

SELECTMEN'S MEETING AGENDA*

Donn B. Griffin Room, Town Hall

732 Main Street, Harwich, MA

Executive Session 6:00 P.M.

Regular Meeting 6:30 P.M.

Monday, October 5, 2020

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

1. First, send an email [to comment@town.harwich.ma.us](mailto:to_comment@town.harwich.ma.us) (send emails at any time after the meeting agenda has been officially posted)
 - a. In the subject line enter “request to speak, your name”
 - b. In the body of the email please indicate which specific agenda item you wish to speak on.
No further detail is necessary.
 2. The meeting will close to new attendees promptly at the scheduled start time for the meeting, generally 6:30pm. It will remain closed to new attendees until agenda items with scheduled speakers are reached. This is to minimize interruptions. You may join prior to (6:30) or when the meeting has been opened up. You may participate using your computer and the GoToMeeting interface or simply using your phone. Connection information can be found below.
 3. After the Chairman has opened the floor to those wishing to speak callers will be taken in the order the emails are received.
Use *6 to mute and unmute your phone
- When you join the meeting by phone you should turn off Channel 18 or your computer if streaming the meeting.

Board of Selectmen Meeting

Mon, Oct 5, 2020 6:30 PM

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

<https://global.gotomeeting.com/join/660092725>

You can also dial in using your phone.

United States: [+1 \(872\) 240-3212](tel:+18722403212)

Access Code: 660-092-725

I. **CALL TO ORDER**

II. **EXECUTIVE SESSION**

- A. Pursuant to M.G.L. c. 30A section 21 (a) paragraph 3 to discuss with respect to collective bargaining for Harwich Employees Association (HEA) and the Highways and Maintenance Employees Association (HMEA) if an open session would have a detrimental effect on the town's bargaining position and the Chair so declares
- B. Pursuant to M.G.L. c. 30A section 21 (a) paragraph 2 to conduct strategy sessions for contract negotiations for nonunion personnel – Personnel Bylaw Employees
- C. Pursuant to M.G.L. c. 30A section 21 (a) paragraph 2 to conduct strategy sessions for contract negotiations for nonunion personnel – Finance Director/Town Accountant and Chief of Police

III. **PLEDGE OF ALLEGIANCE**

IV. **WEEKLY BRIEFING**

- A. COVID-19 Updates
- B. Update on ongoing efforts by the Town in support of the business community
- C. Discuss impacts of transitioning to COVID-19 guidance Phase III Step II

V. **PUBLIC COMMENTS/ANNOUNCEMENTS**

VI. **CONSENT AGENDA**

- A. Vote to accept the resignation from Laurinda Raquel – Harwich Cultural Council
- B. Vote to affirm the appointment of Larry Brutti – Waterways Committee – Full position, term to expire 2021
- C. Vote to affirm the appointment of Kent Drushella – Waterways Committee – Full position, term to expire 2022
- D. Vote to affirm the appointment Robert Thompson – Cemetery Commission – Full position, term to expire 2022
- E. Vote to affirm the appointment of Sharon Moore – Cultural Council – Full position, term to expire 2023
- F. Vote to affirm the appointment of Peter Hollis – Cultural Council – Full position, term to expire 2022

VII. **NEW BUSINESS**

- A. Discussion on potential automatic 60 day extension of outdoor table service and on premise consumption of alcohol to all establishments that have been previously approved
- B. Discussion and possible vote to approve a Hawkers & Peddlers license for Pilgrim Lodge to sell Christmas Trees and waive associated \$60.00 fee.
- C. Review draft FY 2022 Budget/Warrant timeline
- D. Discuss Board of Selectmen goals for FY 2021
- E. Discuss FY 2022 Financial assessment year to date Charter Section 9-2-1
- F. Review draft Board of Selectmen Budget Message Charter Section 9-2-2
- G. Discussion – Board of Health Sewer Regulation Amendments
- H. Vote to approve Board of Selectmen Minutes
 1. 11.05.2019
 2. 11.12.2019
 3. 11.18.2019
 4. 11.25.2019
- I. Discussion and possible vote on the goals and objectives for the Interim Town Administrator
- J. Discussion and possible vote to establish the Town of Harwich delegation to the Cape Cod Climate Action Plan Stakeholders meeting – October 14, 2020
- K. Discussion and Possible Vote on the Cape Light Compact Municipal Power Supply Request for Proposal

VIII. **OLD BUSINESS**

- A. Affirm the contract for the Finance Director/Town Accountant
- B. Affirm the contract for the Chief of Police

IX. **CONTRACTS**

- A. Discussion and possible vote for the Board of Selectmen to execute a contract with T.W. Nickerson for brush grinding at the Transfer Station - \$29,500
- B. Discussion and possible vote for the Board of Selectmen to execute a contract with Rotary Lift for the purchase of a Mobile Lift System - \$73,624.91
- C. Discussion and possible consent vote to support the Golf Course Maintenance Equipment Lease for approximately \$96,681.08
- D. Discussion and possible consent vote to support the Sewer Construction Phase 2 Contract 1 Robert B. Our request for change 015R2 for approximately \$90,939.53
- E. Discussion and possible vote for Catch Basin Replacement and Drainage Infrastructure Installation (Unit Price Work) Contract Extension for one year - \$394,200 Expiring October 1, 2021

X. **TOWN ADMINISTRATOR’S REPORT**

XI. **SELECTMEN’S REPORT**

XII. **ADJOURNMENT**

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

Authorized Posting Officer:

Danielle Delaney

Posted by: _____

Town Clerk

Date: _____

October 1, 2020

WEEKLY BRIEFING



Town of Harwich Board of Health

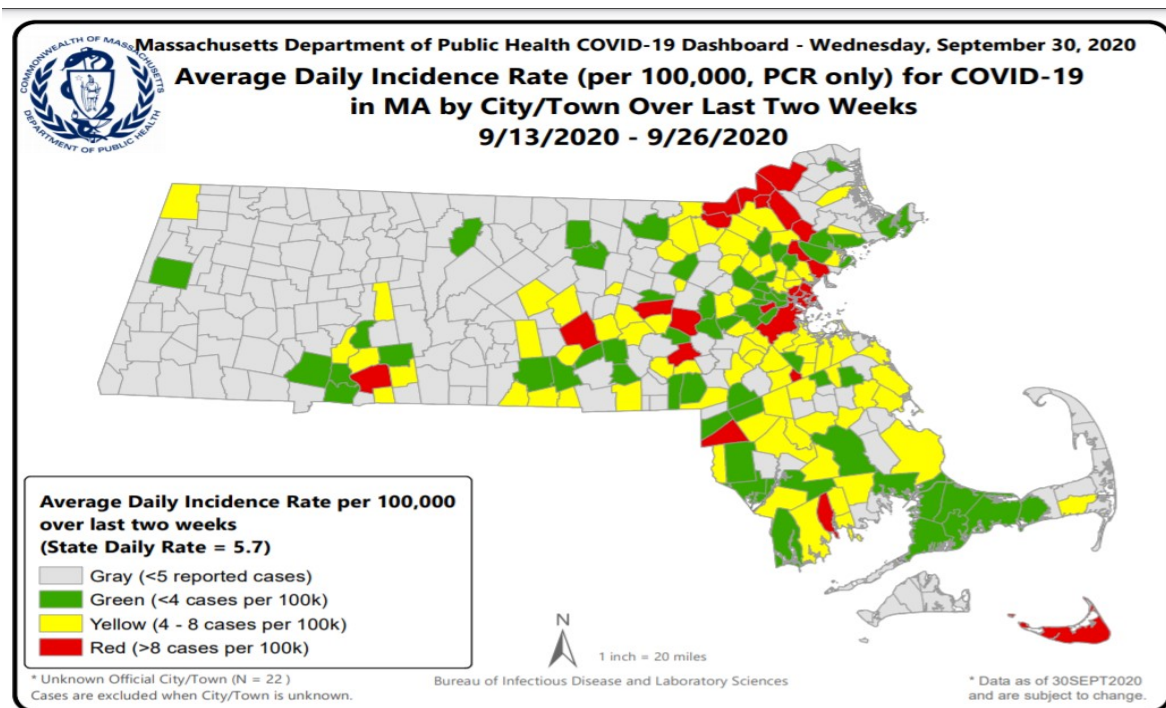
732 Main Street Harwich, MA 02645
508-430-7509 – Fax 508-430-7531
E-mail: health@town.harwich.ma.us

October 1, 2020

Weekly COVID-19 Update

Over the last 14 days, Harwich has seen 8 new confirmed cases of COVID-19, bringing our cumulative total to 157. This increase has put us into the “yellow” category on the Department of Public Health’s map. We are following a total of 6 active cases in Harwich right now.

To date 4699 people in Harwich have been tested for COVID-19 and our positivity rate has increased to 1.65%. Hospitalizations seem to be on the rise with 7 people inpatient at the two facilities on the Cape, one in ICU.



Because Harwich has not been “red” over the last three week, we are able to move into Phase 3, Step 2 of the reopening plan. Major changes to this new step are as follows:

Effective October 5, a limited number of sectors will be eligible to reopen, with restrictions, in Step II of Phase III for lower risk communities only:

- Indoor performance venues will be permitted to open with 50% capacity with a maximum of 250 people.

- Outdoor performance venue capacity will increase to 50% with a max of 250 people.
- For arcades and indoor and outdoor recreation businesses, additional Step II activities like trampolines, obstacle courses, roller rinks and laser tag will also be permitted to open and capacity will increase to 50%.
- Fitting rooms will be permitted to open in all types of retail stores.
- Gyms, museums, libraries and driving and flight schools will also be permitted to increase their capacity to 50%.

Revised Gatherings Order:

- The limit for indoor gatherings remains at a maximum of 25 people for all communities.
- Outdoor gatherings at private residences and in private backyards will remain at a maximum of 50 people for all communities.
- Outdoor gatherings at event venues and in public settings will have a limit of 50 people in Step I communities, and a limit of 100 people in lower risk, Step II communities.

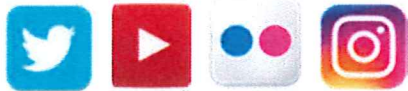
For full reopening standards for these specific sectors, please visit <https://www.mass.gov/info-details/reopening-massachusetts>

Communities are at risk of moving back into Step 1 of Phase 3 if our case incidence is above 8 per 100,000 for three weeks in a row. Let's stay out of the red!

Meggan Eldredge
Health Director

FOR IMMEDIATE RELEASE:
September 29, 2020

CONTACT
Sarah Finlaw
sarah.finlaw@state.ma.us



Baker-Polito Administration Announces Transition to Step II of Phase III for Lower Risk Communities Effective October 5th

BOSTON – The Baker-Polito Administration today announced that effective Monday, October 5th, lower risk communities will be permitted to move into Step II of Phase III of the Commonwealth’s reopening plan. All other communities will remain in Phase III, Step I. Governor Charlie Baker also issued a revised gatherings order. Industry specific guidance and protocols for a range of Phase I, II, and III businesses will also be updated.

Phase III, Step II:

On May 18, the Baker-Polito Administration released a four-phased plan to reopen the economy based on sustained improvements in public health data.

Last month, the Administration began releasing data on the average daily COVID cases per 100,000 residents, average percent positivity, and total case counts, for all 351 Massachusetts cities and towns.

Lower risk communities are defined as cities and towns that have not been a “red” community in any of the last three weekly Department of Public Health (DPH) weekly reports.

Effective October 5, a limited number of sectors will be eligible to reopen, with restrictions, in Step II of Phase III for lower risk communities only:

- Indoor performance venues will be permitted to open with 50% capacity with a maximum of 250 people.

- Outdoor performance venue capacity will increase to 50% with a max of 250 people.
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CONSENT AGENDA

Anita Doucette

From: Laurinda Raquel
Sent: Wednesday, September 23, 2020 2:09 PM
To: Anita Doucette
Cc: Larry Ballantine; Stephen Ford; mmacadkill@townofharwich.us; dhowell@townofharwich.com; emcmanus@townofharwich.com; Tina Games
Subject: Resignation/HCC

Dear Anita,

My name is Laurinda Raquel. Please consider this email a formal resignation of my participation on the Harwich Cultural Council. I am resigning because of relocation to Maine.

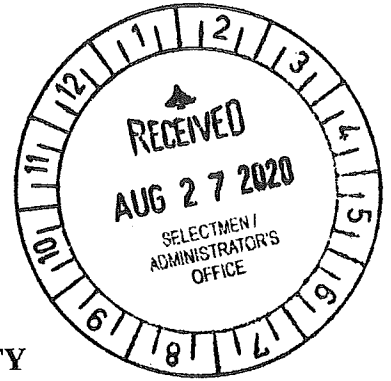
It has been an honor to serve on this important and needed council.

May you all stay well as you continue to serve the spirit of Harwich.

Warmly,
Laurinda Raquel

Sent from my iPhone





**CITIZEN'S COMMITTEE VACANCY FORM
VOLUNTEER NOW -- SERVE YOUR COMMUNITY**

Town government needs citizens who are willing to give time in the service of their community. This form was adopted by the Selectmen as a means of compiling names of interested citizens to serve, on a voluntary basis, on Boards and Committees and Commissions

Vacancy Forms are updated to include categories consistent with the changing needs of the Town. Indicate your order of preference and return this form to:

**CITIZEN'S COMMITTEE VACANCY FORM
BOARD OF SELECTMEN
732 Main Street, Harwich, MA 02645**

Name Larry Brutti Street/P.O. Box _____ Town Harwich Zip 02645

Occupation General Contractor Email _____ Telephone _____

(LIST IN ORDER OF PREFERENCE)

PLANNING AND PRESERVATION

- Agricultural Commission
- Architectural Advisory Committee
- *Board of Appeals
- Brooks Academy Museum Commission
- Building Code Board of Appeals
- By-law/Charter Review Committee
- Community Preservation Committee
- *Conservation Commission
- Cultural Council
- Historical/Historic District Commission
- *Planning Board
- Real Estate, Open Space Committee
- Town Forest Committee
- Traffic Safety Committee
- Trail Committee
- Utility & Energy Conservation Commission
- OTHER _____

OTHER

- *Board of Assessors
- *Board of Health
- Capital Outlay Committee
- Cemetery Commission
- Community Center Facilities Committee
- Constable
- Council on Aging
- Disability Rights Committee
- Finance Committee
- Harwich Housing Committee
- Herring Supervisor (Voluntary)
- Saquatucket Development Committee
- Shellfish Constable (Voluntary)
- Treasure Chest Volunteers
- Wastewater Implementation Committee
- Youth Services Committee
- Voter Information Committee

RECREATION

- Bikeways Committee
- Golf Committee
- Recreation & Youth Commission
- Waterways Committee

* Please include a resume with form



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**CITIZEN'S COMMITTEE VACANCY FORM
BOARD OF SELECTMEN
732 Main Street, Harwich, MA 02645**

Name Kent Drushella Street/P.O. Box _____ Town Harwich Zip 02646

Occupation self/Real Estate Sales Email _____ Telephone _____

(LIST IN ORDER OF PREFERENCE)

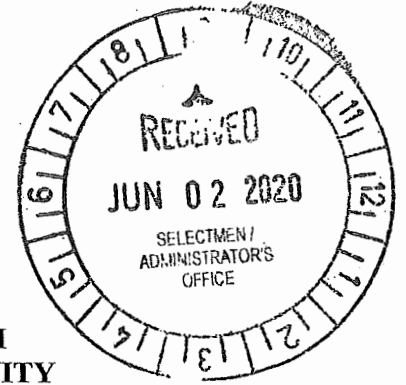
- PLANNING AND PRESERVATION**
- Agricultural Commission
 - Architectural Advisory Committee
 - *Board of Appeals
 - Brooks Academy Museum Commission
 - Building Code Board of Appeals
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 - Community Preservation Committee
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 - Cultural Council
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 - Real Estate, Open Space Committee
 - Town Forest Committee
 - Traffic Safety Committee
 - Trail Committee
 - Utility & Energy Conservation Commission
 - OTHER _____

- OTHER**
- *Board of Assessors
 - *Board of Health
 - Capital Outlay Committee
 - Cemetery Commission
 - Community Center Facilities Committee
 - Constable
 - Council on Aging
 - Disability Rights Committee
 - Finance Committee
 - Harwich Housing Committee
 - Herring Supervisor (Voluntary)
 - Saquatucket Development Committee
 - Shellfish Constable (Voluntary)
 - Treasure Chest Volunteers
 - Wastewater Implementation Committee
 - Youth Services Committee
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**CITIZEN'S COMMITTEE VACANCY FORM
BOARD OF SELECTMEN
732 Main Street, Harwich, MA 02645**

Name Robert B. Thompson Street/P.O. Box _____ Town Harwich Zip 02645
Occupation Airline Captain-Retired Email _____ Telephone _____

(LIST IN ORDER OF PREFERENCE)

PLANNING AND PRESERVATION

- Agricultural Commission
- Architectural Advisory Committee
- *Board of Appeals
- Brooks Academy Museum Commission
- Building Code Board of Appeals
- By-law/Charter Review Committee
- Community Preservation Committee
- *Conservation Commission
- Cultural Council
- Historical/Historic District Commission
- *Planning Board
- Real Estate, Open Space Committee
- Town Forest Committee
- Traffic Safety Committee
- Trail Committee
- Utility & Energy Conservation Commission
- OTHER _____

OTHER

- *Board of Assessors
- *Board of Health
- Capital Outlay Committee
- Cemetery Commission
- Community Center Facilities Committee
- Constable
- Council on Aging
- Disability Rights Committee
- Finance Committee
- Harwich Housing Committee
- Herring Supervisor (Voluntary)
- Saquatucket Development Committee
- Shellfish Constable (Voluntary)
- Treasure Chest Volunteers
- Wastewater Implementation Committee
- Youth Services Committee
- Voter Information Committee

RECREATION

- Bikeways Committee
- Golf Committee
- Recreation & Youth Commission
- Waterways Committee

* Please include a resume with form



**CITIZENS ACTIVITY RECORD FORM
ACT NOW -- SERVE YOUR COMMUNITY**

Town government needs citizens who are willing to give time in the service of their community. The Citizens Activity Record program was adopted by the Selectmen as a means of compiling names of interested citizens to serve, on a voluntary basis, on Boards and Committees.

