028A	\$95,000	GOOD	2031	
	24	PARK	2016	CASE TR340 HI-TRAC	N7M480661	735	NOT REG.	\$130,000	EXCELLENT	2031	
	44	HIGHWAY	2017	JOHN DEER TRACTOR	1L06110MAHG895934	2410	M-98781	\$125,000	EXCELLENT	2031	\$710,000
	42	HIGHWAY	2021	FORD F-450 DUMP TRUCK	1FDUF4HT2MEC32464	14,123	M-73018	\$120,000	EXCELLENT	2032	
	PT2	DISPOSAL	2021	GREAT LAKES SR2440	1G9CD2427MS139843	N/A	M-7278A	\$55,000	EXCELLENT	2032	
	L90H2	DISPOSALA	2021	VOLVO LOADER	VCE0L90HH0S625868	4,262	M-7314A	\$275,000	GOOD	2032	\$450,000
	27	HIGHWAY	2022	MACK CATCH BASIN CLEANER	1M2GR1AC8NM001668	5,450	M7321A	\$325,000	EXCELLENT	2033	
	28	BLDG MAINT	2023	FORD TRANSIT VAN	1FTBR1C81PKA56615	1213	M4309B	\$65,000	EXCELLENT	2033	
	7	HIGHWAY	2023	MACK DUMP TRUCK	1M2GR1AC1PM002048	570	M3197B	\$250,000	EXCELLENT	2033	
	1	HIGHWAY	2022	FORD F150 PICK UP	1FTFX1E59NKD83089	7,296	M-1262B	\$75,000	EXCELLENT	2033	\$715,000
	25	VEHICLE MAI	2008	FORD F - 150	1FTRX14WX8FC14350	213,258	M-56138	\$80,000	EXCELLENT	2034	IN PROCESS
	L-35	LANDFILL	2024	MACK TRACTOR	1M1PN4GY1RM014014	1,516	M3193B	\$180,000	EXCELLENT	2034	\$260,000
	TT1	DISPOSAL	2010	STECO SEMI-TRAILER	5EWES4528A1254736	N/A	M-65446	\$105,000	POOR	2024	ORDERED
	TT2	DISPOSAL	2010	STECO SEMI-TRAILER	5EWES452XA1254737	N/A	M-65447	\$105,000	POOR	2024	ORDERED
	39	CEMETERY	2008	FORD F-350 DUMP TRUCK	1FDWF37R38EE42439	120,235	M-81577	\$120,000	POOR	2024	IN PROCESS
	23	PARK	2008	FORD F-350 DUMP TRUCK	1FDWF37RX8EE42440	100,071	M-81605	\$100,000	POOR	2024	IN PROCESS
	41	HIGHWAY	2007	FORD F-350 PICK UP	1FTWF31P67EA47004	186,695	M-70858	\$85,000	POOR	2024	IN PROCESS

DEPARTMENT OF PUBLIC WORKS VEHICLE REPLACEMENT PLAN - FY25											
DIVISION	UNIT #	DEPT	YEAR	MAKE/DESCRIPTION	VIN #	MILEAGE OR HOURS	REGISTRATION NUMBER	REPLACEMENT VALUE	CONDITION	REP. DATE	ANNUAL COST
	ET#1	HIGHWAY	2018	CAM SUPERLINE TRAILER	5JPBU3120JP055853	N/A	M-75900	\$20,000	GOOD	N/R	
	ET#2	HIGHWAY	1987	INTERSTATE TRAILER	1JK00S243HA040092	N/A	M-75900	\$15,000	POOR	NRFF	
	33	HIGHWAY	1998	MACK TRACTOR	1M1AA18Y8WW093146	645,857	M81606	\$190,000	POOR	***	
	40	PARK	2008	HI-TRACK SKID STEER	N7M480661	1,705	NOT REG.	\$90,000	POOR	N/R	
	10	HIGHWAY	1999	CHIPPER TRUCK	2FZZHDLB0XAB07870	60,668	M49240	\$225,000	POOR	***	
	UT#3	CEMETERY	1998	UTILITY TRAILER	N/A	N/A	M-75899	\$6,000	POOR	NRFF	
	UT#6	HIGHWAY	2024	UTILITY TRAILER	1UK500F59R1108571	N/A	M5493B	\$10,000	EXCELLENT	NRFF	
	UT#1	PARK	1998	UTILITY TRAILER	N/A	N/A	M-75898	\$6,000	POOR	NRFF	
	UT#2	PARK	1998	UTILITY TRAILER	N/A	N/A	M-75897	\$6,000	POOR	NRFF	
	43	BLDG MAINT	2007	FORD RANGER	1FTYR15E37PA19484	143,839	M-70864	\$50,000	FAIR	***	
	AL1	BLDG MAINT	2016	NIFTY LIFT	2132517	173	NOT REG.	\$175,000	EXCELLENT	N/R	
	L-51	LANDFILL	2002	MACK TRACTOR	1M2AA18Y02W148629	336,524	NOT REG.	\$180,000	FAIR	***	
	L-19	LANDFILL	2005	FORD F-350 UTILITY	1FTWFF31555EC45536	146,384	M81602	\$95,000	POOR	***	
	4	HIGHWAY	2013	FORD TAURUS	1FAHP2M89DG157765	152,143	M-44888	\$40,000	FAIR	***	
	CMT#1	HIGHWAY	2006	CEMENT MIXER	BF751276	N/A	M-76174	\$6,500	GOOD	NRFF	
	UT#4	HIGHWAY	2007	UTILITY TRAILER	N/A	N/A	M-76173	\$8,000	GOOD	NRFF	
	ET#4	PARK	2007	CAM SUPERLINE TRAILER	5JPBU23237P015962	N/A	M-56909	\$11,000	GOOD	N/R	
	DT#2	BLDG MAINT	2007	LOAD TRAIL TRAILER	4ZEDT102371038371	N/A	M-78873	\$11,000	GOOD	NRFF	
	CT#1	HIGHWAY	2007	INTERSTATE TRAILER	1UK500D2971082143	N/A	M-78864	\$11,000	GOOD	NRFF	
	UT#5	CEMETERY	2018	INTERSTATE TRAILER	1UK500E21J1095451	N/A	M-806A	\$11,000	GOOD	NRFF	
	26	HIGHWAY	1996	NEW HOLDAND TRACTOR	042369B	8,219	M-56128	\$100,000	POOR	N/R	
	C&D1	DISPOSAL	2008	STECO TRAILER	5EWES452381254380	N/A	M-81236	\$120,000	POOR	N/R	
	C&D2	DISPOSAL	2008	STECO TRAILER	5EWES452581254381	N/A	M-57247	\$120,000	POOR	N/R	
	L90E	LANDFILL	2005	VOLVO LOADER	L90EV66897	32,054	M-74409	\$260,000	POOR	***	
	PT1	DISPOSAL	2009	GREAT LAKES PUP TRAILER	1G9CD24299S139057	N/A	M-81604	\$45,000	POOR	N/R	
	15	BEACH	2012	FORD VAN	NM0LS6AN0CT118800	68,667	M-82213	\$45,000	FAIR	***	

\*\*\* Will replace when vehicles become available  
 N/R Will not be replaced  
 NRFF No replacement anticipated in the foreseeable future

**TOTAL REPLACEMENT COST \$8,801,500**

# MEMORANDUM



Harwich Water Department  
 196 Chatham Road  
 Harwich MA 02645  
 P: 508-432-0304  
 F: 888-774-3557  
[www.harwichwater.com](http://www.harwichwater.com)

**To:** Joseph F. Powers, Town Administrator  
**From:** Dan Pelletier, Water/Wastewater Superintendent  
**Date:** October 30, 2023  
**RE:** FY25-FY29 Capital Plan

Per your request, please accept the following FY25-FY29 capital project request forms on behalf of the Water & Wastewater Department. Please accept this summary of changes in addition to the included capital request forms.

- Projects currently listed on the FY 2024-28 plan that you expect to see funding for FY 2029  
 The Water & Wastewater Department currently have **NO** projects slated for FY2029

- Projects not currently listed that you need for any years between FY 2025 and 2029;  
 Water Department:

FY25 - Well Rehabilitation - \$150,000  
 FY27 - New Well Construction - \$3,500,000  
 FY28 - 196 Chatham Road Improvements - \$1,500,000

Wastewater Department:

FY25 - Collections System Improvements - \$75,000  
 FY26 - Vehicle Replacement - \$65,000

- Projects currently listed with any changes to any years between FY 2025-29

Water Department:

FY25 - Vehicle Replacements - Increase cost from \$175k to \$270k  
 FY25 - Equipment Replacement - Increase cost from \$125k - \$232k  
 FY25 - Paint P.Lake Tank - Reduced cost from \$2.0M to \$1.75M  
 FY25 - Distribution System Upgrades - \$10M removed project entirely

## FY25 - FY29 Capital Outlay Plan

Department	Title	FY2025	FY2026	FY2027	FY 2028	FY 2029	Five Year Total
Water Department	Vehicle replacements	270,000					270,000
	<i>Truck 12 Replacement - F-150 ext. Cab</i>	60,000					
	<i>Auxiliary Service Truck - F-350/450 w/ onboard air &amp; inverter</i>	150,000					
	<i>Vehicle 15 Replacement - F-150 Crew Cab or Expedition</i>	60,000					
Water Department	Equipment replacements - Purchase Loader	232,000					232,000
Water Department	Paint Pleasant Lake Ave. tank	1,750,000					1,750,000
Water Department	Well Rehabilitation	150,000					150,000
Water Department	Pipe discontinuity upgrade		1,500,000				1,500,000
Water Department	New Well Construction & Water Treatment Plant Upgrades			3,500,000			3,500,000
Water Department	196 Chatham Road Improvements - Space Building/Garage				1,500,000		1,500,000
	<b>Water Department</b>	<b>2,402,000</b>	<b>1,500,000</b>	<b>3,500,000</b>	<b>1,500,000</b>	<b>0</b>	<b>8,902,000</b>
Wastewater Department	Collections System Improvements	75,000	0	0	0		75,000
Wastewater Department	Vehicle Replacement		65,000	0	0		65,000
	<b>Wastewater Department</b>	<b>75,000</b>	<b>65,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>140,000</b>

**Town of Harwich**  
**Capital Project Request**

Department/Committee:	Water Department		
Requested By:	Superintendent		
Request Date:	10/30/2023		
Project Request:	(FY25) Vehicle Replacements		
Asset Category:	Rolling Stock/Vehicle		
Priority:	2. Essential		
Project description: Purchase new F-150 Ext. Cab to replace 2011 Ford F-250 Purchase new F-150 Crew Cab to replace 2013 Ford Explorer Purchase new F-350 Ext. Cab to replace F-150 (*See below)			
Purpose:	Replace Equipment		
Date needed by:	7/1/2024		
Benefit Replacement of aging equipment, *Proposed F-350 will be outfitted with onboard compressor & inverter to serve as an auxillary excavation support truck. Currently only 1 vehicle(2014 F-550) is outfitted for this purpose, the 2014 F-550 is the primary vehicle for all distribution system/excavation projects, vehicle is out-of-service for repairs more frequently due to age impacting excavation related work/services.			
Estimated Project Cost:	\$270,000		
Funding Request by Year:	FY1 \$270,000	FY4 \$0	
	FY2 \$0	FY5 \$0	
	FY3 \$0		
Describe any discounts or cost reductions (trade-ins, etc.) Existing vehicle trade-ins determined at time of purchase.			
Are there available revenue sources or grants other than Municipal funds? Water Enterprise Fund			
Consequence on your department of delaying purchase/project The existing vehicles are beyond their useful life, further delay would result in ongoing expenses to maintain safe operation and fleet size.			
Input the estimated dollar impact of this purchase or project on your operating budget by fiscal year for the next 3 fiscal years → Increase = Additional Cost, Decrease = Savings			
<u>Personnel Budget</u>		<u>Expense Budget</u>	
Increase/(Decrease)	Fiscal Year	Increase/(Decrease)	Fiscal Year
\$0	FY25	\$0	FY25
\$0	FY26	\$0	FY26
\$0	FY27	\$0	FY27

**Town of Harwich**  
**Capital Project Request**

Department/Committee:	Water Department		
Requested By:	Superintendent		
Request Date:	10/30/2023		
Project Request:	(FY25) Equipment Replacement		
Asset Category:	Rolling Stock/Vehicle		
Priority:	2. Essential		
Project description: Replace existing 1998 John Deere 310 Backhoe with John Deere 444 Loader or equivalent			
Purpose:	Replace Equipment		
Date needed by:	7/1/2024		
Benefit Replacement of aging equipment, improved reliability			
Estimated Project Cost:	\$232,000		
Funding Request by Year:	FY1 \$232,000	FY4 \$0	
	FY2 \$0	FY5 \$0	
	FY3 \$0		
Describe any discounts or cost reductions (trade-ins, etc.) Anticipated trade in value of \$16,000 for existing machine reducing total out-of-pocket cost to \$215,375. Machine pricing reflects municipal pricing discount.			
Are there available revenue sources or grants other than Municipal funds? Water Enterprise Fund			
Consequence on your department of delaying purchase/project Delaying the backhoe replacement would result in increased expenses to maintain operation. Loss/break of vehicle would leave the department without a loader for earth moving operations			
Input the estimated dollar impact of this purchase or project on your operating budget by fiscal year for the next 3 fiscal years → Increase = Additional Cost, Decrease = Savings			
<u>Personnel Budget</u>		<u>Expense Budget</u>	
Increase/(Decrease)	Fiscal Year	Increase/(Decrease)	Fiscal Year
\$Enter amount	FY25	\$Enter amount	Enter fiscal year
\$Enter amount	FY26	\$Enter amount	Enter fiscal year
\$Enter amount	FY27	\$Enter amount	Enter fiscal year

**Town of Harwich**  
**Capital Project Request**

Department/Committee:	Water Department		
Requested By:	Superintendent		
Request Date:	10/30/2023		
Project Request:	(FY25) Well Rehabilitation		
Asset Category:	Construction		
Priority:	2. Essential		
Project description: This capital request is intended to fund the repair & rehabilitation costs associated with the departments 14 drinking water supply wells.			
Purpose:	Replace Equipment		
Date needed by:	7/1/2024		
Benefit These costs have been previously funded within the departments operating budget, due to the unforeseen nature of these repairs & costs this budget line item has been over-expended in recent years impacting other projects. Funding these repairs through a capital appropriation instead of the operating budget will ensure a sufficient sum of money is available to complete the repairs without impacting other department projects.			
Estimated Project Cost:	\$150,000		
Funding Request by Year:	FY1 \$150,000	FY4 \$0	
	FY2 \$0	FY5 \$0	
	FY3 \$0		
Describe any discounts or cost reductions (trade-ins, etc.) N/A			
Are there available revenue sources or grants other than Municipal funds? Water Enterprise Fund Retained Earnings			
Consequence on your department of delaying purchase/project Well Rehabilitation will remain funded within the operating budget having greater potential to impact other department projects and may result delayed repair activities			
Input the estimated dollar impact of this purchase or project on your operating budget by fiscal year for the next 3 fiscal years → Increase = Additional Cost, Decrease = Savings			
<u>Personnel Budget</u>		<u>Expense Budget</u>	
Increase/(Decrease)	Fiscal Year	Increase/(Decrease)	Fiscal Year
\$0	FY25	\$0	FY25
\$0	FY26	\$0	FY26
\$0	FY27	\$0	FY27

**Town of Harwich**  
**Capital Project Request**

Department/Committee:	Water Department		
Requested By:	Superintendent		
Request Date:	10/30/2023		
Project Request:	(FY27) New Well Construction		
Asset Category:	Construction		
Priority:	2. Essential		
Project description: This project includes final design & construction of the new production well, water treatment plant upgrades, & distribution system upgrades.			
Purpose:	Replace Equipment		
Date needed by:	7/1/2026		
Benefit An additional drinking water supply well would help reduce strain on the water system during periods of high demand. The new well would increase system resiliency to maintain supply.			
Estimated Project Cost:	\$3,500,000		
Funding Request by Year:	FY1 \$0	FY4 \$0	
	FY2 \$0	FY5 \$0	
	FY3 \$3,500,000		
Describe any discounts or cost reductions (trade-ins, etc.) State & Federal funding opportunities to be evaluated			
Are there available revenue sources or grants other than Municipal funds? Water Enterprise Fund			
Consequence on your department of delaying purchase/project Continued strain on water system during periods of high demand, will impact water production redundancy & capacity in the event other well sources go down.			
Input the estimated dollar impact of this purchase or project on your operating budget by fiscal year for the next 3 fiscal years → Increase = Additional Cost, Decrease = Savings			
<u>Personnel Budget</u>		<u>Expense Budget</u>	
Increase/(Decrease)	Fiscal Year	Increase/(Decrease)	Fiscal Year
\$0	FY25	\$0	FY25
\$0	FY26	\$0	FY26
\$0	FY27	\$0	FY27

**Town of Harwich**  
**Capital Project Request**

Department/Committee:	Water Department		
Requested By:	Superintendent		
Request Date:	10/30/2023		
Project Request:	(FY28) 196 Chatham Road Improvements		
Asset Category:	Construction		
Priority:	2. Essential		
Project description: This project includes the design & construction of a space building/garage to house water department equipment currently stored outside & the relocation of earthwork material storage away from water supply wells as recommended by DEP during their last inspection			
Purpose:	Replace Equipment		
Date needed by:	7/1/2027		
Benefit Provide adequate storage of department equipment & vehicles and greater protection of water supply wells.			
Estimated Project Cost:	\$1,500,000		
Funding Request by Year:	FY1 \$0	FY2 \$0	FY3 \$0
			FY4 \$1,500,000
			FY5 \$0
Describe any discounts or cost reductions (trade-ins, etc.) State & Federal funding opportunities to be evaluated closer to project			
Are there available revenue sources or grants other than Municipal funds? Water Enterprise Fund			
Consequence on your department of delaying purchase/project Not pursuing this project would leave in place known vulnerabilities to 3 water supply wells and leave department vehicles & equipment unhoused and exposed to the elements.			
Input the estimated dollar impact of this purchase or project on your operating budget by fiscal year for the next 3 fiscal years → Increase = Additional Cost, Decrease = Savings			
<u>Personnel Budget</u>		<u>Expense Budget</u>	
Increase/(Decrease)	Fiscal Year	Increase/(Decrease)	Fiscal Year
\$0	FY25	\$0	FY25
\$0	FY26	\$0	FY26
\$0	FY27	\$0	FY27



**Town of Harwich**  
**Capital Project Request**

Department/Committee:	Water Department		
Requested By:	Superintendent		
Request Date:	10/30/2023		
Project Request:	(FY25) Paint Pleasant Lake Tank		
Asset Category:	Construction		
Priority:	2. Essential		
Project description: Repaint/overcoat the Pleasant Lake Water Storage Tank			
Purpose:	Replace Equipment		
Date needed by:	7/1/2024		
Benefit Restore deteriorated coating, prevent deterioration of structural components. Existing coating adhesion evaluated last year and sufficient to support overcoat vs. full replacement			
Estimated Project Cost:	\$1,750,000		
Funding Request by Year:	FY1 \$1,750,000	FY4 \$0	
	FY2 \$0	FY5 \$0	
	FY3 \$0		
Describe any discounts or cost reductions (trade-ins, etc.) Existing vehicle trade-ins determined at time of purchase.			
Are there available revenue sources or grants other than Municipal funds? Water Enterprise Fund			
Consequence on your department of delaying purchase/project Delay of this project will result in further degradation of the coating & structural components. If adhesion of the existing coating is compromised a full sandblast & repainting will be required and an increased cost.			
Input the estimated dollar impact of this purchase or project on your operating budget by fiscal year for the next 3 fiscal years → Increase = Additional Cost, Decrease = Savings			
<u>Personnel Budget</u>		<u>Expense Budget</u>	
Increase/(Decrease)	Fiscal Year	Increase/(Decrease)	Fiscal Year
\$0	FY25	\$0	FY25
\$0	FY26	\$208,000	FY26
\$0	FY27	\$197,206	FY27

**Town of Harwich**  
**Capital Project Request**

Department/Committee:	Water Department		
Requested By:	Superintendent		
Request Date:	10/30/2023		
Project Request:	(FY26) Pipe Discontinuity Upgrade		
Asset Category:	Construction		
Priority:	2. Essential		
Project description: Remove & Replace approx. 730LF of 2" Asbestos Cement(AC) watermain, 945LF of 6" AC watermain, & 1,112LF of 8" AC watermain on Harbor Rd and Mill Rd with new 8" & 6" ductile iron watermain.			
Purpose:	Replace Equipment		
Date needed by:	7/1/2025		
Benefit Improve water quality & hydraulics of the water distribution system. Repair parts for the 2" AC main are very difficult to find.			
Estimated Project Cost:	\$1,500,000		
Funding Request by Year:	FY1 \$0	FY4 \$0	
	FY2 \$1,500,000	FY5 \$0	
	FY3 \$0		
Describe any discounts or cost reductions (trade-ins, etc.) State & Federal funding opportunities to be evaluated			
Are there available revenue sources or grants other than Municipal funds? Water Enterprise Fund			
Consequence on your department of delaying purchase/project Continued watermain breaks, interruption of water service to adjacent properties, 2" AC main has obscure diameter making repair parts difficult to obtain.			
Input the estimated dollar impact of this purchase or project on your operating budget by fiscal year for the next 3 fiscal years → Increase = Additional Cost, Decrease = Savings			
<u>Personnel Budget</u>		<u>Expense Budget</u>	
Increase/(Decrease)	Fiscal Year	Increase/(Decrease)	Fiscal Year
\$0	FY25	\$0	FY25
\$0	FY26	\$102,235	FY26
\$0	FY27	\$93,892	FY27

**Town of Harwich**  
**Capital Project Request**

Department/Committee:	WasteWater Department		
Requested By:	Superintendent		
Request Date:	10/30/2023		
Project Request:	(FY25) Collections System Improvements		
Asset Category:	Construction		
Priority:	2. Essential		
Project description: This capital request is intended to fund unforeseen improvements & upgrades to the wastewater collections system.			
Purpose:	New Equipment		
Date needed by:	7/1/2024		
Benefit Where the wastewater collections system is still in its infancy there have been, and will be, situations that arise requiring immediate response beyond what can be absorbed with the departments operating budget. Funding from this request would be reserved for addressing unforeseen improvements that arise in a timely maner.			
Estimated Project Cost:	\$75,000		
Funding Request by Year:	FY1 \$75,000	FY4 \$0	
	FY2 \$0	FY5 \$0	
	FY3 \$0		
Describe any discounts or cost reductions (trade-ins, etc.) N/A			
Are there available revenue sources or grants other than Municipal funds? Wastewater Enterprise Fund Retained Earnings			
Consequence on your department of delaying purchase/project Delay/inability to make necessary repairs, potential impact to public health			
Input the estimated dollar impact of this purchase or project on your operating budget by fiscal year for the next 3 fiscal years → Increase = Additional Cost, Decrease = Savings			
<u>Personnel Budget</u>		<u>Expense Budget</u>	
Increase/(Decrease)	Fiscal Year	Increase/(Decrease)	Fiscal Year
\$0	FY25	\$0	FY25
\$0	FY26	\$0	FY26
\$0	FY27	\$0	FY27

**Town of Harwich**  
**Capital Project Request**

Department/Committee:	Wastewater Department		
Requested By:	Superintendent		
Request Date:	10/30/2023		
Project Request:	(FY26) Vehicle Replacement		
Asset Category:	Construction		
Priority:	2. Essential		
Project description: Purchase Ford F-150 to replace 2010 Ranger			
Purpose:	Replace Equipment		
Date needed by:	7/1/2025		
Benefit This request provides a vehicle for the new Assistant Wastewater Superintendent.			
Estimated Project Cost:	\$65,000		
Funding Request by Year:	FY1 \$0	FY4 \$0	
	FY2 \$65,000	FY5 \$0	
	FY3 \$0		
Describe any discounts or cost reductions (trade-ins, etc.) Trade-in value determined at time of sale			
Are there available revenue sources or grants other than Municipal funds? Wastewater Enterprise Fund Retained Earnings			
Consequence on your department of delaying purchase/project The existing vehicle, a 2010 Ford Ranger provided by the water department is beyond its useful life, further delay would result in ongoing expenses to maintain road worthiness.			
Input the estimated dollar impact of this purchase or project on your operating budget by fiscal year for the next 3 fiscal years → Increase = Additional Cost, Decrease = Savings			
<u>Personnel Budget</u>		<u>Expense Budget</u>	
Increase/(Decrease)	Fiscal Year	Increase/(Decrease)	Fiscal Year
\$0	FY25	\$0	FY25
\$0	FY26	\$0	FY26
\$0	FY27	\$0	FY27

# **NEW BUSINESS**



# Town of Harwich

## TOWN CLERK'S OFFICE

Emily Mitchell, Town Clerk  
Harwich Town Hall • 732 Main Street • Harwich, MA 02645  
Tel: 508-430-7516 • Fax: 508-430-7517

## m e m o

**TO:** Select Board

**FROM:** Emily Mitchell, Town Clerk

**CC:** Joseph Powers, Town Administrator

**DATE:** November 27, 2023

**RE:** **Sufficient Signatures Certified on Petition for Special Town Election**

---

As of today, November 27, 2023, the Board of Registrars has completed the certification of signatures on the "Petition for a Special Town Election" filed with the Town on November 13, 2023 by lead petitioner Patrick Otton. Pursuant to MGL c. 41, § 10, the Select Board must act upon a petition calling for a special town election if requested in writing by at least 200 registered voters in the Town. The Board of Registrars certified 242 total valid signatures of registered Harwich voters on the filed petition.

