

STANDARD ARTICLES

TOWN OFFICERS AND COMMITTEES

To choose various Town Officers and Committees.

REPORTS OF TOWN OFFICERS AND COMMITTEES

To hear reports of all Town Officers and Committees for the year 2021.

ELECTED OFFICIALS SALARIES

To see if the Town will vote the salaries of the Elected Officials of the Town for fiscal year commencing July 1, 2022 and ending June 30, 2023 as follows and to act fully thereon.

TOWN OPERATING BUDGET

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow such sums of money as may be required to defray Town charges for Fiscal Year 2023, and to act fully thereon. By request of the Board of Selectmen.

MONOMOY REGIONAL SCHOOL DISTRICT BUDGET

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow such sums of money as may be required to pay for the Monomoy Regional School District Assessment for Fiscal Year 2023, and to act fully thereon. By request of the Monomoy Regional School Committee.

CAPE COD REGIONAL TECHNICAL SCHOOL DISTRICT BUDGET

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sufficient sum of money as may be required to pay for the Cape Cod Regional Technical High School District Assessment for Fiscal Year 2023, and to act fully thereon. By request of the Cape Cod Regional Technical High School District.

WATER DEPARTMENT BUDGET

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow such sums of money as may be required to defray the Water Department Operating Budget for Fiscal Year 2023, and to act fully thereon. By request of the Water and Wastewater Commission.

WASTEWATER DEPARTMENT BUDGET

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow such sums of money as may be required to defray the Wastewater Department Operating Budget

for Fiscal Year 2023, and to act fully thereon. By request of the Water and Wastewater Commission.

ADOPT THE CAPITAL BUDGET

To see if the Town will vote to adopt the Capital Budget for the ensuing fiscal year as proposed by the Board of Selectmen and set forth below or as amended by vote of the Town Meeting, and to act fully thereon. By request of the Board of Selectmen.

CAPTIAL ARTICLES (#)

Total list to be provided once Capital Outlay Budget is adopted by the Board of Selectmen

ANNUAL DEPARTMENTAL REVOLVING FUNDS AUTHORIZATION

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

FUND PRIOR YEAR'S UNPAID BILLS

To see if the Town will vote to raise and appropriate or transfer from available funds a sufficient sum of money to pay unpaid bills of prior years as provided for in M.G.L. Ch. 44, Section 64, and to act fully thereon. By request of the Finance Director.

PROMOTE THE TOWN OF HARWICH

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

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

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

HERRING FISHERIES

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

CHANGE SELECTMEN TO SELECT BOARD
Proposed Charter revision

To see if the Town will vote to adopt the following proposed order of amendment to the Town of Harwich Charter by striking out the words “Board of Selectmen” wherever they appear, and inserting in place thereof, in each instance, the words “Select Board”; and to insert a new subsection in the Charter section 3-1-3 to read as follows: 3-1-3 The Select Board shall have the full role of and all powers and authorities of a Board of Selectmen under any general or special laws, and its members and officers shall have the full role of and all of the powers and authority of the members and officers of a Board of Selectmen under any general or special laws; and further to amend Section 2-8-2 of the Charter by replacing the words “Chairman of the Committee” with “Chair of the Committee”; and further to amend section 7-1-3 of the Charter by replacing “Chairman of an Agency” with “Chair of an Agency”; and further to delete the definition of “He/His” in section 10.3.1, and further to authorize the Town Clerk to prepare a revised version of the Charter consistent with this vote for submission to the State Archivist; or to take any other action relative thereto. (2/3 Vote Required)

PLACEHOLDERS*

Placeholders pending further discussion, analysis or additional information. These may also include matters not previously presented to the Board of Selectmen

Placeholder - ADOPT M.G.L., CHAPTER 200A, §9A – DISPOSITION OF UNCLAIMED PROPERTY

To see if the Town will vote to accept the provisions of Massachusetts General Laws Chapter 200A, Section 9A, to establish a procedure that would allow the Town Treasurer to dispose of abandoned funds held in the custody of the Town, or to take any other action relative thereto.”