Activity records are being updated to include categories consistent with the changing needs of the Town. Indicate your order of preference and return this form to:

**CITIZENS ACTIVITY RECORD PROGRAM
BOARD OF SELECTMEN**

732 Main Street, Harwich, MA 02645

Name Sharon Moore Street/P.O. Box _____ Town Harwich Zip 02645
Occupation Teacher Email _____ Telephone _____

(LIST IN ORDER OF PREFERENCE)

PLANNING AND PRESERVATION

- Agricultural Commission
- Architectural Advisory Committee
- *Board of Appeals
- Brooks Academy Museum Commission
- Building Code Board of Appeals
- By-law/Charter Review Committee
- Community Preservation Committee
- *Conservation Commission
- Cultural Council
- Historical/Historic District Commission
- Middle School Repurpose Committee
- *Planning Board
- Real Estate, Open Space & Land Bank Committee
- Town Forest Committee
- Traffic Safety Committee
- Trail Committee
- Utility & Energy Conservation Commission
- OTHER _____

OTHER

- *Board of Assessors
- *Board of Health
- Capital Outlay Committee
- Cemetery Commission
- Community Center Facilities Committee
- Constable
- Council on Aging
- Disability Rights Committee
- Finance Committee
- Harwich Housing Committee
- Herring Supervisor (Voluntary)
- Shellfish Constable (Voluntary)
- Treasure Chest Volunteers
- Wastewater Committee
- Youth Services Committee
- Voter Information Committee

RECREATION

- Bikeways Committee
- Golf Committee
- Recreation & Youth Commission
- Waterways Committee

* Please include a resume with form



**CITIZEN'S COMMITTEE VACANCY FORM
VOLUNTEER NOW -- SERVE YOUR COMMUNITY**

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**CITIZEN'S COMMITTEE VACANCY FORM
BOARD OF SELECTMEN
732 Main Street, Harwich, MA 02645**

Name PETER B. HOLLIS D.M.D. Street/P.O. Box _____, Town HARWICH Zip 02645

Occupation DEWNTIST (RETIRED) Email _____ Telephone _____

(LIST IN ORDER OF PREFERENCE)

PLANNING AND PRESERVATION

- Agricultural Commission
- *Board of Appeals
- Brooks Academy Museum Commission
- Building Code Board of Appeals
- By-law/Charter Review Committee
- Community Preservation Committee
- *Conservation Commission
- Cultural Council
- Historical/Historic District Commission
- *Planning Board
- Real Estate, Open Space Committee
- Town Forest Committee
- Traffic Safety Committee
- Trail Committee
- Harwich Energy Committee
- OTHER _____

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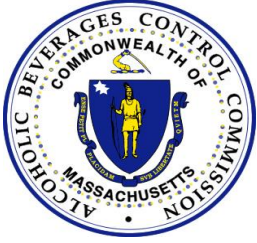
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- Disability Rights Committee
- Finance Committee
- Harwich Housing Committee
- Herring Supervisor (Voluntary)
- Saquatucket Development Committee
- Shellfish Constable (Voluntary)
- Treasure Chest Committee
- Wastewater Support Committee
- Youth Services Committee
- Voter Information Committee

RECREATION

- Bikeways Committee
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NEW BUSINESS



*Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3
Chelsea, Massachusetts 02150*

Jean M. Lorizio, Esq.
Chairman

**ALCOHOLIC BEVERAGES CONTROL COMMISSION ADVISORY REGARDING
EXTENSION OF ALLOWANCE OF OUTDOOR TABLE SERVICE**

On September 10, 2020, Governor Charlie Baker issued an Order Making Certain Phase III Adjustments (also known as COVID-19 Order No. 50), which extends the period for outdoor table service by licensees licensed for on-premises consumption. The text of the Governor's Order can be found [HERE](#).

Pursuant to this Order, local licensing authorities (“LLA”) may approve requests for expansion of outdoor table service or extensions of earlier granted approvals issued pursuant to Section 4 of COVID-19 Order No. 35¹, from November 1, 2020, for any period up to and until sixty (60) days after the end of the state of emergency. The LLA may issue extensions automatically to all licensees, or may do so on request from individual licensees.

The LLA may modify any prior approvals as the LLA deems proper and appropriate, including addressing snow removal, pedestrian traffic, and other similar concerns.

Any licensee that was previously granted approval but is not granted an extension by the LLA may still operate outdoor table service until November 1, 2020.

ABCC approval is not required on these extensions. Upon approval from the LLA the LLA may issue the amended license forthwith. The LLA must provide notice by mail to the ABCC on all application approvals. For further guidance on the process of approving and issuing these amended licenses LLAs should consult with their counsel.

Please be aware that all expanded premises approved pursuant to this Order are only effective through sixty (60) days after the end of the state of emergency and revert to their original licensed premises on that date.

The ABCC continues to retain supervision and oversight of all alcohol licensees, including those that expand their licensed premises pursuant to this Order. As always, all licensees must ensure that they comply with the laws of the Commonwealth of Massachusetts, and that sales of alcoholic beverages take place only as authorized by federal, state, and local law. All questions should be directed to Executive Director Ralph Sacramone at (617) 727-3040 x 731.

(Issued September 11, 2020)

¹ The text of COVID-19 Order No. 35 can be found [HERE](#).



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

APPLICATION FOR: _____ Junk Dealer (\$35) **Hawkers & Peddlers (\$60)**
_____ Junk Collector (\$35) _____ Transient Vendor (\$250)

Fee: \$ _____ New application Renewal _____

In accordance with the provisions of the Statute relating thereto, application for the above-referenced is hereby made by:

Business Name PILGRIM LODGE A.F. & A.M. Phone _____

Business Address 706 MAIN STREET, HARWICH, MA 02645

Mailing Address P.O. BOX 47, HARWICH, MA

Email Address _____

Name of Owner _____

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

Note: Application for Transient Vendors License will be processed only to those persons who hold a Transient Vendor's License issued by the Commonwealth pursuant to the General Laws, Chapter 101, Section 3. The fee for such license shall be \$250.00, which shall be paid in cash, bank, certified check or postal money order and shall accompany the application.

T. Ross _____ Federal I.D. # _____
Signature of applicant & title

ACTING SECRETARY & MASTER

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.

PILGRIM LODGE A.F. & A.M. By _____
Signature of individual or corporate name Corporate officer (if applicable)

REGULATORY COMPLIANCE FORM

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

[Signature]
Building Commissioner

[Signature]
Board of Health

[Signature]
Fire Department

[Signature]
Police Department

* COVID Standards for Retail apply.

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



The Commonwealth of Massachusetts
 Department of Industrial Accidents
 Office of Investigations
 600 Washington Street
 Boston, MA 02111
 www.mass.gov/dia

Workers' Compensation Insurance Affidavit: General Businesses

Applicant Information

Please Print Legibly

Business/Organization Name: PILGRIM LODGE A.F. & A.M.

Address: 706 MAIN STREET, PO BOX 47, HARWICH, MA 02645

City/State/Zip: HARWICH, MA 02645 Phone #: _____

<p>Are you an employer? Check the appropriate box:</p> <p>1. <input type="checkbox"/> I am an employer with _____ employees (full and/or part-time).*</p> <p>2. <input type="checkbox"/> I am a sole proprietor or partnership and have no employees working for me in any capacity. [No workers' comp. insurance required]</p> <p>3. <input type="checkbox"/> We are a corporation and its officers have exercised their right of exemption per c. 152, §1(4), and we have no employees. [No workers' comp. insurance required]**</p> <p>4. <input checked="" type="checkbox"/> We are a non-profit organization, staffed by volunteers, with no employees. [No workers' comp. insurance req.]</p>	<p>Business Type (required):</p> <p>5. <input type="checkbox"/> Retail</p> <p>6. <input type="checkbox"/> Restaurant/Bar/Eating Establishment</p> <p>7. <input type="checkbox"/> Office and/or Sales (incl. real estate, auto, etc.)</p> <p>8. <input checked="" type="checkbox"/> Non-profit</p> <p>9. <input type="checkbox"/> Entertainment</p> <p>10. <input type="checkbox"/> Manufacturing</p> <p>11. <input type="checkbox"/> Health Care</p> <p>12. <input type="checkbox"/> Other _____</p>
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*Any applicant that checks box #1 must also fill out the section below showing their workers' compensation policy information.

**If the corporate officers have exempted themselves, but the corporation has other employees, a workers' compensation policy is required and such an organization should check box #1.

I am an employer that is providing workers' compensation insurance for my employees. Below is the policy information.

Insurance Company Name: _____

Insurer's Address: _____

City/State/Zip: _____

Policy # or Self-ins. Lic. # _____ Expiration Date: _____

Attach a copy of the workers' compensation policy declaration page (showing the policy number and expiration date).

Failure to secure coverage as required under Section 25A of MGL c. 152 can lead to the imposition of criminal penalties of a fine up to \$1,500.00 and/or one-year imprisonment, as well as civil penalties in the form of a STOP WORK ORDER and a fine of up to \$250.00 a day against the violator. Be advised that a copy of this statement may be forwarded to the Office of Investigations of the DIA for insurance coverage verification.

I do hereby certify, under the pains and penalties of perjury that the information provided above is true and correct.

Signature: _____ Date: _____

Phone #: _____

<p><i>Official use only. Do not write in this area, to be completed by city or town official.</i></p>	
City or Town: _____	Permit/License # _____
<p>Issuing Authority (circle one): 1. Board of Health 2. Building Department 3. City/Town Clerk 4. Licensing Board 5. Selectmen's Office 6. Other _____</p>	
Contact Person: _____	Phone #: _____

September 22, 2020

Town of Harwich
Joseph F, Powers
Interim Town Administrator
732 Main Street
Harwich, MA 02645

Dear Mr. Powers:

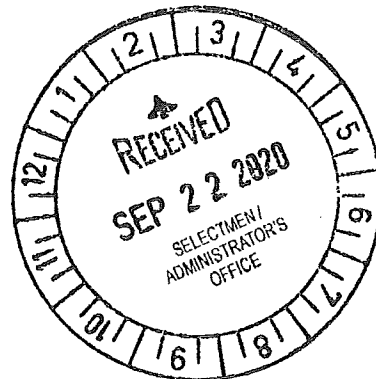
Pilgrim Lodge A.F. & A.M., Harwich, is requesting a Hawkers & Peddlers license for the purpose of selling Christmas trees as a not for profit fundraiser to benefit Lodge for its administrative costs and the costs of its various charitable endeavors.

We intend to sell trees and wreaths at 'Bud's Go Karts' located at 9 Sisson Road, Harwich Port, MA 02646, on the week-ends of November 28-29 and December 5-6 from 10 am-4:30 pm, with the week-end of December 12-13 being an alternate in the event of inclement weather.

Sincerely,



Robert S. Heppe, Jr.
Master, Pilgrim Lodge



September 19, 2020

To Whom It May Concern:

I authorize Pilgrim Lodge A.F. & A.M., Harwich, use pf my property, 'Bud's Go Karts' located at 9 Sisson Road, Harwich Port, MA 02646, between November 24 and December 24, for the purpose of selling Christmas Trees to the general public as a Not For Profit fundraiser.

Additionally, Pilgrim Lodge A.F. & A.M. may use the property to post signage and store materials relevant to the sale of Christmas Trees.

Sincerely,

A handwritten signature in cursive script that reads "Sandra E. Hall".

Sandra Hall

September 22, 2020

Ms. Patti Macura
Town Administrative Offices
732 Main Street
Harwich, MA 02645

Dear Ms. Macura:

Pilgrim Lodge A.F. & A.M., Harwich, requests the fee for a Hawkers & Peddlers license be waived.

Pilgrim Lodge is a registered not for profit organization, which among other endeavors, engages in charitable activities within our community here in Harwich.

Pilgrim Lodge's Federal Tax ID Number is [REDACTED] All funds raised from this permit will facilitate the endeavors of Pilgrim Lodge.

Thank you for your consideration.

Sincerely,



Robert S. Heppe, Jr.
Master, Pilgrim Lodge

Budget/Warrant Timeline for 2021 Annual Town Meeting (FY 2022)

DATE	DELIVERABLE	GOVERNANCE	TARGET DATE
Monday, October 5, 2020	BOS issues general policy statement on FY '22 budget development (on or before)	Charter, §9-2-2	Monday, October 5, 2020
Thursday, October 1, 2020	ITA presents current financial assessment (on or before)	Charter, §9-2-1	Monday, October 5, 2020
Monday, October 26, 2020	Joint meeting with Cape Cod Tech, Capital Outlay Committee, Finance Committee, Monomoy Regional School District and Board of Selectmen		Monday, October 26, 2020
Tuesday, October 27, 2020	Capital Outlay Committee presents capital plan to ITA		Tuesday, October 27, 2020
Tuesday, October 27, 2020	ITA presents operating budget development instructions to department heads		Tuesday, October 27, 2020
Friday, October 30, 2020	Community Preservation Act (CPA) project applications due by 4:00pm	CPC Policy	Friday, October 30, 2020
Monday, November 2, 2020	Board of Selectmen reviews capital outlay plan and sets priorities		Monday, November 2, 2020
Thursday, December 3, 2020	Finance Committee publishes notice of hearing on capital outlay plan in newspaper	Charter, §9-7-1	Thursday, December 3, 2020
Friday, December 4, 2020	Department heads submit budget requests to ITA (on or before)	Charter, §9-2-3	Friday, December 4, 2020
Friday, December 4, 2020	Department heads submit article requests to ITA (on or before)		Friday, December 4, 2020
Wednesday, December 30, 2020	Supplemental documents for CPA project applications due by 4:00pm	CPC Policy	Wednesday, December 30, 2020
Monday, December 14, 2020	ITA and Capital Outlay Committee present plan to joint BOS/FinCom meeting	Charter, §9-6-3	Thursday, December 31, 2020
TBD	Presentation of draft Monomoy Regional School District budget		Monday, January 25, 2021
TBD	Bid specifications for related articles must be submitted to Administration by 12:00pm		Friday, January 29, 2021
TBD	Presentation of draft Cape Cod Regional Technical High School budget		Monday, February 1, 2021
Monday, February 8, 2021	ITA submits comprehensive budget and budget message to BOS (on or before)	Charter, §9-2-4	Monday, February 8, 2021
Friday, February 12, 2021	Final form of articles submitted to Board of Selectmen no later than noon on date shown	Code, § 271-1A	Friday, February 12, 2021

Budget/Warrant Timeline for 2021 Annual Town Meeting (FY 2022)

Monday, February 22, 2021	BOS shall submit budget to the Finance Committee	Charter, §9-3-2	Monday, February 22, 2021
Friday, February 26, 2021	Board of Selectmen submits articles to Finance Committee not later than 14 days after deadline for submission	Code, § 271-1B	Friday, February 26, 2021
Friday, February 26, 2021	Board of Selectmen submits articles proposing changes to bylaws or charter to Bylaw/Charter Review Committee not later than 14 days after deadline for submission	Code, § 271-1B	Friday, February 26, 2021
Saturday, February 27, 2021	Joint hearing between Board of Selectmen & Finance Committee on budget	Charter, §9-3-3	Saturday, February 27, 2021
TBD	Monomoy Regional School District to submit final line item budget to BOS/FinCom		Friday, March 12, 2021
Monday, March 15, 2021	Board of Selectmen votes to establish Special Town Meeting on 5/3/2021 (if necessary)		Monday, March 15, 2021
Monday, March 22, 2021	Board of Selectmen to close and sign Warrant for Special Town Meeting (if necessary)		Monday, March 22, 2021
Monday, March 29, 2021	Board of Selectmen to close and sign Warrants for Town Meeting and Town Election		Monday, March 29, 2021
Monday, March 22, 2021	Finance Committee submits written recommendations on budget/articles	Charter, §9-3-3	Wednesday, March 31, 2021
Tuesday, March 30, 2021	Send warrants to Cape Cod Chronicle and printer		Tuesday, March 30, 2021
Monday, April 19, 2021	Publish warrant in newspaper and every precinct (no later than 14 days before ATM)	Charter, §2-2-1	Thursday, April 15, 2021
Monday, May 3, 2021	2021 Annual Town Meeting (Fiscal Year 2022)	Charter, §2-3-1	

Annual Town Meeting – Monday, May 3, 2021
Annual Town Election – Tuesday, May 18, 2021
Special Town Meeting – Monday, May 3, 2021 (if necessary)

Harwich Board of Selectmen
2020 Goals

Goal 1: Governance. As directed by the town Charter, The BOS shall serve as chief policy-making agency of the town and provide direction to the Town Administration (TA) to achieve the wishes of the Town Meeting and BOS

Objective A: Develop measurable and accountable Goals and Objectives with the TA to achieve BOS and Town Meeting directives including printed warrant explanations and verbal assurances made during debate.

Objective B. Include non-Community Preservation Committee articles requiring funding in the Town Meeting Warrant only when they represent dollar figures derived from procurement bids or firm state contract prices where expenditures are being made by such articles.

Objective C. Award contacts subject to borrowing only after due diligence ensures all work approved in the Town Meeting warrant article is included.

Objective D: Communicate and conduct Town government business in an efficient, effective, transparent, respectful and responsive manner.

Objective E: Encourage volunteer membership onto Town Committees through active recruitment, promotion of respectful conduct of meetings and independent input into town policies. Establish broad policy for employee retention.

Goal 2: Financial Leadership and Stability: Develop FY2021 budget which minimizes spending increases and is within the limits of Proposition 2 ½.

Objective A: Develop a budget which limits growth in operating expenses to no more than two percent and manages debt payments as much as possible to maintain level debt service obligations.

Objective B: Develop a budget which avoids the use of capital exclusions, limits the use of debt exclusions and is within the limits of Proposition 2 ½ without the need for a general over-ride.

Objective C: Develop new approaches to factually inform potential impacts resulting from budget decisions. Provide transparency in town finances.

Objective D: Continue to explore organization structure, information technology and use of contract services to increase efficiency and reduce costs.

Objective E: Seek/evaluate new funding sources

Objective F: Develop specific financial strategies to increase S&P Bond rating.

Goal 3: Continue implementation of the Comprehensive Wastewater Management Plan (CWMP)

to meet regulatory obligations.

Objective A: Work with staff, consultants and other available resources to plan, design and manage CWMP to minimize costs and time CWMP phases to make debt payments within the Capital Budget Plan to maintain level debt service obligations.

Objective B: Continue implementation of the Comprehensive Wastewater Management Plan with construction of Phase 2

Objective C: Continue to work with Dennis and Yarmouth to create a regional wastewater partnership with specific input into governance, finances and timing of such a partnership.

Objective D: Ensure all wastewater issues are communicated to residents for their input and understanding.

Objective E: Explore alternatives as they become available to possibly improve wastewater treatment efficiently and to reduce costs.

Goal 4: Work with the Affordable Housing Trust to aggressively pursue the creation of affordable and workforce housing.

Objective A: Identify funding strategies for the Trust

Objective B: Engage, educate and communicate with town residents and organizations on housing initiatives and programs to increase housing

Objective C: In addition, pursuing potential parcels for affordable housing, emphasize the use of private-public or non-profit-public partnerships for housing.

Objective D: Selectmen will continue to promote the adaptation of an accessory use apartment by-law zoning revision to assist property owners in providing a supplemental income to age in place in their homes or to offer additional workforce housing options.

Goal 5: Economic Development

Objective A: Work closely with the Chamber of Commerce to promote the town of Harwich and the needs of its local businesses.

Objective B: Continue to encourage simplification, transparency and rapid response time of regulatory/permitting actions to encourage business and resident non-business interests.

Objective C: Work with businesses and neighborhoods to find best compromises to meet parking demands and establish noise control policies.

The Harwich Board of Selectmen submits the following budget message to the citizens of the town of Harwich to establish priorities for Fiscal Year 2021.

Selectmen desire a budget that is within the proposition 2 ½ limits without the need for a general override.

We fully understand the impact that previous borrowings have had on taxpayers. Taxpayers have yet to realize the full impact of bonding for current projects such as Monomoy Regional Highschool, Cape Cod Technical High School, Phase two of the Comprehensive Wastewater Management Plan and the Saquatucket Harbor projects. Further, the Town is committed to additional work (resulting in more borrowing) for upcoming CWMP treatment phases. A Dennis/Harwich/Yarmouth Regional Sewer Plant is under discussion as a cost-saving CWPM phase but will result corresponding indebtedness.

The COVID19 pandemic has profoundly affected both revenue and expenses. Local receipts were down approximately 12% from last. With the addition of two one-time payments (tornado and COVID-19 funds) total revenues were ~ 1.2% less than last year. Prudent budgeting directs us to plan based ongoing revenues not one-time revenues. Although we were able to hold expenses with a hiring freeze, delay of capital projects and other operational budget cuts it will be difficult to maintain these as the pandemic often increases service expenses and delay of capital projects are not always possible. Delayed capital projects often increase future costs.