A sufficient number of signatures have been certified to compel the Select Board to call a special town election to fill the current vacancy in the Select Board, term to expire May 2024. I will be prepared to make a recommendation on special election scheduling at your next Select Board meeting.

Please do not hesitate to contact me if you have any questions in the interim.

Thank you.



# Town of Harwich

## TOWN CLERK'S OFFICE

Emily Mitchell, Town Clerk  
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Tel: 508-430-7516 • Fax: 508-430-7517

## m e m o

**TO:** Select Board

**FROM:** Emily Mitchell, Town Clerk

**DATE:** November 29, 2023

**RE:** **Recommendation for Scheduling Special Town Election to Fill Select Board Vacancy**

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A citizen-initiated petition has been signed by the requisite number of registered Harwich voters to compel the Select Board to call a Special Town Election, pursuant to MGL c. 41, § 10, to fill the current vacancy in the Select Board which has a term set to expire in May 2024.

### RECOMMENDATION

I recommend that you vote to schedule the Special Town Election on Tuesday, April 9, 2024. I have described the basis for my recommendation in greater detail in the remainder of this memorandum and other attached files.

### CONTEXT

Based on various statutory requirements governing election-related deadlines, the legal **minimum** timeframe between the Select Board vote to call a special election and the special election date itself is **64 days**. I have confirmed with Town Counsel that **there is no legal requirement, either in the above referenced statute or established by other statutes or case law, to call the special town election within a certain maximum timeframe**, though it must take place before the next annual election.

If you were to vote at your December 4, 2023 Select Board meeting to call for a special election, the earliest legal date for that election would be Tuesday, February 6, 2024 (64 days from the meeting date). The special election must take place before the annual election scheduled for May 21, 2024. Those two dates are your legal boundary markers for scheduling the special election.

The other major factor impacting the scheduling of the Special Town Election is the Presidential Primary Election which will take place on March 5, 2024.

Since the VOTES Act legislation was adopted at the state level in 2022, all state and federal elections now include mandatory vote by mail by right for all voters and mandatory in person early voting. Because of these legislative changes, it is no longer accurate to refer to an isolated Election “Day”; elections are now multi-week events that consume the time and resources of Town Clerk’s Office staff, Registrars, and election workers for those extended periods. While the Presidential Primary Election

Day is March 5th, our office will be engaged with the attendant requirements from approximately January 20th through March 11th. I have included a detailed breakdown of requirements and their associated deadlines for the Presidential Primary to demonstrate the extended impact on Town Clerk's Office operations.

Based on experience and in consultation with other Town Clerks, I would assert that the absolute minimum turnaround time between any two elections is 30 days. This is related purely to logistical requirements associated with elections – e.g. Harwich uses electronic vote tabulators to process and count ballots. Those tabulators work by virtue of memory cards that are programmed to specific election ballots by the tabulator vendor. The Town is required to retain the memory cards for a certain minimum amount of time following an election. They must then be shipped back to the vendor, reprogrammed, and shipped back to the Clerk's Office. When the reprogrammed cards are received by the Town, they must all be tested a certain number of days before the next election in which they are scheduled to be used. Other process considerations include updating voters lists (an action that is otherwise paused from the last day to register to vote until the results are finalized for the preceding election), and having ballots for the next election printed and shipped.

**My recommended April 9, 2024 special election date is the earliest date that falls at least 30 days after the Presidential Primary Election.**

As a note, vote by mail and in person early voting requirements under state law are different for local elections (in most cases) than for state and federal election. For local elections, vote by mail **is offered by default**, though the Select Board may vote to opt out. In person early voting **is not offered by default**, though the Select Board may vote to opt in if recommended by the Board of Registrars. The exception to these default standards and options occurs if a Town schedules a dual election with a local election happening on the same date as a state or federal election. If a Town schedules a dual election, it may not opt out of vote by mail and it must offer in person early voting for the local election ballot.

#### **DETAILED RECOMMENDATION AGAINST FEBRUARY 6<sup>TH</sup> (OR OTHER FEBRUARY) SPECIAL ELECTION DATE**

- The Special Election Day would fall within the height of vote by mail obligations (both manually processing the large volume of applications, and sending and receiving actual early ballots).
- There would be insufficient time for tabulator memory card reprogramming and testing.
  - For elections with a high volume of early voting both by mail and in person, our office has done what is called “Advanced Processing” of early ballots. This involves actually running early ballots through the tabulators prior to Election Day (ballots not counted via Advanced Processing must be transported to the polls on Election Day and processed through the precinct tabulators – a process that is both time-consuming and disruptive to individuals voting in person on Election Day).
  - To participate in Advanced Processing, the programmed memory cards must be received and tested before the scheduled processing date. Functionally, we would need the reprogrammed memory cards returned to us by the week of February 19th.



- With a February 6th Special Election, we would be required to retain those memory cards until February 16th at minimum (the deadline for a candidate to file a recount petition). The turnaround time for the memory cards to be shipped, reprogrammed, and re-shipped, would make Advanced Processing impossible. This would have a cascading negative impact on Election Day operations.

### **DETAILED RECOMMENDATION AGAINST A DUAL ELECTION (SPECIAL TOWN ELECTION AND PRESIDENTIAL PRIMARY ELECTION TO BE HELD ON SAME DAY)**

- A dual election functionally requires two entirely separate elections to be held simultaneously. Voters must have the opportunity to participate in one or both elections and all materials and voter lists must be maintained separately.
  - There would be two separate check-in and check-out tables, staffed by separate sets of election workers, for each precinct on Election Day.
  - There would be two separate voter lists tracking who voted in which election – those lists would have to be created and maintained throughout the vote by mail process, during in person early voting, and on Election Day.
  - The Presidential Primary Election will already have three separate ballot styles (Democrat, Republican, and Independent ballots). Managing a fourth ballot style is likely to increase confusion - and opportunities for errors - for both election workers and voters.
- Holding a dual election eliminates the Town’s right to opt out of vote by mail and compels the Town to opt in to in person early voting for the local election.
  - Harwich voters have not opted to vote by mail in large numbers in local elections held in isolation in the past; this requirement would very likely increase vote by mail costs to the Town with very little return benefit (comparison - Harwich voters casting their ballots by mail in the 2022 State Primary = 1,756; 2022 State General Election = 3,734; 2023 Annual Town Election = 57).
  - The requirement to offer in person early voting, while maintaining separate voting lists, would likely require both additional election worker coverage and a change in location. Managing in person early voting with one check-in list, set of ballots, and check-out table, is just manageable at the Town Clerk’s Office window/on the first floor lobby of Town Hall. Doubling that endeavor would require different and larger space (thereby also dividing Clerk’s Office staff and resources).
- There is a higher risk of accidental voter disenfranchisement in the vote by mail process.
  - When voters are mailed a ballot, they are also provided with an outer return envelope and an inner security envelope. Those envelopes must be pre-filled by office staff with labels that include their name, address, and a barcode that links to their individual voter profile and the specific election they have requested a ballot for.

- The inner security envelope is documented as having been received as soon as it is returned to the Clerk's Office, but is not opened until Election Day and/or an Advanced Processing Session.
- Laws governing vote by mail require voters to put the correct ballot in the matching inner security envelope. **If a ballot is returned in the wrong inner envelope (e.g. if a local election ballot is placed in the presidential primary election coded inner envelope) or if two ballots are placed in the same inner envelope, the ballot(s) must be rejected (not counted).** In many cases, this would not be known until Election Day – leaving no time to notify the voter and provide an alternate means of voting, thereby functionally disenfranchising them in one or both elections. This is a meaningful risk for any voter seeking to vote by mail in both the Presidential Primary and a dual local Special Election.
- Because the Election Day set up and staffing is functionally doubled, and as a result of expanding vote by mail and requiring in person early voting for the local component of the dual election, there is no anticipated cost savings associated with this model. The vote by mail and early voting requirements may in fact net a cost increase as compared to a separate local election run in isolation.

## FINAL NOTES

I have also attached two files breaking down election-related dates in greater detail. The first provides a breakdown of deadlines and timeframes for a special election if held on February 6, 2024 or April 9, 2024. The dates associated with the 2024 Annual Town Election are included for comparison. The second provides a breakdown of dates associated with the March 5, 2024 Presidential Primary. I have documented them separately, as the specific requirements for a local election vary from those of a presidential primary. For ease of comparison, I have highlighted the deadlines that overlap between the February 6, 2024 potential special election date and the March Presidential Primary.

I have erred on the side of providing you with more information than you may need to make this decision. In light of the current discourse surrounding this topic, and recognizing that the process was initiated by the effort of Harwich voters, I wanted to be sure that both the Board and the public had ample information to understand my recommendation and to aid in your final action.

Finally, regardless of the specific special election date you select, MGL c. 41, § 10 requires that the Select Board file official notice of the election with the Town Clerk's Office. I have provided you with a notice template to fill in and sign which should then be filed with my office.

I am available to answer any questions or provide additional information at any time.

Thank you.

**Potential Special Election to Fill Select Board Vacancy Dates and Deadlines - 2024**

<u>Election Event</u>	<u>Potential Election Dates/Associated Deadlines</u>		<u>2024 Annual Town Election</u>	<u>Governance (Citation and Description)</u>		<u>Notes</u>
<b>Election Day</b>	<b>February 6, 2024</b>	<b>April 9, 2024</b>	<b>May 21, 2024</b>			<b>February 6, 2024 is the earliest legal date if Select Board votes to call a Special Town Election at its meeting on December 4, 2023</b>
Select Board Vote to Call Special Election	12/4/2023	2/5/2024	N/A	MGL c. 41, § 10	15 Days Before Nomination Last Day to Submit Nomination Papers to BOR (64 Days Before Election)	Select Board must file notice of an election not less than 15 days before last day to submit nomination papers to Board of Registrars; Date provided here is the latest the Select Board could call the Election for the given Election Day - the Board could vote earlier if the calendar allows.
First Day to Obtain Nomination Papers	12/5/2023	2/6/2024	3/18/2024 (1/16/2024 is our target date)			The date recorded is the deadline, but the Town Clerk's Office would plan to make nomination papers available soon after the Select Board vote calling the special election.
Last Day to Obtain Nomination Papers	12/15/2023	2/16/2024	3/29/2024	MGL c. 53, § 9A	2 Business Days Before Last Day to File Nomination Papers with BOR (51 Days Before Election)	
Last Day to Submit Nomination Papers to Board of Registrars for Certification	12/19/2023	2/20/2024	4/2/2024	MGL c. 53, § 7	14 Days Before Last Day to File Nomination Papers with Town Clerk (49 Days Before Election)	This is the nomination paper filing deadline that pertains to candidates.
<b>Deadline for Select Board to opt out of Vote by Mail if choose to do so; requires a public hearing and roll call vote**</b>	12/22/2023	2/23/2024	4/5/2024	MGL c. 54, § 25B	45 Days Before Election	A vote to opt out of vote by mail would not impact voters who qualify to vote <i>absentee</i> (out of Town on Election Day, unable to vote at polling location due to religious belief, or have a disability that prevents you from voting at polling location)
Last Day for Board of Registrars to File certified nomination papers with Town Clerk	1/2/2024	3/5/2024	4/16/2024	MGL c. 53, § 10	35 Days Before Election	This is an internal nomination paper filing deadline between the Board of Registrars and Town Clerks Office; there is no impact for candidates
Last Day to object to nomination papers or withdraw	1/4/2024	3/7/2024	4/18/2024	MGL c. 53, § 11; MGL c. 55B, § 7	2 Days After Deadline to File Nomination Papers with Town Clerk (33 Days Before Election)	
Last Regular Select Board meeting before <i>publication</i> deadline to post Election Warrant (last day for SB to vote to close the warrant)	1/16/2024	3/18/2024	4/8/2024			Assuming weekly Monday Select Board schedule (and/or Tuesday meeting following a Monday holiday); Cape Cod Chronicle publication deadline = 12 PM on Monday prior to the Thursday edition; Select Board would need to vote by week prior to meet publication submission deadline.
Last Day to post Election warrant	1/25/2024	3/28/2024	4/18/2024***	MGL c. 39, § 10	7 Days before Election*	*MGL c. 39, § 10 only requires the warrant to be posted 7 days prior to the Election. However, because the Cape Cod Chronicle is the Town's posting location, we are bound by their submission and publication requirements. Date reflects latest CCC publication that complies with state law requirements.
Last Day to Register to Vote	1/26/2024	3/29/2024	4/26/2024***	MGL c. 51, §§ 26, 28; MGL c. 41, § 110A	10 Days before Election (move to Friday if 10 Days = Saturday for local elections only)	
<b>Last Day to Apply to Vote Early or Absentee by Mail**</b>	1/30/2024	4/2/2024	5/14/2024	MGL c. 54, §§ 25B, 89	5 Business Days Before Election	Deadline would remain for applications to vote absentee by mail even if Town opts out of early voting by mail
Last Day to Vote In Person Absentee	2/5/2024	4/8/2024	5/20/2024	MGL c. 54, § 89		MGL c. 54, § 89 says the deadline to vote absentee in person is 12 PM the day preceeding the Election or 5 PM on the Friday preceeding the Election if the day preceeding is a Sunday or Holiday.
Last Day to Vote Early or Absentee by Mail	2/6/2024	4/9/2024	5/21/2024	MGL c. 54, § 25B		Ballots must be received by close of polls on Election Day
Deadline for Candidate to File a Recount Petition	2/16/2024	4/19/2024	5/31/2024	MGL c. 54, § 135		Deadline = tenth day post Election for general elections (including local elections)

\*\*Under the VOTES Act state legislation that passed in 2022, any registered voter may vote early by mail by right for all presidential primaries, state primaries, and state elections. By default, this option is available for local elections. The Select Board may opt out of vote by mail for local elections by voting to do so at least 45 days prior to the Election. Option to opt out of vote by mail is eliminated if local election is held on same day as a state or federal election.

\*\*\* MGL c. 39, § 9A allows the Annual Town Meeting and Annual Town Election to be called on the same warrant if they are held within 35 days of each other - this creates one warrant posting and one voter registration deadline for both events.

**Events that overlap with Presidential Primary Election timeline**

**Presidential Primary Election Dates - 2024**

<b>Election Event</b>	<b>Associated Timeframe/Deadlines</b>	<b>Governance (Citation and Description)</b>		<b>Notes</b>
<b>Election Day</b>	<b>March 5, 2024</b>			
Deadline for MA Secretary of the Commonwealth to mail Vote by Mail applications to all registered voters in the state.	1/20/2024	MGL c. 54, § 25B	Not later than 45 days before Election	
Deadline to transmit ballots to UOCAVA (Uniformed and Overseas Citizens Absentee Voting Act) voters who applied at least 45 days before Election	1/20/2024	Federal Law - MOVE Act (2010); MGL c. 54, § 91C	Not later than 45 days before Election	Rolling deadline for UOCAVA voters who apply within 45 days of Election
Town Clerk's Office to manually process Vote by Mail applications (2022 Comparison: State Primary: 2,252 applications, State Election: 4,072 applications)	1/22/2024 - 2/27/2024	MGL c. 54, §§ 25B, 89		
Town Clerk's Office to mail and receive Vote by Mail ballots (ballots manually logged by staff both when mailed and received); (2022 Comparison: State Primary: 1,756 ballots returned by mail, State Election: 3,734 ballots returned by mail)	2/5/2024 - 3/5/2024	MGL c. 54, §§ 25B, 89		
Last Regular Select Board meeting before <i>publication</i> deadline to post Election Warrant (last day for SB to vote to close the warrant)	2/12/2024			Assuming weekly Monday Select Board schedule; Cape Cod Chronicle publication deadline = 12 PM on Monday prior to the Thursday edition; Select Board would need to vote by week prior to meet publication submission deadline.
Last Day to Post Notice of In Person Early Voting Hours and Locations (Select Board must vote to set)	2/19/2024	MGL c. 54, §§ 25B	Fifth business day before start of In Person Early Voting	
Last Day to post Election warrant	2/22/2024	MGL c. 54, § 63	7 Days before Election*	*MGL c. 54, § 63 only requires the warrant to be posted 7 days prior to the Election. However, because the Cape Cod Chronicle is the Town's posting location, we are bound by their submission and publication requirements. Date reflects latest CCC publication that complies with state law requirements
Last Day to Register to Vote	2/24/2024	MGL c. 51, §§ 26, 28	10 Days before Election	
In Person Early Voting at Town Clerks Office	2/24/2024 - 3/1/2024	MGL c. 54, §§ 25B	For Primary Elections, must be offered from 10th through 4th day (inclusive) preceding Election	Minimum of 6 weekend hours + full Town Clerk's Office business hours M-F
Permissible Advanced Processing Timeframe (Advanced Processing involves processing ballots received by mail or during in person early voting prior to Election Day - functionally running miniature elections - early ballots must be checked in and out by teams of election workers and are then processed through precinct tabulators) <b>Anticipate 1-2 days of Advanced Processing for Primary Election.</b>	2/25/2024 - 3/4/2024	MGL c. 54, §§ 25B	Allowed from 9th through 1st day (inclusive) prior to Election; requires 2 Day notice before Processing dates, open to the public.	Early ballots (by mail on in person early voting) <b>not</b> processed during Advanced Processing must be brought to the polls on Election Day and processed through the voting precincts.
Deadline to apply for Vote by Mail or Absentee Ballots	2/27/2024	MGL c. 54, §§ 25B, 89	5 Business Days Before Election	
Deadline to test all voting equipment to be used on Election Day (precinct tabulators, poll pads, AutoMark, high speed scanner)	3/1/2024	950 CMR 54.02	4 Days Before Election	All equipment to be used on Election Day must be tested in advance, in a session open to the public, with all ballot styles in use for that Election; if holding Advanced Processing session(s), equipment must be tested before those sessions.
Last Day to Vote In Person Absentee	3/4/2024	MGL c. 54, § 89	12 PM Day Before Election	MGL c. 54, § 89 says the deadline to vote absentee in person is 12 PM the day preceding the Election or 5 PM on the Friday preceding the Election if the day preceding is a Sunday or Holiday.
Last Day to Vote Early or Absentee by Mail	3/5/2024	MGL c. 54, § 25B, 89		Ballots must be received by close of polls on Election Day
Deadline to Resolve Provisional Ballots	3/8/2024	MGL c. 54, § 76C	Third Day After Election	
Deadline to Report Final Election Results to State	3/9/2024		Fourth Day After Election	
Deadline for Primary Candidate to File Recount Petition	3/11/2024	MGL c. 54, § 135	Sixth Day After Election	Deadline = sixth day post Election for primaries, tenth day post Election for general elections (including locals)

**Dates/events impacted if Special Election scheduled for February 6, 2024**



# Town of Harwich

## TOWN CLERK'S OFFICE

Emily Mitchell, Town Clerk  
Harwich Town Hall • 732 Main Street • Harwich, MA 02645  
Tel: 508-430-7516 • Fax: 508-430-7517

December 4, 2023

### NOTICE OF SPECIAL TOWN ELECTION

Pursuant to MGL c. 41, § 10, and in response to the request in writing of 242 registered Harwich voters, the Town of Harwich Select Board has voted to call a Special Town Election to fill the existing Select Board vacancy, term to expire May 21, 2024, to be held on:

\_\_\_\_\_, 2024.

Approved and signed this 4<sup>th</sup> day of December 2023

\_\_\_\_\_  
Julie E. Kavanagh, Chair

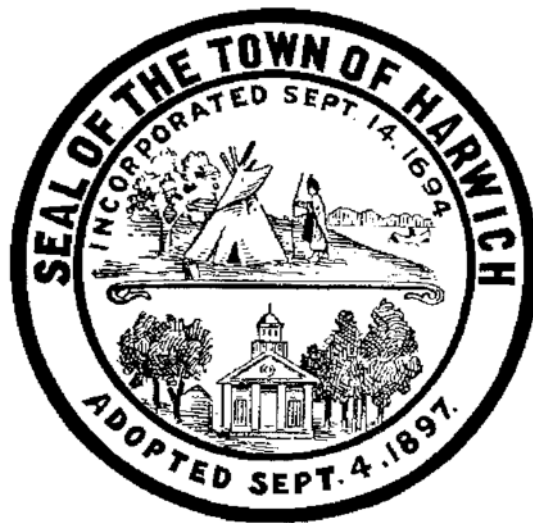
\_\_\_\_\_  
Michael D. MacAskill, Vice Chair

\_\_\_\_\_  
Jeffrey F. Handler, Clerk

\_\_\_\_\_  
Donald F. Howell, Member

HARWICH SELECT BOARD

**SPECIAL TOWN MEETING  
WARRANT  
WITH  
RECOMMENDATIONS  
AND  
MOTIONS**



**October 18, 2022  
6:00 p.m.  
Harwich Community Center  
100 Oak Street  
Harwich, MA 02645**

**ARTICLE 3: Bylaw/Charter Review resource funding**

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sufficient sum of money to support a comprehensive review of the Town’s current Code which is comprised of the Harwich Charter, General Bylaws and Zoning Bylaws; and to act fully thereon.

By request of the Board of Selectmen.

Estimated cost: \$75,000.

*Explanation: The purpose of this article is to appropriate funds to be used to support a comprehensive review of the Town’s current Code which is comprised of the Harwich Charter, General Bylaws and Zoning Bylaws. The goal of the review is to recommend changes to the elements of the Town’s Code referenced above. It is anticipated that proposed amendments to the Code will begin at the next Annual Town Meeting.*

*Finance Committee Explanation: The Finance Committee recommends this article. It is anticipated by the Finance Committee that after the consultants do their work there will be ample opportunity for public input and revisions if needed in the formation of a new charter for the Town before the document goes to Town Meeting.*

**FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED.  
VOTE: YES-6, NO-1**

**ROLL CALL VOTES:**

**Finance Committee:**

To accept and adopt:

Yeas: 6 (Six): Peter Hughes, Karen Doucette, Mark Kelleher, Angelo LaMantia, Mark Ameres, Daniel Tworek

Nays: 1 (One): Dana DeCosta

**Board of Selectmen:**

To accept and adopt:

Yeas: 5 (Five): Michael MacAskill, Julie Kavanagh, Mary Anderson, Larry Ballantine, Donald Howell

Nays: 0 (Zero): none

**Proposed Motion**

I move that Article 3 be accepted and adopted and that the sum of \$75,000 be raise and appropriated for purposes of the Article.

***Majority Vote***



# Town of Harwich

## TOWN CLERK'S OFFICE

Emily Mitchell, Town Clerk  
Harwich Town Hall • 732 Main Street • Harwich, MA 02645  
Tel: 508-430-7516 • Fax: 508-430-7517

The following is a True Copy of Article 3 of the Special Town Meeting held on October 18, 2022, and the vote passed thereunder.

### **ARTICLE 3: Bylaw/Charter Review resource funding**

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sufficient sum of money to support a comprehensive review of the Town's current Code which is comprised of the Harwich Charter, General Bylaws and Zoning Bylaws; and to act fully thereon. By request of the Board of Selectmen. Estimated cost: \$75,000.

**MOTION:** (Peter Hughes, Chair – Finance Committee) I move this article be accepted and adopted by deleting the words “and Zoning Bylaws” on line three and the word “of” on line two and adding the words “restricted to” on the second line prior to the words “the Town's current code” and that the sum of \$75,000 be raised and appropriated for the purposes of the article.

Duly seconded

**ACTION:** The motion carried.


**A True Copy, Attest:**

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Emily Mitchell, Town Clerk



February 21, 2023

Jon Idman  


Re: Proposed Zoning Amendments and Planning Board hearing 2/28/23

I'd first like to thank the Select Board, Planning Board and Director of Planning and Community Development on prioritizing zoning amendments for three subject areas of critical significance to the Town of Harwich and beyond: Housing, Climate Mitigation and Coastal Resiliency.

When I first provided comments on February 7, 2023 after receiving a Planning Board hearing notice, working zoning amendments were not yet available. Having now received and reviewed the working drafts, I provide the attached comments on the working amendments for Floodplains and Accessory PV, in red-line, as well as the general comments below.

