

Town of Harwich
Finance Committee Meeting
Remote Participation
Thursday, March 25, 2021

Members Present: Jon Chorey, Dan Tworek, Angelo LaMantia, Dale Kennedy, Mary Anderson, Mark Ameres, and Brian Weiner.

- I. Jon Chorey, as Chairman, **called the meeting to order at 6:30 pm** with a quorum present, confirmed by a roll call of members. External participants included Harwich Selectman, Mike MacAskill; Harwich Finance Director, Carol Coppola; Harwich Chamber of Commerce Executive Director, Cyndi Williams.
- II. Actions Regarding the DRAFT Warrant:
 - **ARTICLE 3: To see if the Town will vote the salaries of the Elected Officials of the Town for fiscal year commencing July 1, 2021 and ending June 30, 2022 as follows and to act fully thereon. Estimated cost: \$128,503.00.**
 - i. Motion to accept and adopt: Dale Kennedy
 - ii. Second: Mary Anderson
 - iii. Accepted and Adopted: 7-0 (Chorey, Tworek, LaMantia, Kennedy, Anderson, Ameres, Weiner)
 - **ARTICLE 4: 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 2022, and to act fully thereon. By request of the Board of Selectmen. (BUDGET – APPENDIX B). Estimated Cost: \$39,027,463.00.**
 - i. Motion to accept and adopt: Dale Kennedy
 - ii. Second: Mary Anderson
 - iii. Accepted and Adopted: 7-0 (Chorey, Tworek, LaMantia, Kennedy, Anderson, Ameres, Weiner)
 - **ARTICLE 5: 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 2022, and to act fully thereon. By request of the Monomoy Regional School Committee. Estimated cost: \$27,361,049.00.**
 - i. Motion to accept and adopt: Dale Kennedy
 - ii. Second: Mary Anderson
 - iii. Accepted and Adopted: 7-0 (Chorey, Tworek, LaMantia, Kennedy, Anderson, Ameres, Weiner)
 - **ARTICLE 7: 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 2022, and to act fully thereon. By request of the Water and Wastewater Commission. Estimated cost: \$4,223,405.00.**
 - i. Motion to accept and adopt: Dale Kennedy
 - ii. Second: Mary Anderson
 - iii. Accepted and Adopted: 7-0 (Chorey, Tworek, LaMantia, Kennedy, Anderson, Ameres, Weiner)

- **ARTICLE 8: 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 2022, and to act fully thereon. By request of the Water and Wastewater Commission. Estimated cost: \$515,331.00.**

 - i. Motion to accept and adopt: Dale Kennedy
 - ii. Second: Mary Anderson
 - iii. Accepted and Adopted: 7-0 (Chorey, Tworek, LaMantia, Kennedy, Anderson, Ameres, Weiner)

- **ARTICLE 9: To see if the Town will vote to transfer from the PEG Access and Cable Related Funds such sums of money that may be required for the purpose of funding the public access station, Cape Cod Community Media Center, 17 Shad Hole Road, Dennis Port, MA 02639, providing the public access television to citizens of Harwich. Said funds are paid by Comcast to the Town for, and restricted to, use for local programming operations subject and pursuant to MGL c. 44 § 53F ¾; and to act fully thereon. By request of the Board of Selectmen. Estimated cost: \$150,994.00.**

 - i. Motion to accept and adopt: Dale Kennedy
 - ii. Second: Mary Anderson
 - iii. Accepted and Adopted: 7-0 (Chorey, Tworek, LaMantia, Kennedy, Anderson, Ameres, Weiner)

- **ARTICLE 11: To see if the Town will vote to adopt the Capital Plan for the ensuing five-year period 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.**

 - i. Motion to accept and adopt: Dale Kennedy
 - ii. Second: Mary Anderson
 - iii. Accepted and Adopted: 7-0 (Chorey, Tworek, LaMantia, Kennedy, Anderson, Ameres, Weiner)