The Board realized even before the pandemic that budgets needed to be carefully examined to reduce future spending increases to a minimum to ensure financial sustainability. The pre-Pandemic budget forecasted a positive budget of ~ \$340,000 in FY2021 which then decreased over the five-year budget plan to a negative ~ \$2.7 M. This assumes annual 2.5% tax levy and \$300,000 growth increases. Clearly expenses need to be curtailed to avoid or minimize 2 ½ over-rides.

With the uncertainty surrounding the COVID-19 pandemic the Board will develop a conservative budget as a “worse-case” planning guide as it is easier to increase spending if additional revenues are available than to reduce promised spending.

Financial control will be difficult. We are proud of past infrastructure improvements through our wastewater initiatives; commitment to improve accessibility and safety to all members of our town by investing in water and landslide improvements at Saquatucket Harbor; support of Monomoy Regional School System; Cape Cod Regional Highschool and the quality of our roads. Investment in our infrastructure signifies an investment and commitment to the future of Harwich.

Financial control includes the careful vetting of any possible new hires, additional hours for part-time employees, revaluations, and overtime to be sure they are within budget limits or are documented to benefit or improve efficiencies of town operations. Funding sources must be identified. To help effectively manage department budgets we suggest the allocation of indirect costs to each department. It is necessary to review total department costs including those that are carried out by another department. The intent is to provide a better understanding of the total costs to operate each department.

The Board continues to face the difficult issue of an aging population and a dissolving younger population. We must continue to develop better strategies to assist our aging population to remain in place while simultaneously improving housing and job opportunities to maintain and attract a younger population. It is our duty to address the need for economic development, increased access to affordable and workforce housing since the youth are the future of Harwich. We understand the need to protect the quintessential New England flavor Harwich offers but must begin to focus internally on how to

address zoning limitations that cause urban sprawl and the physical disconnection of our community.

Fundamentally, the Boards mission within financial constraints is to ensure public safety, .upgrade and maintain the town’s critical infrastructure, support our well respected school systems, advocate for additional housing, ensure the local business community finds a welcoming environment all while ensuring we protect our proud heritage.

Larry G Ballantine, Chairman

Stephen P. Ford, Vice Chairman

Michael D. MacAskill, Clerk

Donald F. Howell

Edward J. McManus



Town of Harwich
Board of Health
732 Main Street Harwich, MA 02645
508-430-7509 – Fax 508-430-7531
E-mail: health@town.harwich.ma.us

To: The Board of Selectmen
From: The Board of Health
Date: December 12, 2018
RE: Sewer Regulation Amendments

At a regular meeting of the Board of Health on December 11, 2018 it was voted to provide the Selectmen with a letter in support of the proposed changes to the Sewer Regulations.

The Board of Health recommends and is supportive of increasing the timeline for mandatory connection to the municipal sewer from one year to two years. We feel this is a more realistic time allowance given the cost of work and availability of contractors.

Additionally, the Board of Health recommends the inclusion of Registered Sanitarians as designers for sewer connections that have a proposed discharge of less than 2,000 gallons per day. The Board of Health has seen that Registered Sanitarians provide professional and accurate plans for on-site sewage systems and we are confident this skill will transfer well to the Sewer Regulations.

We respectfully request that these two changes be considered in the Sewer Regulations, thank you.

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

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

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

CALL TO ORDER

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

WEEKLY BRIEFING

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

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

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

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

- B. Ms. Carolyn Carey, Director of the Community Center, reminded everyone that they have until November 15th to drop off anything for Cape Cod Cares for Our Troops, and that is in the front lobby. The list of what they are looking for is on the website, if anyone needs it. Ms. Carey also said for anybody that did not know, the Community Center was the place to be on Halloween. They were overflowing. They had more than doubled the number of children they normally see. She wanted to thank the community, as this was all made possible by donations from everyone around us.

- C. Ms. Mary Maslowski, member of the Planning Board said that she was there representing the Planning Board, in the absence of Charleen Greenhalgh, Town Planner. She wanted her to make sure that everyone knew that the Cape Cod Commission Public Hearing has been continued for the West Harwich District of Critical Planning Concern. It will be held before the full commission on Thursday, November 14th at 3:00 pm, in the East Wing Conference Room of the old jail building, located at 3195 Main Street in Barnstable. Anyone who would like to attend the remainder of the meeting is welcome.

PUBLIC COMMENTS/ANNOUNCEMENTS

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

CONSENT AGENDA

A. Minutes:

- 1. May 20, 2019 Regular Session

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

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

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

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

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

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

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

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

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

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

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

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

NEW BUSINESS

A. Annual Meetings with the Board:

1. Board of Health

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

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

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

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

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

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

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

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

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

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

2. Board of Appeals

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

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

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

3. Real Estate and Open Space

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

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

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

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

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

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

4. Housing Authority

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

CONTRACTS

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

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

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

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

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

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

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

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

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

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

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

All in favor, motion carried by unanimous vote.

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

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

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

TOWN ADMINISTRATOR'S REPORTS

A. RJV Construction Contract

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

B. MRSC votes related to the playground / Demolition

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

C. Noise Bylaw

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

D. Chief Procurement Officer

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

E. Budget Discussion

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

F. Town Administrator Statement

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

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

SELECTMEN'S REPORT

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

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

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

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

ADJOURNMENT

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

Respectfully submitted,

Lisa Schwab
Administrative Assistant

**MINUTES
SELECTMEN'S MEETING
GRIFFIN MEETING ROOM
Tuesday, November 12, 2019
6:30 P.M.**

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

ALSO PARTICIPATING: Assistant Town Administrator Joseph Powers.

CALL TO ORDER

Mr. Ballantine opened the meeting at 6:30 pm, and called to order the Board of Selectmen. He explained he first called the meeting to order at 6:00 pm for an Executive Session, in which they discussed the dispatch negotiations and salary and they voted to that end, so they will be moving ahead with their contract and negotiations of salaries going forward. They also reviewed a litigation matter that is ongoing, and may be on going for some weeks.

WEEKLY BRIEFING

Mr. Joseph Powers, Assistant Town Administrator, said that he first wanted to make the Board aware of some addenda documents, which they should have. The first is related to the upcoming hearing on the tax rate, which was provided by the Finance Director, in response to Mr. MacAskill's question. Second, in regards to the item under New Business, item E, (Request for approval for Hawkers & Peddlers license for Pilgrim Lodge to sell Christmas Trees and waive associated \$60.00 fee) there is a copy of this showing that all departments have signed that document, as required. Also, they received an email this afternoon from Mr. David Young, CDM Smith, regarding actions taken by both Dennis and Yarmouth relative to peer reviews that will be coming up. And lastly, in the packet is the signature page for the Champion Salt Contract, which will come up later on.

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

The one week look ahead, for the week of November 11th, the Mainline Sewer Crew #1 will continue installation on Route 39, west from Spence's Trace,

which necessitates a detour. The Mainline Sewer Crew #2, will continue installation on Route 137, also with a detour. The two week look ahead for the week of November 18th, the Mainline Sewer Crew #1 will continue installation on Route 39, west from Spence's Trace, again utilizing a detour. The Mainline Sewer Crew #2, will continue installation on Route 137, again with a detour. The three week look ahead, which is important because it is the week of Thanksgiving, first there will be no work conducted on Thanksgiving or the day after. However that week, Mainline Sewer Crew #1, will continue installation on Route 39, west from Spence's Trace, now working on service and sideline stubs. Mainline Sewer Crew #2 will commence installation on Ellis Drive, which is scheduled to be for three days only.

Mr. Ballantine asked if Mr. Powers had heard any word, if they feel that they are on schedule. Mr. Powers said that he has not had conversations with anyone, but would follow up tomorrow. Mr. MacAskill asked if they could add any change orders that have been submitted, to that request. Mr. Powers said that he knows of at least one change order that will be coming before the Board next week. It was submitted by Chief Clark, so they have at least one and he will look for others.

PUBLIC COMMENTS/ANNOUNCEMENTS

- A. Ms. Carolyn Carey, Director of the Community Center, reminded everyone that there is a week and a half left to drop off any packages for Cape Cod Cares for Our Troops, so they can get things packed up and get them where they need to go. Everything that is donated goes to a person who is serving from the Cape.

- B. Ms. Jamie Goodwin, Station Manager, Channel 18, had an announcement in regards to the sewer lines. She explained that they sent the Channel 18 drone down on Route 137, and it was flown over the deep trench and down into the trench. They are just waiting for Robert Our to give the ok, and they will be airing that this week on their social media page and the home page of the website.

CONSENT AGENDA

- A. Minutes:
 - 1. May 28, 2019 Regular Session

- B. Vote to approve Caleb Chase Fund request in the amount of \$800.00
- C. Vote to accept the resignation of Gary C. Miller, Harwich Accessibility Rights Committee, effective 10.31.19

Mr. Ford moved to approve the Minutes from May 28, 2019 regular session, to approve the Caleb Chase Fund request in the amount of \$800.00, and to accept the resignation of Gary C. Miller, Harwich Accessibility Rights Committee, effective 10.31.19. Seconded by Mr. MacAskill. All in favor, motion carried by unanimous vote.

PUBLIC HEARINGS/PRESENTATIONS

- A. Decision on all property will be taxed at the same rate for Fiscal Year 2020 as set forth in Chapter 40, Section 56 of the Massachusetts General Laws.

Mr. Richard Waystack, Chairman, Board of Assessors, said he was accompanied by Vice Chair, Mr. Bruce Nightengale and Mr. Jay Kavanaugh, as well as, Ms. Donna Molino, Assessing Director. He is happy to be there for the 14th year making a recommendation, on behalf of the Board of Assessors, to the Board of Selectmen.

Mr. Waystack explained, for Mr. Ford's benefit, the process they have gone through, and explained that the Board of Selectmen have the final decision on how they tax their tax payers in the community. He said that the Board of Assessors make a recommendation to the Board of Selectmen, based on a lot of research, a lot of due diligence, and looking at a number of different factors. This year a couple of communities have looked at residential exemptions, which they had looked very closely at. They attended a presentation by the Department of Revenue, which reviewed the process of setting a tax rate for communities and it also delved into the residential exemption. They concluded as they have for many years, and recommend to the Board, that they approve a factor of one and tax all of their property at the same rate. Also, that they do not grant an open space exemption, that they do not grant the small commercial exemption, and most importantly that they do not grant a residential exemption. Mr. Waystack explained that there are a number of factors for that, which he can review if needed, but it is quite extensive. The Board of Assessors is charged with establishing a fair value of this community, which is now valued at almost \$6 billion. They represent all of

the taxpayers, and all the residents of this community, and trying to treat all of the residents and all of our taxpayers the same, can be difficult.

Mr. Waystack further explained the issues of having a residential tax rate, and how it would change the tax rate. He said that it will impact people who are currently residents, year round who have a value that is greater than a certain number, based on what they decide for residential exemption.

So, for the 15th year he again recommended that they vote a factor of one, but they do not allow either an open space, residential, or small commercial exemption.

Mr. Waystack continued that they filed legislation three years ago in the House, and it was approved, allowing them one of the highest senior tax exemptions in the Commonwealth of Massachusetts. This allows their Senior Residents, if qualified, up to \$3,000 off of their tax bill.

He further explained that he will be coming back to them later this evening with an update on their Board, and talking about the tax rate and what the impact is going to be. It has not been certified yet by the state, but there will be some surprises there, and they should be aware of it because it will have an impact across the entire community.

Mr. Waystack passed out some information on the tax rate to the Board. He explained that the value of the community is close to \$6 billion. Normally when you see an increase in value, there is somewhat of a corresponding decrease in the tax rate. That is not proposed this year; and they are looking at actually having an increase in the tax rate, with an increase of the value of the community. He reminded everyone that the Board of Assessors is responsible for the valuation of the community, and for the regulatory abatements and credits. They do not deal with the spending of the community. The tax rate will be increasing \$.06 per thousand. This is directly related to the spending that has been authorized at Town Meeting. The Town's value has gone up over 5% in the community, this is the first time in his history, that we have seen a corresponding increase in the tax rate.

He mentioned that when the tax bill goes out, people have the opportunity to challenge the value of their property through the abatement process. It is imperative that people understand an abatement application is not to challenge what they are paying in taxes. The abatement process is to challenge the value

of their property. When people see their tax bill, they see their taxes are going up, they see the tax rate has gone up, they see the value of their property at an average across the board has increased by 5%. The average property in town right now is at \$568,000. If you have an average property, the tax bill will be going up by over \$260. Mr. Waystack said that it is imperative to remind everyone in the community that the Board of Assessors is responsible for the market valuation of the community, not what people are paying in taxes. That is the responsibility of every taxpayer, who attends the meeting.

Mr. Ballantine repeated that the increase in taxes will be based on the average value, assessment increase, plus the increasing tax rate.

Mr. Waystack said again, the actions taken at Town Meeting dictate what people will be paying for their taxes in this next tax bill.

Mr. MacAskill brought up that there is an additional \$32 million extra that was authorized; but has not been issued yet. The tax increase this year is not based on 50% of what has already been authorized. There is another \$32 million that they will be spending before going back to Town Meeting this year. He said that as they vote things at Town Meeting, or as the Board proposes them, they should be proposed with what the tax impact will be to the residents.

Mr. Waystack said that they have the document in front of them with the summary from the department and it is important to know that by looking at the averages; the average increase from 2017, average property was \$475,000, the average increasing the taxes for that property was \$85. In 2018, the average value for the average home 506,000, that year increase in taxes was \$195. Last year increase of the average property was \$542,000, the average increase in taxes was \$242. This year we are at \$568,000, with taxes at a \$262 increase.

Neither the Assessing office, nor the Board of Assessors, has anything to do with increasing any person's taxes. What they do is a fair evaluation of the Town's property value.

Mr. MacAskill asked if Mr. Waystack could talk about valuation for a minute, and why the middle school for instance, is valued at \$12 million. Mr. Waystack responded that it is a function of what that Department of Revenue requires them to do, it is not there. Mr. MacAskill said that they had an offer

of \$660,000, and would like to know how it can be kept on the books for \$12 million. Also, he asked what they pay for insurance on something like that.

Mr. Waystack recommended that the Chairman file an abatement on behalf of the Town to the Board of Assessors. They would be happy to listen to any abatement application that is filed timely, between January 1st and February 1st, of next year.

Mr. MacAskill added that it would also be the case for all buildings, and he would like to understand the valuations on these. Mr. Waystack added that some things are out of their hands, and the State dictates values of public buildings of that nature.

Mr. Ballantine said this is educational and asked how they arrive at private values, and asks whether it is based on sales. Mr. Waystack said it is supply and demand, as the market dictates value. There is a third party vendor that verifies values, and the values are based from a year ago.

Mr. McManus moved that they first select a factor of “1” (taxing all property at the same rate), second that they do not grant an open space exemption, third that they do not grant a residential exemption, fourth that they do not grant a small commercial exemption. Seconded by Mr. MacAskill.

Ms. Kelly Burkard, resident from Sugar Hill Drive, had a question about when Mr. Waystack said there is an increase overall, that there is usually a decrease in tax rate, and asked if Mr. Waystack could explain why they are going up and not down.

Mr. Waystack said, “normally” is the key word. He explained that by law, by statute, they cannot use an increase in value to increase the tax levy limit. The Town has an intricate formula to see how much they can tax. They cannot say they will raise the value of the Town to raise taxes to the community. The formula is dictated by the Finance Department, and they tell us what our levy limit is each year, based on that valuation. State law dictates that we cannot increase our levy limit the amount that we can tax more than 2 ½% per year, unless voted by the tax payers, at an override or capital exclusion. So, they are at a levy limit, and normally if the value goes up, the tax rate goes slightly down, because they can not increase the levy limit. However, at Town Meeting, if those who attend town meeting wish to expand spending, they have a right to do so. If the Selectmen make a recommendation for an

exclusion or an override, it is then put out to the general public to vote, and that is what has happened this past year. Mr. Waystack further explained how the spending impacts the tax bills.

Mr. Howell said that Mr. Waystack was right, they borrow things, but to be clear, where they are at right now, does not include the borrowing that they authorized in 2018 for the \$24 million sewer system, the \$5 million new fire station, and the debt for the Tech School. Those will come in January.

Mr. Sandy McLardy, resident, asked about the one to one ratio for residential homes. He asked if it is similar to what Provincetown did, where year-round residents are taxed different than part-time residents. Mr. Ballantine confirmed that it was. Mr. McLardy continued and asked of the 16 communities that have opted in, have they all been disasters, or what has been the outcome on average. He also added a comment about trying to keep it fair. He said an argument for the unequal rate could be that a smaller percentage of income would have to be spent for necessities by a wealthy homeowner versus someone at the lower end of the spectrum. He added that another way to look at fairness, would be the cost for surviving on the Cape. Maybe that is why places like Provincetown, which need a work force and don't have one that lives there, would be more interested than other places in Massachusetts.

Mr. Waystack responded that it was an excellent point, and said they have had that discussion over the last few years. If they were to do a residential exemption, that would impact about 5,200 properties in town. They have approximately 12,000 properties in town. So, it would impact less than half, however, what they are trying to do is help those in need in the community, whether older, those with sight impairments, or honored Veterans. What they have done is to go to legislation to help seniors that want to stay in their homes, making the senior tax credit now up to \$3,000. Mr. Waystack said that they have been working on this, and they plan on visiting another exemption from the Department of Revenue, which will take legislation for them to do so. They would like to expand it to younger people, families, and people struggling to afford to live here, but it is not available at this time. They will need legislation in order to do that. He said they are trying to be proactive to assist the residents in this community.

Mr. MacAskill asked if there is data available as to how many towns on the Cape do offer residential exemption, and asked if he could send it to the Board. Mr. Waystack said yes, and he believes it is three.

All in favor, motion carried by unanimous vote.

NEW BUSINESS

A. Annual Meetings with the Board:

1. Council on Aging

Mr. Waystack, Chairman, Council on Aging Board of Directors, was present on behalf of the Council on Aging. He pointed out that Ms. Emily Mitchell, Director, Council on Aging, was also present and has been doing an outstanding job.

Mr. Waystack said that they have the full report in their packet, and he will not read through it. However, one of the tremendous investments that was made and assisted by the Friends of the Council on Aging was the My Senior Software. He said that for years they have been asked to provide the data of how many people have been using the services, and utilizing the Community Center through the Council on Aging. This software has been exceptional and allows them, with a key tag, to track every person that accesses the program. They can now track data, which has been a game changer for the Council on Aging.

One weakness they found this year, is that the last time any strategic planning was done was over 10 years ago. They will be embarking on an opportunity to look at strategic planning and he will try and make it budget neutral. They will look at where they are going as an organization, and the type of services that they need to provide for their older adults. There are many needs; healthcare, transportation, feeding programs, etc. He said that is the brief report and they are happy to answer any questions.

Mr. MacAskill said great job to the Council on Aging, Friends of the Council on Aging and to Ms. Mitchell. They hear nothing but great things about the Council on Aging.

Mr. Ballantine said that they all agree with that. He asked if there are any surprises in the data that they are finding and also wanted to know how outreach is going, if they are reaching the people that they don't know about.

Mr. Waystack said that is an excellent question. He had done a report about this, and they now have a liaison from the Fire Department that sits on their council. The liaison with both Fire and Police, has expanded their outreach dramatically. Mr. Ballantine mentioned that they have an Accessibility Rights Committee, and he would like to see some more interaction between both groups. Mr. Waystack would love to have them attend their meetings.