To maximize the benefit of the amendments, I reiterate some of the general comments from my 2/7 correspondence. The Harwich Zoning Bylaw has not been comprehensively reviewed or amended, other than piece-meal, in more than 15 years. As a Town, as we touch certain portions of the Zoning Bylaw, we need to take the opportunity to correct internal conflicts and inconsistencies in the relevant sections and certainly not create new problems. The current state of the Zoning Bylaw poses significant challenges to staff and the public in its administration, application and interpretation, and leaves the town open to legal challenges about the same.

There is indeed still an opportunity for the Planning Board to collect the breadth of comments received, along with Mr. Halkiotis' working drafts, and to prepare draft amendments to move forward to Town Meeting that both address our land use concerns and priorities and minimize or correct drafting issues. Because the statutory zoning amendment process has not yet begun, the Planning Board is not limited to considering only the working drafts prepared by staff. Indeed, to proceed to Town Meeting with the draft amendments after they are prepared, another hearing process before the Planning Board will be required under the Zoning Act.

Under GL Chapter 40A Section 5 (copy attached), the statutory process for adopting zoning amendments does not begin until a draft amendment (an actual draft amendment, not merely a charge or stated desire or intent to amend) has first been prepared then submitted to the Select Board. This has not yet been done. Submission to the Select Board by an eligible sponsor, such as the Select Board itself or the Planning Board, but not municipal staff, commences certain timelines and requires that the Select Board then transmit the draft amendment to the Planning Board for hearing. Admittedly, during such a hearing, the Planning Board's sole charge is forming recommendations about the draft; the Planning Board would have no authority at that point to revise, further draft, or amend. Town Meeting would subsequently have the authority to approve, amend or disapprove.

Because draft amendments have not yet been prepared and submitted to the Select Board by an eligible sponsor (in fact, at the time the Planning Board's hearing notice on the amendments was first mailed, a working draft was not available), the current process before the Planning Board constitutes preparation of the draft amendments and not a Ch. 40a Section 5 hearing for purposes of making recommendations

to Town Meeting. The Planning Board is currently free to prepare amendments, and then submit them to the Select Board. Thereafter, once the Select Board returns the draft amendments to the Planning Board, the Planning Board would be required to hold the above-described hearing on the draft amendments as they proceed through the statutory process to Town Meeting.

### Accessory Apartments

It appears that the only proposed amendments re: accessory apartments are to Zoning Bylaw Sections 325-14T.3(d) and (g), reducing minimum lot size to 10,000 sq ft and raising the maximum allowable size of an apartment to 1,000 sq. ft. I appreciate the simplicity of the approach but there are a few other pressing issues worthy and straightforward to consider amending, in my opinion, even if the Board is not interested at this time in doing a full review and re-write of Section 325-14T:

- 1) I'd strongly suggest that the Planning Board propose eliminating the percentage approach to sizing apartments rather than just raising the maximum allowable size of apartments to 1,000 sq ft. The percentage approach makes administration by staff and applications by the public more difficult than necessary, contrary to the purpose of facilitating or streamlining development of accessory apartments which I think is the overall intent of the proposed amendments. It also unfairly advantages larger homes, with the resulting apartment more likely to be used as a family guest house than an available apartment for rent. Ironically, it's usually the smaller dwelling with the greater need or use for the apartment as the Bylaw intends it, in my experience. It also creates a 'Zeno's Paradox' type problem for apartments proposed within existing dwellings, where the space to be dedicated to the apartment reduces the principal dwelling's floor area on which the size of the apartment is based. I am supportive of the term 'habitable' being eliminated as it is undefined but a term of art under state building and health codes (e.g. kitchens aren't defined as habitable under these codes).
- 2) Changing the minimum lot size will not change the 6 Ponds DCPC requirement for a special permit and minimum 60,000 sq ft lot area without changing the DCPC section itself, which I've proposed and previously submitted 2/7. It could be done very simply, if that's the intent and desire of the Board. In my experience, many of the owners in the 6 Ponds DCPC overlay have been prevented from pursuing an accessory apartment because of the way the Bylaw is structured; this section dates back 20+ years prior to our current approaches to housing and emphasis on "ADUs" to help solve local housing issues.
- 3) It would be imprudent to miss the opportunity to simply revise the subsection of 325-51 which incorrectly states or suggests that all accessory apartments require special permits. This should have been deleted with a prior amendment but was inadvertently missed.
- 4) We may want to define an accessory apartment under 325-2 in terms of an "ADU" as defined under the Zoning Act, to get the benefit of the quantum of vote allowed under GL Chapter 40A Sec. 5.

For Instance:

#### **"DWELLING, SINGLE-FAMILY WITH ACCESSORY APARTMENT**

A single-family dwelling as a principal use, along with a separate accessory apartment that is either located within the principal dwelling, attached to it or in a detached residential accessory building on the same lot. The accessory apartment shall be a self-contained dwelling unit containing cooking, bedroom and bathroom facilities and shall have its own access which are

separate from and not used in common with the principal dwelling unit. In any event, the accessory apartment shall be an accessory use related to the principal single family dwelling use. Except as set out and distinguished in this Chapter, an 'accessory apartment' shall constitute 'an accessory dwelling unit' as defined in MGL Chapter 40A, Section 1A."

### Floodplain District

I'd strongly suggest that, other than the retaining in the Zoning Bylaw the subsection dealing with lifting existing buildings and structures out of the floodplain (former section 325-108) and the reference to the Flood Insurance Map, that all other floodplain provisions be the basis of a new general floodplain bylaw to be adopted by the town. This would eliminate many of the legal conflicts that exist in administering or interpreting flood plain regulations (which have a different purpose than zoning) through the unique aspects and provisions of Massachusetts zoning.

Inasmuch as the CRS/ flood insurance program requires member communities to adopt or incorporate certain policies or regulations at the local level, there is no requirement that they be done through local zoning. They could be in wetlands regulations, a general bylaw, or zoning, or distributed throughout all three as appropriate, in addition to other local policies, laws or regulations. There are legal questions about the extent and application of vested rights, enforcement actions, and appeals under the State Zoning Act to floodplain provisions established under Federal law but incorporated nonetheless in to zoning. Even FEMA suggests that a town regulate floodplains separately than zoning (See FEMA publication [https://www.fema.gov/sites/default/files/2020-08/FEMA\\_P-993\\_FPM-Bulletin\\_Variance.pdf](https://www.fema.gov/sites/default/files/2020-08/FEMA_P-993_FPM-Bulletin_Variance.pdf)). The confusion or conflict of including floodplain regulations into zoning is especially pronounced in terms of floodplain variances, which are different and have different legal standards than zoning variances.

I've included redlined suggested edits attached.

### Accessory PV

I've included redlined suggested edits attached.

I also reiterate some of the comments from my 2/7 correspondence. The zoning provisions for "large scale ground mounted solar" are far from clear under current zoning. This would be a good opportunity to clarify some basic ambiguities and conflicts, even if we are not yet prepared to do a wholesale rewrite of the section. The corrective amendments would be easy to draft.

- 1) Clarify whether ground mounted large scale solar is allowed in the solar overlay district or the Industrial district, and/ or clarify whether only municipal uses are allowed in the solar overlay district. (This would require amendments including to the use table).
- 2) Clarify whether large scale ground mounted solar must be 'municipal;' its definition suggests so. If the intent is different, the definition should be amended.
- 3) Clarify whether large scale ground mounted solar is subject to 325-55 site plan review or just the specific standards in the section.

DRAFT

February 13, 2023

Article: \_\_\_\_\_

To see if the Town will vote to amend the Code of the Town of Harwich by inserting the following new section following Article XXII Large Scale Ground-Mounted Photovoltaic Arrays. The proposed new sections are 325-149 – 325-157.

§ 325 -149 **Accessory Photovoltaic Installations ~~In Commercial Districts~~**

A. Purpose and Intent - The purpose of the following Sections 325-149 through 325-157 this bylaw is to provide town-wide standards for, as applicable, the placement, design, construction, operation, monitoring, modification and removal of accessory photovoltaic equipment, including related battery storage equipment, installed as ground mounted, rooftop mounted or solar carports/ canopies constructed over commercial parking areas lots in all commercial Zoning Districts. These regulations are intended to address public safety, minimize impacts on scenic, natural and historic resources and, as applicable, to provide adequate financial assurance for the eventual decommissioning of such installations. The provisions set forth in this section shall apply to the construction, operation, and/or repair of solar photovoltaic installations within all commercial Zoning Districts.

B. Accessory Photovoltaic Installations shall be allowed by right in all Zoning Districts, subject to the applicable standards and criteria set out below and, for all uses other than single- or two-family uses, site plan review under section 325-55 herein.

C. An Accessory Photovoltaic Installation, which is not a principal use but is incidental and subordinate to the principal use or uses on a lot, shall not be considered a Large Scale Ground-Mounted Solar Photovoltaic Installation/ Array as defined under Article [XXII].

A.D. The Planning Board, upon request and for good cause shown under the particular circumstances of a case, shall have the ability to waive or modify any requirement under sections 325-149 – 325-157.

**Commented [J11]:** I would also recommend deleting the definition of 'onsite solar photovoltaic installation' in 325-139, as it could be seen to conflict with these sections.

**Commented [J12]:** This purpose section should apply to all following sections, which are not limited only to commercial installations. Further, there is some confusion here between 'districts' and 'uses.' Note that the Industrial District is not a "Commercial" District; that single - and two-family dwellings are allowed in certain Commercial Districts;.

§ 325 -150 **Accessory Photovoltaic Installations for Other than Single or Two Family Residential Uses- Applicability**

This section applies to photovoltaic installations that require a Special Permit / Site Plan review listed in section 325 Attachment 1 Table 1 Use Regulations. Special Permit / Site Plan applications shall be subject to approval by the Planning Board acting as the Special Permit granting authority (SPGA). The provisions set forth in the following is sections shall apply to the construction, operation, and/or repair of accessory solar photovoltaic installations within all

**Commented [J13]:** There doesn't appear to be a corresponding amendment to the use schedule Table 1 as suggested here, and the use schedule does not reference 'site plan review'- just "P" for permitted uses and "S" for special permits for use. The thresholds for site plan review are contained within the bylaw not the use table.

~~commercial Zoning Districts~~ for all uses except single- or two-family residential uses. All such installations are subject to site plan review under Section 325-55 with the Planning Board acting as the Special Permit granting authority (SPGA), in addition to the requirements below.

§ 325-151 **Accessory Photovoltaic Installations for Uses Other than Single- or Two-Family Residential Uses-General Requirements**

~~A. The following requirements shall apply to solar photovoltaic installations.~~

1. Compliance with all other laws and regulations - The construction and operation of all ~~such accessory solar~~ photovoltaic installations shall be consistent with all applicable local, state and federal requirements, including but not limited to all applicable safety, construction, electrical and communications requirements. All buildings and fixtures forming part of a photovoltaic installation shall be constructed in accordance with the State Building Code.
2. Building Permit and building inspection - No ~~accessory solar~~ photovoltaic installation shall be constructed, installed or modified as provided in this section without obtaining a Building Permit.
3. All plans of the ~~accessory solar~~ photovoltaic installation shall be stamped by a Registered Professional Engineer licensed to practice in the Commonwealth of Massachusetts showing the proposed layout of the system and any potential shading from nearby structures;
4. The detail sheets of the Site Plan shall show one or three-line electrical diagrams detailing the ~~accessory solar~~ photovoltaic installation, associated components, and electrical interconnection methods, with all National Electrical Code compliant disconnects and overcurrent devices.
5. The Site Plan shall include documentation of the major system components to be used, including the PV panels, mounting system, and inverter.
6. The applicant shall submit an operation and maintenance plan which shall include measures for maintaining safe access to the installation, stormwater controls, as well as general procedures for operational maintenance of the installation.
7. Information on noise (inverter) and reflectivity/glare of the solar panels shall be provided and potential impacts to abutters shall be mitigated.

**Commented [J14]:** There doesn't appear to be a corresponding amendment to the use schedule Table 1 as suggested here, and the use schedule does not reference 'site plan review'- just "P" for permitted uses and "S" for special permits for use. The thresholds for site plan review are contained within the bylaw not the use table.

8. The project engineer shall certify that the accessory photovoltaic installation ~~photovoltaic facility~~ complies with all applicable Federal and State standards.

9. The Special Permit application shall include a written report prepared and signed and stamped by an Electrical Engineer, explaining how the accessory photovoltaic installation ~~photovoltaic facility~~ will be connected to the power grid. The report should provide the technical, economic and other reasons for the proposed location and design.

10. The Site Plan shall clearly show all of the proposed changes to the site, existing and proposed contours a two foot counter intervals, grading, vegetation clearing, landscape plantings, security measures, exterior lighting, screening and structures.

11. The name, address, and contact information for the proposed system installer shall be provided.

12. Proof of liability insurance shall be provided.

13. Upon submission of the Special Permit / Site Plan Review application, the Planning Board will be authorized to hire technical review consultants, as needed, to advise them on technical issues related to the proposed installation, pursuant to Massachusetts General Laws, Chapter 14, Section 53G. The applicant will be required to pay the estimated cost of the consultant's fees at the time of submitting the Special Permit application.

15. The applicant shall submit an Operations and Maintenance plan for the accessory photovoltaic installation, which shall include: maintaining safe access to the installation, stormwater management, emergency shutoff and general procedures for operational maintenance of the installation.

16. The Special Permit/ Site Plan Review application shall include a letter of intent submitted to the utility company that operates the electrical grid where the installation is to be located. The letter must inform them about the proposed solar photovoltaic installation and the owner's intent to install and connect a customer-owned photovoltaic facility. Off-grid systems shall be exempt from this requirement.

17. Safety and Emergency Response

The applicant shall provide a copy of the project summary, electrical schematic and Site Plan to the Fire Chief for review and approval. The applicant shall cooperate with Fire Department in developing an emergency response plan. The location of the emergency shut

off for the photovoltaic installation shall be clearly marked. The owner or operator shall identify a responsible person for public inquiries throughout the life of the installation.

18. Hazardous Materials

Photovoltaic panels shall not contain hazardous materials. Manufacturer specification sheets for the photovoltaic facility shall be submitted. The project engineer shall provide a letter that states that there are no hazardous material in the proposed installation.

**Commented [J15]:** This requirement is too absolute, too unyielding. Also, there is no definition of 'hazardous.' Toxic? Flammable? Threat to water quality? What if there is no Zone II involved?

19. Setbacks & Site Coverage

All photovoltaic ~~facilities, installations and appurtenant equipment~~ shall meet the minimum setbacks for the applicable Zoning District as provided in Table 2 Area Regulations and site coverage limitations in Table 3. ~~All of the equipment for photovoltaic facilities, must meet the front, side and rear setbacks in the applicable Zoning District.~~ Equipment such as transformers and /or inverters shall be enclosed within in a sound barrier.

**Commented [J16]:** Industrial District rear setback (including to Route 6) is 50 ft. Is this necessary or reasonable? Shouldn't this also align with parking setbacks under Article IX for solar carports?

**Commented [J17]:** Why is enclosure necessary?

20. Screening & Buffers

All appurtenant structures, including but not limited to equipment shelters, storage facilities, transformers, and substations shall be screened from view with a solid 6' high fence, architecturally compatible materials or a densely planted evergreen landscaped buffer, that will to the greatest extent possible, screen the installation facility from view.

21. Decommissioning

The owner, operator, or his successors in interest shall remove all photovoltaic installation that have reached the end of its useful life or is no longer operating. The owner or operator shall physically remove the installation no more than 150 days after the date of discontinued operations. The owner or operator shall notify the Planning Board by certified mail of the proposed date of discontinued operations and plans for removal.

22. Lighting

Lighting of photovoltaic installations shall comply with § 325-133. Lighting of ~~other parts of the installation, such as~~ appurtenant structures, as necessary, shall be limited to that required for safety and operational purposes and shall be reasonably shielded from abutting properties. ~~Where feasible,~~ lighting of the photovoltaic installation shall be directed downward and shall incorporate full cut-off fixtures to reduce light pollution.

23. Signage

Signs on photovoltaic installation shall comply with the sign code § 325-26, 27, 28, 29, 30 and 31. A sign shall be provided that identifies the owner and provides a twenty-four-hour emergency contact phone number. Photovoltaic installations shall not be used for displaying

any advertising except for reasonable identification of the manufacturer or operator of the photovoltaic installation.

#### 24. Utility Connections

All utility connections from the photovoltaic installation shall be located underground. In the event that site constraints make it cost prohibitive due to soil conditions and/or topography of the site, or any requirements of the utility provider, the Board may waive this requirement as referenced above. Electrical transformers for utility interconnections may be above ground if required by the utility provider or other practical circumstances.

#### § 325 -151 Monitoring & Maintenance

The facility's installation owner or operator shall maintain the facility in good condition. Maintenance shall include, but not be limited to, painting, structural repairs, and integrity of security measures. Site access shall be maintained to a level acceptable to the Fire Chief.

#### § 325 -152 Modifications

All material modifications to a photovoltaic installation proposed to be made after issuance of the building- permit shall require further approval of the Planning Board.

#### § 325 -153 Abandonment or Decommissioning

Any photovoltaic installation which has reached the end of its useful life or has been abandoned shall be removed. The owner or operator shall physically remove the installation no more than 150 days after the date of discontinued operations. The owner or operator shall notify the Board by certified mail of the proposed date of discontinued operations and plans for removal. Decommissioning shall consist of:

1. Removal Physical removal of all photovoltaic installations, structures, equipment, security barriers and transmission lines from the site and disposal in accordance with local, state, and federal waste disposal regulations.
2. Restoration - Restoration or re-vegetation of the site as necessary to minimize erosion. The Board may allow the owner or operator to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation.

#### § 325 -154 Financial Surety

Applicants shall provide a form of surety, either through escrow account, bond or other method approved by the Planning Board, to cover the cost of removing the entire photovoltaic installation in the event the Town has to intervene by removing the photovoltaic installation and remediating the property. The applicant shall submit a surety bond in an amount and form determined to be reasonable by the Planning Board, but in no event to exceed more than 125% of the estimated cost of removal. Such surety will not



be required for municipal ~~or state owned~~ facilities. The project proponent shall submit a fully inclusive estimate of the costs associated with removal and prepared by a professional engineer licensed to practice in the Commonwealth of Massachusetts. The amount shall include a mechanism for calculating increased removal costs due to inflation.

**Commented [J18]:** Local zoning cannot regulate state actors.

§ 325 -155 **Standards for Review and Approval**

The Planning Board shall consider, in addition to the requirements above, the following specific criteria:

1. The Planning Board shall make written findings that each of the review standards set forth above has been met, that the location of the photovoltaic installation facility is suitable and that the size and design are appropriate for the neighborhood.

2. The Planning Board shall also impose, in addition to any applicable conditions specified in this section, such conditions as it finds reasonably appropriate to safeguard the neighborhood or otherwise serve the purposes of this section, including, but not limited to: screening, lighting, fences, modification of the exterior appearance of the structures, limitation upon size, method of access or traffic features, parking, removal upon cessation of use or other requirements. Such conditions shall be imposed in writing and the applicant may be required to post bond or other surety for compliance with said conditions in an amount satisfactory to the Planning Board.

§ 325 -156 **Commercial Rooftop Photovoltaic Installations-Accessory Photovoltaic Installations for Uses Other than Single- or Two-Family Residential Uses**

Notwithstanding the foregoing, Rooftop Solar Installations are allowed for such uses By-Right and without the requirement for site plan review/ approval. ~~in all commercial Zoning Districts.~~ Solar panels shall not extend over the edge of the roof and shall not extend above the roofline higher than ten feet.

§ 325 -157 **Accessory Residential Photovoltaic Installations for Single- and Two Family Residential Use**

1. Rooftop Solar Installations

Rooftop Solar Installations are allowed By-Right and without the requirement for site plan review/ approval for all single- and two family residential uses. ~~in all residential Zoning Districts.~~ Solar panels shall not extend over the edge of the roof and shall not extend above the roofline.

2. Ground Mounted Solar Installations

Ground Mounted Solar Installations are allowed By-Right and without the requirement for site plan review/ approval for all single- and two family residential uses, contingent upon the following requirements:

**Setbacks** – Ground mounted solar panels must comply with all of the setback and site coverage requirements in the applicable Zoning District.

**Height** – Ground mounted solar panels shall not exceed 15 feet in height.

**Screening** – Ground mounted solar panels shall be screened from view from any public or private way. The solar installation shall be screened with a minimum of six foot high solid fence or densely planted evergreen buffer.

**Location** – Ground mounted solar panels shall be mounted in the rear yard behind the rear building line.

Or act on anything relative thereto

**Commented [J19]:** I would suggest deleting this. The term 'rear building line' is not a defined term. Further, the array would likely be pushed into the rear setback area, which is not allowed per the limitation above. If screening and setback compliance is required, why shouldn't an array be permitted in a side or rear yard, especially where it might be used as a carport.

**Article:** \_\_\_\_ To amend the Code of the Town Of Harwich Article XVII §325 –Floodplain ~~Regulations-  
Overlay District~~ by deleting the entire existing section and replacing it with the following new Floodplain  
~~Regulations~~Overlay District.

Article XVII  
**Floodplain ~~Regulations-~~Overlay District**

**§ 325 -104 Purpose**

The purpose of the Floodplain Overlay District is to:

1. Promote flood resiliency through planning and design;
2. Reduce the creation of new public safety hazards caused by new construction and redevelopment in flood zones;
3. Reducing the occurrence of public emergencies resulting from adversely impacting water quality, contamination, and pollution due to flooding;
4. Reducing the loss of utility services which if damaged by flooding would disrupt or shut down the utility network and impact regions of the community beyond the site of flooding;
5. Reducing costs and safety risks associated with the response and cleanup of flooding conditions;
6. Reducing damage to public and private property resulting from flooding waters.

**§ 325 -105 Establishment of Floodplain Districts**

The Floodplain Overlay District is herein established as an overlay district superimposed over the underlying Zoning Districts. The district includes all Special Flood Hazard Areas within the Town of Harwich designated as Zones A, AE, AH, AO, A99, V, or VE on the Barnstable County Flood Insurance Rate Map (FIRM) dated July 16, 2014 issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The exact boundaries of the Districts shall be defined by the 1% chance base flood elevations shown on the FIRM and further defined by the Barnstable County Flood Insurance Study (FIS) report dated July 16, 2014. All flood zones referenced within this Floodplain Overlay District Bylaw shall mean the flood zones designated on the FIRM dated July 16, 2014. The FIRM and FIS report are incorporated herein by reference and are on file with the Town Clerk, Planning Board, Building Department and Conservation Commission. Some of the specific Special Flood Hazard Areas referenced above may not currently be mapped or applicable in the Town of Harwich.

**Commented [J11]:** This Article needs to be added to the definition of "Overlay District" in 325-2; it's not currently included.

**§ 325 - 106 Abrogation**

The floodplain management provisions found in this ~~Floodplain Overlay District Bylaw~~Article shall take precedence over and shall supersede any less restrictive, conflicting sections of the Zoning Bylaws, Code

of the Town of Harwich or regulations in the Town of Harwich.

§ 325-107 **Relation to Other Districts.**

The Floodplain Overlay District is superimposed over ~~the other underlying~~ Zoning Districts shown on the Official Zoning Map. All buildings, structures, uses or land included within the Floodplain Overlay District shall be subject to all the ~~restrictions and regulations provisions~~ of the underlying ~~ing in~~ Zoning District in addition to those set forth in this article.

§ 325-108 **Designation of Floodplain Administrator**

The Town of Harwich hereby designates the Building Commissioner to be the official Floodplain Administrator for the Town.

§ 325-109 **Degree of Protection**

The degree of flood protection required by this ~~bylaw Article~~ is considered reasonable but does not imply total flood protection.

§ 325-110 **Severability**

The degree of flood protection required by this ~~Floodplain Overlay District Bylaw Article~~ is based on reasonable scientific and engineering considerations but does not imply total flood protection. This ~~Bylaw Article~~ shall not create liability on the part of the Town of Harwich or any officer or employee thereof for any flood damage that may result from reliance on the provisions hereof, or from any administrative decision made hereunder.

§ 325-111 **Requirement to Submit New Technical Data**

If the Town acquires data that changes the base flood elevation in the FEMA mapped Special Flood Hazard Areas, the Town will, within 6 months, notify FEMA of these changes by submitting the technical or scientific data that supports the change(s.) Notification shall be submitted to: FEMA Region I Risk Analysis Branch Chief, 99 High St., 6th floor, Boston, MA 02110 and a copy of notification to: Massachusetts NFIP State Coordinator, MA Dept. of Conservation & Recreation, 251 Causeway Street, Boston, MA 02114.