Explanation: If the Town accepts Section 9A at Town Meeting, any funds held by the Town are presumed abandoned after only 1 year from the date prescribed for payment if the check so states on its face that it is “void if not cashed within 1 year from the date of issue. By request of the Town Treasurer/Collector.

Placeholder - ADOPT M.G.L., CHAPTER 59, §5, CLAUSE 56 – ASSESSMENT OF LOCAL TAXES – PROPERTY; EXEMPTIONS

To see if the Town will vote to reaffirm and extend MGL Chapter 59, §5, Clause 56. Upon acceptance of this section by the Town, the Board of Assessors may grant, real and personal property tax abatement up to 100% of the total tax assessed to members of the Massachusetts

National Guard and to Reservists on active duty in foreign countries for the fiscal year they performed such service subject to eligibility criteria to be established by the Board of Assessors. The authority to grant abatements under this section shall expire after 2 years of acceptance unless extended by a vote of the city or town. Said change to take effect FY 2023 and act fully thereon. By request of the Harwich Veteran’s Agent and Board of Assessors. Estimated cost: \$10,000

Explanation: This local option for the National Guard and Reservists must be renewed every two (2) years. This article is funded by the Overlay

Placeholder - ADOPT M.G.L. CHAPTER 59, §5, Clause 5N – SENIOR CITIZEN AND VETERAN PROPERTY TAX WORK OFF ABATEMENT PROGRAMS

To see if the Town will vote to accept the provisions of Massachusetts General Laws Chapter 59, §5 Clause 5N, effective Fiscal Year 2023, allowing the Town to enter into a Senior Citizen and Veteran Property Tax Work-off Abatement Program and to act fully thereon. By request of the Harwich Board of Assessors. Estimated cost: \$30,000

Explanation: The Board of Assessors would like advocate for Veterans of the Town. This article is for veterans who have a service connected disability or surviving spouse of veteran. To allow an approved representative to perform the services for an eligible taxpayer physically unable to provide services to the Town. Their income and assets may not exceed:

	<u>Income</u>	<u>Assets</u>
Single	\$34,332	\$58,649
Married	\$51,498	\$80,642

Placeholder – HOUSING ADVOCATE

[This new full-time, compensated position may be presented as a warrant article- that determination should come after discussion by the Board re: “Harwich Charter chapter 4 section 5 clause 4-5-2”]

Placeholder – DIRECTOR OF CULTURAL AFFAIRS

[This new full-time, compensated position may be presented as a warrant article- that determination should come after discussion by the Board re: “Harwich Charter chapter 4 section 5 clause 4-5-2”]

Placeholder (pending further discussion with town counsel) AMEND AGREEMENT
BETWEEN THE TOWNS OF CHATHAM AND HARWICH WITH RESPECT TO THE
FORMATION OF A REGIONAL SCHOOL DISTRICT

ARTICLE _: Amend Agreement between the Towns of Chatham and Harwich with Respect to the Formation of a Regional School District

To see if the Town will vote to amend the document entitled “Agreement between the towns of Chatham and Harwich with respect to the Formation of a Regional School District” to amend the method of assessing costs for the towns’ elementary schools, to address the allocation of school choice funds, and to amend the budget process and the process for incurring of debt to bring the agreement into alignment with statutory requirements with regard to the Monomoy Regional School District; or otherwise act thereon.

Motion: I move that the Town vote to amend the Monomoy regional agreement as set forth in a document entitled “_____” made available at this meeting. [This would be a separate handout showing all of the proposed amendments].

Harwich

ARTICLE _: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow such sums of money as may be required to pay for the Monomoy Regional School District Assessment for Fiscal Year 2023, and to act fully thereon. By request of the Monomoy Regional School Committee. Estimated cost: \$28,040,998.

Motion 1: (Harwich passes the amendment, and authorizes an additional appropriation approving the budget under the current agreement contingent upon disapproval of the amendment by Chatham and DESE).