2. Board of Assessors

Mr. Richard Waystack, Chairman, Board of Assessors, said, for people to understand, Mr. Nightengale, Mr. Kavanaugh and himself are required, by State law, to be certified. They have to take a course to be able to deal with the regulatory issues that they are responsible for. He said that they are an advisory board and a statutory board. They do not deal themselves with the operations of the department as that is the Assessing Directors job. They are there for policy.

Mr. Waystack said that he is proud of the Board of Assessors. They have been so proactive in expanding the senior tax credit. They do the due diligence necessary to guard the money of this community. They have an overlay account of \$460,000 that they utilize for their abatements and for the assistance to the community members that are in need. They are very diligent about that and they take their roles very seriously. They have a full board. They are educated and they love the work they do. They care about the town and its citizens.

3. Finance Committee

No report.

B. Vote – Chapter 90 Project Request – Lower County Road Patching

Mr. Powers said that the request of staff is to hold off on this item because there is not a resulting contract to go with this.

Mr. McManus said, based on the Assistant Administrators request, he moved that they vote to table the Chapter 90 Project Request – Lower County Road Patching till such time that a contract has been developed. Seconded by Mr. Ford. Mr. Ballantine requested that this come back for December 2nd meeting. All in favor, motion carried by unanimous vote.

C. Vote to endorse CPC Grant Agreement for Cape Housing Institute in the amount of \$7,500.00

Mr. Howell said that generally the Harwich Community Preservation Committee (CPC) requests the funds to defray the cost to putting it on the Cape Housing Institute, and that is what the grant request is for.

Mr. MacAskill asked if there is any back up document saying how many towns they are approaching, what the cost to run it is. Mr. Powers said he has not been privy to any information, nor could he find any, but he could endeavor to get that. Mr. Ballantine suggested they bring this back. Mr. Howell said it was voted at Town Meeting. They are dispersments made for approved funds.

Ms. Mary Maslowski, board member of the CPC, said that she could share some information. She said that typically the CPC has a grant agreement with third party agencies. The one they are looking at, relates to last year funds, not upcoming funds. So it is merely putting the contract in place between the Town and the CPC and the CDP, which has been committed. It acts as the contract between the three parties, and the use of the funds.

Mr. MacAskill asked if this is the first of the grant of the agreements that Mr. David Nixon, Chair of the CPC, has been mentioning. Ms. Maslowski said that is correct and this is the one which they signed at last weeks meeting. Mr. MacAskill asked why this is the first time they are seeing it, and asked if it was reviewed by an attorney. Ms. Maslowski said that she believed it was.

Mr. Howell said he appreciates what Mr. MacAskill was saying, but he has seen this before, and the CPC runs parallel to us. It has already been voted and incumbered from their funds. It is a requirement that we countersign the grant agreement going out, which is what this is about.

Mr. MacAskill thanked him for the explanation, and said that they have never voted a grant agreement in the four years that he has been on the Board. So this is new process that has not been spelled out to them. Mr. Howell said yes. Mr. MacAskill asked if they could have a presentation on this.

Mr. Ballantine asked Ms. Maslowski if this was time sensitive, or if it could wait a week. She responded that she would speak with Mr. Nixon. Mr. Powers said that he could work with staff on vetting this. This item and the next one are two different years of funding.

Mr. Ford said he has spoken with Mr. Nixon and he is sure he will come in and speak. Mr. Ballantine confirmed that they will have this come back and have Mr. Nixon available to provide a presentation.

- D. Vote to endorse CPC Grant Agreement for Habitat for Humanity in the amount of \$300,000.00

Mr. Ballantine confirmed this will be brought back, with the above.

- E. Request for approval for Hawkers & Peddlers license for Pilgrim Lodge to sell Christmas Trees and waive associated \$60.00 fee.

Mr. MacAskill moved to approve the request for Hawkers & Peddlers license for Pilgrim Lodge to sell Christmas Trees and waive associated \$60.00 fee. Seconded by Mr. Howell. All in favor, motion carried by unanimous vote.

- F. Request for approval for one (1) one day alcohol license permit for Wychmere Beach Club. The event will be held at The Wychmere Beach Club on Saturday, January 18, 2020 from 5:00 PM – 11:00 PM for a corporate holiday party

Mr. Powers said this was in response to Mr. Howell's question. It would not be proper for the Board to grant this license, because the establishment requesting it, is a licensed establishment, even though it is a seasonal license. The ABCC is clear, that they cannot hold any other license during their dormancy period. Their license does expire on January 15, 2020. They were requesting the one-day license for January 18th, and that is not allowed by law.

Mr. MacAskill asked if they could extend their license to the 20th. Mr. Powers said they could not, it was not allowed under ABCC. They could look at moving their date.

Mr. Howell said that he has held a seasonal license, and the way it works is the licensing authority, which is the Board; has guidelines that the State issues. He said it is straight forward and in this instance the dark period after January 15th cannot be extended. Mr. Ballantine said their only option is to move it back.

Mr. McManus said for them to run the bar for their event, it would require them holding two licenses, which is prohibited, but can they bring in a bar service. Mr. MacAskill said that they are an important business in town and it would be good to help them. Mr. Powers confirmed that it cannot be done on premises, but staff will follow up tomorrow and discuss options with them.

Mr. Ballantine confirmed no action.

G. Request for approval – Traffic Plan - Cultural Center Holiday Light Display – Scheduled for 11/30/19 – 12/31/19

Mr. MacAskill moved to approve the traffic plan for the Cultural Center Holiday Light Display – Scheduled for 11/30/19 – 12/31/19. Seconded by Mr. Howell.

Mr. MacAskill suggested that Ms. Carolyn Carey, Director, Harwich Cultural Center, explain what the traffic plan is for the public.

Ms. Carey said that she met with the Deputy Chief of Police, Kevin Considine. They will be doing the same traffic plan that they did for Art Week. People will enter through South Street, through the Elementary school. She explained that they are asking people not to get out of their cars. It will be similar to what they did for Art week.

All in favor, motion carried by unanimous vote.

H. Weston & Sampson – Letter Agreement and Proposed Scope and Cost for a Peer Review of Sewer Contracts, Phase 2, Contract # 1 and Contract #2-Discussion

Noted below under item I.

I. Weston & Sampson – Agreement for Wastewater Consulting Services - DHY Party Wastewater Project Reviews - Discussion

Mr. Ballantine said that Mr. David Young was not available to discuss these topics, so he would like to bring them back for December 2nd to have a full discussion. Mr. MacAskill would like to add a topic to this, which goes back to conversations they have had for years. He said that they had hired Dan Pelletier as their Wastewater/Water Superintendent, and he has not had a seat at the table from the beginning. Now they have Griffin Ryder, as Engineer, and before they go voting, maybe they should have a conversation with the in-house professionals and see what they can offer. Mr. Ballantine said that he is ok with that, and said that they did have a meeting on some of the DHY phasing, in which both Mr. Ryder and Mr. Pelletier, were involved. So, they are starting to include that. Mr. MacAskill said that is great and he hopes they are always involved. Mr. Ballantine confirmed that they will bring this back when they have a full board on the December 2nd.

A gentleman representing Weston & Sampson spoke before the meeting ended, to add information about the two draft agreements that was in front of them tonight. He said that the second one is related to DHY, and is for them to do a review of the costing for the DHY facilities for Dennis, Yarmouth and Harwich. The operating agreement itself, the timing is important and both Dennis and Yarmouth have approved it. The subgroup would like to have this done by mid-December, otherwise it will cause delays.

Mr. Howell confirmed this is for the peer review agreement. Mr. Ballantine confirmed that December 2nd would be too late and cause delays. It was agreed to bring it back next week to vote on.

CONTRACTS

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

Mr. Powers said they should have what represents the signature page, which they received last week from the vendor. It has been signed by the vendor and the account and Finance Director, as to the available funds. He will defer back to the memo he wrote on October 28th, and recommends that the Board vote

to approve this procurement as outlined and award the contract to Champion Road Salt LLC, and to sign the contract document which are in the signature file. This was the procurement which occurred through a bid process through the Town of Plymouth.

Mr. MacAskill moved to approve the contract with Champion Salt LLC – FY 20 road salt contract in the amount of \$107,780.00. Seconded by Mr. Howell. All in favor, motion carried by unanimous vote.

TOWN ADMINISTRATOR’S REPORTS

Mr. Powers said he had no report as the Assistant Town Administrator, however, he added that there were two departmental reports that should have been included in their packet, from Harbormaster Department and from the Health Director.

Mr. Powers also notified the Board that letters had gone out last week from the Town Administrator, to a number of communities regarding response to the Tornado. He said that he had those letters, if the Board wished to see them.

SELECTMEN’S REPORT

Mr. Howell requested that, as Mr. Clark goes on to his leave of absence, they add to the agenda for the Board to appoint an Interim Town Administrator. He said that this requires a vote, in accordance with Chapter 4-10-2.

Mr. Ballantine reported on the great day and event that they had for Veteran’s Day.

ADJOURNMENT

Mr. Howell moved that they adjourn at 7:42 pm. Seconded by Mr. Ballantine. All in favor, motion carried by unanimous vote.

Respectfully submitted,

Lisa Schwab
Administrative Assistant

MINUTES
SELECTMEN'S MEETING
GRIFFIN MEETING ROOM
Monday, November 18, 2019
6:30 P.M.

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

ALSO PARTICIPATING: Assistant Town Administrator Joseph Powers

CALL TO ORDER

Mr. Ballantine opened the meeting at 6:30 pm, and called to order the Board of Selectmen. He explained he first called the meeting to order at 6:15 pm for an Executive Session, in which they discussed the strategy sessions with respect to collective bargaining for HEA Contracts- it was an initial discussion getting ready for the upcoming contract season.

WEEKLY BRIEFING

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

Mr. Powers stated that there is a slight change, or an update, to the construction schedule for this week.

The one week look ahead, for November 18th - November 22nd, the Mainline Sewer Crew # 1 will continue installation on Route 39, west from Spence's Trace, and the detours are still in place there. The Mainline Sewer Crew #2, will continue installation on Route 137, also with a detour. Regarding the second crew, they did receive a request from the contractor, Robert B. Our, to see if the town was agreeable to extending the hours of operation. The hours of operation that have been agreed upon over the past month, have been Monday through Friday 7:00 am - 5:00 pm. They have requested to extend those hours for this week, Tuesday, November 19th, Wednesday, November 20th, and Thursday, November 21st until 7:30pm, specifically at the intersection of Sou'West Drive and Route 137. Mr. Powers spoke with Mr. Charlie Sumner, Wastewater Public Outreach Coordinator, Mr. Griffin Ryder,

Town Engineer, Dan Pelletier Water/Wastewater Superintendent, as well as, Ms. Abby Our and CDM Smith. Essentially all parties agree that there are going to be times that it is necessary and prudent to expand the hours, when they are dealing with deep man holes at intersections. They expect it to be done within the three days and do not expect to do it again, until they reach another similar point. His recommendation is to grant the extension. Mr. Ballantine confirmed there is a consensus to move forward with that.

The two week look ahead for the week of November 25th, again, no work will be conducted on Thanksgiving or the day after. Mainline Sewer Crew # 1 will continue installation on Route 39, west from Spence's Trace, working more on service and sideline subs. The Mainline Sewer Crew #2, will commence installation on Herndon, for three days only. Detours will be in place in some areas, but hopefully will ease up in some areas with the holidays. They will know more tomorrow after the construction meeting.

The three week look ahead for the week of December 2nd, Mainline Sewer Crew # 1 will continue installation on RT 39, west from Spence's Trace, working more on service and sideline stubs and commencing installation on Old Heritage Way. Mainline Sewer Crew # 2 will resume work on Route 137 and will necessitate detours.

Mr. Ballantine mentioned that the concern he has been getting lately has been the detours, but understood there was not much they could do about that. However, he asked that the signs are always there, and they continue to evaluate so that it remains efficient.

Mr. MacAskill asked if they could get ahead of contract 2, because they will hit the ground running. He asked what that would do to the traffic pattern in East Harwich and if they could get a handle on what is going to happen, when the other contract shows up.

PUBLIC COMMENTS/ANNOUNCEMENTS

- A. Ms. Jamie Goodwin, Station Manager, Channel 18, said she was present tonight on behalf of the Emergency Management Team for the Town of Harwich. She explained that they had a meeting in July, following the Tornado, and they thought that they could have done better. Therefore, they created an emergency alert system, which went live on Friday. Today is the

first day that people can sign up for emergency alerts. She worked with Ms. Wellesley Marsh, Harwich Water Department, Mr. Dave LeBlanc, Fire Chief, Mr. Kevin Considine, Deputy Chief of Police, Mr. Lee Culver and Mr. Foster Banford, IT Director, on this project. People can also sign up for additional alerts such as, Water Department alerts, police detours, beach updates, Community Center events, Cultural Center events and employment opportunities. To sign up go to www.harwich-ma.reggroup.com.

- B. Mr. Gary Conroy, 235 Bay Road, was present to discuss the Town Administrator position. He said that a group of concerned citizens would like to have some input into the selection of the next Town Administrator. He said that the next few years will certainly have an impact on future generations to work, live and vacation in their wonderful community. While the challenges seem overwhelming at times, they believe in Harwich and that its leaders can navigate the next decade with much success. Their first question is regarding the process of selecting the next Town Administrator. They would like to know what the timeframe will be and how the selection process will look like. Also, will the town hire a temporary administrator. Mr. Conroy also asked how the Board will communicate and keep the Town updated on their search? Will a search committee be formed, which would provide another layer of input for the selection of the Administrator? He then made note of a person that they all know, and believe would be a successful Town Administrator, his name is Leo Cakounes. He said that Mr. Cakounes would bring many qualities and much experience to Town government and could hit the ground running. He continued to provide an overview of Mr. Cakounes background and experience. His group would like to thank the Board for considering Mr. Cakounes as a potential candidate for Town Administrator.

Mr. Ballantine thanked him for his statements and it will be an open process and include looking at a search committee and hiring a temp TA. We are not at the point to consider Mr. Kakounes or anyone at this point. But it will be an open process once we go through the interviews and hopefully come back with several outstanding candidates and go from there, and everyone will have a chance to be heard.

- C. Mr. Ballantine announced that Brax Landing Restaurant is hosting the Lieutenant Governor and other officials tomorrow at 1:00 pm. They are the recipients of a grant award, after the tornado to help rebuild their business. There will be a ceremony recognizing that. They are gathering at 1:00 pm and it will start at 1:30 pm

CONSENT AGENDA

A. Vote to approve Caleb Chase Fund request in the amount of \$800.00

Mr. Ford moved to approve Caleb Chase Fund request in the amount of \$800.00. Seconded by Mr. MacAskill. All in favor, motion carried by unanimous vote.

NEW BUSINESS

A. Annual Meetings with the Board:

1. Community Preservation Committee
2. Mr. David Nixon, Chair, Community Preservation Committee, said that they have his report and he will just hit the important points. He said that they need one more member and that would be a selectmen appointee. That is one thing they are down.

Mr. Nixon reported that in 2019, the committee received 15 applications, with request totaling \$3,691,593. All 15 applications are being presented to the committee for review and deliberation. There is a grand total of approximately \$3,005,451, available for distribution. He explained that there is a different number that has come up and he wants to explain this to the newest member of the board, because he always tells the Board, that when he presents numbers, they always change.

Mr. Nixon read an update, he had just received from the State, on the November statewide CPC fund distribution. It stated that the Coalition had obtained primary information regarding this year's Community Preservation Trust Fund distribution to the CPC municipalities. However, this year's distribution and information that accompany it will be quite different than previous years; for two reasons: 1. The DOR has not posted any data information on this match. 2. There is still a potential for an additional \$20 million in the budget for funds that would be distributed by CPC at a later date. Mr. Nixon said that no one knew this was coming, it constantly changes. He gave them a number here totaling \$3,691,593, and \$1.2 million of that money has been taken off the table. There has been an application that was withdrawn, which it is not official, but it is there.

Mr. Ballantine asked if the debt payment was included in that number. Mr. Nixon said he cannot say, he will need to confirm it. This is all new information and he has no idea how much is going to change right now, but he will get the information.

Mr. Nixon continued that as of October 17, 2019, the committee has successfully rescinded and closed out previously funded articles that were either completed, or uncompleted, with many years of non- activity, in the amount of approximately \$129,904.96. All monies were returned to their respective fund reserve. When he wrote the report, that is the way it was considered. He said that Ms. Coppola, Finance Director, got some information from DOR that \$129,904.96 is considered in this total number that he gave them originally, but they are not going to be able to use that. It is the process DOR has in looking at money in general. The funds are vetted in the CPC, then they go to the Board of Selectmen, then they go to Town Meeting and they are approved. So they get distributed to the applicants. Sometimes they do not use all the money and they bring it back. Now DOR says you have to consider that as new monies and be re-certified and brought through the process again.

Mr. Ballantine said to clarify, if they can use it, but not till the following year. Mr. Nixon said yes, not till the following year.

Mr. Nixon said he wanted to acknowledge two members of the board that were there with him, Mr. John Ketchum and Ms. Mary Maslowski.

He also wanted to acknowledge and thank Ms. Kathy Green and Mr. Chris Rockett, who both served on this committee for several years. They have moved on, and have our sincere appreciation. They were really helpful and their information was really valuable.

Mr. MacAskill said he wanted to thank them for all the work and time they spend on CPC, and the accuracy they bring to the numbers.

Mr. Howell said he wanted to compliment Mr. Nixon and the committee. They imposed structure where there was none and things have vastly improved. It is a tribute to him and the members.

Mr. Ballantine repeated their need for one more member.

3. Golf Committee

No one was present.

- B. Vote to designate Joseph F. Powers as temporary Town Administrator for a period not to exceed ninety (90) days

Mr. McManus made a motion to designate Joseph F. Powers as temporary Town Administrator for a period not to exceed ninety (90) days. Seconded by Mr. Howell. All in favor, motion carried by unanimous vote.

CONTRACTS

- A. Weights and Measures Services Inter-Municipal Agreement between Town of Harwich and Town of Barnstable - vote

Mr. Ballantine commented that this is going to take some time, that it is a heavy load. Mr. Powers said that there is material in their packet and a presentation to be done. However the recommendation presently is that the Board should not come to conclusion on the agreement, because it is still being vetted by Council and the Finance Director.

Mr. Richard Scali, Licensing Director, including the Weights and Measures, for the Town of Barnstable, explained that for the last 20 plus years, the Town of Barnstable has provided Weights and Measures Services for nine towns on the cape. Unfortunately the agreements have not been reviewed in 20-years, so in the packet is the agreement which was signed by the Board of Selectmen back in 2001. They have undergone a process over the last two-years of reevaluating and looking at those agreements, and they have concluded that they will have one agreement for all of the towns.

Mr. Scali explained that they had provided a full presentation to Mr. Clark back in September, which took an hour, however, he will not take an hour this evening, but will review the highlights. In the packet there is a list of all the services that they provide to each town, including; the number of devices, price verification, packets checking, oil tank meters, and a number of other services as well. Mr. Scali reviewed the brochure that is in the packet and the

read through the items that they inspect: Taxi Cab Meters, Oil Truck Meters & Air Eliminators, Retail Store Scales, Industrial Scales, Vehicle Scales, Gas Station Dispensers, Marina Pumps, Cordage Measurers, Store Scanner Systems, Linear Measures, Wholesale Fuel Racks, and Airport Refuelers. Also, in the packet is a list of all the Harwich businesses that they have served over the number of years.