§ 325-112 **Unnumbered A Zones**

In A Zones, in the absence of FEMA Base Flood Elevation (BFE) and/or floodway data, the Town of Harwich Building Department shall reasonably obtain, review and utilize base flood elevation and floodway data available from a Federal, State, or other source for determining whether residential and nonresidential structures must be elevated to or above base flood level, whether floodproofing is required or whether encroachments in floodways should be prohibited.

§ 325-113 **Floodway Encroachments**

In Zones A and AE, along watercourses that have not had a regulatory floodway designated, the best available Federal, State, local, or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.

In Zone AE, along watercourses that have a regulatory floodway designated on the Town's FIRM, encroachments are prohibited in the regulatory floodway which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.

§ 325- 114 **Watercourse Alterations or Relocations in Riverine Areas**

In a riverine situation, the Floodplain Administrator shall notify the following entities of any alteration or relocation of a watercourse:

- Adjacent Communities, especially upstream and downstream;
- NFIP State Coordinator: Massachusetts Department of Conservation and Recreation, 251 Causeway Street, 8th floor, Boston, MA 02114.
- NFIP Program Specialist - Federal Emergency Management Agency, Region I, 99 High Street, 6th Floor, Boston, MA 02110.

§ 325- 115 **Drainage Requirements in AO and AH Zones**

Before any activity that constitutes Development, New Construction, Substantial Improvement, Site Alterations or Subdivision (as those terms are defined herein) is commenced within Zones AO and AH on the FIRM, the Floodplain Administrator shall confirm that the work includes adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures.

§ 325- 116 **Recreational Vehicles**

In A, AH, AE, VE, and V Zones , all recreational vehicles to be placed on a site must be elevated and anchored in accordance with the zone’s regulations for foundation and elevation requirements or be on the site for less than 180 consecutive days or be fully licensed and highway ready.

**Commented [J12]:** If this provision is in the zoning bylaw rather than a general floodplain bylaw, care should be given that this is not seen as tacit permission to live in such a vehicle, which is prohibited under 325-10

§ 325 – 117 **Permit Requirements**

The Town of Harwich requires a permit for all proposed construction or other development in the Floodplain Overlay District, including new construction or changes to existing buildings, placement of manufactured homes, placement of agricultural facilities, fences, sheds, storage facilities or filling, grading, drilling, mining, paving and any other development that might increase flooding or adversely impact flood risks to other properties.

§ 325- 118 **Variances from the State Building Code Floodplain Provisions**

Variances to the flood-resistant standards as found in the MA State Building Code may only be issued by the MA State Building Code Appeals Board.

Upon learning that an applicant intends to file for a variance from the State Building Code Appeals Board, the Town shall also issue a letter to the property owner regarding potential impacts to the annual premiums for the flood insurance policy covering that property, in writing over the signature of a community official that (i) the issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage and (ii) such construction below the base flood level increases risks to life and property.

Such notification shall be maintained with the record of all variance actions for the referenced development in the Floodplain Overlay District.

The Town will request from the State Building Code Appeals Board a written and/or audible copy of the portion of the hearing related to the variance, and will maintain this record in the community’s files.

§ 325-119 **Variations from this local Floodplain Overlay District ~~Bylaw~~**

A variance from the ~~requirements of this Article se floodplain bylaws must meet the requirements set out by State law, and~~ may only be granted by the Board of Appeals if they make the following findings: (1) Good and sufficient cause and exceptional non-financial hardship exist; 2) the variance will not result in additional threats to public safety, extraordinary public expense, or fraud or victimization of the public; and 3) the variance is the minimum action necessary to afford relief.

**Commented [J13]:** What does this reference to "State" mean? Shouldn't this just refer to 325-123?

§ 325-120 **Enforcement**

Violations of any section or provision of this ~~Bylaw-Article~~ may be enforced by the institution of any enforcement actions available, either criminal or civil (including non-criminal disposition) under Chapter 1, Article 1 of the Harwich Code, either legal or equitable or both, or by fines of not more than three hundred (300) dollars for each offense. Each day that such offense continues shall constitute a separate offense.

**Commented [J14]:** This variance is not the same as a GL Ch. 40A Sec. 10 variance, and the process of a GL C. 40A Sec. 10 variance doesn't necessarily apply here. This Section needs to establish and set out process: timelines for review and decisions; appeals; a quantum of vote, etc.

§ 325-121 **Subdivision Within Floodplain Overlay Districts**

All preliminary and definitive subdivision applications filed with the Town of Harwich Planning Board for land located within the Floodplain Overlay District shall be reviewed by the Planning Board as part of its review under the Subdivision Control Law and the Harwich Subdivision Regulations and Stormwater Management Regulations to assure that:

- (a) Such proposals minimize flood damage;
- (b) Public utilities and facilities are located and constructed so as to minimize flood damage; and
- (c) Adequate drainage and stormwater management is provided.

§ 325-122 **Base Flood Elevation Data for Subdivision Proposals**

When proposing subdivisions greater than 50 lots or 5 acres (whichever is less), the proponent must provide technical data to determine base flood elevations for each developable parcel shown on the proposed subdivision plans.

**Commented [J15]:** Not that under the definition of "Lot" in the zoning bylaw, floodplain areas are excluded from minimum lot area because floodplain areas are wetland resources as defined under GL Ch. 131, Sec. 40. Thus, this zoning provisions should also be recognized during subdivision review.

§ 325-123 **Use regulations.**

A. Existing regulations

1. All development in the floodplain, including structural and nonstructural activities, whether permitted by right or by Special Permit, must be in compliance with the following:
  - (a) Section of the State Building Code which addresses floodplain and coastal high-hazard areas (currently 780 CMR). [**Amended 5-6-2014 STM by Art. 3**]
  - (b) Wetland Protection Regulations, Department of Environmental Protection (DEP) (currently 310 CMR 10.00).
  - (c) Inland Wetlands Restriction, DEP (currently 310 CMR 13.00). [**Amended 5-6-2014 STM by Art. 3**]
  - (d) Coastal Wetlands Restriction, DEP (currently 310 CMR 12.00). [**Amended 5-6-2014 STM By Art. 3**]
  - (e) Minimum Requirements for the Subsurface Disposal of Sanitary Sewage, DEP (currently 310 CMR 15, Title 5).
  - (f) Minimum Requirements for the Subsurface Disposal of Sewage Regulations, Town of

Harwich.

(g) Harwich Wetlands Protective Bylaw (Code Chapter 310) and Regulations.

(h) Harwich Zoning Bylaw (Code Chapter 325)

(i) Subdivision of Land (Code Chapter 400, Article II)

2. Any variance from the provisions and requirements of the above-referenced state or local regulations may only be granted in accordance with the required variance procedures of these state or local regulations.

**B. Other use regulations**

1. Within Zones AH and AO on the FIRM, adequate drainage paths are required around structures on slopes, to guide floodwaters around and away from proposed structures.
2. In Zones A and AE, along watercourses that have not had a regulatory floodway designated, the best available federal, state, local, or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge. **[Amended 5-6-2014 STM by Art. 3]**
3. Located within the floodplain are areas designated as coastal high-hazard areas (Zone VE). Since these areas are extremely hazardous due to high-velocity waters from tidal surges and hurricane wave wash, the following provision shall apply: all new construction shall be located landward of the reach of mean high tide. Existing contour intervals of site and elevations of existing structures must be included on any plan proposal. **[Amended 5-6-2014 STM by Art. 3]**

**§ 325-124 Permitted Encouraged uses.**

The following uses of low flood damage potential and causing no obstructions to flood flows are encouraged, provided that they are permitted in the underlying district and they do not require structures, fill, or storage of material or equipment:

- A. Agricultural uses, such as farming, grazing, horticulture, etc.
- B. Forestry and nursery uses.
- C. Outdoor recreational uses, including fishing, boating, play areas, etc.
- D. Conservation of water, plants, and wildlife.
- E. Wildlife management areas and foot, bicycle and/or horse paths.
- F. Temporary nonresidential structures used in connection with fishing, growing, harvesting, storage, or sale of crops raised on the premises.

~~G. Buildings lawfully existing prior to September 30, 1980.~~

**Commented [J16]:** This title is confusing and potentially problematic. These uses are "encouraged;" 'permitted uses' may give the impression that these are the only uses allowed in the District.

**§ 325-125 Special provisions for lifting existing structures to new and appropriate elevations.**  
**[Added 5-6-2019 ATM by Art. 26]**

- A. Notwithstanding the provisions of any other provision of the Harwich Zoning Bylaw to the contrary, except as otherwise provided pursuant to Subsection C of this section, a person shall be

**Commented [J17]:** This bullet doesn't make any sense in the context of this section is indeed about 'encouraged' uses. The bullet appears to be a vested right or applicability provisions instead.

allowed to lift an existing structure located in an area of special flood hazard to a new and appropriate elevation, or constructing a staircase or other attendant structure necessitated by such raising without the need for Board of Appeals relief; provided, however, that this exemption shall apply only to the minimum extent or degree necessary to allow the structure to meet the new and appropriate elevation with adequate means of ingress, egress and accommodation of typical basement facilities. Building/ structure height shall be calculated in accordance with its definition in Section 325-2, however, proposed building/ structure height shall be measured from Base Flood elevation.

**Commented [J18]:** Note that the references in 325-2 to 325-108 would have to be revised and corrected.

- B. Appurtenant to lifting an existing structure, the existing structure may be relocated elsewhere on the lot as long as said relocation does not create a new, or increase the intensity of a setback nonconformity.
- C. The exemption established pursuant to Subsection A of this section shall not be available to a person who has altered or is seeking to alter the original dimensions of a structure if, had the alteration not been made, the structure could have been raised to meet the new and appropriate elevation either without the exemption or with an exemption of lesser degree than is needed with the alteration.

§ 325-126 **Definitions**

The definitions contained herein pertain only to this article of the bylaw.

**AREA OF SPECIAL FLOOD HAZARD**

The land in the floodplain within a community subject to a one-percent or greater chance of flooding in any given year. The area may be designated as Zone A, AO, AH, A1-30, AE, A99, V1-30, VE, or V.

**ATTENDANT STRUCTURE**

Means an area to accommodate utilities, laundry facilities or mechanicals which are otherwise typically located within a basement area. [Added 5-6-2019 ATM by Art. 26]

**BASE FLOOD**

The flood having a one-percent chance of being equaled or exceeded in any given year.

**COASTAL HIGH-HAZARD AREA**

The area subject to high-velocity waters, including but not limited to hurricane wave wash. The area is designated on a FIRM as Zone V1-30, VE, VO or V.

**DEVELOPMENT**

Any man-made change to improved or unimproved real estate, including but not limited to building or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials. [US Code of Federal Regulations, Title 44, Part 59]

**DISTRICT**



Floodplain Overlay District.

**EXISTING STRUCTURE**

Any commercial or municipal structure or residential dwelling that currently exists, or existed prior to the catastrophic event, at the time a request is made to elevate. [Added 5-6-2019 ATM by Art. 26]

**FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)**

Administers the National Flood Insurance Program. FEMA provides a nationwide flood hazard area mapping study program for communities as well as regulatory standards for development in the flood hazard areas.

**FLOOD INSURANCE RATE MAP (FIRM)**

An official map of a community on which FEMA has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

**FLOOD INSURANCE STUDY**

An examination, evaluation, and determination of flood hazards and, if appropriate, corresponding water surface elevations or an examination, evaluation and determination of flood-related erosion hazards.

**FLOODWAY**

The channel of the river, creek or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. [Base Code, Chapter 2, Section 202]

**FUNCTIONALLY DEPENDENT USE**

A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities. [US Code of Federal Regulations, Title 44, Part 59] Also [Referenced Standard ASCE 24-14]

**Commented [J19]:** Including this definition is confusing because the concept does not appear in the Article.

**HIGHEST APPLICABLE FLOOD ELEVATION STANDARD**

Means the 1% FEMA base flood elevation plus up to an additional three feet.

**HIGHEST ADJACENT GRADE**

The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure. [US Code of Federal Regulations, Title 44, Part 59]

**HISTORIC STRUCTURE**

Any structure that is:

- (a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily

determined by the Secretary to qualify as a registered historic district;

(c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or

(d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:

1. By an approved state program as determined by the Secretary of the Interior or
2. Directly by the Secretary of the Interior in states without approved programs.

[US Code of Federal Regulations, Title 44, Part 59]

**Commented [J110]:** Including this definition is confusing because the concept does not appear in the Article.

#### **LOWEST FLOOR**

The lowest floor of the lowest enclosed area (including basement or cellar). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of state and local regulations.

#### **NATIONAL FLOOD INSURANCE PROGRAM (NFIP)**

A program administered by the Federal Emergency Management Agency (FEMA)

#### **NEW AND APPROPRIATE ELEVATION**

Means any elevation to which a structure is raised, or is to be raised, that is equal to or higher than the applicable FEMA base flood elevation; provided, however, that in no case shall the new and appropriate elevation exceed the highest applicable flood elevation standard.

[Added 5-6-2019 ATM by Art. 26]

#### **NEW CONSTRUCTION**

Structures for which the start of construction commenced on or after the effective date of the first floodplain management code, regulation, ordinance, or standard adopted by the authority having jurisdiction, including any subsequent improvements to such structures. New construction includes work determined to be substantial improvement. [Referenced Standard ASCE 24-14]

#### **RECREATIONAL VEHICLE**

A vehicle which is:

- (a) Built on a single chassis;
- (b) 400 square feet or less when measured at the largest horizontal projection;
- (c) Designed to be self-propelled or permanently towable by a light duty truck; and
- (d) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

[US Code of Federal Regulations, Title 44, Part 59]

#### **REGULATORY FLOODWAY - see FLOODWAY**

#### **SPECIAL FLOOD HAZARD AREA**

The land area subject to flood hazards and shown on a Flood Insurance Rate Map or other flood hazard map as Zone A, AE, -A99, AR, AO, AH, V, VO, or VE. [Base Code, Chapter 2, Section 202]

### **START OF CONSTRUCTION**

The date of issuance for new construction and substantial improvements to existing structures, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement or other improvement is within 180 days after the date of issuance. The actual start of construction means the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of a slab or footings, installation of pilings or construction of columns.

Permanent construction does not include land preparation (such as clearing, excavation, grading or filling), the installation of streets or walkways, excavation for a basement, footings, piers or foundations, the erection of temporary forms or the installation of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main building. For a substantial improvement, the actual “start of construction” means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building. [Base Code, Chapter 2, Section 202]

**Commented [J111]:** Including this definition is confusing because the concept does not appear in the Article.

### **STRUCTURE**

A structure, for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home. [US Code of Federal Regulations, Title 44, Part 59]

### **SUBSTANTIAL DAMAGE**

Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50% of the market value of the structure before the damage occurred.

### **SUBSTANTIAL IMPROVEMENT**

Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50% of the market value of the structure before the start of construction of the improvement. This term includes structures which have incurred substantial damage, regardless of the actual repair work performed.

### **SUBSTANTIAL REPAIR OF A FOUNDATION**

When work to repair or replace a foundation results in the repair or replacement of a portion of the foundation with a perimeter along the base of the foundation that equals or exceeds 50% of the perimeter of the base of the foundation measured in linear feet, or repair or replacement of 50% of the piles, columns or piers of a pile, column or pier supported foundation, the building official shall determine it to be substantial repair of a foundation. Applications determined by the building official to constitute substantial repair of a foundation shall require all existing portions of the entire building or structure to meet the requirements of 780 CMR. [As amended by MA in 9th Edition BC]

**Commented [J112]:** Including this definition is confusing because the concept does not appear in the Article.

### **TYPES OF FLOOD ZONE DESIGNATIONS**

1. ZONE A - An area of special flood hazard without water surface elevations determined.
2. ZONE AE - Area of special flood hazard with water surface elevations determined.
3. ZONE AH - Areas of special flood hazards having shallow water depths and/or unpredictable flow paths between (1) and (3) feet, and with water surface elevations determined.
4. ZONE AO - Area of special flood hazards having shallow water depths and/or unpredictable flow paths between (1) and (3) ft. (Velocity flow may be evident; such flooding is characterized by ponding or sheet flow.)
5. ZONE A99 - Area of special flood hazard where enough progress has been made on a protective system, such as dikes, dams, and levees, to consider it complete for insurance rating purposes. (Flood elevations may not be determined.)
6. ZONE X - Areas of minimal or moderate flood hazards or areas of future-conditions flood hazard.
7. ZONE V - Area of special flood hazards without water surface elevations determined, and with velocity, that is inundated by tidal floods (coastal high hazard area)
8. ZONE VE - An area of special flood hazards, with water surface elevations determined and with velocity, that is inundated by tidal floods (coastal high hazard area)

### **VARIANCE**

A grant of relief by a community from the terms of a flood plain management regulation. [US Code of Federal Regulations, Title 44, Part 59]

### **VIOLATION**

The failure of a structure or other development to be fully compliant with the community's flood plain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in §60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided. [US Code of Federal Regulations, Title 44, Part 59]

<b>Part I</b>	ADMINISTRATION OF THE GOVERNMENT
<b>Title VII</b>	CITIES, TOWNS AND DISTRICTS
<b>Chapter 40A</b>	ZONING
<b>Section 5</b>	ADOPTION OR CHANGE OF ZONING ORDINANCES OR BY-LAWS; PROCEDURE

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

No zoning ordinance or by-law or amendment thereto shall be adopted until after the planning board in a city or town, and the city council or a committee designated or appointed for the purpose by said council has each held a public hearing thereon, together or separately, at which

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

involving boundary, density or use changes within a district, notice shall be sent to any such nonresident property owner who has filed such a request with the city or town clerk and whose property lies in the district where the change is sought. No defect in the form of any notice under this chapter shall invalidate any zoning ordinances or by-laws unless such defect is found to be misleading.

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

No vote to adopt any such proposed ordinance or by-law or amendment thereto shall be taken until a report with recommendations by a planning board has been submitted to the town meeting or city council, or twenty-one days after said hearing has elapsed without submission of such report. After such notice, hearing and report, or after twenty-one days shall have elapsed after such hearing without submission of such report, a city council or town meeting may adopt, reject, or amend and adopt any such proposed ordinance or by-law. If a city council fails to vote to adopt any proposed ordinance within ninety days after the city council hearing or if a town meeting fails to vote to adopt any proposed by-law within six months after the planning board hearing, no action shall be taken thereon until after a subsequent public hearing is held with notice and report as provided.

Except as provided herein, no zoning ordinance or by-law or amendment thereto shall be adopted or changed except by a two-thirds vote of all the members of the town council, or of the city council where there is a commission form of government or a single branch, or of each branch where there are 2 branches, or by a two-thirds vote of a town meeting; provided, however, that the following shall be adopted by a vote of a simple majority of all members of the town council or of the city council where there is a commission form of government or a single branch or of each branch where there are 2 branches or by a vote of a simple majority of town meeting:

(1) an amendment to a zoning ordinance or by-law to allow any of the following as of right: (a) multifamily housing or mixed-use development in an eligible location; (b) accessory dwelling units, whether within the principal dwelling or a detached structure on the same lot; or (c) open-space residential development;

(2) an amendment to a zoning ordinance or by-law to allow by special permit: (a) multi-family housing or mixed-use development in an eligible location; (b) an increase in the permissible density of population or intensity of a particular use in a proposed multi-family or mixed use development pursuant to section 9; (c) accessory dwelling units in a detached structure on the same lot; or (d) a diminution in the amount of parking required for residential or mixed-use development pursuant to section 9;

(3) zoning ordinances or by-laws or amendments thereto that: (a) provide for TDR zoning or natural resource protection zoning in instances where the adoption of such zoning promotes concentration of development in areas that the municipality deems most appropriate for



such development, but will not result in a diminution in the maximum number of housing units that could be developed within the municipality; or (b) modify regulations concerning the bulk and height of structures, yard sizes, lot area, setbacks, open space, parking and building coverage requirements to allow for additional housing units beyond what would otherwise be permitted under the existing zoning ordinance or by-law; and

*[ Clause (4) of the fifth paragraph effective until July 29, 2021. For text effective July 29, 2021, see below.]*

(4) the adoption of a smart growth zoning district or starter home zoning district in accordance with section 3 of chapter 40R. Any amendment that requires a simple majority vote shall not be combined with an amendment that requires a two-thirds majority vote. If, in a city or town with a council of fewer than 25 members, there is filed with the clerk prior to final action by the council a written protest against a zoning change under this section, stating the reasons duly signed by owners of 50 per cent or more of the area of the land proposed to be included in such change or of the area of the land immediately adjacent extending 300 feet therefrom, no change of any such ordinance shall be adopted except by a two-thirds vote of all members.

*[ Clause (4) of the fifth paragraph as amended by 2021, 29, Sec. 11 effective July 29, 2021. For text effective until July 29, 2021, see above.]*

(4) the adoption of a smart growth zoning district or starter home zoning district in accordance with section 3 of chapter 40R.

*[ Two paragraphs following the fifth paragraph added by 2021, 29, Sec. 12 effective July 29, 2021.]*

Any amendment that requires a simple majority vote shall not be combined with an amendment that requires a two-thirds majority vote.

If, in a city or town with a council of fewer than 25 members, there is filed with the clerk prior to final action by the council a written protest against a zoning change under this section, stating the reasons duly signed by owners of 50 per cent or more of the area of the land proposed to be included in such change or of the area of the land immediately adjacent extending 300 feet therefrom, no change of any such ordinance shall be adopted except by a two-thirds vote of all members.

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

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

The effective date of the adoption or amendment of any zoning ordinance or by-law shall be the date on which such adoption or amendment was voted upon by a city council or town meeting; if in towns, publication in a town bulletin or pamphlet and posting is subsequently made or publication in a newspaper pursuant to section thirty-two of chapter forty. If, in a town, said by-law is subsequently disapproved, in whole or in part, by the attorney general, the previous zoning by-law, to the extent that such previous zoning by-law was

changed by the disapproved by-law or portion thereof, shall be deemed to have been in effect from the date of such vote. In a municipality which is not required to submit zoning ordinances to the attorney general for approval pursuant to section thirty-two of chapter forty, the effective date of such ordinance or amendment shall be the date passed by the city council and signed by the mayor or, as otherwise provided by ordinance or charter; provided, however, that such ordinance or amendment shall subsequently be forwarded by the city clerk to the office of the attorney general.

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

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

# MOTORISTS GIVE 4 FEET TO PASS

IT'S THE NEW LAW

MOTORISTS  
GIVE 4 FT  
TO PASS



New Vulnerable Road Users Laws went into effect on April 1st, 2023 in Massachusetts. These laws were passed as part of "An Act to Reduce Traffic Fatalities" in an effort to increase roadway safety across the Commonwealth.

#### Who are Vulnerable Road Users:

- People walking and biking
- Roadside workers
- People using wheelchairs or personal mobility devices
- People using scooters, skateboards, roller skates
- People on horses or in a horse-drawn carriage
- People operating farm equipment on the roadway

The law requires motorists to pass a vulnerable road user at a "safe passing distance" of at least 4 feet. When passing a vulnerable road user or other vehicles, the motorist shall use all or part of an adjacent lane, crossing the centerline if necessary, "when it is safe to do so and adhering to the roadway speed limit".

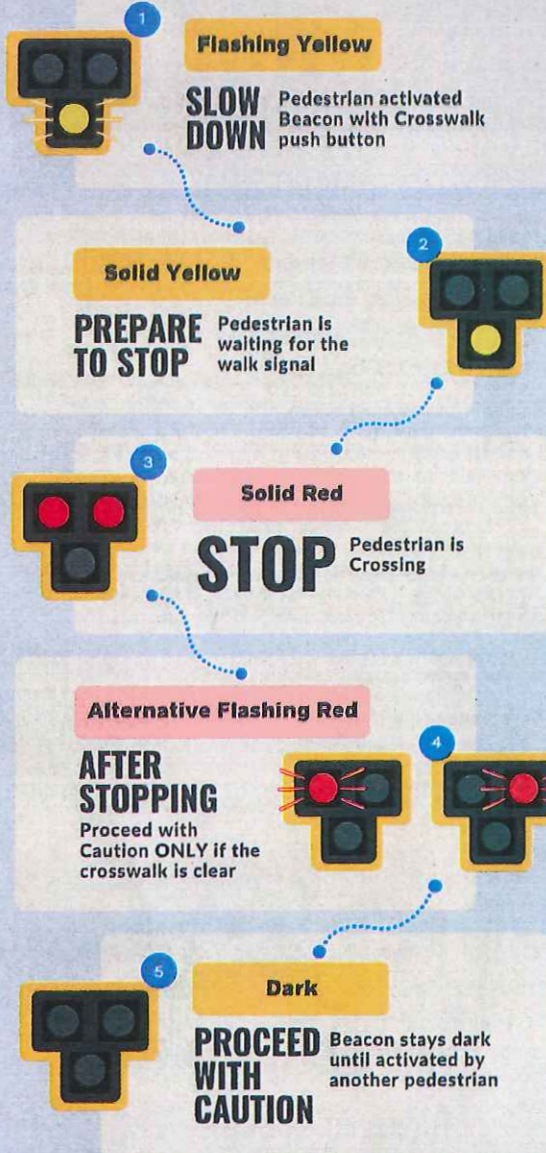
To meet the largest group of vulnerable road users operating on the roadway, signs defining the required 4-foot safe passing distance will be posted along roadways that do not have designated bike lanes or separated bike paths.