- **ARTICLE 22: To see if the Town will vote to transfer from the PEG Access and Cable Related Fund such sums of money that may be required to purchase and install studio cameras, lighting, video production hardware/software, and network peripherals in multiple Town Hall and other municipal hearing room locations for improved public meeting coverage subject and pursuant to MGL c. 44 § 53F ¾; and to act fully thereon. By request of the Board of Selectmen. Estimated Cost: \$99,254.00**

 - i. Motion to accept and adopt: Dale Kennedy
 - ii. Second: Mary Anderson
 - iii. Accepted and Adopted: 7-0 (Chorey, Tworek, LaMantia, Kennedy, Anderson, Ameres, Weiner)

- **ARTICLE 23: To see if the Town will vote to authorize the Water and Wastewater Commission to acquire by purchase, gift, eminent domain, or otherwise, five parcels of land, all with an address of 0 Chatham Road, identified as Assessor's Owners Unknown Parcels 43-E7-0, 43-E9-0, 43-**

E9-A-0,43-E10-0, and 43-E12-0, consisting of 7.76 acres more or less, said parcels to be placed under the care, custody, control, and management of the Water and Wastewater Commission and held for well head and water supply protection purposes; and further to appropriate from Certified Retained Earnings of the Water Enterprise Fund the sum of \$175,000 more or less, for said acquisition, including all costs incidental and related thereto; provided however that said appropriation shall be reduced by the amount of any gifts or grants received under the Cape Cod Commission DRI Grant program or any other grant program made available to the Town at the time of said acquisition; and further to authorize the Water and Wastewater Commission to apply for any such grants and to enter into all necessary agreements and to take such actions as may be necessary to carry out the purposes of this ARTICLE; or to act in relation thereto. By request of the Water and Wastewater Commission. Estimated Cost: \$175,000.00.

- i. Motion to accept and adopt: Dale Kennedy
- ii. Second: Mary Anderson
- iii. Accepted and Adopted: 7-0 (Chorey, Tworek, LaMantia, Kennedy, Anderson, Ameres, Weiner)

- **ARTICLE 24: To see if the Town if the Town will vote to appropriate from Certified Retained Earnings of the Water Enterprise Fund a sum of money to conduct new source exploration for the Town's water supply, including all costs incidental and related thereto; and to act fully thereon. By request of the Water and Wastewater Commission. Estimated Cost: \$250,000.00.**

- i. Motion to accept and adopt: Dale Kennedy
- ii. Second: Mary Anderson
- iii. Accepted and Adopted: 7-0 (Chorey, Tworek, LaMantia, Kennedy, Anderson, Ameres, Weiner)

- **ARTICLE 25: To see if the Town if the Town will vote to appropriate from Certified Retained Earnings of the Water Enterprise Fund a sum of money for the design and engineering for the replacement of approximately 1.75 miles of water main replacement on Route 28 between Lower County Road and the Herring River Bridge, including all costs incidental and related thereto; and to act fully thereon. By request of the Water and Wastewater Commission. Estimated Cost: \$500,000.00.**

- i. Motion to accept and adopt: Dale Kennedy
- ii. Second: Mary Anderson
- iii. Accepted and Adopted: 7-0 (Chorey, Tworek, LaMantia, Kennedy, Anderson, Ameres, Weiner)

- **ARTICLE 26: To see if the Town will vote to appropriate from Certified Retained Earnings of the Water Enterprise Fund a sum of money to purchase, equip, and install a new generator for Station 8, including all costs incidental and related thereto; and to act fully thereon. By request of the Water and Wastewater Commission. Estimated Cost: \$50,000.00.**

- i. Motion to accept and adopt: Dale Kennedy
- ii. Second: Mary Anderson

iii. Accepted and Adopted: 7-0 (Chorey, Tworek, LaMantia, Kennedy, Anderson, Ameres, Weiner)

• **ARTICLE 27: To see if the Town will vote to appropriate the following sums of money from the FY 2022 estimated annual revenues of the Harwich Community Preservation Act Fund as required by the G.L. Chapter 44B and Chapter 149, §298 of the Acts of 2004 as follows:**