- I move that the Town vote to appropriate the sum of \$27,369,028 to fund the Operating Budget for the Monomoy Regional School District for Fiscal Year 2023, proposed Regional Agreement methodology, and to meet said appropriation, the Town raise \$27,369,028 through the tax rate; and further, I move that the Town vote to appropriate the additional sum of \$671,970 to fund the Operating Budget for the Monomoy Regional School District for Fiscal Year 2023, current Regional Agreement methodology, and to meet said additional appropriation, the Town raise \$671,970 through the tax rate, provided however that this additional appropriation shall be contingent upon the disapproval of the amendments proposed to the Monomoy School District Regional Agreement by either the Town of Chatham or the Department of Elementary and Secondary Education.

Motion 2: (Harwich does not pass the amendment, and appropriates the full amount to approve the budget under the current Regional Agreement).

- I move that the Town vote to appropriate the sum of \$28,040,998 to fund the Operating Budget for the Monomoy Regional School District for Fiscal Year 2023, current Regional Agreement methodology, and to meet said appropriation, the Town raise \$28,040,998 through the tax rate.

Placeholder - HARWICH WATER DEPENDENT STRUCTURES

To see if the town will vote to amend the Harwich Water Dependent Structures Bylaw, Chapter 304 of the Code of the Town of Harwich. By request of Conservation Commission.

Placeholder - HARWICH WETLANDS PROTECTION BYLAW

To see if the Town will vote to amend the Harwich Wetlands Protection Bylaw, Chapter 310 of the Code of the Town of Harwich. By request of Conservation Commission.

Placeholder - DISPOSITION OF PROPERTIES TO FUND PARCELS UNKNOWN

To see if the Town will vote to transfer the care, custody, management and control of the parcels of land described below from the tax custodian, the Board of Selectmen or other board or officer having custody thereof for the purposes for which such parcels are currently held, to the Board of Selectmen for the purpose of conveyance, and authorize the Board of Selectmen to convey said properties on terms and conditions in the best interests of the Town; and, further, to raise and appropriate or transfer from available funds a sum of money for all costs and expenses incidental to said dispositions; and, further to authorize the Board of Selectmen to enter all agreements and take any and all actions as may be necessary or convenient to accomplish the foregoing purposes; and to act fully thereon.

- a) _____ Street, being Assessor's Map _____, described in a deed recorded with the Barnstable County Registry of Deeds in Book _____. Page _____;
- b)
- c)
- d)

By request of the Board of Selectmen.

Two-thirds vote required.

Placeholder - ACQUISITION OF LAND AND PARCELS FOR HIGHWAY PURPOSES

To see if the Town will authorize the Board of Selectmen to acquire the following land parcels and or rights in land parcels for the purpose of obtaining a secure and public right of way. This will allow for the construction and roadway safety improvements (Name of Project). By request of Department of Public Works.

Placeholder - WATER DEPARTMENT – FISCAL YEAR 2023 WATERMAIN DESIGN

To see if the Town will vote to raise and appropriate, or transfer from available funds, a sufficient sum of money for engineering services to prepare shovel ready plans and specifications for various water system improvements. By request of Board of Water Commissioners and Superintendent.

Placeholder - AMEND THE HARWICH CEMETERY COMMISSION RULES AND REGULATIONS OF THE HARWICH CEMETERIES

To see if the Town will vote to amend the Rules and Regulations of the Harwich Cemeteries as follows, and to act fully thereon. By request of the Cemetery Commission.

Placeholder- AMEND THE CODE OF HARWICH GENERAL BY-LAWS – CHAPTER 8 DEPARTMENT REVOLVING FUNDS §8-1. FUNDS ESTABLISHED

To see if the Town will vote to amend the Departmental Revolving Funds Bylaw, Section 8-1 of the Town Code, (the language to be added is shown in underlined text), or to act fully thereon. By request of the Golf Department.