**Allow At Least 4 Feet**

**massDOT**  
Massachusetts Department of Transportation

# PEDESTRIAN HYBRID BEACON GUIDE





OFFICE OF THE SELECTMEN  
732 MAIN ST., HARWICH, MA 02645  
www.harwich-ma.gov  
(508) 430-7513

NEW LICENSE APPLICATION FOR: \_\_\_\_\_ CLASS I - AGENTS OR SELLERS  
\_\_\_\_\_ CLASS II - USED CAR DEALERS  
\_\_\_\_\_ CLASS III - JUNK CAR DEALERS  
 CLASS IV - AUTO REPAIRMAN

FEE: \$100 each

BUSINESS NAME C & B Automotive Inc

D/B/A Reflections Auto Restoration PHONE [REDACTED]

BUSINESS ADDRESS 4 Evergreen Way Unit 1

MAILING ADDRESS 527 Station Ave S. Yarmouth MA 02664

NAME OF OWNER Burak Bruno Demir

EMAIL ADDRESS [REDACTED]

IF CORPORATION OR PARTNERSHIP, LIST OFFICER INFORMATION BELOW.

Name	Title	Address
<u>Burak Demir</u>	<u>President</u>	<u>527 Station Ave S. Yarmouth</u>

[Signature] President  
Signature of applicant & title Federal I.D. # [REDACTED]

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

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

**REGULATORY COMPLIANCE FORM**

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

DocuSigned by:  
Jack Mee  
Building Commissioner

DocuSigned by:  
Lorie Schauer  
Board of Health

DocuSigned by:  
Bruce Young  
Fire Department

DocuSigned by:  
Christine Flynn  
Planning Department

COMMONWEALTH OF MASSACHUSETTS  
ALCOHOLIC BEVERAGES CONTROL  
COMMISSION

95 Fourth Street, Suite 3, Chelsea, MA 02150

**2023 Seasonal Population Increase Estimation Form**

City / Town:

Date:

Alcoholic Beverages Control Commission  
c/o Licensing Department  
95 Fourth Street, Suite 3  
Chelsea, MA 02150

To Whom It May Concern:

Acting under authority contained in M.G.L. Ch. 138, s17, as amended, our Board at a meeting held on

Date of Meeting

, estimated that the temporary increased resident population

of  , as of July 10, 2023 will be  .  
City / Town Name Estimated Population

This estimate was made and voted upon by us at a meeting called for the purpose, after due notice to each of the members of the time, place and purpose of said meeting, and after investigation and ascertainment by us of all the facts and after cooperative discussion and deliberation. The estimate is true to the best of our knowledge and belief.

The above statements are made under the pains and penalties of perjury.

Very truly yours,  
Local Licensing Authorities

COMMONWEALTH OF MASSACHUSETTS  
ALCOHOLIC BEVERAGES CONTROL COMMISSION

95 Fourth Street, Suite 3, Chelsea, MA 02150

**2024 Seasonal Population Increase Estimation Form**

Municipality:

Date:

Alcoholic Beverages Control Commission  
c/o Licensing Department  
95 Fourth Street, Suite 3  
Chelsea, MA 02150

To Whom It May Concern:

Acting under authority contained in M.G.L. Ch. 138, s17, as amended, our Board at a meeting held on \_\_\_\_\_ estimated that the temporary increased resident population of \_\_\_\_\_, as of July 10, 2024 will be \_\_\_\_\_.

This estimate was made and voted upon by us at a meeting called for the purpose, after due notice to each of the members of the time, place and purpose of said meeting, and after investigation and ascertainment by us of all the facts and after cooperative discussion and deliberation. The estimate is true to the best of our knowledge and belief. The above statements are made under the pains and penalties of perjury.

Very truly yours,

Local Licensing Authorities

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_





Jean M. Lorizio, Esq.  
Commission Chairman

**Commonwealth Of Massachusetts  
Alcoholic Beverages Control Commission  
95 Fourth Street, Suite 3  
Chelsea, MA 02150-2358**

**2024  
Retail License Renewal**

License Number: 00026-PK-0506

Municipality: HARWICH

License Name : A.J. Luke's Of Harwich, Inc.

License Class: Annual

DBA :

License Type: Package Store

Premise Address: 224 Route 28 Harwich, MA 02671

License Category: All Alcoholic Beverages

Manager: Arthur Joseph Luke

I hereby certify and swear under penalties of perjury that:

1. I am authorized to sign this renewal pursuant to M.G.L. Chapter 138;
2. The renewed license is of the same class, type, category as listed above;
3. The licensee has complied with all laws of the Commonwealth relating to taxes; and
4. The premises are now open for business (if not, explain below).

Signature

ARTHUR J. LUKE

Printed Name

November, 15, 2023

President

Title

Additional Information:

**Please complete and return this form to the Local Licensing Authority.**



Jean M. Lorizio, Esq.  
Commission Chairman

**Commonwealth Of Massachusetts  
Alcoholic Beverages Control Commission  
95 Fourth Street, Suite 3  
Chelsea, MA 02150-2358**

**2024  
Retail License Renewal**

License Number: 00054-RS-0506	Municipality: HARWICH
License Name : Ashwood Food Service Inc	License Class: Annual
DBA : Jake Rooneys	License Type: Restaurant
Premise Address: 119 Brooks Road Harwich, MA 02646	License Category: All Alcoholic Beverages
Manager: Peter D Klaus	

I hereby certify and swear under penalties of perjury that:

1. I am authorized to sign this renewal pursuant to M.G.L. Chapter 138;
2. The renewed license is of the same class, type, category as listed above;
3. The licensee has complied with all laws of the Commonwealth relating to taxes; and
4. The premises are now open for business (if not, explain below).

*Peter D. Klaus*  
Signature

November, 27, 2023

Peter D. Klaus  
Printed Name

owner  
Title

Additional Information:

**Please complete and return this form to the Local Licensing Authority.**



Jean M. Lorizio, Esq.  
Commission Chairman

Commonwealth Of Massachusetts  
Alcoholic Beverages Control Commission  
95 Fourth Street, Suite 3  
Chelsea, MA 02150-2358

2024  
Retail License Renewal

License Number: 05411-RS-0506

Municipality: HARWICH

License Name : Beachlight LLC

License Class: Annual

DBA : Seal Pub

License Type: Restaurant

Premise Address: 703 Main Street Harwich, MA 02645

License Category: All Alcoholic Beverages

Manager: Michael Scott

I hereby certify and swear under penalties of perjury that:

1. I am authorized to sign this renewal pursuant to M.G.L. Chapter 138;
2. The renewed license is of the same class, type, category as listed above;
3. The licensee has complied with all laws of the Commonwealth relating to taxes; and
4. The premises are now open for business (if not, explain below).

Michael D Scott  
Signature

Michael D Scott  
Printed Name

November, 17-2023

MANAGER  
Title

Additional Information:

[Empty box for additional information]

Please complete and return this form to the Local Licensing Authority.



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

**APPLICATION FOR COMMON VICTUALLERS LICENSE RENEWAL**

Fee: \$50

Annual   
Seasonal

Opening date \_\_\_\_\_

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

Business Name Alecsies House of PIZZA Phone [REDACTED]

Doing Business As (d/b/a) Alexander the Great

Business Address 181 Rt 137 Harwich MA 02645

Mailing Address \_\_\_\_\_

Email Address [REDACTED]

Name of Owner Athanasios Kantzeli

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

\_\_\_\_\_  
\_\_\_\_\_

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

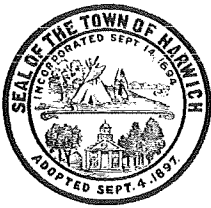
*By signing below, I am certifying that the premises to be licensed as described herein have been inspected and found to be in compliance with applicable local codes and regulations, including zoning ordinances, health regulations and building and fire codes.*

Athanasios Kantzeli  
Signature of Applicant, Owner or Manager

11/8/2023  
Date

[REDACTED]  
Federal I.D. #

\*Application must include payment, Certificate of Insurance showing workers comp coverage and Workers Comp Affidavit. Any application missing information or documentation will be deemed incomplete and sent back to the applicant.



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

**APPLICATION FOR COMMON VICTUALLERS LICENSE RENEWAL**

Fee: \$50

Annual   
Seasonal  Opening date \_\_\_\_\_

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

Business Name Ashwood Food Service Incorporated Phone [REDACTED]

Doing Business As (d/b/a) Jake Rooney's Restaurant

Business Address 119 Brooks Rd. Harwichport, MA 02646

Mailing Address same

Email Address [REDACTED]

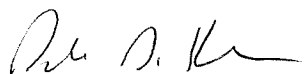
Name of Owner Peter D. Klaus

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

\_\_\_\_\_  
\_\_\_\_\_

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

*By signing below, I am certifying that the premises to be licensed as described herein have been inspected and found to be in compliance with applicable local codes and regulations, including zoning ordinances, health regulations and building and fire codes.*

  
Signature of Applicant, Owner or Manager

11/23/23  
Date

[REDACTED]  
Federal I.D. #

\*Application must include payment, Certificate of Insurance showing workers comp coverage and Workers Comp Affidavit. Any application missing information or documentation will be deemed incomplete and sent back to the applicant.



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

**APPLICATION FOR COMMON VICTUALLERS LICENSE RENEWAL**

Fee: \$50

Annual    
Seasonal  Opening date \_\_\_\_\_

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

Business Name Beachlight LLC Phone [REDACTED]

Doing Business As (d/b/a) The Seal Pub and Cafe

Business Address 703 MAIN Street Harwich, MA 02645

Mailing Address 703 MAIN Street Harwich, MA 02645

Email Address [REDACTED]

Name of Owner Michael Scott

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

Michael Scott Bob Young [REDACTED]

Joshua Winston Harwich, MA 02645

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

*By signing below, I am certifying that the premises to be licensed as described herein have been inspected and found to be in compliance with applicable local codes and regulations, including zoning ordinances, health regulations and building and fire codes.*

*Michael Scott*  
Signature of Applicant, Owner or Manager

11/17/13  
Date

[REDACTED]  
Federal I.D. #

\*Application must include payment, Certificate of Insurance showing workers comp coverage and Workers Comp Affidavit. Any application missing information or documentation will be deemed incomplete and sent back to the applicant.





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

**APPLICATION FOR COMMON VICTUALLERS LICENSE RENEWAL**

Fee: \$50

Annual  Seasonal  Opening date \_\_\_\_\_

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

Business Name The Lonyard Bar and Grill Phone: [REDACTED]

Doing Business As (d/b/a) BLM Restaurant Group

Business Address 429 Rt. 28 Harwich Port MA 02646

Mailing Address \_\_\_\_\_

Email Address [REDACTED]

Name of Owner Ben Porter

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

\_\_\_\_\_  
\_\_\_\_\_

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

*By signing below, I am certifying that the premises to be licensed as described herein have been inspected and found to be in compliance with applicable local codes and regulations, including zoning ordinances, health regulations and building and fire codes.*

*Ben A. Porter*  
Signature of Applicant, Owner or Manager

11/2/2023  
Date

[REDACTED]  
Federal I.D. #

\*Application must include payment, Certificate of Insurance showing workers comp coverage and Workers Comp Affidavit. Any application missing information or documentation will be deemed incomplete and sent back to the applicant.





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

**APPLICATION FOR COMMON VICTUALLERS LICENSE RENEWAL**

Fee: \$50

Annual

Seasonal

Opening date \_\_\_\_\_

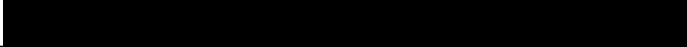
In accordance with the provisions of the Statutes relating thereto, application for a Common Victuallers license is hereby made by:

Business Name DENT DONUTS LLC Phone 

Doing Business As (d/b/a) Dunkin'

Business Address 481 Route 28 Harwich port MA 02646

Mailing Address P.O. Box 485 South Dennis, MA, 02660

Email Address 

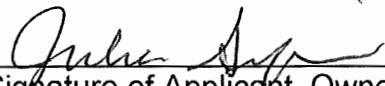
Name of Owner <sup>Jr</sup> Tony Placido

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


\_\_\_\_\_  
\_\_\_\_\_

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

*By signing below, I am certifying that the premises to be licensed as described herein have been inspected and found to be in compliance with applicable local codes and regulations, including zoning ordinances, health regulations and building and fire codes.*

  
Signature of Applicant, Owner or Manager

11/08/2023  
Date

  
Federal I.D. #

\*Application must include payment, Certificate of Insurance showing workers comp coverage and Workers Comp Affidavit. Any application missing information or documentation will be deemed incomplete and sent back to the applicant.



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

**APPLICATION FOR COMMON VICTUALLERS LICENSE RENEWAL**

Fee: \$50

Annual  Seasonal  Opening date \_\_\_\_\_

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

Business Name DENT DONUTS LLC Phone [REDACTED]

Doing Business As (d/b/a) Dunkin'

Business Address 175 Route 137 Harwich MA 02645

Mailing Address P.O. Box 485 S. Dennis MA 02660

Email Address [REDACTED]

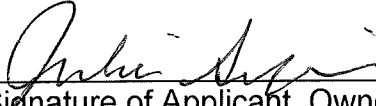
Name of Owner Tony Placido

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

\_\_\_\_\_  
\_\_\_\_\_

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

*By signing below, I am certifying that the premises to be licensed as described herein have been inspected and found to be in compliance with applicable local codes and regulations, including zoning ordinances, health regulations and building and fire codes.*

  
Signature of Applicant, Owner or Manager

11/08/2023  
Date

[REDACTED]  
Federal I.D. #

\*Application must include payment, Certificate of Insurance showing workers comp coverage and Workers Comp Affidavit. Any application missing information or documentation will be deemed incomplete and sent back to the applicant.



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

**APPLICATION FOR COMMON VICTUALLERS LICENSE RENEWAL**

Fee: \$50

Annual   
Seasonal

Opening date \_\_\_\_\_

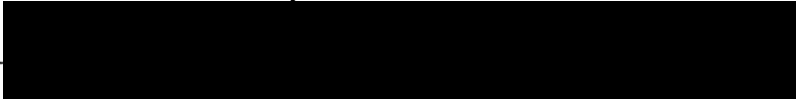
In accordance with the provisions of the Statutes relating thereto, application for a Common Victuallers license is hereby made by:

Business Name Ember Pizza Inc Phone 

Doing Business As (d/b/a) Ember Coal Fired Pizza + Wings

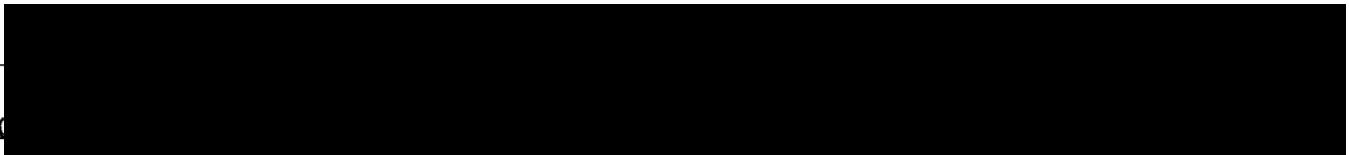
Business Address 600 ROUTE 28

Mailing Address Harwich, MA 02646

Email Address 


Name of Owner \_\_\_\_\_

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



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

*By signing below, I am certifying that the premises to be licensed as described herein have been inspected and found to be in compliance with applicable local codes and regulations, including zoning ordinances, health regulations and building and fire codes.*

  
\_\_\_\_\_  
Signature of Applicant, Owner or Manager

11 - 11 - 2023  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Federal I.D. #

\*Application must include payment, Certificate of Insurance showing workers comp coverage and Workers Comp Affidavit. Any application missing information or documentation will be deemed incomplete and sent back to the applicant.



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

**APPLICATION FOR COMMON VICTUALLERS LICENSE RENEWAL**

Fee: \$50                      Annual   X    
                                    Seasonal             Opening date                     

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

Business Name EPIROS HOLDINGS LLC                      Phone [REDACTED]

Doing Business As (d/b/a) GEORGE'S PIZZA HOUSE

Business Address 564 MAIN STREET (ROUTE 28) HARWICHPORT MA. 02646

Mailing Address PO BOX 193 HARWICH PORT MA. 02646

Email Address [REDACTED]

Name of Owner JOHN AND SPYRIDON CHRISTAKIS

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

[REDACTED]

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

*By signing below, I am certifying that the premises to be licensed as described herein have been inspected and found to be in compliance with applicable local codes and regulations, including zoning ordinances, health regulations and building and fire codes.*

[Signature]                      11/04/23  
Signature of Applicant, Owner or Manager      Date

[REDACTED]  
Federal I.D. #

\*Application must include payment, Certificate of Insurance showing workers comp coverage and Workers Comp Affidavit. Any application missing information or documentation will be deemed incomplete and sent back to the applicant.



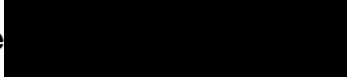
OFFICE OF THE SELECTMEN  
732 MAIN STREET  
HARWICH, MA 02645  
508-430-7513

**APPLICATION FOR COMMON VICTUALLERS LICENSE RENEWAL**

Fee: \$50

Annual  Renewal  
Seasonal  Opening date \_\_\_\_\_

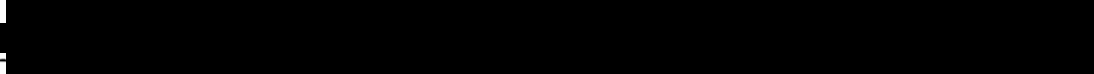
In accordance with the provisions of the Statutes relating thereto, application for a Common Victuallers license is hereby made by:

Business Name 400 EAST INC Phone 

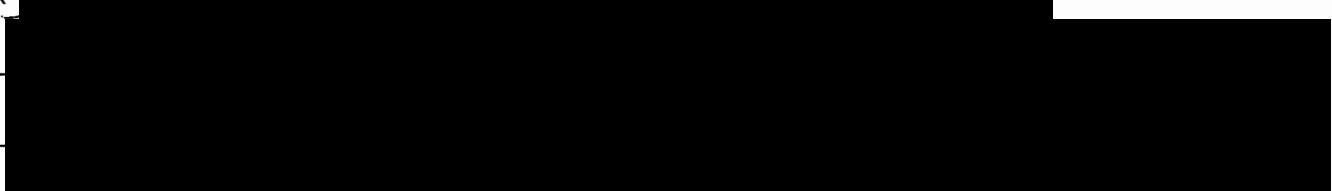
Doing Business As (d/b/a) 400 EAST

Business Address 1421 Orleans Rd Harwich MA 02645

Mailing Address - same -

Email Address 


Name of Owner Paul Sluis

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


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

*By signing below, I am certifying that the premises to be licensed as described herein have been inspected and found to be in compliance with applicable local codes and regulations, including zoning ordinances, health regulations and building and fire codes.*

Paul Sluis owner 11-1-23  
Signature of Applicant, Owner or Manager Date

  
Federal I.D. # \_\_\_\_\_

\*Application must include payment, Certificate of Insurance showing workers comp coverage and Workers Comp Affidavit. Any application missing information or documentation will be deemed incomplete and sent back to the applicant.



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

**APPLICATION FOR COMMON VICTUALLERS LICENSE RENEWAL**

Fee: \$50

Annual

Seasonal

Opening date \_\_\_\_\_

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

Business Name MORNINGSTARRESTAURANTINC Phone [REDACTED]

Doing Business As (d/b/a) VILLA ROMA

Business Address 278 RTE 28, W HARWICH, MA 02671

Mailing Address 278 RTE 28, W HARWICH, MA 02671

Email Address [REDACTED]


Name of Owner LEE ANNE FAXON

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

\_\_\_\_\_  
\_\_\_\_\_

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

*By signing below, I am certifying that the premises to be licensed as described herein have been inspected and found to be in compliance with applicable local codes and regulations, including zoning ordinances, health regulations and building and fire codes.*

  
\_\_\_\_\_  
Signature of Applicant, Owner or Manager      Date 10/28/2023

[REDACTED]  
\_\_\_\_\_  
Federal I.D. #

\*Application must include payment, Certificate of Insurance showing workers comp coverage and Workers Comp Affidavit. Any application missing information or documentation will be deemed incomplete and sent back to the applicant.



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

**APPLICATION FOR COMMON VICTUALLERS LICENSE RENEWAL**

Fee: \$50

Annual  Seasonal  Opening date \_\_\_\_\_

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

Business Name Red River BBQ LLC Phone [REDACTED]

Doing Business As (d/b/a) Red River BBQ

Business Address 787 Route 28

Mailing Address 787 Route 28

Email Address [REDACTED]

Name of Owner Jeremiah Beardon

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

\_\_\_\_\_  
\_\_\_\_\_

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

*By signing below, I am certifying that the premises to be licensed as described herein have been inspected and found to be in compliance with applicable local codes and regulations, including zoning ordinances, health regulations and building and fire codes.*

[Signature]  
Signature of Applicant, Owner or Manager

10/27/23  
Date

[REDACTED]  
Federal I.D. #

\*Application must include payment, Certificate of Insurance showing workers comp coverage and Workers Comp Affidavit. Any application missing information or documentation will be deemed incomplete and sent back to the applicant.



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

**APPLICATION FOR COMMON VICTUALLERS LICENSE RENEWAL**

Fee: \$50                      Annual            
   Seasonal                    Opening date                         

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

Business Name Wequassetts Resort and Golf Club                      Phone [REDACTED]

Doing Business As (d/b/a) Same

Business Address 2173 Route 28, Harwich, Massachusetts 02645

Mailing Address Same

Email Address [REDACTED]

Name of Owner Round Cove Resort Owner LLC

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

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

*By signing below, I am certifying that the premises to be licensed as described herein have been inspected and found to be in compliance with applicable local codes and regulations, including zoning ordinances, health regulations and building and fire codes.*

                      11/1/23  
Signature of Applicant, Owner or Manager                      Date

[REDACTED]  
Federal I.D. #

\*Application must include payment, Certificate of Insurance showing workers comp coverage and Workers Comp Affidavit. Any application missing information or documentation will be deemed incomplete and sent back to the applicant.





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

**APPLICATION FOR COMMON VICTUALLERS LICENSE RENEWAL**

Fee: \$50

Annual   
Seasonal

Opening date 4/1/10

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

Business Name Ruggies Inc Phone [REDACTED]

Doing Business As (d/b/a) Ruggies Restaurant

Business Address 707 MAIN STREET HARWICH, MA 02645

Mailing Address PO BOX 365 WEST HARWICH, MA 02671

Email Address [REDACTED]

Name of Owner Peter N. Morey

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

Peter N. Morey (president)

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

*By signing below, I am certifying that the premises to be licensed as described herein have been inspected and found to be in compliance with applicable local codes and regulations, including zoning ordinances, health regulations and building and fire codes.*

[Signature]  
Signature of Applicant, Owner or Manager

11/24/23  
Date

[REDACTED]  
Federal I.D. #

\*Application must include payment, Certificate of Insurance showing workers comp coverage and Workers Comp Affidavit. Any application missing information or documentation will be deemed incomplete and sent back to the applicant.



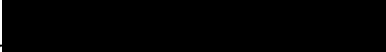
OFFICE OF THE SELECTMEN  
732 MAIN STREET  
HARWICH, MA 02645  
508-430-7513

**APPLICATION FOR COMMON VICTUALLERS LICENSE RENEWAL**

Fee: \$50

Annual  Seasonal  Opening date \_\_\_\_\_

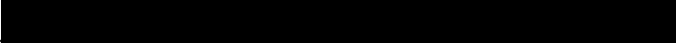
In accordance with the provisions of the Statutes relating thereto, application for a Common Victuallers license is hereby made by:

Business Name Scribano's Inc. Phone 

Doing Business As (d/b/a) Scribano's Italian Market & Deli

Business Address 34 1/2 Beacon St, Unit 4N, Boston, MA 02108-1423

Mailing Address 302 Route 28, Harwich Port, MA 02646

Email Address 

Name of Owner Mark Beni

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



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

*By signing below, I am certifying that the premises to be licensed as described herein have been inspected and found to be in compliance with applicable local codes and regulations, including zoning ordinances, health regulations and building and fire codes.*

Mark Beni  
Signature of Applicant, Owner or Manager

Oct 31, 2023  
Date

  
Federal I.D. #

\*Application must include payment, Certificate of Insurance showing workers comp coverage and Workers Comp Affidavit. Any application missing information or documentation will be deemed incomplete and sent back to the applicant.