Mr. Scali reviewed the list of their revenues for FY19, which is for calendar year 2018. He said that they have this in the packet and can see that basically they bring in about \$18,004.00 in fees, and about \$7,800.00 in fines, for a total of \$25,804.00 per year. That does not cover all of their expenses.

He said they also have in the packet the report showing the results of FY19 inspections- whether they passed or failed, sealed or not sealed, and the total fees collected. Determined by violation, and the hours that they provide are 143 hours per year for Harwich.

Mr. Scali then introduced Jane Zulkiewicz, Principal Division Assistant, with Weights and Measures. He said she is the technical person, so any technical questions she is the person to ask. She prepares the annual report each year, which is submitted to the State. Ms. Zulkiewicz is the sealer, and they have three deputy inspectors, as well as himself. They are all certified inspectors and are all experienced. Mr. Scali further explained that in the packet is a list of equipment they provide, along with an item pricing summary, which lists exactly what they have done in Harwich. They are also required by the State to process the amount saved by consumers, and the amount saved by merchants. There is an impact statement provided to the state every year showing the savings. He continued to review what is included in the packet and the costs for doing business. This year Harwich will have 253 devices out of the 3,900 devices they serve throughout the 10 towns. They have divided up the fee and Harwich would put in \$12,300 for FY21. There will be a 2 ½% increase, for cost-of-living, in the upcoming years. The proposal is for a new agreement that would be three-years and automatically renew each year and to be reviewed after three years, with an automatic escalator after that.

Mr. MacAskill asked for clarification on the auto renewal and how long the term is of the whole agreement. Mr. Scali confirmed it would auto renew for three years, and after three years it will be reviewed and then go back into auto renewing for each three year period, as agreed upon. It cannot exceed 25 years.

Mr. MacAskill also asked to clarify whether the amount he discussed earlier which totaled \$25,804.00 per year was additional. Mr. Scali said yes.

Mr. MacAskill continued and asked what the other towns are doing that do not use them. Mr. Scali said that they either have their own sealer for Weights and Measures, or they are under a population of 5,000 and have the State do their sealing.

Mr. MacAskill asked if they can use the State. Mr. Scali said no that the only option would be for the Town to come up with their own program. Mr. MacAskill also asked about being charged as a business owner. Mr. Scali said that businesses pay for the fee that they charge for the sealing of the devices, and the town contributes to the expenses, for the cost of the services. Mr. MacAskill confirmed that the Town paying, provides a benefit to the business owners.

Mr. Powers added that this is an Inter-Municipal Agreement, which is regulated by chapter 40, section 4A and typically requires signing by the full Board. It is exempt from procurement. The Finance Director and himself had some concerns about the escalator clause, and the indemnity clause under item four, section 3, tends to negate the whole purpose of the actual statute that it is written on. Therefore, Council's direction is that they are still working on it, and he implored the Board not to sign under this condition.

Mr. Powers said that the way it reads, is that if the Town of Harwich were to be a part of this agreement, as it is written, the Town of Barnstable is indemnified and we are indemnified, except that we are responsible for everybody. So, it is problematic at present. He is not suggesting that they cannot come to an agreement, but there is some more work to be done. Mr. Ballantine asked if he is suggesting to bring it back for December 2nd? Mr. Powers said that December 2nd should work.

Mr. MacAskill asked how many towns have voted already. Mr. Scali said that all of the towns have accepted it, but they are in the same stage and looking at the details of the agreement.

Mr. MacAskill asked who has been paying the deficit until now? Mr. Scali said Barnstable has, and they could bill the towns, but they have not.

Mr. McManus asked if the revenue information which they presented was only for the Town of Harwich. Mr. Scali stated that the other town's information is there as well, the chart explains each town's portion of what they would contribute based on how many devices they have.

Mr. Ford asked if there are other entities like themselves, besides the State? Ms. Zulkiewicz said that they are an anomaly there. Each town that is over 5,000 is obligated to have a Weights and Measures sealer. The State covers everyone under 5,000. Towns used to have the option to sign on with the State, but they are not accepting any more towns because they can no longer keep up.

Mr. MacAskill asked, for the people watching, if they could briefly explain what they do as a consumer protection mechanism and why.

Ms. Zulkiewicz said that they are obligated to ensure the interest of the consumers and the merchants, to make it an equal playing field in the marketplace. She said that is goes back to the 1700's in the days of John Adams, where they saw it as something that was needed to keep people from being ripped off and to keep exchanges equal. Now, they ensure that all the scales in supermarkets, fish markets, pharmacies, truck scales, and jewelry scales, to make sure they are accurate and being weighed correctly. They are there to test and to make sure they are accurate; including gas pumps.

Mr. MacAskill asked about the gas pumps and if they were not accurate, what happens? Ms. Zulkiewicz responded that if they find a meter that is out of tolerance, they are all trained and knowledgeable to adjust the devices. Many towns charge an adjustment fee. However, provided the inspector is knowledgeable, because they do not want to make that device worse for the merchant, they can adjust the device and then they test it again. So, the merchant does not have to call a service technician, which there are none on the Cape. They are able to get it back in service to accommodate the merchant and make the inspection complete at that time.

Mr. Ballantine confirmed that they will hold off on this until December 2nd.

B. Change Order #8 for Fire Station #2 in the amount of \$18,040.66 – Approve and authorize the Chair to sign

Mr. Powers said that the Fire Chief submitted this, staff reviewed it and the Finance Director has confirmed the funding. They would recommend that the Board authorize this and for the chair to sign the said order.

Mr. MacAskill moved to approve change order #8 for Fire Station #2 in the amount of \$18,040.66. Seconded by Mr. Ford.

Chief Norm Clarke said he would like to give a quick explanation as to why there is an \$18,000 change order. He said that when they first started out with this project they were faced with their own independent septic system. They knew the sewer was coming, so they worked with the Health Department and they have been able to continue to use the current Title IV at the old station, until the sewer goes in. So, this amount is going to pay for the change to move it to Route 39, and the removal of equipment and removal of pumps.

All in favor, motion carried by unanimous vote.

OLD BUSINESS

- A. Vote to endorse CPC Agreement for Cape Housing Institute in the amount of \$7,500.00

Mr. MacAskill moved that they endorse CPC Agreement for Cape Housing Institute in the amount of \$7,500.00. Seconded by Mr. Howell.

Mr. Powers added that this agreement will be between the Town and the Community Development Partnership. The changes have been made to that language. Mr. MacAskill thanked him for the explanation in the packet.

All in favor, motion carried by unanimous vote.

- B. Vote to endorse CPC Agreement for Habitat for Humanity in the amount of \$300,000.00

Mr. McManus moved that they vote to endorse CPC Agreement for Habitat for Humanity in the amount of \$300,000.00. Seconded by Mr. Howell. All in favor, motion carried by unanimous vote.

C. Weston & Sampson - Agreement for Wastewater Consulting Services - DHY
Third Party Wastewater Project Reviews - Discussion

Mr. Ballantine said that in summary the three towns have agreed to hire Weston & Sampson to do an independent review of the finances and operation. They are doing this partially because of the experience they have had in Harwich and wanting to know what their finances are. The total bill from Weston & Sampson is \$18,000, and their portion of that is \$6,000.

Mr. Powers added that Council is in the process of vetting it, however they were working on the assumption that the rejoin agreement was not from us. Though he was the one that worked on the original agreement, the amendment does not cause any conflicts to the original agreement, so there is no concern there. Council has not finished, however the Finance Director has confirmed the funding is available and he would recommend that the Board approve this, as they do not expect any objection from Council. If the Board were to approve it this evening and they heard anything different from Council he would inform them before for final execution.

Mr. Ballantine reiterated that this is to be more cautious than they have before.

Mr. MacAskill asked if Ms. Coppola had mentioned where the money was coming from? Mr. Powers responded that it would be coming from the sewer enterprise fund from this year's annual Town Meeting, the original appropriation of that was \$125,000. The two towns, Dennis and Yarmouth, have confirmed their funding, and the Finance Director will be billing them upon the execution of the contract, so that the net payout from the Town of Harwich is \$6,000.

Mr. Howell said that he will not argue using those funds for this purpose, but he would suggest that they do not continue to do that in the future.

Mr. McManus moved that they approve the agreement with Weston & Sampson for the Wastewater Consulting Services on the DHY Third Party Wastewater Project Reviews in the amount of \$18,000. Seconded by Mr. Howell. All in favor, motion carried by unanimous vote.

Ms. Sharon Pflieger, from the audience, asked about the DHY meeting that they had a couple of weeks ago. She said that they had brought something up about the Board voting in the beginning of December, which was the agreement for the DHY. Mr. Ballantine said they had agreed to postpone that until January because they wanted this information prior to that. Ms. Pflieger continued and asked when they expected to have meetings with the Town about the DHY, as at the last one they talked about the extension of the area that it would cover. Mr. Ballantine said that is a continuing conversation and they will be having further discussions.

Mr. Howell pointed out that, regardless of what the scope of the work is, A) they have to approve it and each of the three towns have to approve whatever the deal is, and B) this is to have someone looking over the engineering, in this case CDM Smith, who presented the agreement. This gives an opportunity for another set of eyes, from another company, to review and make sure whatever the scope is, there are accurate figures being presented.

Ms. Pflieger asked if they really expect one engineering firm to contradict a second engineering firm, within the same area? How valid do we really feel this would be? Mr. Ballantine said a little cynicism is always warranted, but he thinks that other towns have used this review successfully. Mr. McManus also added that from the high school, they brought in a second engineer to evaluate and they were very critical of the work.

All in favor, motion carried by unanimous vote.

TOWN ADMINISTRATOR'S REPORTS

Mr. Powers said that he was advised by the Town Planner today, following a memo that was circulated back in late October, regarding the Harwich Local Comprehensive Plan. They are specifically looking for the Board, to add them to a future agenda, to designate a Local Planning Committee. He said that the Planning Board could be named, but, the Town Planner is requesting that they consider a specially designated committee, which would draw from a number of different boards and committees throughout the Town. He thinks there is merit to that and it would be good to talk about at a future meeting.

Also, he wanted to advise the Board that Ms. Danielle Delaney in the Administration office, has been working on the annual license renewal process. All of the liquor

licenses establishments have received notice for November 1st for renewal, and are required to get the forms back to us by November 30th.

Mr. Powers said that Ms. Delaney is also working on all the other annual licenses coming up, and he will have more information at their meeting tomorrow. They are looking to start their voting process as early as December 2nd.

Mr. Ballantine asked to confirm if their deadline is the end of the year. Mr. Powers said yes, they are expected to complete everything by the last meeting on the 23rd. Mr. Ballantine said that since this is a new process, it would be good to have it come in pieces, instead of all at once.

SELECTMEN'S REPORT

Mr. Howell said that he and Mr. Ford were up at the county where the Cape Cod Commission took up the issue of the district's critical planning concern for Captain's Row in West Harwich. He was pleased to say that they unanimously voted to refer the issue with a positive recommendation to the Assembly of Delegates. Mr. Ballantine asked when they will meet, but neither Mr. Howell nor Mr. Ford were sure. They said they should find out at the next meeting.

Mr. McManus said that he wanted to remind people that this Thursday, November 22nd at Monomoy High School at 7:30 pm, the Cranberry Festival is sponsoring a concert featuring a group called Child's Play. It is an assortment of different violins and string instrument music. Mr. McManus also announced that on November 30th, they will be holding an after Thanksgiving Community Market. It will be in the gymnasium at the Community Center, and will have 50 different local artisans, craftspeople and antiques. Also, the high school key club will have a bake sale table. Profits from both of these will go to the scholarship programs.

Mr. MacAskill said that he wanted to follow-up on the list of 40 items that was presented three weeks ago. Some were completed, some were partially completed and he would like to know where they stand with that. Mr. MacAskill also reported that the Noise Containment Committee was getting ready to request a date to come before the Board to provide an update on where they are at.

Mr. Ford said he just wanted to mention from the meeting that the Commission had, it has become clearer that they need to address the overall town planning more now than they have had to.

Mr. Ballantine said that he couldn't agree more. This also ties into the sewer, for instance. The sooner they can talk, and get more public participation, the better they would be.

ADJOURNMENT

Mr. MacAskill moved that they adjourn at 7:42 pm. Seconded by Mr. Ballantine. All in favor, motion carried by unanimous vote.

Respectfully submitted,

Lisa Schwab
Administrative Assistant

MINUTES
SELECTMEN'S MEETING
GRIFFIN MEETING ROOM
Monday, November 25, 2019
6:30 P.M.

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

ALSO PARTICIPATING: Assistant Town Administrator Joseph Powers.

CALL TO ORDER

Mr. Ballantine opened the meeting at 6:30 pm, and called to order the Board of Selectmen.

WEEKLY BRIEFING

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

Mr. Powers began by notifying the Board regarding the extended hours that were approved last week, for Tuesday through Thursday. He said that there were some communication breakdowns and that it did not happen as intended. They will be meeting next week with staff, and a representatives from CDM Smith and Weston & Sampson to discuss the process. They will make sure what happened last week is not repeated, in regards to, the hours that were agreed upon. He fully expects to be able to report to the Board next week the success of that meeting. At present however, there is a moratorium on the granting of extended hours for the sewer project until that occurs.

The one week look ahead for November 25th to the 27th, again, no work will be conducted on Thursday or Friday. They have cleared away from Route 137 and Route 39 for this week, for the holiday. Mainline Sewer Crew # 1 will commence work on Old Salty. The Mainline Sewer Crew #2, will commence installation on Herndon, for three days only. The two week look ahead for the week of December 2nd, Mainline Sewer Crew # 1 will continue installation on Route 39, west from Spence's Trace, working more on service and sideline stubs and commencing installation on Old Heritage Way.

Mainline Sewer Crew # 2 will resume work on Route 137, and will necessitate detours. The three week look ahead for the week of December 9th, Mainline Sewer Crew # 1 will continue installation on Old Heritage Way. Mainline Sewer Crew # 2 will continue installation on Route 137, again Detours will still be present.

PUBLIC COMMENTS/ANNOUNCEMENTS

- A. Ms. Chris Joyce, Chair, Harwich Voter Information Committee, provided an update on their plans for the Civic Engagement Program with Brooks Free Library. In their September annual report to the Board they had referenced developing the Civic Engagement Program. Ms. Joyce said that Ms. Virginia Hewitt, Library Director, had also been in front of the Board to reference the same program, and they are now ready to launch. They are calling it “Know your Town”.

They will send invites to the Board of Selectmen and Department Heads describing the program and the six dates in January, February, and March that they will be holding the hour-long program. It will be held on Tuesdays from 2:00 pm to 3:00 pm. Ms. Joyce said that they will be asking Department Heads to prepare four basic questions: 1. What the mission and challenges are of each of their departments, 2. How does the department interact with other departments, 3. What’s the annual budget and what line items are included, and 4. Are there ways for residents to participate with that department, like volunteer opportunities or a committee associated with that department.

Ms. Joyce explained that they are trying to get the residents thinking about that. The goal is for the residents to learn more about the services, and the departments. She also hopes that it will lead to better preparation for the Town Meeting.

Mr. Ballantine said that it is an important job and they need people to pay attention. They will also have budget meetings and financial meetings, which is also on everyone’s minds.

- B. Ms. Carolyn Carey, Director of the Community Center, wanted to let them know that it is that time of year again, for the Mitten Tree Program. She said that they get names of children who are on Cape Cod that do not have families, or are currently situated in foster care. They are all Cape Cod children and

they have wish lists. They work with the Department of Children and Family Services and this year they are making up mittens and gingerbread people that will have the request on it of what the child would like. The gingerbread people might have just one thing, so someone can buy one thing off the child's requests, and they will package them up together.

Ms. Carey shared a mitten, as an example, and that the child would like warm clothes, pajamas and teething toys. So they are not asking for extravagant gifts. She said that they can be picked up at the Community Center and just let the front desk know, so that they can keep track of them. This is starting right now, and the gifts are due back, unwrapped, by December 13th, so they can make sure that they get delivered in time. Mr. Ballantine asked for and was given the mitten that Ms. Carey had.

- C. Ms. Erica Strzepek, Program Aide, Harwich Cultural Center, announced that this Saturday from 10:00 am to 1:00 pm, they have their third annual holiday open house. They will have open artist studios throughout the building, some kids' crafts, and a child seaweed event and then in the former library space they have over 30 local artists and craftsman.

Ms. Strzepek said that they will also have, on Monday at 10:00 am, their December Coffee and Conversation; which they launched last month. This month they will have local artist Heather Bloom, who will be talking about her work, and also her position on the Provincetown Art Museum. They are looking to build up the program, and bring in artists to have different conversations about cultural matters. It will be the first Monday of every month.

- D. Mr. Ballantine wanted to let people know that they lost a member of the community this weekend, Mr. Ron Armbruster, who they all knew. He was very active with the Family Pantry for years, but many of us knew him because he was the cameraman at Town Meetings. Mr. Armbruster had interviewed all of us, he was around everywhere, and it is hard to think of a more pleasant person to be around. Mr. Ballantine noted that he worked with Ms. Jamie Goodwin, Station Manager, Channel 18, often and asked if she wanted to add anything.

Ms. Goodwin said that Mr. Armbruster was her volunteer for the past nine years, and before that he had volunteered with Channel 18 since the opening of the Community Center. She said that he showed up 15 minutes early, every

Wednesday and Thursday and he was generous with the Family Pantry and also very generous with his time. He was a true gentleman and always impeccably dressed and he will be missed.

Mr. McManus also shared his thoughts and memories of Mr. Armbruster and that it was always fun to be interviewed by him.

- E. Mr. McManus announced that this Saturday from 9:00 am to 2:00 pm, at the Community Center, the Lower Cape Kiwanis Club will be having the Community Market. This is a combination of artists, craftsmen and antique dealers.

CONSENT AGENDA

- A. Vote to approve Caleb Chase Fund request in the amount of \$350.00
- B. Vote to approve Caleb Chase Fund request in the amount of \$800.00
- C. Vote to approve Caleb Chase Fund request in the amount of \$746.62

Mr. Ford moved to approve to approve Caleb Chase Fund request in the amount of \$350.00, to approve Caleb Chase Fund request in the amount of \$800.00 and to approve Caleb Chase Fund request in the amount of \$746.62. Seconded by Mr. MacAskill. All in favor, motion carried by unanimous vote.

OLD BUSINESS

- A. Procurement update

Mr. Powers provided an update and thanked the Board for their patience. He said that he was able to give them the memo last week and wanted to make sure they had a complete and up-to-date matrix. He said that he would apologize for the size of the document, but that just tells them how much they have going on. The last time he presented this, the comment he made then still stands- this is reflective of any procurement activity that either himself or Griffin Ryder, who partners with him on procurement, are aware of or have become aware of by speaking with Department Heads. Mr. Powers said that this is by no means an exhaustive list or a full list of things that they have been working on. The list is in alphabetical order by department, and also lists who is responsible for it if that is known.

Mr. Powers also advised the Board on how they have been able to handle procurement over the last six months. First, in the memo that he provided, there are really two tracks to procurement as they have done it. The first track is what they see as invitations for bids, those are the three projects that are referenced in the memo. They have Lower County Road patching bid, the Brooks Park lighting, and the Brooks Academy engineering.