Use of Fund: Pro Shop expenses, clubhouse and kitchen maintenance, modernization, driving range equipment replacement and upgrades and lesson instructor.

COMMUNITY PRESERVATION COMMITTEE ARTICLES

Community Preservation Act - Land Bank Debt Service

Article ___. To see if the Town will vote to appropriate from Community Preservation Act Funds - \$221,525.00 from the FY 2021 Certified Undesignated Fund Balance to fund the payment of Land Bank Debt Service; and to act fully thereon. By request of the Community Preservation Committee. Estimated Cost: \$221,525.00.

Community Preservation Act – Administrative Expenses

Article ___. To see if the Town will vote to appropriate from Community Preservation Act Funds - \$60,000 from the FY 2021 Certified Undesignated Fund Balance to fund the Community Preservation Committee’s administrative expenses for Fiscal Year 2023; and to act fully thereon. By request of the Community Preservation Committee. Estimated Cost: \$60,000.

Community Preservation Act – East Harwich Union Cemetery Gravestone Preservation Project

Article ___. To see if the Town will vote to appropriate from Community Preservation Act Funds - \$118,800.00 from the FY2021 Certified Historic Preservation Reserve to fund the Town of

Harwich's East Harwich Union Cemetery Gravestone Preservation Project; Any funds left unspent from this Article are to be returned to the Community Preservation Act Funds-Historic Preservation reserve; and to act fully thereon. By request of the Community Preservation Committee. Estimated Cost: \$118,800.00.

Community Preservation Act – Part-Time Housing Coordinator

Article __. To see if the Town will vote to appropriate from Community Preservation Act Funds - \$50,000.00 from the FY2021 Certified Community Housing Reserve to fund the Town of Harwich's Part-time Housing Coordinator position; Any funds left unspent from this Article are to be returned to the Community Preservation Act Fund – Community Housing Reserve; and to act fully thereon. By request of the Community Preservation Committee. Estimated Cost: \$50,000.00.

Community Preservation Act – Affordable Housing Trust

Article __. To see if the Town will vote to appropriate \$31,270.93 from FY2021 Certified Community Housing Reserves, \$210,000, from FY2023 Anticipated Revenues, and \$258,729.07 from FY2021 Certified Undesignated Fund Balance, for a total appropriation of \$500,000, to fund the Harwich Affordable Housing Trust; and to act fully thereon. By request of the Community Preservation Committee. Estimated Cost: \$500,000.

Community Preservation Act – Phase 2 of the Natural Heritage Trail

Boardwalk Project

Article __. To see if the Town will vote to appropriate \$75,000 from FY2021 Certified Undesignated Fund Balance to fund Phase 2 of the Natural Heritage Trail Boardwalk Project; Any funds left unspent from this Article are to be returned to the Community Preservation Act Fund – Undesignated Fund Balance; and to act fully thereon. By request of the Community Preservation Committee. Estimated Cost: \$75,000.

Community Preservation Act – Penrose LLC/Cape Cod 5 Housing Project

Article __. To see if the Town will vote to appropriate \$100,000 from FY2021 Certified Undesignated Fund Balance to fund the Penrose LLC/Cape Cod 5 Community Housing Project located in Orleans, Massachusetts; Any funds left unspent from this Article are to be returned to the Community Preservation Act Fund – Undesignated Fund Balance; subject to a grant agreement including an affordable housing restriction; and to act fully thereon. By request of the Community Preservation Committee. Estimated Cost: \$100,000.

Community Preservation Act – Pickleball Project at Brooks Park

Article __. To see if the Town will vote to appropriate \$50,997.00 from the FY 2021 Certified Undesignated Fund Balance and \$194,503.00 from FY2023 Anticipated Revenue, for a total appropriation of \$245,000.000 to fund the Town of Harwich Pickleball Project at Brooks Park; Any funds left unspent from this Article are to be returned to the Community Preservation Act Fund – Undesignated Fund Balance; and to act fully thereon. By request of the Community Preservation Committee. Estimated Cost: \$245,000.