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

**APPLICATION FOR COMMON VICTUALLERS LICENSE RENEWAL**

Fee: \$50

Annual

Seasonal

Opening date \_\_\_\_\_

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

Business Name Zack Inc Phone [REDACTED]

Doing Business As (d/b/a) Castaways

Business Address 986 Route 28 So Harwich, Ma 02661

Mailing Address P.O. Box 94 So. Harwich Ma 02661

Email Address [REDACTED]

Name of Owner Zack Inc

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

[REDACTED]

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

*By signing below, I am certifying that the premises to be licensed as described herein have been inspected and found to be in compliance with applicable local codes and regulations, including zoning ordinances, health regulations and building and fire codes.*

*John B. Merrill*  
Signature of Applicant, Owner or Manager

11/20/2023  
Date

[REDACTED]  
Federal I.D. #

\*Application must include payment, Certificate of Insurance showing workers comp coverage and Workers Comp Affidavit. Any application missing information or documentation will be deemed incomplete and sent back to the applicant.



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

**APPLICATION FOR COMMON VICTUALLERS LICENSE RENEWAL**

Fee: \$50

Annual

Seasonal

Opening date \_\_\_\_\_

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

Business Name Szechuan Delight Phone [REDACTED]

Doing Business As (d/b/a) ZOU Garden Inc. dba Szechuan Delight

Business Address 1421 Orleans Road U#24, Harwich MA 02645

Mailing Address Same As Above

Email Address [REDACTED]

Name of Owner Zong zi ZOU

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

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

*By signing below, I am certifying that the premises to be licensed as described herein have been inspected and found to be in compliance with applicable local codes and regulations, including zoning ordinances, health regulations and building and fire codes.*

[Signature]

Signature of Applicant, Owner or Manager

11/27/2023

Date

[REDACTED]  
Federal I.D. #

\*Application must include payment, Certificate of Insurance showing workers comp coverage and Workers Comp Affidavit. Any application missing information or documentation will be deemed incomplete and sent back to the applicant.



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

**APPLICATION FOR LODGING HOUSE OR INNOLDERS LICENSE RENEWAL**

LICENSE APPLIED FOR: Lodging House  Innholders

Fee: \$50 Annual  Seasonal   
# of rooms 6 Opening date \_\_\_\_\_

Business Name Barnaby Inn Phone [REDACTED]

Doing Business As (d/b/a) Barnaby Inn

Business Address 36 Route 28 W Harwich MA 02671

Mailing Address [REDACTED]

Winter Address & Phone [REDACTED]

Email Address [REDACTED]

Name of Owner Huilin Zhao & Lan Wang (cell) [REDACTED]

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

**INNOLDERS ONLY** – List total number of seats in dining/lounge area. 12

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

*By signing below, I am certifying that the premises to be licensed as described herein have been inspected and found to be in compliance with applicable local codes and regulations, including zoning ordinances, health regulations and building and fire codes.*

Lan Wang owner 10/28/23  
Signature of Applicant, Owner or Manager Date

Federal I.D. # [REDACTED]

\*Application must include payment, Certificate of Insurance showing workers comp coverage and Workers Comp Affidavit. Any application missing information or documentation will be deemed incomplete and sent back to the applicant.



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

**APPLICATION FOR LODGING HOUSE OR INNHOLDERS LICENSE RENEWAL**

LICENSE APPLIED FOR: Lodging House \_\_\_\_\_ Innholders X

Fee: \$50 Annual X Seasonal \_\_\_\_\_  
# of rooms 15 Opening date April 15, 2024

Business Name Braddock, Inc. Phone [REDACTED]

Doing Business As (d/b/a) Winstead Inn & Beach Resort

Business Address 114-118 Parallel St., Harwich, MA 02645

Mailing Address P O Box 432, Harwich Port, MA 02646

Winter Address & Phone [REDACTED]

Email Address [REDACTED]

Name of Owner Winston Plunkett LLC

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

David J Plunkett - President Gregory Y Winston - Vice President

**INNHOLDERS ONLY** – List total number of seats in dining/lounge area. 36

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

*By signing below, I am certifying that the premises to be licensed as described herein have been inspected and found to be in compliance with applicable local codes and regulations, including zoning ordinances, health regulations and building and fire codes.*

*David Plunkett* 10/27/2023  
Signature of Applicant, Owner or Manager Date

Federal I.D. # [REDACTED]

\*Application must include payment, Certificate of Insurance showing workers comp coverage and Workers Comp Affidavit. Any application missing information or documentation will be deemed incomplete and sent back to the applicant.



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

**APPLICATION FOR LODGING HOUSE OR INNOLDERS LICENSE RENEWAL**

LICENSE APPLIED FOR: Lodging House \_\_\_\_\_ Innholders X \_\_\_\_\_

Fee: \$50 Annual X Seasonal \_\_\_\_\_  
# of rooms 14 Opening date April 15, 2024

Business Name Braddock, Inc. Phone [REDACTED]

Doing Business As (d/b/a) Winstead Inn & Beach Resort

Business Address 4 Braddock St., Harwich Port, MA 02646

Mailing Address P O Box 432, Harwich Port, MA 02646

Winter Address & Phone [REDACTED]

Email Address [REDACTED]

Name of Owner Plunkett Winston LLC

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

David J Plunkett - President Gregory Y Winston - Vice President

**INNOLDERS ONLY** – List total number of seats in dining/lounge area. 30

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

*By signing below, I am certifying that the premises to be licensed as described herein have been inspected and found to be in compliance with applicable local codes and regulations, including zoning ordinances, health regulations and building and fire codes.*

*David Plunkett*  
Signature of Applicant, Owner or Manager

10/27/2023  
Date

Federal I.D. [REDACTED]

\*Application must include payment, Certificate of Insurance showing workers comp coverage and Workers Comp Affidavit. Any application missing information or documentation will be deemed incomplete and sent back to the applicant.



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

**APPLICATION FOR LODGING HOUSE OR INNHOLDERS LICENSE RENEWAL**

**LICENSE APPLIED FOR:** Lodging House \_\_\_\_\_ Innholders X

**Fee: \$50** Annual X Seasonal \_\_\_\_\_  
# of rooms 8 Opening date 4/1/2024

Business Name Sands Hospitality, Inc. Phone [REDACTED]

Doing Business As (d/b/a) The Platinum Pebble Boutique Inn

Business Address 186 Belmont Road West Harwich, MA 02671

Mailing Address same

Winter Address & Phone same

Email Address [REDACTED]

Name of Owner Sharon Foster & Shawn Gilmore

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

Sharon Foster, President /Treasurer/Secretary Shawn Gilmore, Vice President [REDACTED]

Sharon Foster Shawn Gilmore

**INNOLDERS ONLY** – List total number of seats in dining/lounge area. 10

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

*By signing below, I am certifying that the premises to be licensed as described herein have been inspected and found to be in compliance with applicable local codes and regulations, including zoning ordinances, health regulations and building and fire codes.*

Sharon Foster 10/31/2023  
Signature of Applicant, Owner or Manager Date

Federal I.D. [REDACTED]

\*Application must include payment, Certificate of Insurance showing workers comp coverage and Workers Comp Affidavit. Any application missing information or documentation will be deemed incomplete and sent back to the applicant.



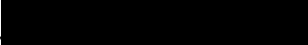


OFFICE OF THE SELECTMEN  
732 MAIN ST., HARWICH, MA 02645  
508-430-7513

**APPLICATION FOR LODGING HOUSE OR INNHOLDERS LICENSE RENEWAL**

**LICENSE APPLIED FOR:** Lodging House  Innholders

**Fee: \$50** Annual  Seasonal   
# of rooms 20 Opening date \_\_\_\_\_

Business Name SICEAMP, INC Phone 

Doing Business As (d/b/a) THE TERN INN

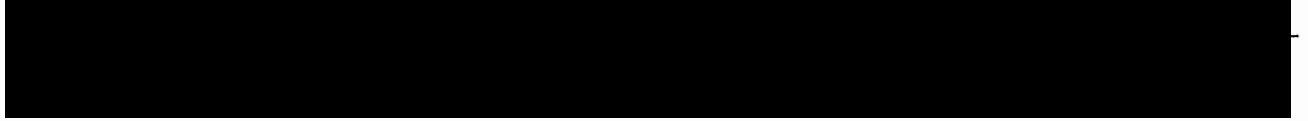
Business Address 91 CHASE ST, WEST HARWICH, MA 02671

Mailing Address SAME

Winter Address & Phone SAME

Email Address JFESUGUA @ GMAIL. COM


Name of Owner JOHN F. AUGUST

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


**INNHOLDERS ONLY** – List total number of seats in dining/lounge area. 28

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

*By signing below, I am certifying that the premises to be licensed as described herein have been inspected and found to be in compliance with applicable local codes and regulations, including zoning ordinances, health regulations and building and fire codes.*

  
\_\_\_\_\_  
Signature of Applicant, Owner or Manager

11/9/23  
\_\_\_\_\_  
Date

Federal I.D. # 

\*Application must include payment, Certificate of Insurance showing workers comp coverage and Workers Comp Affidavit. Any application missing information or documentation will be deemed incomplete and sent back to the applicant.



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

**APPLICATION FOR LODGING HOUSE OR INNOLDERS LICENSE RENEWAL**

LICENSE APPLIED FOR: Lodging House \_\_\_\_\_ Innholders X

Fee: \$50 Annual X Seasonal \_\_\_\_\_  
# of rooms 120 Opening date \_\_\_\_\_

Business Name Wequassett Resort and Golf Club Phone [REDACTED]

Doing Business As (d/b/a) Wequassett Resort and Golf Club

Business Address 2173 Route 28, Harwich, Massachusetts 02645

Mailing Address 2173 Route 28, Harwich, Massachusetts 02645

Winter Address & Phone \_\_\_\_\_

Email Address [REDACTED]

Name of Owner [REDACTED]

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

**INNOLDERS ONLY** – List total number of seats in dining/lounge area. 225

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

*By signing below, I am certifying that the premises to be licensed as described herein have been inspected and found to be in compliance with applicable local codes and regulations, including zoning ordinances, health regulations and building and fire codes.*

[Signature] 11/1/23  
Signature of Applicant, Owner or Manager Date

Federal I.D. # [REDACTED]

\*Application must include payment, Certificate of Insurance showing workers comp coverage and Workers Comp Affidavit. Any application missing information or documentation will be deemed incomplete and sent back to the applicant.



OFFICE OF THE SELECTMEN  
732 MAIN ST., HARWICH, MA 02645  
www.harwich-ma.gov  
(508) 430-7513

**APPLICATION FOR AUTO LICENSE RENEWAL**

Check all applicable:

- CLASS I - AGENTS OR SELLERS  
 CLASS II - USED CAR DEALERS  
 CLASS III - JUNK CAR DEALERS  
 CLASS IV - AUTO REPAIRMAN

FEE: \$100 each

BUSINESS NAME Dave's Garage  
D/B/A Dave's Garage PHONE [REDACTED]  
BUSINESS ADDRESS 910 Route 28 South Harwich MA 02661  
MAILING ADDRESS PO Box 886 South Harwich MA 02661  
NAME OF OWNER David Coomber  
EMAIL ADDRESS [REDACTED]

IF CORPORATION OR PARTNERSHIP, LIST OFFICER INFORMATION BELOW.

Name	Title	Address

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

*By signing below, I am certifying that the premises to be licensed as described herein have been inspected and found to be in compliance with applicable local codes and regulations, including zoning ordinances, health regulations and building and fire codes.*

David J. Coomber 10/30/2023  
Signature of Applicant, Owner or Manager Date

Federal I.D. #

\*Application must include payment, Certificate of Insurance showing workers comp coverage and Workers Comp Affidavit. Any application missing information or documentation will be deemed incomplete and sent back to the applicant.



OFFICE OF THE SELECTMEN  
732 MAIN ST., HARWICH, MA 02645  
www.harwich-ma.gov  
(508) 430-7513

**APPLICATION FOR AUTO LICENSE RENEWAL**

Check all applicable:

- CLASS I - AGENTS OR SELLERS  
 CLASS II - USED CAR DEALERS  
 CLASS III - JUNK CAR DEALERS  
 CLASS IV - AUTO REPAIRMAN

FEE: \$100 each

BUSINESS NAME Nick @ Claudine Enterprises LLC

D/B/A West Harwich SUV-ON-GAS PHONE [REDACTED]

BUSINESS ADDRESS 4 Rt 28 West Harwich, MA 02671

MAILING ADDRESS SATLE

NAME OF OWNER NICK IMAD

EMAIL ADDRESS [REDACTED]

IF CORPORATION OR PARTNERSHIP, LIST OFFICER INFORMATION BELOW.

Name	Title	Address

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

*By signing below, I am certifying that the premises to be licensed as described herein have been inspected and found to be in compliance with applicable local codes and regulations, including zoning ordinances, health regulations and building and fire codes.*

Signature of Applicant, Owner or Manager \_\_\_\_\_ Date 10/25/23

Federal I.D. # \_\_\_\_\_

\*Application must include payment, Certificate of Insurance showing workers comp coverage and Workers Comp Affidavit. Any application missing information or documentation will be deemed incomplete and sent back to the applicant.



OFFICE OF THE SELECTMEN  
732 MAIN ST., HARWICH, MA 02645  
www.harwich-ma.gov  
(508) 430-7513

**APPLICATION FOR AUTO LICENSE RENEWAL**

Check all applicable: \_\_\_\_\_ CLASS I - AGENTS OR SELLERS  
\_\_\_\_\_ CLASS II - USED CAR DEALERS  
\_\_\_\_\_ CLASS III - JUNK CAR DEALERS  
 CLASS IV - AUTO REPAIRMAN

FEE: \$100 each

BUSINESS NAME STEVEN'S AUTO REPAIR  
D/B/A STEVEN'S AUTO PHONE [REDACTED]  
BUSINESS ADDRESS 216 MAIN STREET WEST HARWICH 02671  
MAILING ADDRESS PO BOX 224 WEST HARWICH 02671  
NAME OF OWNER STEVEN SNOW  
EMAIL ADDRESS [REDACTED]

IF CORPORATION OR PARTNERSHIP, LIST OFFICER INFORMATION BELOW.

Name	Title	Address
_____	_____	_____
_____	_____	_____
_____	_____	_____

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

*By signing below, I am certifying that the premises to be licensed as described herein have been inspected and found to be in compliance with applicable local codes and regulations, including zoning ordinances, health regulations and building and fire codes.*

Steven Snow NOV 1 - 2023  
Signature of Applicant, Owner or Manager Date

[REDACTED]  
Federal I.D. #

\*Application must include payment, Certificate of Insurance showing workers comp coverage and Workers Comp Affidavit. Any application missing information or documentation will be deemed incomplete and sent back to the applicant.



OFFICE OF THE SELECTMEN  
732 MAIN ST., HARWICH, MA 02645  
www.harwich-ma.gov  
(508) 430-7513

**APPLICATION FOR AUTO LICENSE RENEWAL**

Check all applicable:

- CLASS I - AGENTS OR SELLERS  
 CLASS II - USED CAR DEALERS  
 CLASS III - JUNK CAR DEALERS  
 CLASS IV - AUTO REPAIRMAN

**FEE: \$100 each**

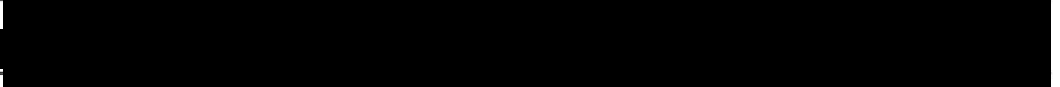
BUSINESS NAME Harwich Port Boat Yard

D/B/A \_\_\_\_\_ PHONE 

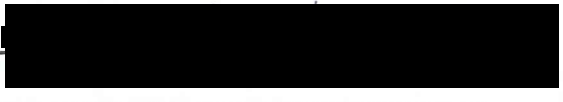
BUSINESS ADDRESS 4 Harbor Rd, Harwich Port Ma 02646

MAILING ADDRESS Box 218 Harwich Port Ma 02646

NAME OF OWNER John Our

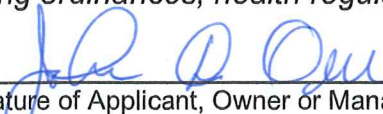
EMAIL ADDRESS 

IF CORPORATION OR PARTNERSHIP, LIST OFFICER INFORMATION BELOW.

Name	Title	Address
<u>Ryan Our</u>	<u>Vice-President</u>	

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

*By signing below, I am certifying that the premises to be licensed as described herein have been inspected and found to be in compliance with applicable local codes and regulations, including zoning ordinances, health regulations and building and fire codes.*

 Date 10/21/23

Signature of Applicant, Owner or Manager  


Federal I.D. # \_\_\_\_\_

\*Application must include payment, Certificate of Insurance showing workers comp coverage and Workers Comp Affidavit. Any application missing information or documentation will be deemed incomplete and sent back to the applicant.



**ENTERTAINMENT LICENSE RENEWAL - WEEKDAY**

An application for entertainment regulated by Massachusetts General Law Chapter 140, Section 183A

All highlighted areas are **REQUIRED** to be completed

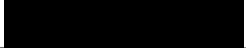
**Section I - Check all appropriate**

- Weekday Entertainment (\$75)
- One day Entertainment (\$25)

**Section II - Check all appropriate**

- Annual
- Seasonal
- Opening Date \_\_\_\_\_

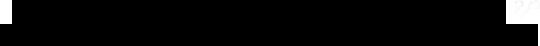
**Section III - Applicant Information**

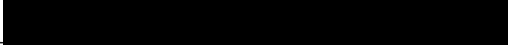
Business Name Ashwood Food Service Incorporated Phone 

Doing Business As Jake Rooney's Restaurant

Business Address 119 Brooks Rd. Harwichport, MA 02646

Mailing Address same

Owners Name & Address Peter D. Klaus 

Email Address 

Manager Name & Address Kate Lomask 119 Brooks Rd. Harwichport, MA

Days/Hours of Business Operation 11am - close m - sat. Noon - close Sunday

**Section IV - Entertainment Type (Check all appropriate boxes)**

- Group 1**  Jukebox, Radio, Television
- Group 2**  Dancing by Patrons
- Group 3**  Dancing by Live Performers, Live/Recorded Music, Amplification System  
\*If having live or recorded music, please state below exactly what kind (DJ, Band, etc.)
- Group 4**  Moving Pictures, Plays, Floor Shows, Light Shows, Theatre Shows

**Section V - Additional information**

- The time you are requesting to have entertainment (I.E. 4 P.M. to 10 P.M.)  
11am - 11pm
- Location of entertainment (Inside and/or outside)  
inside
- Specific days if not applying for Monday through Saturday

- Please use the area below to outline any additional information for the Local Licensing Authority

*We have trivia on Thursday nights.*

**Section VI**

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

Yes       No

- If you checked yes on the question above, please obtain an Entertainment Appendix from staff

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

*By signing below, I am certifying that the premises to be licensed as described herein have been inspected and found to be in compliance with applicable local codes and regulations, including zoning ordinances, health regulations and building and fire codes.*

  
\_\_\_\_\_  
Signature of applicant & title

  
\_\_\_\_\_  
Federal I.D. #

\*Application must include payment, Certificate of Insurance showing workers comp coverage and Workers Comp Affidavit. Any application missing information or documentation will be deemed incomplete and sent back to the applicant.





ENTERTAINMENT LICENSE RENEWAL - **SUNDAY**

An application for entertainment regulated by Massachusetts General Law Chapter 140, Section 183A

All highlighted areas are REQUIRED to be completed

**Section I - Check all appropriate**

- Entertainment starting prior to 1PM (\$175)
- Entertainment starting after 1PM (\$85)
- One day Entertainment (\$25)

**Section II - Check all appropriate**

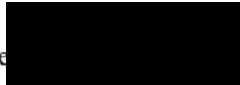
- Annual
- Seasonal
- Opening Date

Please note the Commonwealth of Massachusetts fee applies for all Sunday entertainment as outlined below:

Please make check payable to Commonwealth of Massachusetts

- Entertainment starting on Sunday after 1:00 p.m. - \$50
- Entertainment starting on Sunday prior to 1:00 p.m. - \$100

**Section III - Applicant Information**

Business Name Ashwood Food Services Incorporated Phone 

Doing Business As Jake Rooney's Restaurant

Business Address 119 Brooks Road, Harwichport, MA 02646

Mailing Address same

Owners Name & Address Peter D. Klaus 119 Brooks Road Harwichport, MA 02646

Email Address 

Manager Name & Address Kate Lomask 119 Brooks Road, Harwichport, MA 02646

Days/Hours of Business Operation Mon - Sat 11am til close Sunday noon til close

**Section IV - Entertainment Type (Check all appropriate boxes)**

- Group 1**  Jukebox, Radio, Television
- Group 2**  Dancing by Patrons
- Group 3**  Dancing by Live Performers, Live/Recorded Music, Amplification System  
\*If having live or recorded music, please state below exactly what kind (DJ, Band, etc.)
- Group 4**  Moving Pictures, Plays, Floor Shows, Light Shows, Theatre Shows





ENTERTAINMENT LICENSE RENEWAL - WEEKDAY

An application for entertainment regulated by Massachusetts General Law Chapter 140, Section 183A

All highlighted areas are REQUIRED to be completed

Section I - Check all appropriate

- Weekday Entertainment (\$75)
- One day Entertainment (\$25)

Section II - Check all appropriate

- Annual
- Seasonal
- Opening Date \_\_\_\_\_

Section III - Applicant Information

Business Name Beach Light LLC Phone [REDACTED]

Doing Business As The Seal Pub and Cafe

Business Address 703 Main Street Harwich, MA 02645

Mailing Address 703 Main Street Harwich, MA 02645

Owners Name & Address [REDACTED]

Email Address [REDACTED]

Manager Name [REDACTED]

Days/Hours of Business Operation 6:00 AM - 1 AM

Section IV - Entertainment Type (Check all appropriate boxes)

Group 1  Jukebox, Radio, Television Inside

Group 2  Dancing by Patrons

Group 3  Dancing by Live Performers, Live/Recorded Music, Amplification System

\*If having live or recorded music, please state below exactly what kind (DJ, Band, etc.)

Group 4  Moving Pictures, Plays, Floor Shows, Light Shows, Theatre Shows

Section V - Additional information

- The time you are requesting to have entertainment (I.E. 4 P.M. to 10 P.M.)  
6:00 AM - 12:00 AM Inside Thurs Fri Sat 6:00 PM - 9 PM Outside
- Location of entertainment (Inside and/or outside)
- Specific days if not applying for Monday through Saturday



- Please use the area below to outline any additional information for the Local Licensing Authority Acoustic Guitar Player ~~and~~ Singing only - outside UN

**Section VI**

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

Yes  No

- If you checked yes on the question above, please obtain an Entertainment Appendix from staff

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

*By signing below, I am certifying that the premises to be licensed as described herein have been inspected and found to be in compliance with applicable local codes and regulations, including zoning ordinances, health regulations and building and fire codes.*

  
Signature of applicant & title

  
Federal I.D. #

\*Application must include payment, Certificate of Insurance showing workers comp coverage and Workers Comp Affidavit. Any application missing information or documentation will be deemed incomplete and sent back to the applicant.



ENTERTAINMENT LICENSE RENEWAL - SUNDAY

An application for entertainment regulated by Massachusetts General Law Chapter 140, Section 183A

All highlighted areas are REQUIRED to be completed

Section I - Check all appropriate

- Entertainment starting prior to 1PM (\$175)
- Entertainment starting after 1PM (\$85)
- One day Entertainment (\$25)

Section II - Check all appropriate

- Annual
- Seasonal
- Opening Date

Please note the Commonwealth of Massachusetts fee applies for all Sunday entertainment as outlined below:

Please make check payable to Commonwealth of Massachusetts

- Entertainment starting on Sunday after 1:00 p.m. - \$50
- Entertainment starting on Sunday prior to 1:00 p.m. - \$100

Section III - Applicant Information

Business Name Beachlight LLC d/b/a The Seal Pub Phone [REDACTED]

Doing Business As The Seal Pub and Cafe

Business Address 703 Main Street

Mailing Address 703 Main Street

Owners Name & Address [REDACTED]

Email Address [REDACTED]

Manager Name [REDACTED]

Days/Hours of Business Operation 6:00 Am - 1:00 Am

Section IV - Entertainment Type (Check all appropriate boxes)

- Group 1  Jukebox, Radio, Television
- Group 2  Dancing by Patrons
- Group 3  Dancing by Live Performers, Live/Recorded Music, Amplification System  
\*If having live or recorded music, please state below exactly what kind (DJ, Band, etc.)
- Group 4  Moving Pictures, Plays, Floor Shows, Light Shows, Theatre Shows

**Section V - Additional information**

- The time you are requesting to have entertainment (I.E. 4 P.M. to 10 P.M.)  
6:00 AM - 12:00 AM Inside      6 PM - 10 PM Inside
- Location of entertainment (Inside and/or outside)  
Inside
- Please use the area below to outline any additional information for the Local Licensing Authority  
6 PM - 12 AM Inside Recorded Music, TV Radio + background music  
6 PM - 10 PM Inside Acoustic, unamplified Live music or Karaoke

**Section VI**

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

Yes       No

- If you checked yes on the question above, please obtain an Entertainment Appendix from staff

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

By signing below, I am certifying that the premises to be licensed as described herein have been inspected and found to be in compliance with applicable local codes and regulations, including zoning ordinances, health regulations and building and fire codes.