Mr. Powers said that the Lower County Road patching was a procurement that was held up, because they had to prioritize the catch basin invitation for bids, which proceeded that. He had spoken with the DPW Director and his opinion was for the Town to proceed with their own invitation for a bid. They had considered using the cooperative bid, which was used by Barnstable County. However, they are thinking that they should work on the IFB for Lower County Road patching, because the factories are closed and the factories will not come back online until probably April. Also, if they go through the procurement process, they will be able to test if they can get a better price in the open market. This will be right around the same time that the county will be refreshing their bids. They would not expect the factories to be back online before March 31st, so that would be the new target date. Mr. Powers also let the Board know that they will get a request next week from the DPW Director to approve the use of the Chapter 90 funds. That is just a perfunctory move before they do any bids or contracts, which requests the use of those funds from the state.

Mr. Powers further explained that for the Brooks Park Lighting, they are still trying to vet the use of an out-of-state procurement cooperative. They have had no luck working with the state to validate that source, which is a cooperative out of Minnesota. They had a relationship with the predecessor and they are trying to vet if they can still use them, which would expedite the process. For the Brooks Academy engineering, this will also be as labor intensive as the Brooks Park lighting and of the three noted here, Mr. Powers stated that the priority would be Brooks Park Lighting, Brooks Academy and then Lower County.

Mr. Powers continued that the second track is a much broader category for procurement, and has four different unique categories for procurement. He said that most procurements that they do are under Chapter 30B; which is for Supplies and Services. Under Chapter 30B, any vendor that is going to invoice the town for an amount equal to or exceeding \$10,000, would trigger a requirement for a contract. The Finance Director was able to run

a report which showed many vendors are in that category. They are trying to analyze those vendor relationships, and follow up with a contract. They are trying to catch up with that process. The second type is unanticipated, that is just a way of saying that it was not on the calendar, but is now reaching critical mass with a Department Head or a vendor. This would not have been previously vetted or expected and ties in to the concept that he would call a walk-in. This same kind of concept that they have for 40 plus projects on the matrix. Lastly there is what he will refer to as corrective action. There are a handful of procurements where the incorrect procurement method was used, or an incorrect contract was used.

Mr. Powers said that is a sense of where they are with procurement. They are trying to balance the budget needs of the departments versus the projects that they are aware of and hope to have the first in be the first out. If this sounds bleak, the good news is that they are getting more Department Heads trained on procurement and the more people know the better off they will be.

Mr. Ballantine commented that he had learned a few weeks ago that they had fallen behind on the procurement activity. He said that rather than make it an overwhelming issue, he asked Mr. Powers and Mr. Ryder to list all the procurements and prioritize them, so they can walk through it and catch up. They are doing that and he appreciates them looking at the process so that they don't do this again. Mr. Ballantine also added that the Board just received this prior to the meeting, so it may be a good idea to bring this back for a short discussion topic, after everyone has a chance to review it, in case anyone has concern about the priorities and to share some feedback.

Mr. Powers said with that in mind, they will update it further tomorrow and put it in the packet for next week's meeting. He will also send it out electronically to the Board members.

Mr. Howell said he had a conversation with Ms. Coppola today about the Affordable Housing Trust Contract that is listed. It is listed as being signed by the Town Administrator, but he was actually acting as the Chair of the Housing Trust, at that point. Mr. Howell said that even though the Trust has its own contracting authority, moving forward, he would like to make sure that before it goes in front of the Trust, that it has the opinion of Legal and Ms. Coppola has reviewed it for the sufficiency of funds.

TOWN ADMINISTRATOR'S REPORTS

A. Powers & Sullivan, CPA - Letter

Mr. Powers explained that they have a letter in the packet from the CPA firm, Powers & Sullivan. The Finance Director is asking the Board for a consensus to continue to engage the services of Powers & Sullivan, as they have outlined in their letter. This service is exempt from procurement under Chapter 30B, Section 1(b)(15). So, they are really just looking for a consensus on whether the Board would like to continue the relationship. Mr. Powers said that both he and the Finance Director recommend that they do.

Mr. Ballantine asked if Ms. Carol Coppola, Finance Director, could give a brief explanation on this. Ms. Coppola said that the Town changed auditors three years ago. They had gone out for RFP, and received proposals, price quotations, and through the process they made a recommendation for Powers & Sullivan to the Board. She said that she worked with them before in other communities and they are very thorough, which is something that you want for any auditor. She has arranged for them to go to two departments per year to do an intensive review of those departments and their financial procedures. This is included in the engagement letter.

Ms. Coppola had requested that they send this letter to the Board. They are timely and typically come in April to do the preliminary testing and then they are here in August to do the full audit of the financial records of the town. They submit the Comprehensive Annual Financial Report (CAFR) for the town to the Government Finance Officers Association (GFOA). This is due before the end of December and they have been doing this for the past three years. She said that it is a good working relationship.

Mr. Ballantine confirmed that there is a consensus.

Mr. Powers also reported that they have a Department Head meeting tomorrow. This Friday is the deadline for them to submit their FY21 recommendations, as well as warrant articles. He will be resuming the

inclusion of the FY21 budget timeline calendar, beginning with next week's agenda. They will have more updates as the month goes on.

SELECTMEN'S REPORT

Mr. Howell said that, for future thought, they had agreed back in May that they were going to get quarterly reports on the revolving funds. They used to not look at those, but have been increasing the use of them in different programmatic areas, and they should have at least the same scrutiny as their budget items. He would like to get to point where there is at least a review and they can see what is going on. Then he added as a happy thought that he would like to wish everyone a Happy Thanksgiving.

Mr. Ballantine said that they all think they have the best committees on Cape Cod, volunteer committees, and they always talk about training. The Conservation Commission goes once a year to training and now he learned that the Board of Health members are starting training. It is quite extensive. It is run by Boston University for free online training and it will require a large time commitment. It will consist of (2) in-person seminars, (3) webinars, and (17) one-hour online courses. They will be training from mid-November to mid-April. He really applauds them for the effort.

ADJOURNMENT

Mr. MacAskill moved that they adjourn at 7:00 pm. Seconded by Mr. Ballantine. All in favor, motion carried by unanimous vote.

Respectfully submitted,

Lisa Schwab
Administrative Assistant

Performance Management Plan for Interim Town Administrator

Setting Goals

Goal setting is essential for establishing and managing expectations, tracking and measuring progress, and elevating performance. We recommend using the S.M.A.R.T. goal setting process.

In setting goals, make sure each goal meets these five criteria:

S The goal must be specific – clearly defining expectations and explaining the objective. This goal clearly specifies what is to be accomplished.

M The goal must be measurable. Identify and define specific metrics for quantity, quality, timeliness and cost that can be objectively measured.

A The goal must be attainable. Ensure that the goals are challenging, but within reason.

R The goal must be relevant. All goals need to be evaluated against the overarching company and business goals.

T The goal must be time-bound. Specify a date or elapsed amount of time when the goal needs to be completed.

As you write your S.M.A.R.T. goals, answer the following questions honestly to ensure you are truly setting S.M.A.R.T. goals.

What? This is your statement of outcome. What are you trying to accomplish? What will it look like?

When? Your goal needs to be realistic and so does your schedule. Allow the proper amount of time to complete the task and establish a deadline that takes into consideration possible setbacks.

Why? Sometimes it's obvious why certain tasks and projects need to be executed. Other times it's not. If it is not clear to you "why" you are setting an objective as your goal, stop and ask your manager to explain the rationale. If you are the leader of a project, it is important that you openly address the reasons for a project. No one can be expected to fully commit to achieve a goal without being told candidly and completely why it's a goal in the first place.

How? This is about methodology, measurement and engaging your Team members' expertise. By asking 'How are we going to make this happen?' and 'How will we know when we have succeeded?' you're honoring the value they bring to the table. Not only will you arrive at the best possible solution, you will increase your Team's energy, enthusiasm, and sense of ownership.

How Much? This is the question about resources required – and resources returned. How much do you need in terms of cash, raw materials and sweat and how much will you get back if you achieve your goal? You can think of it as the Team's return on investment or cost-return ratio. It is important to consider the cost to execute and the payback from achieving your goal.

Performance Management Plan for Interim Town Administrator

Results-Based Goals

There should be 3 to 5 results-based goals. The goals must be specific, clearly defining expectations and explain the objective. The goals must also be measurable, attainable, and relevant.

Results-Based Goal One - Municipal Finance & Budgeting

Measures:

- Develop a balanced budget for FY2021 and establish a plan for an outdoor Annual Town Meeting;
- Manage FY2021 budget and develop a FY2022 budget with zero percent tax rate increase;
- Develop a balanced budget for FY 2022 utilizing all available revenue resources; and
- Develop a 5-year plan and provide direction based on the pre-COVID forecast which showed a \$2.8M deficit realizing that post-COVID the deficit could be greater than \$5M.

BOS Comments:

Employee Comments:

Results-Based Goal Two - Economic Development & Community Planning

Measures

- Work with various housing committees and CPC to specify a housing goal which furthers housing availability and fully utilizes financial resources.

Manager Comments:

Employee Comments:

Performance Management Plan for Interim Town Administrator

Results-Based Goal Three - Project Management

Measures:

- Develop and present a wastewater strategy/finances including:
 - Pleasant Bay Phase 2/Contract 3,
 - Possible rephasing of Phase 3 to Harwich Center/W. Harwich to potentially join the Dennis/Harwich/Yarmouth regional partnership,
 - Pleasant Bay alliance watershed permit compliance
 - overall compliance with the Harwich Comprehensive Wastewater Management Plan
- Complete procurement actions as soon as possible and develop procedure involving Dept Heads to simplify process and shorten time involved

BOS Comments:

Employee Comments:

Results-Based Goal Four - Personnel Management

Measures:

- Develop strategies and commensurate plans for various departmental reorganizations (formerly: Reevaluate staffing needs and organization for administrative office)

BOS Comments:

Employee Comments:

Performance Management Plan for Interim Town Administrator

Results-Based Goal Five - Leadership

Measures:

- Work with Department Heads/Staff to ensure positive two-way communication and overall rapport.
- Enhance communication with town committees and town residents

BOS Comments:

Employee Comments:

Performance Management Plan for Interim Town Administrator

Performance Rating

There are five ratings categories: **Extraordinary, Exceeded Expectations, Achieved Expectations, Below Expectations, and Unsatisfactory**

Definitions

Extraordinary

- Exceeded all performance goals.
- Went beyond the goals to develop even greater performance expectations.
- Was always cited as a leading example in their peer group.

Exceeded Expectations

- Exceeded all goals.
- Was an outstanding role model for the town employees.
- Demonstrated a clear understanding of the needs of the town.
- Helped town employees to perform their jobs to the same level of excellence.

Achieved Expectations

- Achieved all the critical goals and may have exceeded expectations for some goals.
- Exhibited a strong commitment to the town's needs and inspired all town employees to exhibit that commitment.
- Demonstrated a clear commitment to the core competencies.
- Demonstrated a strong commitment to the town's goals.

Below Expectations

- Did not achieve one or more critical goals; and or
- Did not provide the leadership described in the core competencies.
- Did not promote the town's goals.

Unsatisfactory

- For the current year the employee failed to meet the required goals and standards for his/her role, in spite of regular feedback and support from his/her manager/managers to improve overall performance.
- A documented time-bounded Performance Improvement Plan will be agreed to following the year-end assessment, if not already in place.

Performance Management Plan for Interim Town Administrator

The Board of Selectmen shall review and evaluate the Interim Town Administrator at least three times during this contract term but not more than once in a three-month interval. Said review and evaluation shall be based on the goals and objectives developed by the Board and the Interim Town Administrator. Further, the Chairman of the Board shall provide the Interim Town Administrator with a summary written statement of the evaluation findings of the Board and shall provide an adequate opportunity for the Interim Town Administrator to discuss his evaluation with the Board.

Acknowledgement of Performance Rating structure

BOS:

Employee:

BOS Review:

Overall Performance Rating

Comments

Signature and Date

Performance Management Plan for Interim Town Administrator

Employee Review:

Comments

Signature and Date

Good afternoon,

The Cape Cod Commission has initiated a stakeholder process to inform development of the Cape Cod Climate Action Plan. We have contracted with the Consensus Building Institute to facilitate this process, which is a component of the [Cape Cod Climate Initiative](#). We know that Cape Cod communities are working hard to address coastal and climate vulnerabilities and we want to work closely with you as we develop this climate action plan to ensure the priorities and needs of municipalities are appropriately incorporated and addressed. To that end, the first set of meetings we are holding are subregional municipal meetings and I'm reaching out to ask that a team from each of your communities be identified to participate. We are asking that each community send 5-6 representatives that might include town administration, staff, appointed committee members from committees such as energy committees, climate action committees, conservation commissions or similar, and select board members. If possible, we'd like your local lead on the Municipal Vulnerability Preparedness Program to be one of your representatives.

The Lower Cape subregional meeting is scheduled for Wednesday, October 14, 2020 from 1 – 4pm. The meeting will be held virtually and a meeting agenda and details will be shared early next week.

Please feel free to reach out with any questions and to let me know who will participate from your community. I look forward to hearing from you.

Thank you,
Erin Perry



CAPE COD
COMMISSION

Erin Perry
Deputy Director
Cape Cod Commission
508-744-1236

eperry@capecodcommission.org

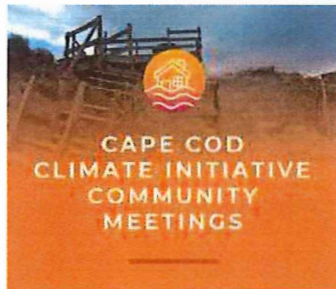
Cape Cod Climate Initiative

Home > Work > Cape Cod Climate Initiative

Climate change is a key challenge facing the natural, built, and community systems of Cape Cod. Cape Cod is vulnerable to climate-related hazards, such as sea level rise, storm surge and flooding, erosion, damaging winds, elevated summer temperatures, and wildfire. These hazards put vulnerable populations at risk and can cause loss of life, damage buildings and infrastructure, impair coastal environments, and otherwise impact a community's economic, social, and environmental well-being, including impacting how Cape Cod's ecosystems function.

Mitigating the causes of climate change and adapting to its effects on Cape Cod involves regional planning and policy decisions with both environmental and economic considerations.

Through the Cape Cod Climate Initiative, the Commission is working with stakeholders and partners to develop a **Cape Cod Climate Action Plan**. Below are resources available to support this planning effort.



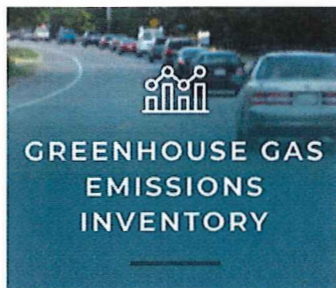
Climate Initiative Community Meetings

Stakeholders came together in late 2019 to provide input regarding planning priorities, concerns, and barriers to implementing climate-related actions. Feedback obtained helped to better understand actions taken to date, structure a stakeholder process, and identify priorities for development of the climate action plan.



Timeline of Climate Actions

Many global, federal, state, regional, and local actions have helped shape and advance the recognition and understanding of the causes and effects of climate change and further strategies to become more resilient. The [Climate Change Action Timeline](#) is a living document, compiled with the input of over 100 regional stakeholders.



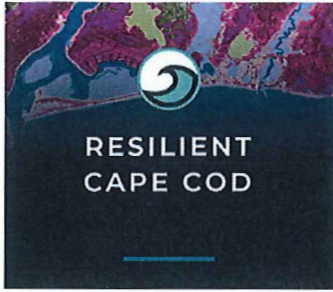
Greenhouse Gas Emissions Inventory

A regional [greenhouse gas emissions inventory](#) provides communities with information to understand opportunities for emissions reduction. This information can be used to develop and implement actions and strategies to reduce emissions on Cape Cod.

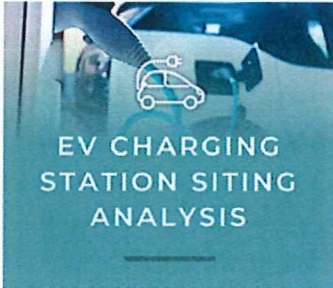
Resilient Cape Cod

The [Resilient Cape Cod](#) project resulted in resources for communities to address the climate-induced impacts of sea level rise, storm surge, and erosion. The [Cape Cod Coastal Planner](#) provides data and information to help communities identify and plan for climate change adaptation.

Electric Vehicle Charging Station Inventory

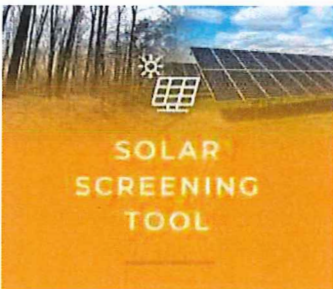


One way to reduce greenhouse gas emissions is to support the increased adoption of electric vehicles (EV) and the infrastructure necessary for their use. Commission staff have developed [a screening analysis](#) that identifies potential locations appropriate for EV charging stations.



Solar Screening Tool

Renewable energy infrastructure is another way to support reducing greenhouse gas emissions and slowing the effects of climate change. A newly available screening analysis illustrates areas that might be appropriate for industrial scale solar infrastructure on Cape Cod.



Stakeholders

If you are interested in participating, [please complete this form](#). The Cape Cod Commission is seeking stakeholders to participate in a region-wide effort to identify strategies and develop the Cape Cod Climate Action Plan.

Climate Meeting Summaries

[Upper Cape, 10/29/2019](#)

[Mid Cape, 10/22/2019](#)

[Lower Cape, 10/21/2019](#)

[Outer Cape, 10/21/2019](#)

Regional Policy Plan





Cape Light Compact JPE
261 Whites Path, Unit 4, South Yarmouth, MA 02664
Energy Efficiency 1.800.797.6699 | Power Supply 1.800.381.9192
Fax: 774.330.3018 | capelightcompact.org

October 1, 2020

Dear Joseph Powers:

The Town of Harwich (“Participant”) has indicated an interest in participating in the Cape Light Compact JPE Request for Proposals for All-Requirements Retail Electric Power Supply for Municipal/Government Rate Accounts (the “RFP”). The RFP will be issued by the Cape Light Compact JPE (“Compact”) on behalf of participating Compact members and other governmental entities with municipal and governmental accounts located within the Compact’s member municipalities. Issuance of the RFP is a power supply procurement activity authorized by the Compact’s First Amended and Restated Joint Powers Agreement dated as of December 13, 2017 (the “JPA”).

By signing this letter, Participant hereby authorizes the Compact, through its Administrator and Chief Procurement Officer, effective as of [insert date of letter execution], to act as agent on its behalf in issuing the RFP, reviewing proposals from bidders, negotiating the form of municipal competitive electric supply agreement (“MCESA”) with bidders, evaluating, with assistance from expert consultants and legal counsel, the proposals and terms of the modified MCESA, recommending a contract award, notifying the winning bidder on behalf of participants in the RFP and taking other actions which are convenient or reasonably necessary in carrying out the foregoing tasks. The Participant has designated the accounts set forth in Attachment A to be included in this authorization. This letter agreement does not constitute a binding obligation of any kind by the Participant or the Compact to award a contract to a competitive supplier if the bids, in the Compact’s judgment, are not favorable or in the best interest of the Participant and other participants taking part in the RFP, nor does it obligate the Participant to execute an MCESA. Participant understands that if it elects to execute the MCESA recommended by the Compact, or provides the Compact the right to execute the MCESA on its behalf via a separate authorization, the MCESA will have a term anywhere from 12 months to 36 months, will have pricing fixed for each contract year and will commit the Participant to purchase all of the generation for the electricity accounts it designates for participation in the RFP from the chosen competitive supplier for such term, without any right to opt-out during such term.