Community Preservation Act – Purchase Conservation Restriction at the
Spruce Woods Project

Article __. To see if the Town will vote to appropriate \$604,486 from the FY2021 Certified Open Space Reserves, \$210,000 from the FY2023 Anticipated Revenues, and \$135,514.00 from FY2021 Certified Undesignated Fund Balance, for a total appropriation of \$950,000 to fund the Town of Harwich/Real Estate and Open Space Committee’s application to purchase a conservation restriction at the Spruce Woods project; Any funds left unspent from this Article are to be returned to the Community Preservation Act Fund – Open Space Reserves; and to act fully thereon. By request of the Community Preservation Committee and the Open Spaced Committee. Estimated Cost: \$945,000.

CITIZEN INITIATIVE PETITIONS

AMEND M.G.L. GOVERNING THE DISPERSALS OF SCHOOL CHOICE FUNDS

To see if the Town will vote to instruct the Board of Selectmen, acting on behalf of the Town, to petition the state legislature, to amend the Massachusetts General Laws governing the dispersal of school choice funds, to include accredited homeschool participants and accredited private schools. By request of Daniel Baker.

DEFRAY THE EXPENSES OF THE CHASE LIBRARY AND HARWICH PORT LIBRARY

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

PROHIBIT HUNTING IN BELLS NECK CONSERVATION AREA

To see if the Town will vote to prohibit hunting in the Bell’s Neck Conservation Area. The properties included in the prohibition would be as follows. All parcels are under the care and custody of the Harwich Conservation Commission. They comprise of approximately 272 acres. By request of Carol Kucha Stone.

PROTECT HISTORIC WEST HARWICH SCHOOLHOUSE WITH HISTORIC
RESTRICTION

To see if the Town will vote to Protect the Historic West Harwich Schoolhouse with a historic restriction that rides with the deed to protect this asset from demolition and assure that rehabilitation follows the guidelines of the Department of the Interior for Historic preservation. A positive vote would require the Board of Selectmen through the Town Administrator to place a historic restriction on the building prior to any action to sell, donate, rehabilitate or lease the building. This vote seeks only to preserve the footprint and character of the building's exterior and does not effect work to the inside. This assures that any RFP for sale, or lease or gifting adheres to the Historic Restriction whether a Nonprofit or For-Profit entity obtains rights to building. By request of Sally Urbano.

SELL HISTORIC WEST HARWICH SCHOOLHOUSE USING FULL PROVISIONS OF
MASSACHUSETTS PROCUREMENT LAW 30B

To see if the Town will vote to sell the Historic West Harwich Schoolhouse using the full provisions of Massachusetts procurement law 30b that includes the ability to donate surplus property to a Nonprofit willing to rehabilitate the historic exterior of the building for purposes of civic use. By request of Sally Urbano.

STUDY BEST USE OPTIONS FOR FORMER HARWICH MIDDLE SCHOOL INCLUDING
RECOMMENDATIONS FOR FINANCIAL SELF-SUFFICIENCY

To see if the Town will vote to raise and appropriate, transfer from available funds a sufficient sum of money to fund an independent, professional study of the highest and best use of the Former Harwich Middle School property. Town committees in the past have been unable to identify a use that is financially feasible or that fully utilizes the facility or the grounds in a comprehensive and acceptable way. Currently, the building and surround parking are being used as a Cultural Center to "serve as a rental space for groups and individuals to engage in recreational, social, educational, cultural, community service, civic and governmental activates" (Culture Center webpage). However, after six years of financial support from Harwich taxpayers, annual revenues from the Cultural Center business fail to cover expenses. The deficit total for FY17 to FY22 (partial year) is more than \$588,000. The purpose of this article is to enlist independent, professional help to objectively determine the best uses, along with evaluations (pros, cons and risk) of each option, for long-term use of this Town asset. This study will also develop a comprehensive business plan specific to the Cultural Center use that provides detailed financial, organizational, staffing, and marketing plans that make this option financially self-sustaining. By request of Richard Gundersen.