*[Signature]*

Signature of Applicant, Owner or Manager

11/18/23

Date

Federal I.D. #

\*Application must include payment, Certificate of Insurance showing workers comp coverage and Workers Comp Affidavit. Any application missing information or documentation will be deemed incomplete and sent back to the applicant.



**ENTERTAINMENT LICENSE RENEWAL - WEEKDAY**

An application for entertainment regulated by Massachusetts General Law Chapter 140, Section 183A

All highlighted areas are REQUIRED to be completed

**Section I - Check all appropriate**

Weekday Entertainment (\$75)  
 One day Entertainment (\$25)

**Section II - Check all appropriate**

Annual   
Seasonal   
Opening Date \_\_\_\_\_

**Section III - Applicant Information**

Business Name Blue Stripe LLC Phone [REDACTED]

Doing Business As Cape Sea Grille

Business Address 31 Sea Street Harwich Port, MA 02646

Mailing Address [REDACTED]

Owners Name & Address [REDACTED]

Email Address [REDACTED]

Manager Name & Address [REDACTED]

Days/Hours of Business Operation Sunday - Saturday 4:00pm - 11:00pm

**Section IV - Entertainment Type (Check all appropriate boxes)**

**Group 1**  Jukebox, Radio, Television

**Group 2**  Dancing by Patrons

**Group 3**  Dancing by Live Performers, Live/Recorded Music, Amplification System  
\*If having live or recorded music, please state below exactly what kind (DJ, Band, etc.)

**Group 4**  Moving Pictures, Plays, Floor Shows, Light Shows, Theatre Shows

**Section V - Additional information**

- The time you are requesting to have entertainment (I.E. 4 P.M. to 10 P.M.)  
4pm - 12am
- Location of entertainment (Inside and/or outside)  
Inside
- Specific days if not applying for Monday through Saturday



**ENTERTAINMENT LICENSE RENEWAL - SUNDAY**

An application for entertainment regulated by Massachusetts General Law Chapter 140, Section 183A

**All highlighted areas are REQUIRED to be completed**

**Section I - Check all appropriate**

- Entertainment starting **prior to 1PM** (\$175)
- Entertainment starting **after 1PM** (\$85)
- One day Entertainment (\$25)

**Section II - Check all appropriate**

- Annual
- Seasonal
- Opening Date

**Please note the Commonwealth of Massachusetts fee applies for all Sunday entertainment as outlined below:**

Please make check payable to Commonwealth of Massachusetts

- Entertainment starting on Sunday **after** 1:00 p.m. - \$50
- Entertainment starting on Sunday **prior** to 1:00 p.m. - \$100

**Section III - Applicant Information**

Business Name Blue Stripe LLC Phone [REDACTED]

Doing Business As Cape Sea Grille

Business Address 31 Sea Street Harwich Port, MA 02646

Mailing Address [REDACTED]

Owners Name & Address [REDACTED]

Email Address [REDACTED]

Manager Name & Address [REDACTED]

Days/Hours of Business Operation Sunday - Saturday 4pm - 11pm

**Section IV - Entertainment Type (Check all appropriate boxes)**

**Group 1**  Jukebox, Radio, Television

**Group 2**  Dancing by Patrons

**Group 3**  Dancing by Live Performers, Live/Recorded Music, Amplification System  
\*If having live or recorded music, please state below exactly what kind (DJ, Band, etc.)

**Group 4**  Moving Pictures, Plays, Floor Shows, Light Shows, Theatre Shows



**Section V – Additional information**

- The time you are requesting to have entertainment (I.E. 4 P.M. to 10 P.M.)  
4pm-12am
- Location of entertainment (Inside and/or outside)  
Inside
- Please use the area below to outline any additional information for the Local Licensing Authority

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**Section VI**

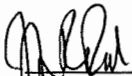
At any time during this concert, dance exhibition, cabaret or public show, will any person(s) be permitted to appear on the premises in any manner or attire as to expose to the public view any portion of the body as described in Mass. General Laws Chapter 140, Section 183A, Para. 3.

\_\_\_ Yes      x No

- **If you checked yes on the question above, please obtain an Entertainment Appendix from staff**

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

*By signing below, I am certifying that the premises to be licensed as described herein have been inspected and found to be in compliance with applicable local codes and regulations, including zoning ordinances, health regulations and building and fire codes.*



\_\_\_\_\_  
Signature of Applicant, Owner or Manager

10/28/2023

\_\_\_\_\_  
Date

\_\_\_\_\_  
Federal I.D. #

\*Application must include payment, Certificate of Insurance showing workers comp coverage and Workers Comp Affidavit. Any application missing information or documentation will be deemed incomplete and sent back to the applicant.



ENTERTAINMENT LICENSE RENEWAL - WEEKDAY

An application for entertainment regulated by Massachusetts General Law Chapter 140, Section 183A

All highlighted areas are REQUIRED to be completed

Section I - Check all appropriate

- Weekday Entertainment (\$75)
- One day Entertainment (\$25)

Section II - Check all appropriate

- Annual
- Seasonal
- Opening Date \_\_\_\_\_

Section III - Applicant Information

Business Name The Lanyard Bar and Grill Phone [REDACTED]

Doing Business As \_\_\_\_\_

Business Address 429 Rt. 28 Harwich Port MA 02646

Mailing Address \_\_\_\_\_

Owners Name & Address \_\_\_\_\_

Email Address \_\_\_\_\_

Manager Name & Address \_\_\_\_\_

Days/Hours of Business Operation 7 days Noon-1am

Section IV - Entertainment Type (Check all appropriate boxes)

- Group 1  Jukebox, Radio, Television
- Group 2  Dancing by Patrons
- Group 3  Dancing by Live Performers, Live/Recorded Music, Amplification System  
\*If having live or recorded music, please state below exactly what kind (DJ, Band, etc.)
- Group 4  Moving Pictures, Plays, Floor Shows, Light Shows, Theatre Shows

Section V - Additional information

- The time you are requesting to have entertainment (I.E. 4 P.M. to 10 P.M.)  
4pm-11pm inside 4pm-10pm outside
- Location of entertainment (Inside and/or outside)  
Inside and outside
- Specific days if not applying for Monday through Saturday

- Please use the area below to outline any additional information for the Local Licensing Authority

**Section VI**

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

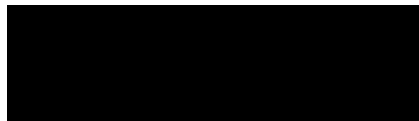
Yes       No

- If you checked yes on the question above, please obtain an Entertainment Appendix from staff

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

*By signing below, I am certifying that the premises to be licensed as described herein have been inspected and found to be in compliance with applicable local codes and regulations, including zoning ordinances, health regulations and building and fire codes.*

  
\_\_\_\_\_  
Signature of applicant & title

  
\_\_\_\_\_

\*Application must include payment, Certificate of Insurance showing workers comp coverage and Workers Comp Affidavit. Any application missing information or documentation will be deemed incomplete and sent back to the applicant.



ENTERTAINMENT LICENSE RENEWAL - SUNDAY

An application for entertainment regulated by Massachusetts General Law Chapter 140, Section 183A

All highlighted areas are REQUIRED to be completed

Section I - Check all appropriate

- Entertainment starting prior to 1PM (\$175)
- Entertainment starting after 1PM (\$85)
- One day Entertainment (\$25)

Section II - Check all appropriate

- Annual
- Seasonal
- Opening Date

Please note the Commonwealth of Massachusetts fee applies for all Sunday entertainment as outlined below:

Please make check payable to Commonwealth of Massachusetts

- Entertainment starting on Sunday after 1:00 p.m. - \$50
- Entertainment starting on Sunday prior to 1:00 p.m. - \$100

Section III - Applicant Information

Business Name The Lanyard Bar and Grill Phone

Doing Business As \_\_\_\_\_

Business Address 429 Rt. 28 Harwich Port MA 02646

Mailing Address \_\_\_\_\_

Owners Name & Address

Email Address

Manager Name & Address

Days/Hours of Business Operation 7 days Noon-1am

Section IV - Entertainment Type (Check all appropriate boxes)

- Group 1  Jukebox, Radio, Television
- Group 2  Dancing by Patrons
- Group 3  Dancing by Live Performers, Live/Recorded Music, Amplification System  
\*If having live or recorded music, please state below exactly what kind (DJ, Band, etc.)
- Group 4  Moving Pictures, Plays, Floor Shows, Light Shows, Theatre Shows

**Section V – Additional information**

- The time you are requesting to have entertainment (I.E. 4 P.M. to 10 P.M.)  
4pm - 11pm inside      4pm - 10pm outside
- Location of entertainment (Inside and/or outside)  
Indoors and Outdoors
- Please use the area below to outline any additional information for the Local Licensing Authority

**Section VI**

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

Yes       No

- **If you checked yes on the question above, please obtain an Entertainment Appendix from staff**

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

*By signing below, I am certifying that the premises to be licensed as described herein have been inspected and found to be in compliance with applicable local codes and regulations, including zoning ordinances, health regulations and building and fire codes.*

*F. J. A. M.*  
Signature of Applicant, Owner or Manager

11/2/2023  
Date

Federal I.D. #

\*Application must include payment, Certificate of Insurance showing workers comp coverage and Workers Comp Affidavit. Any application missing information or documentation will be deemed incomplete and sent back to the applicant.



ENTERTAINMENT LICENSE RENEWAL - WEEKDAY

An application for entertainment regulated by Massachusetts General Law Chapter 140, Section 183A

All highlighted areas are REQUIRED to be completed

Section I - Check all appropriate

- Weekday Entertainment (\$75)
- One day Entertainment (\$25)

Section II - Check all appropriate

- Annual
- Seasonal
- Opening Date \_\_\_\_\_

Section III - Applicant Information

Business Name Ember Pizza Inc. Phone [REDACTED]

Doing Business As Ember Coal Fired Pizza + Wings

Business Address 600 Route 28

Mailing Address Harwich, MA 02646

Owners Name & Address [REDACTED]

Email Address [REDACTED]

Manager Name & Address [REDACTED]

Days/Hours of Business Operation MON-SUN ; 11AM - 1AM

Section IV - Entertainment Type (Check all appropriate boxes)

- Group 1  Jukebox, Radio, Television
- Group 2  Dancing by Patrons
- Group 3  Dancing by Live Performers, Live/Recorded Music, Amplification System  
\*If having live or recorded music, please state below exactly what kind (DJ, Band, etc.)
- Group 4  Moving Pictures, Plays, Floor Shows, Light Shows, Theatre Shows

Section V - Additional information

- The time you are requesting to have entertainment (I.E. 4 P.M. to 10 P.M.)  
Inside 10AM - 12AM ; OUTSIDE 10AM - 10PM
- Location of entertainment (Inside and/or outside)  
inside + outside
- Specific days if not applying for Monday through Saturday

- Please use the area below to outline any additional information for the Local Licensing Authority

Section VI

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

\_\_\_ Yes       No

- If you checked yes on the question above, please obtain an Entertainment Appendix from staff

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

*By signing below, I am certifying that the premises to be licensed as described herein have been inspected and found to be in compliance with applicable local codes and regulations, including zoning ordinances, health regulations and building and fire codes.*

  
\_\_\_\_\_  
Signature of applicant & title      *President*

\_\_\_\_\_  
Federal I.D. #

\*Application must include payment, Certificate of Insurance showing workers comp coverage and Workers Comp Affidavit. Any application missing information or documentation will be deemed incomplete and sent back to the applicant.



ENTERTAINMENT LICENSE RENEWAL - SUNDAY

An application for entertainment regulated by Massachusetts General Law Chapter 140, Section 183A

All highlighted areas are REQUIRED to be completed

Section I - Check all appropriate

- Entertainment starting prior to 1PM (\$175)
- Entertainment starting after 1PM (\$85)
- One day Entertainment (\$25)

Section II - Check all appropriate

- Annual
- Seasonal
- Opening Date

Please note the Commonwealth of Massachusetts fee applies for all Sunday entertainment as outlined below:

Please make check payable to Commonwealth of Massachusetts

- Entertainment starting on Sunday after 1:00 p.m. - \$50
- Entertainment starting on Sunday prior to 1:00 p.m. - \$100

Section III - Applicant Information

Business Name Ember Pizza Inc. Phone [REDACTED]

Doing Business As Ember Coal Fired Pizza + Wings

Business Address 600 Route 28

Mailing Address Harwich, MA 02646

Owners Name & Address [REDACTED]

Email Address [REDACTED]

Manager Name & Address [REDACTED]

Days/Hours of Business Operation MON-SUN ; 11AM - 1AM

Section IV - Entertainment Type (Check all appropriate boxes)

- Group 1  Jukebox, Radio, Television
- Group 2  Dancing by Patrons
- Group 3  Dancing by Live Performers, Live/Recorded Music, Amplification System  
\*If having live or recorded music, please state below exactly what kind (DJ, Band, etc.)
- Group 4  Moving Pictures, Plays, Floor Shows, Light Shows, Theatre Shows



Section V – Additional information

- The time you are requesting to have entertainment (I.E. 4 P.M. to 10 P.M.)  
INSIDE 10AM - 12AM ; OUTSIDE 10AM - 10PM
- Location of entertainment (Inside and/or outside)  
INSIDE + OUTSIDE
- Please use the area below to outline any additional information for the Local Licensing Authority

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Section VI

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

Yes       No

- **If you checked yes on the question above, please obtain an Entertainment Appendix from staff**

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

*By signing below, I am certifying that the premises to be licensed as described herein have been inspected and found to be in compliance with applicable local codes and regulations, including zoning ordinances, health regulations and building and fire codes.*

\_\_\_\_\_  
Signature of Applicant, Owner or Manager

\_\_\_\_\_  
Date

11-11-2023

██████████  
Federal I.D. #

\*Application must include payment, Certificate of Insurance showing workers comp coverage and Workers Comp Affidavit. Any application missing information or documentation will be deemed incomplete and sent back to the applicant.



ENTERTAINMENT LICENSE RENEWAL - WEEKDAY

An application for entertainment regulated by Massachusetts General Law Chapter 140, Section 183A

All highlighted areas are REQUIRED to be completed

Section I - Check all appropriate

- Weekday Entertainment (\$75)
- One day Entertainment (\$25)

Section II - Check all appropriate

- Annual
- Seasonal
- Opening Date \_\_\_\_\_

Section III - Applicant Information

Business Name 400 EAST INC Phone [REDACTED]

Doing Business As 400 EAST

Business Address 1421 Orleans Rd Harwich MA 02645

Mailing Address " "

Owners Name & Address [REDACTED]

Email Address [REDACTED]

Manager Name & Address TONY ITRI

Days/Hours of Business Operation MON-SAT 11:30 - midnight

Section IV - Entertainment Type (Check all appropriate boxes)

- Group 1  Jukebox, Radio, Television
- Group 2  Dancing by Patrons
- Group 3  Dancing by Live Performers, Live/Recorded Music, Amplification System  
\*If having live or recorded music, please state below exactly what kind (DJ, Band, etc.)
- Group 4  Moving Pictures, Plays, Floor Shows, Light Shows, Theatre Shows

Section V - Additional information

- The time you are requesting to have entertainment (I.E. 4 P.M. to 10 P.M.)  
5-10 pm
- Location of entertainment (Inside and/or outside)  
inside
- Specific days if not applying for Monday through Saturday

- Please use the area below to outline any additional information for the Local Licensing Authority

**Section VI**

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

Yes  No

- If you checked yes on the question above, please obtain an Entertainment Appendix from staff

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

*By signing below, I am certifying that the premises to be licensed as described herein have been inspected and found to be in compliance with applicable local codes and regulations, including zoning ordinances, health regulations and building and fire codes.*

*Paul A. Shuis* President  
Signature of applicant & title

██  
Federal I.D. #

\*Application must include payment, Certificate of Insurance showing workers comp coverage and Workers Comp Affidavit. Any application missing information or documentation will be deemed incomplete and sent back to the applicant.



**ENTERTAINMENT LICENSE RENEWAL - SUNDAY**

An application for entertainment regulated by Massachusetts General Law Chapter 140, Section 183A

All highlighted areas are **REQUIRED** to be completed

**Section I - Check all appropriate**

- Entertainment starting **prior** to 1PM (\$175)
- Entertainment starting **after** 1PM (\$85)
- One day Entertainment (\$25)

**Section II - Check all appropriate**

- Annual
- Seasonal
- Opening Date

Please note the Commonwealth of Massachusetts fee applies for **all Sunday entertainment** as outlined below:

Please make check payable to Commonwealth of Massachusetts

- Entertainment starting on Sunday **after** 1:00 p.m. - \$50
- Entertainment starting on Sunday **prior** to 1:00 p.m. - \$100

**Section III - Applicant Information**

Business Name 400 EAST INC Phone [REDACTED]

Doing Business As 1421 Orleans Rd Harwich MA 02645

Business Address 400 EAST RESTAURANT

Mailing Address - same -

Owners Name & Address [REDACTED]

Email Address [REDACTED]

Manager Name & Address Tony Itri

Days/Hours of Business Operation 11:30 am - 12 am Mon-Sun

**Section IV - Entertainment Type (Check all appropriate boxes)**

- Group 1  Jukebox, Radio, Television
- Group 2  Dancing by Patrons
- Group 3  Dancing by Live Performers, Live/Recorded Music, Amplification System  
\*If having live or recorded music, please state below exactly what kind (DJ, Band, etc.)
- Group 4  Moving Pictures, Plays, Floor Shows, Light Shows, Theatre Shows

**Section V – Additional information**

- The time you are requesting to have entertainment (I.E. 4 P.M. to 10 P.M.)  
4-10 pm
- Location of entertainment (Inside and/or outside)  
inside
- Please use the area below to outline any additional information for the Local Licensing Authority

**Section VI**


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

Yes  No

- **If you checked yes on the question above, please obtain an Entertainment Appendix from staff**

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

*By signing below, I am certifying that the premises to be licensed as described herein have been inspected and found to be in compliance with applicable local codes and regulations, including zoning ordinances, health regulations and building and fire codes.*

Gail Shui  
Signature of Applicant, Owner or Manager  


11-1-2023  
Date

\*Application must include payment, Certificate of Insurance showing workers comp coverage and Workers Comp Affidavit. Any application missing information or documentation will be deemed incomplete and sent back to the applicant.



ENTERTAINMENT LICENSE RENEWAL - **WEEKDAY**

An application for entertainment regulated by Massachusetts General Law Chapter 140, Section 183A

All highlighted areas are **REQUIRED** to be completed

**Section I - Check all appropriate**

Weekday Entertainment (\$75)  
 One day Entertainment (\$25)

**Section II - Check all appropriate**

Annual   
Seasonal   
Opening Date \_\_\_\_\_

**Section III - Applicant Information**

Business Name MONINGSTARRESTAURANTINC Phone [REDACTED]

Doing Business As VILLA ROMA

Business Address 278 RTE 28, W HARWICH MA 02671

Mailing Address 278 RTE 28, W HARWICH MA 02671

Owners Name & Address [REDACTED]

Email Address [REDACTED]

Manager Name & Address [REDACTED]

Days/Hours of Business Operation 4:30 TO 11PM DAILY

**Section IV - Entertainment Type (Check all appropriate boxes)**

**Group 1**  Jukebox, Radio, Television

**Group 2**  Dancing by Patrons

**Group 3**  Dancing by Live Performers, Live/Recorded Music, Amplification System  
\*If having live or recorded music, please state below exactly what kind (DJ, Band, etc.)

**Group 4**  Moving Pictures, Plays, Floor Shows, Light Shows, Theatre Shows

**Section V - Additional information**

- The time you are requesting to have entertainment (I.E. 4 P.M. to 10 P.M.)  
4:30 PM TO 11 PM
- Location of entertainment (Inside and/or outside)  
INSIDE
- Specific days if not applying for Monday through Saturday

- Please use the area below to outline any additional information for the Local Licensing Authority

**Section VI**

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

Yes       No

- If you checked yes on the question above, please obtain an Entertainment Appendix from staff

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

*By signing below, I am certifying that the premises to be licensed as described herein have been inspected and found to be in compliance with applicable local codes and regulations, including zoning ordinances, health regulations and building and fire codes.*

  
\_\_\_\_\_  
Signature of applicant & title

  
\_\_\_\_\_  
Federal I.D. #

\*Application must include payment, Certificate of Insurance showing workers comp coverage and Workers Comp Affidavit. Any application missing information or documentation will be deemed incomplete and sent back to the applicant.



**ENTERTAINMENT LICENSE RENEWAL - SUNDAY**

An application for entertainment regulated by Massachusetts General Law Chapter 140, Section 183A

All highlighted areas are **REQUIRED** to be completed

**Section I - Check all appropriate**

- Entertainment starting **prior to 1PM** (\$175)
- Entertainment starting **after 1PM** (\$85)
- One day Entertainment (\$25)

**Section II - Check all appropriate**

- Annual
- Seasonal
- Opening Date

Please note the Commonwealth of Massachusetts fee applies for all Sunday entertainment as outlined below:

Please make check payable to Commonwealth of Massachusetts

- Entertainment starting on Sunday **after** 1:00 p.m. - \$50
- Entertainment starting on Sunday **prior** to 1:00 p.m. - \$100

**Section III - Applicant Information**

Business Name MORNINGSTARRESTAURANTINC Phone [REDACTED]

Doing Business As VILLA ROMA

Business Address 278 RTE 28, W HARWICH, MA 02671

Mailing Address 278 RTE 28, W HARWICH, MA 02671

Owners Name & Address [REDACTED]

Email Address [REDACTED]

Manager Name & Address [REDACTED]

Days/Hours of Business Operation 4:30PM TO 11PM

**Section IV - Entertainment Type (Check all appropriate boxes)**

**Group 1**  Jukebox, Radio, Television

**Group 2**  Dancing by Patrons

**Group 3**  Dancing by Live Performers, Live/Recorded Music, Amplification System  
\*If having live or recorded music, please state below exactly what kind (DJ, Band, etc.)

**Group 4**  Moving Pictures, Plays, Floor Shows, Light Shows, Theatre Shows



**Section V – Additional information**

- The time you are requesting to have entertainment (I.E. 4 P.M. to 10 P.M.)  
4:30 PM TO 11 PM
- Location of entertainment (Inside and/or outside)  
INSIDE
- Please use the area below to outline any additional information for the Local Licensing Authority

**Section VI**

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

\_\_\_ Yes      X No

- **If you checked yes on the question above, please obtain an Entertainment Appendix from staff**

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

*By signing below, I am certifying that the premises to be licensed as described herein have been inspected and found to be in compliance with applicable local codes and regulations, including zoning ordinances, health regulations and building and fire codes.*

 \_\_\_\_\_  
Signature of Applicant, Owner or Manager      Date      10/28/23

\_\_\_\_\_  
Federal I.D. #

\*Application must include payment, Certificate of Insurance showing workers comp coverage and Workers Comp Affidavit. Any application missing information or documentation will be deemed incomplete and sent back to the applicant.



ENTERTAINMENT LICENSE RENEWAL - WEEKDAY

An application for entertainment regulated by Massachusetts General Law Chapter 140, Section 183A

All highlighted areas are REQUIRED to be completed

Section I - Check all appropriate

X Weekday Entertainment (\$75)
One day Entertainment (\$25)

Section II - Check all appropriate

Annual X
Seasonal
Opening Date

Section III - Applicant Information

Business Name Red Rover BBQ Phone [Redacted]

Doing Business As Red Rover BBQ

Business Address 787 Route 28

Mailing Address 787 Route 28

Owners Name & Address [Redacted]

Email Address [Redacted]

Manager Name & Address [Redacted]

Days/Hours of Business Operation 7 Day 11:30 am - 8:30 pm

Section IV - Entertainment Type (Check all appropriate boxes)

- Group 1 X Lukebox, Radio, Television
Group 2 Dancing by Patrons
Group 3 X Dancing by Live Performers, Live/Recorded Music, Amplification System
Group 4 Moving Pictures, Plays, Floor Shows, Light Shows, Theatre Shows

Section V - Additional information

- The time you are requesting to have entertainment (I.E. 4 P.M. to 10 P.M.) 5pm - 9pm
Location of entertainment (Inside and/or outside) inside
Specific days if not applying for Monday through Saturday

- Please use the area below to outline any additional information for the Local Licensing Authority Acoustic Solo artists

**Section VI**

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

Yes  No

- If you checked yes on the question above, please obtain an Entertainment Appendix from staff

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

*By signing below, I am certifying that the premises to be licensed as described herein have been inspected and found to be in compliance with applicable local codes and regulations, including zoning ordinances, health regulations and building and fire codes.*

  
\_\_\_\_\_  
Signature of applicant & title

  
Federal I.D. #

\*Application must include payment, Certificate of Insurance showing workers comp coverage and Workers Comp Affidavit. Any application missing information or documentation will be deemed incomplete and sent back to the applicant.