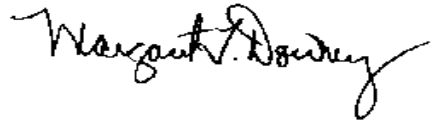
This letter may be executed in counterparts, each of which, when executed, will be deemed to be an original, but all of which together will constitute one and the same instrument. The parties agree that a scanned or electronically reproduced copy or image of this letter bearing the signatures of the parties hereto will be deemed an original.

Working Together Toward A Smarter Energy Future

[Aquinnah](#) | [Barnstable](#) | [Bourne](#) | [Brewster](#) | [Chatham](#) | [Chilmark](#) | [Dennis](#) | [Dukes County](#) | [Eastham](#) | [Edgartown](#) | [Falmouth](#)
[Harwich](#) | [Mashpee](#) | [Oak Bluffs](#) | [Orleans](#) | [Provincetown](#) | [Sandwich](#) | [Tisbury](#) | [Truro](#) | [Wellfleet](#) | [West Tisbury](#) | [Yarmouth](#)

The Compact is enthusiastic about moving forward on this RFP and looks forward to working with you. *If you are in agreement with the foregoing, please sign and scan your signature page to this letter and return it to Margaret T. Downey at mdowney@capelightcompact.org.*

Very truly yours,



Margaret T. Downey
Compact Administrator and Chief Procurement Officer

AGREED AND ACCEPTED THIS [XX] DAY OF [MONTH], 2020 BY ITS DULY AUTHORIZED OFFICER:

[INSERT SIGNATORY NAME]
[INSERT PUBLIC ENTITY NAME]

By: _____
Name: _____
Title: _____

CONTRACTS



MEMO

TO: Joseph F. Powers, Interim Town Administrator

FROM: Griffin Ryder, ^{Cost} Town Engineer

CC: Carol Coppola – Finance Director/Town Accountant
Lincoln Hooper – Department of Public Works Director

RE: Town of Harwich and T.W. Nickerson, Inc. Contract Agreement

DATE: October 2, 2020

Please find the attached Contract Agreement between the Town of Harwich and T.W. Nickerson, Inc. for the procurement of brush grinding services at the Town of Harwich Transfer Station for signature by the Board of Selectmen.

The Department of Public Works Director, Lincoln Hooper, and I worked collaboratively to review the submitted quotes and prepare the contract for the low bidder, T.W. Nickerson, Inc. Quotes were solicited by the DPW from six (6) vendors who customarily provide brush grinding services. Three (3) written quotations were received with T.W. Nickerson being the low bidder at \$29,500.00. The three (3) submitted quotes ranged from \$29,500.00 on the low end to \$38,500.00 on the high end.

The contract form is based on the KP Law 30B Services Contract Template and the Finance Director has confirmed the availability of funds and the source.

Based on procurement laws, I recommend that the Board of Selectmen execute the contract with T.W. Nickerson, Inc. to provide brush grinding services at the Harwich Disposal Area for \$29,500.00.

AGREEMENT FOR TOWN OF HARWICH

The following provisions shall constitute an Agreement between the Town of Harwich, acting by and through its Board of Selectmen, hereinafter referred to as "Town," and T.W. Nickerson, Inc., with an address of 160 Mill Hill Road, South Chatham, MA 02659, hereinafter referred to as "Contractor", effective as of the 29th day of September, 2020. 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 brush grinding services for grinding approximately 11,000 cubic yards of brush at the Harwich Disposal Area.

ARTICLE 2: TIME OF PERFORMANCE:

The Contractor shall complete all work and services required hereunder by December 1, 2020.

ARTICLE 3: COMPENSATION:

The Town shall pay the Contractor for the performance of the work outlined in Article 1 above the contract sum of \$29,500.00. The Contractor shall submit monthly invoices to the Town for services rendered, which will be due 30 days following receipt by the Town.

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, STEVEN T. CLARK, 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.

04-2307818
Social Security Number or
Federal Identification Number

Steven T. Clark, President
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

TOWN OF HARWICH
by its Board of Selectmen Over \$25,000

STEVEN T. CLARK

PRESIDENT
Printed Name and Title

Approved as to Availability of Funds:

by its Interim Town Administrator Up to
\$25,000

Carl M. Coak (\$29,500.00)
Finance Director Contract Sum

Interim Town Administrator

014212/538000
Spw Purchased Services



MEMO

TO: Joseph F. Powers, Interim Town Administrator

FROM: Griffin Ryder, ^{GJR} Town Engineer

CC: Carol Coppola – Finance Director/Town Accountant
Lincoln Hooper – Department of Public Works Director

RE: Town of Harwich and Rotary Lift Contract Agreement

DATE: October 2, 2020

Please find the attached Contract Agreement between the Town of Harwich and Rotary Lift for the procurement of a mobile lift system for the Department of Public Works for signature by the Board of Selectmen.

The Vehicle Maintenance Manager, Kyle Edson, and I worked collaboratively on the procurement of the mobile lift system. The mobile lift system will be purchased from Roatary Lift through Sourcewell. Sourcewell, formerly National Joint Powers Alliance (NJPA), provides contracts that are procured in a manner that constitutes full and open competition and are open to local jurisdictions which is in compliance with M.G.L.c.30B.

The contract form is based on the KP Law 30B Supplies Contract Template and the Finance Director has confirmed the availability of funds and the source.

Based on procurement laws, I recommend that the Board of Selectmen execute the contract with Rotary Lift for the purchase of a mobile list system for \$73,624.91.

AGREEMENT FOR TOWN OF HARWICH

The following provisions shall constitute an Agreement between the Town of Harwich, acting by and through its Board of Selectmen, hereinafter referred to as "Town," and Rotary Lift, with an address of 2700 Lanier Dr. Madison, IN 47250, hereinafter referred to as "Contractor", effective as of the day of October, 2020. 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 supplies necessary to provide the Town with a Mobile Lift System, including the scope of supplies set forth in Attachment A.

ARTICLE 2: TIME OF PERFORMANCE:

The Contractor shall complete all work and supplies required hereunder by March 30th, 2021.

ARTICLE 3: COMPENSATION:

The Town shall pay the Contractor for the performance of the work outlined in Article 1 above the contract sum of \$73,624.91. The Contractor shall submit monthly invoices to the Town for supplies rendered, which will be due 30 days following receipt by the Town.

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.
4. Sourcewell Contract Number: 061015-RRL.

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 supplies 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 supplies 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 supplies 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, Christine Bilz, 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.

90-0501347

Social Security Number or
Federal Identification Number

Christine Bilz

Signature of Individual or
Corporate Name

DocuSigned by:

By: *Christine Bilz*
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

TOWN OF HARWICH

By: DocuSigned by:

by its Board of Selectmen Over \$25,000

Christine Bilz

Government Sales Leader

Printed Name and Title

Approved as to Availability of Funds:

DocuSigned by:
Carol Coppola

Finance Director

01421A2/619021

(\$ 73,624.91)

Contract Sum

by its Interim Town Administrator Up to
\$25,000

Interim Town Administrator

ATTACHMENT A

Vehicle Service Group, LLC. Sourcewell Contract Quotation

Contract Number: 061015-RRL



Quote # : 2020476

Date: 9/29/2020

Requested By: Kyle Edson

Quote Expires: 10/29/2020

Payment Terms: 1/2%-15th,NET 30

Warranty: 1yr. Parts & Labor

Prepared By: Christine Bilz

***If the completion of the installation is delayed more than one month due to governmental entity delays (i.e. electrical etc.), then Rotary can request partial payment for the portion of work completed (both equipment and installation).**

Note: Quote for equipment and setup/training.

Project Name: Town of Harwich Member #100528

Model No.	Description	Unit Price Ea.	Qty.	Extended Price
Flex Max 619	Portable (6) Column Lift 112800lb Capacity Remote Control Operation at the Remote Control and at the Column	\$ 61,318.06	1	\$ 61,318.06
M140168YL	Fore and Aft Truck Frame Kit	\$ 2,243.96	1	\$ 2,243.96
M110108BK	Cart for Fore and Aft Truck Frame Kit	\$ 734.66	1	\$ 734.66
ML41YL	Cross Beam	\$ 1,715.06	2	\$ 3,430.12
RS20YL	Jack Stands	\$ 802.38	4	\$ 3,209.52
FA845-MCH	Additional Remote Control	\$ 1,123.59	1	\$ 1,123.59
XXXMOB	Setup/Training/Delivery	\$ 1,565.00	1	\$ 1,565.00
	*does not include any applicable sales tax			
Freight	Pre Paid By Rotary Lift			
Total Price:				\$ 73,624.91

ADDITIONAL TERMS AND CONDITIONS: By submitting a purchase order to Vehicle Service Group, LLC. (VSG), customer accepts and agrees to these terms and conditions as additional terms to the existing agreement between the parties referenced on the face of this quotation (Existing Agreement), notwithstanding anything to the contrary contained therein. All additional or different terms and conditions contained in Customer's purchase order are hereby rejected. No additional or different terms or conditions, or any modifications, changes, or amendments to these terms of the existing agreement shall be binding on VSG, unless expressly accepted by VSG in writing.

DISCLAIMER: Notwithstanding anything to the contrary in the Existing Agreement, VSG shall not be liable for any loss, damage or additional costs arising from unforeseen conditions affecting installation, including but not limited to contaminated soil, bed rock, in-floor heating system, high water conditions, or any othertype of in-ground conditions. Customer acknowledges and agrees that Customer shall be responsible for any additional costs due to such conditions, in addition to the installation price set forth herein.

ATTACHMENT A

DELAY: Notwithstanding anything to the contrary in the Existing Agreement, if delivery of the equipment or completion of the work is delayed by more than thirty (30) days due to the acts or omission of Customer or any third party other than VSG or its sub-contractors, VSG may require Customer to render payment for equipment manufactured or delivered, and portions of the work completed, within thirty (30) days from the date of VSG's invoice, in the amounts set forth in such invoice.

*Cancelled orders or returned goods are subject to 20% restocking fee

Soucewell #:	061015-RRL	Rotary Lift
CAGE #:	7K311	2700 Lanier Dr.
Tax ID #:	90-0501347	Madison, IN 47250
DUNS #:	00-638-2634	Christine Bilz, Government Sales Leader



MEMO

TO: Joseph F. Powers, Interim Town Administrator

FROM: Griffin Ryder, ^{Cor} Town Engineer

CC: Carol Coppola – Finance Director/Town Accountant
Roman Greer – Cranberry Valley Golf Course Director of Golf
Shawn Fernandez – Cranberry Valley Golf Course Superintendent

RE: Town of Harwich and John Deere Letter of Intent Consent

DATE: October 2, 2020

Please find the attached Letter of Intent with attachment from the Cranberry Valley Golf Course (CVGC) Superintendent, Shawn Fernandez, documenting the CVGC intent to lease John Deere Maintenance Equipment.

The Superintendent has been coordinating with John Deere representatives regarding the lease of golf course maintenance equipment. In order for John Deere to commence the preparation and assembly of the equipment they have requested a Letter of Intent from the Town of Harwich. A breakdown of the yearly anticipated lease fee of \$96,681.08 is attached. Please note that this fee is from John Deere and includes an interest rate of 4.25%. The Finance Director and I have discussed other funding options which would yield a reduced interest rate and thereby a reduced lease fee when the time comes for the financing.

The FAC88 Statewide Contract is included in the file if you or the Board wish to review.

The Finance Director has confirmed the funding availability and the source.

Based on procurement laws and the FAC88 Statewide Contract, I recommend that the Board of Selectmen consent to the Letter of Intent so the vendor can begin preparing and assembling the equipment. A contract and/or lease agreement will be brought to the Board of Selectmen when it is ready at a future Board of Selectmen meeting.

Scope of Work

Letter of Intent

Is to enter into a 5 year lease for various golf course equipment for Cranberry Valley GC/ Town of Harwich.

The following is a letter of intent with John Deere Inc. to lease/ purchase the Following Equipment. This letter is to allow for the order of the equipment and to start the process using State Contract FAC88 rental and leases. Leasing documents terms and conditions to follow. The Town may choose to finance the lease itself and not through John Deere Financial. The lease is to be funded from the Budget line 5270 rental & leases, Budget- 101,250.00.

Approved as to Availability of Funds:

 (196,681.08)

Finance Director Contract Sum
016952/ 527000

**CRANBERRY VALLEY GOLF COURSE TOWN OF
HARWICH**

Date:	9/30/2020
Salesperson:	BILL ROCKWELL
Lease Type:	LP
Term:	60 MONTHS
Payment:	ANNUAL
Program:	GOLF NEW
State:	MA
Rate:	4.25%

Please note:

- *Quote is subject to credit approval
- *Quote assumes first payment due in advance
- *Rates and purchase options are not protected and subject to change
- *Payment per asset assumes financing of full package
- *Payment does not include all applicable taxes & fees

NEW/USED	YEAR	MAKE	MODEL	HRS/YEAR	MDP	QTY	UNIT PRICE	POWERGARD	TRADE EQUITY	AMOUNT LEASED	RESIDUAL	LEASE PAYMENT
NEW	2020	JD	2550E	N/A	\$0.00	2	\$39,110.00	\$0.00	\$5,650.00	\$72,570.00	\$1.00	\$15,770.84
NEW	2020	JD	2550E	N/A	\$0.00	1	\$35,758.00	\$0.00	\$0.00	\$35,758.00		\$7,770.89
NEW	2020	JD	2550E	N/A	\$0.00	1	\$35,537.00	\$0.00	\$0.00	\$35,537.00		\$7,722.86
NEW	2020	JD	6500A	N/A	\$0.00	2	\$46,910.00	\$0.00	\$0.00	\$93,820.00		\$20,388.87
NEW	2020	JD	8800A	N/A	\$0.00	2	\$56,490.00	\$0.00	\$0.00	\$112,980.00		\$24,552.70
NEW	2020	JD	1200A	N/A	\$0.00	2	\$12,565.00	\$0.00	\$0.00	\$25,130.00		\$5,461.23
NEW	2020	JD	2020A	N/A	\$0.00	1	\$26,375.00	\$0.00	\$0.00	\$26,375.00		\$5,731.79
NEW	2020	JD	1550	N/A	\$0.00	1	\$19,165.00	\$0.00	\$0.00	\$19,165.00		\$4,164.92
NEW	2020	AGRIMETAL	BW2500	N/A	\$0.00	1	\$5,150.00	\$0.00	\$0.00	\$5,150.00		\$1,119.19
NEW	2020	TURFCO	1550	N/A	\$0.00	1	\$18,396.00	\$0.00	\$0.00	\$18,396.00		\$3,997.80
Totals:										\$444,881.00	\$1.00	\$96,681.08

Estimated Monthly Payment: \$96,681.08



MEMO

TO: Joseph F. Powers, Interim Town Administrator

FROM: Griffin Rydel, ^{GRN} Town Engineer

CC: Carol Coppola, Finance Director
Daniel Pelletier, Water & Wastewater Superintendent

RE: Town of Harwich Phase 2 Contract 1 Sewer Construction Project
Request for Change 015R2 – Robert B. Our Company, Inc.

DATE: October 2, 2020

Please find the attached Request for Change 015R2 (RFC) from Robert B. Our Company, Inc. (RBO) for pavement adjustments associated with the Phase 2 Contract 1 Sewer Construction Project for the Board of Selectmen review, discussion and consent.

RBO has requested the consent of the Board of Selectmen as the signatory to the contract and change orders for this RFC in order to move forward. The proposed surface treatment for roadways excavated for sewer infrastructure installation was to mill and overlay the existing pavement in the roadway such that there would not be a change in grade in the final condition. As construction has progressed it has been determined that milling many of the roadways is not appropriate as the pavement thicknesses are not sufficient. The quantities included in the RFC are based on field estimates agreed upon by the contractor, RBO, and the resident engineer, CDM Smith. As the work is completed the installed quantities will be tracked, consistent with the remainder of the project, resulting in a future change order based on the actual installed quantities and the unit prices included in the RFC.

The RFC has been reviewed and vetted by CDM Smith and Town staff in coordination with RBO. Multiple discussions have taken place in order to come to an agreement on the RFC.

RFC 015R2 will be funded by the 5% construction contingency included with Contract Number 1. The attached Department of Environmental Bureau of Water Resources Payment Requisition No. 13 (the latest loan payment requisition) depicts the approved amount through the Town's Clean Water Protection loan. There is currently **\$429,432** available within Construction Contingency No.1 which will cover the estimated cost of RFC 015R2 (**\$90,939.53**).

Please let me know if you have any questions.

Robert B Our Co.

24 Great Western Rd, Harwich, MA

Project: Harwich Sewerage Works Improvements Phase 2 - Contract 1
 Engineer: CDM Smith

25-Sep-20

RFC 015R2

Pavemnet Adjustmnets								
Estimated QTY	Units	Rate	Unit	Mark up	Bond	Extended Unit Total		Estimated Value
19800	Credit for Milling portion of Unit 11C	\$ (1.10)	SY	5%		\$ (1.16)	\$	(22,968.00)
700	Milling of Key Ways , Transitions and Aprons	\$ 58.00	SY	5%	1.25%	\$ 61.63	\$	43,141.00
100	Driveway Aprons	\$ 239.40	TN	5%	1.25%	\$ 254.36	\$	25,436.25
120	Sewer / Drain Casting Adjustment	\$ 215.00	EA	5%	1.25%	\$ 228.44	\$	27,412.80
8	Water Gate Box Adjustment	\$ 125.00	EA	5%	1.25%	\$ 132.81	\$	1,062.48
1	Road Shoulder Restoration	\$ 1.00	LS	15%	1.25%	\$ 16,855.00	\$	16,855.00
						Sub Total	\$	90,939.53

** The Above is a unit price & will be adjusted accordinly based on the actually quatitys installed in the field.

** Sweeping will be invoiced by unit

** Asphalt Leveling to be invoiced by unit 11 D

** Casting Adjustments are for 2" adjustment. If the entire build up needs to be replaced- there will be additional cost.

** Casting Adjustment is of existing casting. If a new casting is to be installed it will be at additional cost.

Lawrence-Lynch Corp.
 PO Box 913
 Falmouth, MA 02541
 Phone 508.548.1800
 www.lawrencelynch.com



To:	Robert B. Our, Co.	Contact:	Abigail Our Rose
Address:	P.O. Box 1539, 24 Great Western Road Harwich, MA	Phone:	508-432-0530
		Fax:	508-432-4385
Project Name:	Road Milling Deduct And New Keyway Pricing	Bid Number:	J20-087
Project Location:	Harwich Sewer Phase #2 Contract #1, Harwich, MA	Bid Date:	
Item Description		Estimated Quantity	Unit Unit Price

Roads Item #1

2.0" Milling Roads Based On 93,000 Sy "Deduct/sy"	1.00 SY	\$1.10
Total Price for above Roads Item #1 Items:		\$1.10

Notes:


To whom it may concern.

The milling deduct from Item 11-c was based on the bid quantity of 93,000 square yards as per the bid documents and the bid as completed in July or August of 2019 it was assumed that the bid quantity of 93,000 sy would be completed in 2 - 3 mobses and that would make for a low bid unit price from the subs bidding such a large number and our deduct is a direct reflection of the bid item and quantity.