732 MAIN STREET, HARWICH, MA 02645

**ENTERTAINMENT LICENSE RENEWAL - SUNDAY**

An application for entertainment regulated by Massachusetts General Law Chapter 140, Section 183A

All highlighted areas are REQUIRED to be completed

**Section I - Check all appropriate**

- Entertainment starting prior to 1PM (\$175)
- Entertainment starting after 1PM (\$85)
- One day Entertainment (\$25)

**Section II - Check all appropriate**

- Annual
- Seasonal
- Opening Date

Please note the Commonwealth of Massachusetts fee applies for all Sunday entertainment as outlined below:

Please make check payable to Commonwealth of Massachusetts

- Entertainment starting on Sunday after 1:00 p.m. - \$50
- Entertainment starting on Sunday prior to 1:00 p.m. - \$100

**Section III - Applicant Information**

Business Name Red River BBQ LLC Phone [REDACTED]

Doing Business As Red River BBQ

Business Address 787 Route 28

Mailing Address 787 Route 28

Owners Name & Address [REDACTED]

Email Address [REDACTED]

Manager Name & Address [REDACTED]

Days/Hours of Business Operation 7 Days 11:30AM - 8:30PM

**Section IV - Entertainment Type (Check all appropriate boxes)**

- Group 1  Jukebox, Radio, Television
- Group 2  Dancing by Patrons
- Group 3  Dancing by Live Performers, Live/Recorded Music, Amplification System  
\*If having live or recorded music, please state below exactly what kind (DJ, Band, etc.)
- Group 4  Moving Pictures, Plays, Floor Shows, Light Shows, Theatre Shows

**Section V – Additional information**

- The time you are requesting to have entertainment (I.E. 4 P.M. to 10 P.M.)  
5pm - 9pm
- Location of-entertainment (Inside and/or outside)  
inside
- Please use the area below to outline any additional information for the Local Licensing Authority  
Acoustic Solo Music

**Section VI**

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

Yes       No

- **If you checked yes on the question above, please obtain an Entertainment Appendix from staff**

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

*By signing below, I am certifying that the premises to be licensed as described herein have been inspected and found to be in compliance with applicable local codes and regulations, including zoning ordinances, health regulations and building and fire codes.*

[Signature]  
Signature of Applicant, Owner or Manager

10/27/23  
Date

[Redacted]  
Federal I.D. #

\*Application must include payment, Certificate of Insurance showing workers comp coverage and Workers Comp Affidavit. Any application missing information or documentation will be deemed incomplete and sent back to the applicant.



ENTERTAINMENT LICENSE RENEWAL - WEEKDAY

An application for entertainment regulated by Massachusetts General Law Chapter 140, Section 183A

All highlighted areas are REQUIRED to be completed

Section I - Check all appropriate

X Weekday Entertainment (\$75)
One day Entertainment (\$25)

Section II - Check all appropriate

Annual X
Seasonal
Opening Date

Section III - Applicant Information

Business Name Wequassett Resort and Golf Club Phone

Doing Business As Same

Business Address 2173 Route 28, Harwich, Massachusetts 02645

Mailing Address 2173 Route 28, Harwich, Massachusetts 02645

Owners Name & Address

Email Address

Manager Name & Address

Days/Hours of Business Operation 7/24

Section IV - Entertainment Type (Check all appropriate boxes)

- Group 1 Jukebox, Radio, Television
Group 2 X Dancing by Patrons
Group 3 X Dancing by Live Performers, Live/Recorded Music, Amplification System
Group 4 Moving Pictures, Plays, Floor Shows, Light Shows, Theatre Shows

Section V - Additional information

- The time you are requesting to have entertainment (I.E. 4 P.M. to 10 P.M.)
Location of entertainment (Inside and/or outside)
Specific days if not applying for Monday through Saturday

- Please use the area below to outline any additional information for the Local Licensing Authority

**Section VI**

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

Yes       No

- **If you checked yes on the question above, please obtain an Entertainment Appendix from staff**

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

*By signing below, I am certifying that the premises to be licensed as described herein have been inspected and found to be in compliance with applicable local codes and regulations, including zoning ordinances, health regulations and building and fire codes.*

 Regional  
Managing  
Director

Signature of applicant & title

  
Federal I.D. #

\*Application must include payment, Certificate of Insurance showing workers comp coverage and Workers Comp Affidavit. Any application missing information or documentation will be deemed incomplete and sent back to the applicant.



**ENTERTAINMENT LICENSE RENEWAL - SUNDAY**

An application for entertainment regulated by Massachusetts General Law Chapter 140, Section 183A

All highlighted areas are **REQUIRED** to be completed

**Section I - Check all appropriate**

- Entertainment starting **prior to 1PM** (\$175)
- Entertainment starting **after 1PM** (\$85)
- One day Entertainment (\$25)

**Section II - Check all appropriate**

- Annual
- Seasonal
- Opening Date

Please note the Commonwealth of Massachusetts fee applies for all Sunday entertainment as outlined below:

Please make check payable to Commonwealth of Massachusetts

- Entertainment starting on Sunday **after** 1:00 p.m. - \$50
- Entertainment starting on Sunday **prior** to 1:00 p.m. - \$100

**Section III - Applicant Information**

Business Name Wequassett Resort and Golf Club Phone [REDACTED]

Doing Business As Wequassett Resort and Golf Club

Business Address 2173 Route 28, Harwich, Massachusetts 02645

Mailing Address 2173 Route 28, Harwich, Massachusetts 02645

Owners Name & Address [REDACTED]

Email Address [REDACTED]

Manager Name & Address [REDACTED]

Days/Hours of Business Operation 7/24

**Section IV - Entertainment Type (Check all appropriate boxes)**

- Group 1  Jukebox, Radio, Television
- Group 2  Dancing by Patrons
- Group 3  Dancing by Live Performers, Live/Recorded Music, Amplification System  
\*If having live or recorded music, please state below exactly what kind (DJ, Band, etc.)
- Group 4  Moving Pictures, Plays, Floor Shows, Light Shows, Theatre Shows



**Section V – Additional information**

- The time you are requesting to have entertainment (I.E. 4 P.M. to 10 P.M.)  
12pm-12am (inside) and 12pm-10pm (outside) \_\_\_\_\_
- Location of entertainment (Inside and/or outside)  
Both \_\_\_\_\_
- Please use the area below to outline any additional information for the Local Licensing Authority

**Section VI**

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

\_\_\_\_ Yes       X  No

- **If you checked yes on the question above, please obtain an Entertainment Appendix from staff**

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

*By signing below, I am certifying that the premises to be licensed as described herein have been inspected and found to be in compliance with applicable local codes and regulations, including zoning ordinances, health regulations and building and fire codes.*

  
\_\_\_\_\_  
Signature of Applicant, Owner or Manager

11/1/23  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Federal I.D. #

\*Application must include payment, Certificate of Insurance showing workers comp coverage and Workers Comp Affidavit. Any application missing information or documentation will be deemed incomplete and sent back to the applicant.

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

## 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 Eldredge, Assistant Town Administrator 

RE: Contract for additional Voting-related Equipment

Date: December 1, 2023

---

This memo corresponds to the contract with LHS associates, Inc. in the amount of \$37,600. This contract covers additional equipment including a high-speed tabulator, 6 additional Poll Pads and upgrade of software for all Poll Pads.

Recently, the Town issued a Request For Proposals for Electronic Voting Tabulators, LHS Associates, Inc. was the vendor selected to contract with. The equipment purchased through that contract is Imagecast through Dominion Voting Systems. As such, this additional equipment and software requires compatibility with those voting systems.

The contract attached includes documentation that LHS is the "sole source" provider of the high speed tabulator and software that is compatible with our existing electronic voting tabulators.

Funding for this contract is supported by the appropriation at the 2022 annual Town Meeting, Article 20 of \$75,000. There is sufficient funds left in this article balance for the purchase of items in this contract.

# PROCUREMENT CHECKLIST & APPROVAL FORM

**STAFF LEAD:** Emily Mitchell                      **DEPARTMENT:** Town Clerk

**FUNDING SOURCE:** 2022 Annual Town Meeting, Article 20 (01122A2 - 622020)

**Appropriated amount:** \$75,000.00                      **Estimated cost:** \_\_\_\_\_ **Actual cost:** \_\_\_\_\_

*Approximately \$48,000 remaining after purchase of new precinct tabulators*

**PROCUREMENT METHOD:**

Sole Source

**PURCHASE DESCRIPTION:**

Purchase descriptions should contain the following components (see document on purchase descriptions):  
*Description of supplies or services required; quantities required; schedule for performance and delivery terms.*

Purchase of Voting-related Equipment from LHS Associates, Inc.; Sole Source letters provided.

1. High Speed Tabulator - Imagecast Central - will allow for high speed central tabulation of ballots received prior to Election Day (via Vote by Mail and In Person Early Voting). Approximately \$25,000.
2. Six (6) additional Poll Pads and associated supplies (printers, labels) - these secure tablets are used for voter check in on Election Day and during any Advanced Processing of early ballots and are essential for mandatory election-related reporting. Town currently owns six (6) Poll Pads. Additional Poll Pads to be used to improve check in speed, processing of early ballots, and confirmation of precinct and status to voters. Approximately \$10,750.
3. Upgrade Poll Pads (all 12 - 6 currently owned and 6 to be purchased) to "Full Connect" software level to allow live synchronization of data between tablets. Approximately \$1,850.

**PROCUREMENT MAY PROCEED ONLY IF SIGNATURES PROVIDED BELOW** 01122A2-622020

**Funds Available:** Finance Director: \_\_\_\_\_ DocuSigned by:  
*Megan Green* \_\_\_\_\_ Account #

36E65676E18A4AC **Approved to proceed:** Town Administrator or Designee: \_\_\_\_\_ DocuSigned by:  
*Joseph P. Powers* \_\_\_\_\_ 0623C0C5799644E..

DOMINION  
AUTHORIZATION

DOMINION  
VOTING



1201 18th Street, Suite 210  
Denver, CO 80202

PA.166

01/02/2023

RE: Vote tabulators for use in Massachusetts

To Whom It May Concern:

The purpose of this letter is to confirm LHS Associates of Salem New Hampshire is Dominion Voting Systems' exclusive vendor, in the New England region, for the Imagecast tabulators currently approved by the Massachusetts Elections Office and in use throughout the Commonwealth. As the sole source provider in Massachusetts, LHS Associates is the only company authorized by Dominion for the sale, programming, support and hardware maintenance, and the supply of specific supplies for the operation of products owned by Dominion.

Sincerely,

A handwritten signature in black ink, appearing to read 'John Poulos', written over a white rectangular area.

John Poulos  
President and CEO



# KNOWiNK

INNOVATIVE ELECTION SOLUTIONS

To Whom it May Concern,

This letter has been written to confirm LHS Associates of Salem New Hampshire is KNOWiNK LLC.'s exclusive vendor for the KNOWiNK PollPad product. As the sole source provider in New England, LHS Associates is the only company authorized by KNOWiNK for sales, support and the supply of specific supplies for the operation of products owned by KNOWiNK.

Regards,

A handwritten signature in black ink, appearing to read 'Kevin J. Schott', written in a cursive style.

Kevin J. Schott  
CFO  
KNOWiNK LLC.

**TOWN OF HARWICH, MASSACHUSETTS**

**AGREEMENT FOR TOWN OF HARWICH**

The following provisions shall constitute an Agreement between the Town of Harwich, acting by and through its Select Board, with an address of 732 Main Street, Harwich, MA 02645, hereinafter referred to as "Town," and LHS Associates, Inc. with an address of 10 Manor Parkway, Salem, NH 03079 hereinafter referred to as "Contractor", effective as of the \_\_\_\_<sup>1st</sup> day of \_\_\_\_\_<sup>December</sup>, 2023. In consideration of the mutual covenants contained herein, the parties agree as follows:

**ARTICLE 1: SCOPE OF WORK:**

The Contractor shall perform all work and furnish all services necessary to provide the Town with ImageCast Central Bundle and Poll Pad Bundle and associated services as described in Quote number 00001406, 00001399 and 00001429, attached.

**ARTICLE 2: TIME OF PERFORMANCE:**

The Contractor shall deliver all hardware and software, complete all work and services required hereunder commencing upon contract execution.

**ARTICLE 3: COMPENSATION:**

The Town shall pay the Contractor for the performance of the work outlined in Article 1 above the contract sum of \$37,600.00. The Contractor shall submit monthly invoices to the Town for services rendered, which will be due 30 days following receipt by the Town. Ongoing Annual Software License Fees as described in Quotes of \$2,500 for Image Cast Bundle and \$300 per Poll Pad per year for Poll Pad Bundle to be invoiced annually after the one-year warranty expires.

**ARTICLE 4: CONTRACT DOCUMENTS:**

The following documents form the Contract and all are as fully a part of the Contract as if attached to this Agreement or repeated herein:

1. This Agreement.
2. Amendments, or other changes mutually agreed upon between the parties.
3. All attachments to the Agreement.

In the event of conflicting provisions, those provisions most favorable to the Town shall govern.

**ARTICLE 5: CONTRACT TERMINATION:**

The Town may suspend or terminate this Agreement by providing the Contractor with ten (10) days written notice for the reasons outlined as follows:

1. Failure of the Contractor, for any reason, to fulfill in a timely and proper manner its obligations under this Agreement.
2. Violation of any of the provisions of this Agreement by the Contractor.
3. A determination by the Town that the Contractor has engaged in fraud, waste, mismanagement, misuse of funds, or criminal activity with any funds provided by this Agreement.

Either party may terminate this Agreement at any time for convenience by providing the other party written notice specifying therein the termination date which shall be no sooner than thirty (30) days from the issuance of said notice. Upon receipt of a notice of termination from the Town, the Contractor shall cease to incur additional expenses in connection with the Agreement. Upon such termination, the Contractor shall be entitled to compensation for all satisfactory work completed prior to the termination date as determined by the Town. Such payment shall not exceed the fair value of the services provided hereunder.

**ARTICLE 6: INDEMNIFICATION:**

The Contractor shall defend, indemnify and hold harmless the Town and its officers, agents, and all employees from and against claims arising directly or indirectly from the contract. Contractor shall be solely responsible for all local taxes or contributions imposed or required under the Social Security, Workers' Compensation, and income tax laws. Further, the Contractor shall defend, indemnify and hold harmless the Town with respect to any damages, expenses, or



claims arising from or in connection with any of the work performed or to be performed under this Agreement. This shall not be construed as a limitation of the Contractor's liability under the Agreement or as otherwise provided by law.

**ARTICLE 7: AVAILABILITY OF FUNDS:**

The compensation provided by this Agreement is subject to the availability and appropriation of funds.

**ARTICLE 8: APPLICABLE LAW:**

The Contractor agrees to comply with all applicable local, state and federal laws, regulations and orders relating to the completion of this Agreement. This Agreement shall be governed by and construed in accordance with the law of the Commonwealth of Massachusetts.

**ARTICLE 9: ASSIGNMENT:**

The Contractor shall not make any assignment of this Agreement without the prior written approval of the Town.

**ARTICLE 10: AMENDMENTS:**

All amendments or any changes to the provisions specified in this Contract can only occur when mutually agreed upon by the Town and Contractor. Further, such amendments or changes shall be in writing and signed by officials with authority to bind the Town. No amendment or change to the contract provisions shall be made until after the written execution of the amendment or change to the Contract by both parties.

**ARTICLE 11: INDEPENDENT CONTRACTOR:**

The Contractor acknowledges and agrees that it is acting as an independent contractor for all work and services rendered pursuant to this Agreement and shall not be considered an employee or agent of the Town for any purpose.

**ARTICLE 12: INSURANCE:**

The Contractor shall be responsible to the Town or any third party for any property damage or bodily injury caused by it, any of its subcontractors, employees or agents in the performance of, or as a result of, the work under this Agreement. The Contractor and any subcontractors used hereby certify that they are insured for workers' compensation, property damage, personal and product liability. The Contractor and any subcontractor it uses shall purchase, furnish copies of, and maintain in full force and effect insurance policies in the amounts here indicated.

- 1) General Liability of at least \$1,000,000 Occurrence/\$3,000,000 General Aggregate. The Municipality should be named as an "Additional Insured". Products and Completed Operations should be maintained for up to 3 years after the completion of the project.
- 2) Automobile Liability (applicable for any contractor who has an automobile operating exposure) of at least \$1,000,000 Bodily Injury and Property Damage per accident. The Municipality should be named as an "Additional Insured".
- 3) Workers' Compensation Insurance as required by law. Include Employers Liability Part B with a limit of \$1,000,000
- 4) Property Coverage for materials and services being transported by the contractor, as the Town's Property Contract provides coverage for personal property within 1000 feet of the premises.
- 5) Umbrella Liability of at least \$2,000,000/ occurrence, \$2,000,000/aggregate. The Municipality should be named as an "Additional Insured".

Prior to commencement of any work under this Agreement, the Contractor shall provide the Town with Certificates of Insurance which include the Town as an additional named insured and which include a thirty-day notice of cancellation to the Town.

#### **ARTICLE 13: SEVERABILITY:**

If any term or condition of this Agreement or any application thereof shall to any extent be held invalid, illegal or unenforceable by the court of competent jurisdiction, the validity, legality, and enforceability of the remaining terms and conditions of this Agreement shall not be deemed affected thereby unless one or both parties would be substantially or materially prejudiced.

**ARTICLE 14: ENTIRE AGREEMENT:**

This Agreement, including all documents incorporated herein by reference, constitutes the entire integrated agreement between the parties with respect to the matters described. This Agreement supersedes all prior agreements, negotiations and representations, either written or oral, and it shall not be modified or amended except by a written document executed by the parties hereto.

**ARTICLE 15: COUNTERPARTS:**

This Agreement may be executed in any number of counterparts, each of which shall be deemed to be a counterpart original.

**CERTIFICATION AS TO PAYMENT OF STATE TAXES**

Pursuant to Chapter 62C of the Massachusetts General Laws, Section 49A(b), I, Jeff Silvestro, authorized signatory for the Contractor do hereby certify under the pains and penalties of perjury that said Contractor has complied with all laws of the Commonwealth of Massachusetts relating to taxes, reporting of employees and contractors, and withholding and remitting child support.

04 2505-763  
Social Security Number or  
Federal Identification Number



\_\_\_\_\_  
Signature of Individual or  
Corporate Name

By:  
Corporate Officer  
(if applicable)

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed on the day and year first above written.

CONTRACTOR

By



Jeff Silvestro, President/CEO

Printed Name and Title

TOWN OF HARWICH

by its Select Board Over \$75,000

Approved as to Availability of Funds:

DocuSigned by:  
Megan Green (\$ 37,600.00 )  
Finance Director Contract Sum

by its Town Administrator Up to \$75,000

DocuSigned by:  
Joseph F. Powers  
Town Administrator

Account #PO: 01122A2-622020

Quote Harwich MA - ICC High Speed Scanner  
Purchase



Company Address 8A Industrial Way  
Unit 100  
Salem, NH 03079  
US

Created Date 10/11/2023  
Quote Number 00001406

Contact Information

Prepared By	Brenda L'Italien	Customer Name	Harwich
Title	Director of Business Development	Contact Name	Emily Mitchell
Phone	(978) 651-2511	Title	Town Clerk
Email	bcm@lhsassociates.com	Email	emitchell@town.harwich.ma.us

Address Information

Bill To Name Harwich  
Bill To 732 Main Street  
Harwich, MA 02645

Product Code	Product	Product Description	Sales Price	Quantity	Total Price
DVS-115	ImageCast Central Bundle (1 Year Warranty)	Includes Laptop and Democracy Suite EMS ICC Application	\$25,000.00	1.00	\$25,000.00

Subtotal \$25,000.00  
Total Price \$25,000.00

Notes

Ongoing Software License Fee is 2,500.00 per year after the one-year warranty expires.

Signature

By signing below, you are acknowledging that the above pricing is accurate and within budget, and that you are ready to move forward with the official purchase and contract initiation:

Customer Signature: \_\_\_\_\_

Printed Name & Title: \_\_\_\_\_

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

Anticipated First Use Date: \_\_\_\_\_



Company Address 8A Industrial Way  
 Unit 100  
 Salem, NH 03079  
 US

Created Date 10/10/2023  
 Quote Number 00001399

Contact Information

Prepared By	Brenda L'Italien	Customer Name	Harwich
Title	Director of Business Development	Contact Name	Emily Mitchell
Phone	(978) 651-2511	Title	Town Clerk
Email	bcm@lhsassociates.com	Email	emitchell@town.harwich.ma.us

Address Information

Bill To Name Harwich  
 Bill To 732 Main Street  
 Harwich, MA 02645

Product Code	Product	Product Description	Sales Price	Quantity	Total Price
PP-000001	NOTE: Ongoing Poll Pad Software and Application Support Fee \$300.00 per Poll Pad	The Poll Pad Software and Application Support Fee after the 1-year Warranty Expires is \$300.00 per Poll Pad.	\$0.00	6.00	\$0.00
PP-001	Poll Pad Bundle	Includes: iPad 9th Gen 64Gb, 10-Foot Charger, Transport Case, Stand, Stylus, 1st Year Software License, MDM Enrollment, and Basic Poll Pad Manager	\$1,275.00	6.00	\$7,650.00
PP-005	Poll Pad Star Micronics Easy Peel Label Printer		\$500.00	6.00	\$3,000.00
E99-99	Shipping/Handling/Delivery Charge	Shipping and Handling	\$100.00	1.00	\$100.00

Subtotal \$10,750.00  
 Total Price \$10,750.00

Signature

By signing below, you are acknowledging that the above pricing is accurate and within budget, and that you are ready to move forward with the official purchase and contract initiation:

Customer Signature: \_\_\_\_\_

Printed Name & Title: \_\_\_\_\_

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

Anticipated First Use Date: \_\_\_\_\_



Company Address 8A Industrial Way  
 Unit 100  
 Salem, NH 03079  
 US

Created Date 10/13/2023  
 Quote Number 00001429

**Contact Information**

Prepared By	Brenda L'Italien	Customer Name	Harwich
Title	Director of Business Development	Contact Name	Emily Mitchell
Phone	(978) 651-2511	Title	Town Clerk
Email	bcm@lhsassociates.com	Email	emitchell@town.harwich.ma.us

**Address Information**

Bill To Name Harwich  
 Bill To 732 Main Street  
 Harwich, MA 02645

Product Code	Product	Product Description	Sales Price	Quantity	Total Price
PP-008	Full Connectivity One-Time Fee (1-10 Poll Pads)	Includes: MDM Enrollment and Year 1 Software and Application Warranty	\$1,850.00	1.00	\$1,850.00
Subtotal			\$1,850.00		
Total Price			\$1,850.00		

**Signature**

By signing below, you are acknowledging that the above pricing is accurate and within budget, and that you are ready to move forward with the official purchase and contract initiation:

Customer Signature: \_\_\_\_\_

Printed Name & Title: \_\_\_\_\_

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

Anticipated First Use Date: \_\_\_\_\_

12/13/18 Revised Procurement Checklist

Please complete checklist below for contracts requiring Select Board\* signature before Wednesday morning\*\* in order to get sign-off approval from the Town Administrator or the Assistant Town Administrator.

\*Note: contracts (not grants) below \$75,000 can be signed by Town Administrator.

- 1. Please provide a separate page titled "Summary of Project" which includes:
a. Provide how many bidders there were, the range of bids, and apparent low bidder.
b. Identify the funding source, such as article number and amount approved.
c. Include what you feel is pertinent, but keep this section to 4 sentences or less.
2. Finance Director has signed that funds are available: 01127A2-622020 Account
3. Please provide a single copy of the bid packet along with all supporting documents.
4. Please use K-P Law provided standardized contracts.

Table with 2 columns: Buildings and Public Works, Goods and Services. Contains detailed checklist items for each category, including requirements for prevailing wage, construction costs, bid bonds, and sealed bids.

Original for Accounting Original for Procurement Original for Vendor Contract to Treasurer's

Signature of Town Administrator or Assistant Town Administrator: [Handwritten Signature]

\*\*Note: Failure to gain sign-off before Wednesday at noon results in the contract being delayed to the next meeting.