If the quantity for milling was say 1000 sy then the sub bid price would be around \$4.00-\$6.00 / sy

The County price for the town of yarmouth based on 21,000 sy ranged from \$2.72 - \$3.95 / sy based on the 21,000 sy bid item. when bidding the County we have to consider that the 21,000 sy could be over 5 differant locations and some being 500 sy and others being 3000 sy with the long shot that one would be 10,000 sy.

With that being said I have made another adjustment to milling deduct please review and get back to me should you have any questions.

<p>ACCEPTED: The above prices, specifications and conditions are satisfactory and hereby accepted.</p> <p>Buyer: _____</p> <p>Signature: _____</p> <p>Date of Acceptance: _____</p>	<p>CONFIRMED: Lawrence-Lynch Corp</p> <p>Authorized Signature: </p> <p>Estimator: Jonathan C. Croft 508-548-1800 jcroft@lawrencelynch.com</p>
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Lawrence-Lynch Corp.
 PO Box 913
 Falmouth, MA 02541
 Phone 508.548.1800
 www.lawrencelynch.com



To:	Robert B. Our, Co.	Contact:	Abigail Our Rose		
Address:	P.O. Box 1539, 24 Great Western Road Harwich, MA	Phone:	508-432-0530		
		Fax:	508-432-4385		
Project Name:	New Paving Item Key's And 1.5" Overlay.	Bid Number:	J20-077		
Project Location:	Harwich Sewer, Harwich, MA	Bid Date:			
Item #	Item Description	Estimated Quantity	Unit	Unit Price	Total Price
1.0	Driveway And Road Keys Billed At The Sy Price As Noted.	600.00	SY	\$58.00	\$34,800.00

Notes:

- **item 1.0 Cutting Keys**
 - Mill transitions as directed.
 - Sweep the milled areas
 - All trimmings will be delivered to the RBO Staging area.
 - This item will be field measured and billed at the unit price of **\$58.00/ sy** as noted.

Payment Terms:

Progress Billings A service charge of 1-1/2% on all past due balances over 30 days. (18% per annum)

<p>ACCEPTED: The above prices, specifications and conditions are satisfactory and hereby accepted.</p> <p>Buyer: _____</p> <p>Signature: _____</p> <p>Date of Acceptance: _____</p>	<p>CONFIRMED: Lawrence-Lynch Corp</p> <p>Authorized Signature: _____</p> <p>Estimator: Jonathan C. Croft 508-548-1800 jcroft@lawrencelynch.com</p>
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 PO Box 913
 Falmouth, MA 02541
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To: Robert B. Our, Co.	Contact: Abigail Our Rose
Address: P.O. Box 1539, 24 Great Western Road Harwich, MA	Phone: 508-432-0530 Fax: 508-432-4385
Project Name: Road Milling Deduct And New Keyway Pricing	Bid Number: J20-087
Project Location: Harwich Sewer Phase #2 Contract #1, Harwich, MA	Bid Date:
Item Description	Estimated Quantity Unit Unit Price

~~**Roads Item #1**~~


1.5" Milling Roads Based On 93,000 Sy "Deduct/cy"	1.00 SY	(\$0.90)
Total Price for above Roads Item #1 Items:		(\$0.90)

Hand Work Driveway Aprons (+/- 60 Ea)


Hand Work Paving Aprons Approximately 800 Sy Of Aprons To Be Paved	67.00 TON	\$239.40
Total Price for above Hand Work Driveway Aprons (+/- 60 Ea) Items:		\$16,039.80

Notes:

- ~~**Road way milling Deduct From item 11-C**~~
 - ~~1.5" Milling deduct from this item = \$.90/sy from Item 11-C.~~
 - Asphalt driveway hand work after overlay.**
 - It's antipited that this item will use 65-75 tons to pave the driveway aprons along the overlay roads.
- This item is as follows.
- Tack coat as needed
 - Pave aprons with 1.5" Inches of hot mix asphalt
 - This Item will be billed at the unit price / ton as noted.
 - All driveway apron prep will be by others.

<p>ACCEPTED: The above prices, specifications and conditions are satisfactory and hereby accepted.</p> <p>Buyer: _____</p> <p>Signature: _____</p> <p>Date of Acceptance: _____</p>	<p>CONFIRMED: Lawrence-Lynch Corp</p> <p>Authorized Signature: </p> <p>Estimator: Jonathan C. Croft 508-548-1800 jcroft@lawrencelynch.com</p>
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NORTH EAST



ROADS, INC.

Fitchburg, Mass.

679 High Rock Road, Fitchburg, MA 01420

Price Quote To: Robert B. Our Co., Inc.

Location: Harwich, MA

Date: 7/3/2020

Attn: Abby Rose

Email: ajour@robertbour.com

<u>Description</u>	<u>Price</u>
Adjust sewer/drain manhole casting to grade	\$200.00 Each
Adjust catch base frame & grate to grade	\$200.00 Each
Adjust water gate box to grade	\$120.00 Each

+ 15/ea concrete concrete
R+C/FIG

+ 5/ea gb

MBE/DBE & MASS DOT CERTIFIED

CONCRETE/ASPHALT COLLARS NOT INCLUDED IN PRICE

LABOR & MATERIALS INCLUDED IN PRICE UNLESS OTHERWISE NOTED ON ESTIMATE

CASTING ADJUSTMENTS INCLUDE ONE COURSE OF BRICK REBUILD IN PRICE

Office: 978-342-4744 • Cell: 978-265-6278 • Fax: 978-342-6654

Email: NorthEastRoadsInc@yahoo.com

**DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF WATER RESOURCES**

PAYMENT REQUISITION

LOAN NO.: <u>CWP-18-23</u> DMS PROJECT NO.: <u>CWSRF-4424</u>	REQUEST NO.: <u>13</u> SERVICE DATES: <u>08/01/2020 to 08/31/2020</u>
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LEGAL NAME AND ADDRESS OF BORROWER:

Town of Harwich
 732 Main Street
 Harwich, MA 02645

EXPENDITURE TYPE	APPROVED AMOUNT \$	PREVIOUS REQUESTS \$	THIS REQUEST
Construction Services - Cont. No. 1 & 2	\$ 2,290,000	\$ 1,153,254	\$ 94,871
Construction: Contract No. 1 (RBO)	\$ 11,500,639	\$ 6,394,010	\$ 577,103
Construction: Contract No. 2 (RJV)	\$ 6,654,494	\$ 2,046,036	\$ 177,424
Construction Contingency No. 1	\$ 429,432	\$ -	\$ -
Construction Contingency No. 2	\$ 297,877	\$ -	\$ -
Other: Police - Cont. No. 1 & 2	\$ 1,035,000	\$ 960,182	\$ 60,592
Other: Water Usage - Cont. No. 1	\$ 7,025	\$ 5,075	\$ 1,950
Totals	\$ 22,214,467	\$ 10,558,557	\$ 911,940
	0		

CERTIFICATION OF THE BORROWER:
 The Authorized Representative of the Borrower identified below certifies the following:

(i) This payment is for Project Costs and the obligations specified herein have not been the basis for a prior requisition that has been paid;
 (ii) there has been no Default, as defined in the Regulatory Agreement hereunder or no Event of Default as defined in the Loan Agreement, and no event or condition exists which after notice or lapse of time or both, would become a Default under the Regulatory Agreement or an Event of Default under the Loan Agreement exists; and
 (iii) the payment requested by this requisition is due for work actually performed or materials or property actually supplied prior to the date of this requisition less retainage.

Signature:  Date: 9/26/2020
 Print Name: Joseph F. Powers
 Title: Interim Town Administrator

(To be completed by the DEP Division of Municipal Services)

Amount Requested: _____ Amount Approved: _____
 Signature: _____ Date: _____
 Print Name: Maria E. Pinaud
 Title: Division Director



MEMO

TO: Joseph F. Powers, Interim Town Administrator

FROM: Griffin Ryder, Town Engineer ^{air}

CC: Carol Coppola – Finance Director/Town Accountant
Lincoln Hooper – Department of Public Works Director

RE: Town of Harwich and Robert B. Our Company, Inc. Contract Extension Agreement

DATE: October 2, 2020

Please find the attached Contract Extension Agreement between the Town of Harwich and Robert B. Our Company, Inc. for a one year extension for the Catch Basin Replacement and Drainage Infrastructure Installation (Unit Price Work) yearly contract.

The original contract which was awarded last year based on an Invitation for Bid under M.G.L.c.30, §39M, Public Works Construction Contracts, has the option to be extended for up to two (2) additional years. The attached extension represents the first year of extension.

The contract form is based on the KP Law c.30, §39M Public Works Construction Contract Template and the Finance Director has confirmed the availability of funds and the source.

Based on procurement laws, I recommend that the Board of Selectmen execute the one (1) year Contract Extension Agreement with Robert B. Our Company, Inc. for a total of \$394,200.00.



TOWN OF HARWICH

DEPARTMENT OF PUBLIC WORKS

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

Telephone (508) 430-7555

Fax (508) 430-7598

TOWN OF HARWICH

CONTRACT EXTENSION AGREEMENT

CATCH BASIN REPLACEMENT AND DRAINAGE INFRASTRUCTURE INSTALLATION (UNIT PRICE WORK)

Agreement is made this 5th day of **October, 2020**, between the Town of Harwich (hereinafter referred to as "OWNER") and **Robert B. Our Co. Inc.** (hereinafter referred to as "CONTRACTOR").

Whereas the OWNER wishes to exercise its option to extend the Contract Agreement (dated October 21, 2019) under the same terms, conditions and estimated quantities for an additional one (1) year period, as outlined in item #6 "Contract Duration" in the "Instructions to Bidders" section, and under the same terms and conditions as specified in the Contract Agreement dated October 21, 2019. This extension is subject to the availability and appropriation of funds and receipt of the contractor's current insurance certificate.

FOR The Contractor:
Robert B. Our Co., Inc.

FOR The Owner:
Town of Harwich
BOARD OF SELECTMEN

Approved as to Availability of Funds:

Carl Coch (\$394,200.5)
Finance Director Contract Sum

1225 4212/578000
Chapter 90 State Funding

TOWN
ADMINISTRATOR'S
REPORT

HARWICH HARBORMASTER DEPARTMENT

September 2020 Monthly Report

Operations

- Department boats conducted 2 tows of disabled vessels.
- Began hauling Nantucket Sound swim area buoys.
- Marine 77 responded to a report of an overturned catamaran with 3 people in the water, 400 yards south of Ridgevale Beach in Chatham. Stood by to assist as a Chatham Harbormaster patrol boat righted the catamaran and all persons were safe and accounted for.
- Called 911 and administered first aid to a boat owner at Saquatucket Harbor (SAQ) who suffered a severe wound to his upper thigh while using a grinder. Applied quick clot and a fresh dressing from the office medical kit. Maintained pressure on the wound until Harwich Fire arrived and transported the patient to the hospital.
- Observed a boat departing its slip strike the outboard engines of several other boats. The boat was then able to return to its slip while the Harbormaster inspected the other boats for damage. No significant damage was observed; boat owners were notified.
- Responded to a reported flare sighting from the vicinity of the Wychmere Beach club. Initial report was that it most likely came from the area of Bass River. Began a search enroute to Bass River. Once on scene, along with Dennis Fire and Harbormaster assets, we were informed by CG Sector SE New England that the sighting was east of Wychmere Harbor. Searched from Bass River to Harding's Beach in Chatham then back to SAQ...nothing found.
- 19 vessel pump-out responses, approx 785 gals of waste collected.

Administration

- Ordered Shellfish Permits.
- Mailed out B-Permit renewals.
- Compiled FY20 Revenues for Finance Committee & Town Report
- Billed for passenger boats Ticket Booth electric.
- Updated dockage permits and offloading permits for 2021.
- Worked with Recording Secretary to obtain Waterways Minutes for Feb and July Meetings.
- Continued enforcement efforts for renewal of expired vessel registrations.
- Reached out to mooring permit holders via email and telephone calls to produce date on mooring or request waiver.
- August 2020 Pump-Out Grant reimbursement.
- Provided Boat List to Assessor's Office for Excise Tax Bills.
- Followed up on outstanding Waterways User Fees.
- Provided Wequassett with all their boat information/mooring assignments/registrations/ expirations.
- Processed 46 transient slip reservations.
- Parking Tickets – 23
- Non-Criminal Violations - 1

Maintenance

- Replaced a Broken switch for the pump-out pump on 77A.
- Made electrical repairs on Marine 77.

- Made repairs to the dock carts.
- Replaced the batteries in 77C.
- Assisted Natural Resources with water sampling and shellfish seeding.
- Pressure washed and stored the Long Pond No Wake buoys.
- General building and grounds maintenance.

Meetings

- Met with Police Chief to discuss complaints from homeowner regarding activity at Wixon Landing on the Herring River.
- Met with Finance Committee member to discuss specifics pertaining to department budget.
- Prepared agenda for Waterways Committee meeting only to have it cancelled due to lack of quorum; working with committee members and Administration to ensure full membership.

- *With LC3: continued advocacy on transportation issues, including real time information, bridge issues, issues relating to drug use, attracting more traffic to the Regional Airport and more.*
- *With Lower Cape Chambers: hosting the Annual Lower Cape Home & Garden Expo this year again to be held at the Cape Cod Tech, trainings (WISP and Roundtable Workshops), inter-chamber networking (giving greater business-to-business opportunities)*
- *Parking and Connectivity: Explore opportunities for remote parking lots and transit service for harbors, beaches and other sites with high seasonal demand*

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

FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED AT \$25,000. VOTE YES-8, NO-0.

MOTION: (Jack Brown, Chairman-Finance Committee) I move that this article be accepted and adopted and that \$25,000 be transferred from Free Cash for this purpose.

Duly seconded

ACTION: It was a unanimous vote, so declared.

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

ARTICLE 41: To see if the Town will vote to raise and appropriate and/or transfer from available funds a sufficient sum of money to supplement the Massachusetts Cultural Council annual allocation for grant awards to artists, performers and interpretive scientists who bring events to local venues which enhance the cultural experience of Harwich citizens of all ages, and to act fully thereon. By request of the Harwich Cultural Council. Estimated Cost: \$3000.

FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. VOTE YES-8, NO-0.

MOTION: (Jack Brown, Chairman-Finance Committee) I move that this article be accepted and adopted and that \$3,000 be transferred from Free Cash for this purpose.

Duly seconded

ACTION: It was a unanimous vote, so declared.

PROHIBIT THE DEMOLITION OF THE WEST HARWICH SCHOOL

ARTICLE 42: To see if the Town will vote to protect the historic and cultural resource of the town owned West Harwich Schoolhouse by prohibiting demolition and/or dismantling and/or moving of the building to another part of town, to any other town or to any other state, and to act fully thereon. By Petition.

Explanation: The West Harwich Schoolhouse was built in 1871 and has been used for many purposes including a Veteran's Affairs office and a Youth Recreation center. It is a

well built and highly adaptable building. As Captains' Row evolves into a walkable and vibrant neighborhood accenting our collective heritage and with plans for an improved Rt. 28 with design enhancements including lamp posts or benches or a pocket park and gently sidewalks the use of the schoolhouse could be invaluable. With 7 villages of Harwich each with its own distinct character, for the West Harwich village the civic building of the quintessential schoolhouse is our historic resource that should not be destroyed or taken from us. The building needs to be rehabilitated at its original site and the wishes of the community respected. There is easy access from Rt. 28 and plenty of parking. Because the schoolhouse lies in close proximity to the Historic Baptist Cemetery, the Bike Trail, Bells Neck Conservation land, Home of the Harwich Junior Theater, and the Herring River it holds the potential for multiple community oriented uses

FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE INDEFINATELY POSTPONED. THE COMMITTEE FEELS THAT PASSAGE OF THIS ARTICLE WILL NOT BIND A FUTURE TOWN MEETING. A DEED RESTRICTION WOULD BE NEEDED FOR THAT. VOTE: YES-6, NO-3.

MOTION: (Sally Urbano) I move that this article be accepted and adopted. Duly seconded
ACTION: A standing count was taken, Yes, 109 No, 70, the motion carried.

**PURCHASE AND INSTALL HISTORICALLY ACCURATE
WINDOWS IN THE WEST HARWICH SCHOOLHOUSE**

ARTICLE 43: To see if the Town will vote to direct town administration to complete the wishes of the voters as expressed at the 2007 town meeting to use the existing C P C funding to purchase and install historically accurate windows in the West Harwich Schoolhouse, and to act fully thereon. By Petition

Explanation: At the 2007 town meeting actions under article 42 voted in the affirmative to fund a CPC article dedicating \$84,000 for installation of historically appropriate windows in the Sisson Road Recreation building and the West Harwich schoolhouse. The Sisson Road building received its windows but the West Harwich Schoolhouse windows were never installed and \$32,000 remains to complete the project. Enacting only part of the vote that was approved by town meeting and not completing the other part is a precedent that should not be tolerated. Essentially this undermines the power of town meeting and the vote. The town has the responsibility to enact what the voters approved in town meeting and a yes vote on this article assures that the citizens' vote is honored. The town has already invested \$28,000 appropriated in 2008 for repair of the foundation on this building. This continues the process that has already been started.

FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE INDEFINATELY POSTPONED. THERE IS NO BID PRICE ON THIS REQUEST SO THE TRUE COSTS ARE NOT KNOWN, AND WITHOUT ANY PROTECTION DUE TO THE LACK OF USE OF THE BUILDING INSTALLING NEW WINDOWS WOULD CREATE AN UNNECESSARY TARGET FOR VANDALS. VOTE: YES-6, NO-3.

MOTION: (Sally Urbano) I move that this article be accepted and adopted. Duly seconded
ACTION: The motion did not carry.

NGRID is in the process of final curb to curb repaving of approximately 9.1 miles of roadway in Harwich that was disturbed by the Mid Cape Gas Pipe Replacement Project. P J Keating has been selected as NGRID 's contractor for work in Harwich and in the nearby towns outlined on the Google map below. VHB was engaged by NGRID to design the work in substantial accordance with Mass DOT specifications with specific additional input to support individualized requests made by each of the four towns involved. VHB is also assisting NGRID in the supervision of the ongoing field work performed by PJ Keating. The work includes repaving: a short length of Great Western Road East of the Town line with Dennis to the southern end of Depot Street; Depot Street heading North from the Cape Cod Bible church into Brewster; from the Bible church the length of the Main Street extension and Queen Anne heading East to the rotary. From the rotary, NGRID will repave Depot Road south to Route 28, and North on Orleans road to Church street.

In Harwich it is anticipated that milling operations will require about another 10 work days, given some of milling and paving work has already been completed on Depot Street. Paving operations are anticipated to take about 15 work days. Note that some work may be performed at night to mitigate traffic impacts.

Aside from the Depot Street work, the remaining milling and paving operations are expected to begin in Harwich after Columbus Day weekend. The work will likely be initiated at Church Street heading South to the rotary and then West back towards Dennis on Queen Anne. Milling and paving operations will occur concurrently at times with sufficient time between milling and paving to allow for adjustment of drain and manhole structures as required. Depot Road, which will not be milled, given the relatively thin asphalt thickness on this road will be paved when timing would best mesh with the longer Queen Anne segment. Note that Mass DOT requirements call for any state road work (i.e. Route 28) to normally be completed by November 15th.

The exact overall schedule for the Harwich effort will be subject to and dependent upon weather and police details in Harwich and other towns being able to allow and support the planned work. NGRID will work with PJ Keating to keep Harwich informed of overall progress on a continuing basis.

Project Line Assignment



Mid-Cape Main Replacement Project Yarmouth, Dennis, Harwich, Brewster, MA