- i. A sum of money for the acquisition, creation and preservation of the open space;
- ii. A sum of money for the acquisition, preservation, restoration and rehabilitation of historic resources;
- iii. A sum of money for the acquisition, creation, preservation and support of community housing; and
- iv. **A** sum of money for the Community Preservation Act Fund FY2022 Undesignated Fund Balance (including Recreation), and to act fully thereon. By request of the Community Preservation Committee.
- v. Appropriation FY 2022
- vi. Community Housing Reserve \$161,171
- vii. Open Space Reserve \$161,171
- viii. Historic Preservation Reserve \$161,171
- ix. Undesig. Fund Balance Operating Expenses. \$25,000

1. Motion to accept and adopt: Dale Kennedy
2. Second: Mary Anderson
3. Accepted and Adopted: 7-0 (Chorey, Tworek, LaMantia, Kennedy, Anderson, Ameres, Weiner)

• **ARTICLE 28: To see if the Town will vote to appropriate from the Community Preservation Act Funds – \$51,692.06 from the Undesignated Fund Balance and \$181,357.94 from estimated annual revenue for Fiscal Year 2022 for a total of \$233,050 to fund the LandBank Debt Service. Any funds left unspent from this Article are to be returned to the Community Preservation Act Funds – Undesignated Fund Balance, and to act fully thereon. By request of the Community Preservation Committee and the Finance Director. Estimated Cost: \$233,050.**

- i. Motion to accept and adopt: Dale Kennedy
- ii. Second: Mary Anderson
- iii. Accepted and Adopted: 7-0 (Chorey, Tworek, LaMantia, Kennedy, Anderson, Ameres, Weiner)

• **ARTICLE 29: To see if the Town will vote to appropriate from the Community Preservation Act Funds a sufficient sum of money to fund the items in the table below consistent with their respective applications, with each item considered a separate appropriation. Any funds left unspent from this Article are to be returned to the Community Preservation Act Fund from which the appropriation is made as specified in the chart below, and further authorize the Board of Selectmen to enter into grant agreements with the Cape & Islands Veterans Outreach Center and Community Development Partnership, and to act fully thereon. By request of the Community Preservation Committee. Estimated Cost:**

\$127,066

- i. Motion to accept and adopt: Dale Kennedy
- ii. Second: Mary Anderson
- iii. Accepted and Adopted: 7-0 (Chorey, Tworek, LaMantia, Kennedy, Anderson, Ameres, Weiner)

- **ARTICLE 30: To see if the Town will vote to appropriate from Community Preservation Act Funds- estimated annual revenue for Fiscal Year 2022 \$112,200 to support the East Harwich Methodist Church Cemetery Gravestone Project. Any funds left unspent from this Article are to be returned to the Community Preservation Act Funds - Undesignated Fund Balance, and to act fully thereon. By request of the Community Preservation Committee and the Cemetery Commission. Estimated Cost: \$112,200.00.**

- i. Motion to accept and adopt: Dale Kennedy
- ii. Second: Mary Anderson
- iii. **MOTION FAILED:** 3-4 (YEA: Tworek, Kennedy, Ameres; NAY: Chorey, LaMantia, Anderson, Weiner)

- **Article 31: To see if the Town will vote to appropriate from Community Preservation Act Funds - \$485,734.55 from the Historic Reserve, \$664,265.45 from the estimated annual revenue for Fiscal Year 2022, for a total appropriation of \$1,150,000.00, to make structural improvements to Brooks Academy. Any funds left unspent from this Article are to be returned to the Community Preservation Act Funds-Historic Reserve and to act fully thereon. By request of the Community Preservation Committee and the Brooks Academy Museum Commission. Estimated Cost: \$1,150,000.00.**

- i. Motion to accept and adopt: Dale Kennedy
- ii. Second: Mary Anderson
- iii. Accepted and Adopted: 5-2 (YEA: Chorey, Tworek, Kennedy, Anderson, Ameres; NAY: LaMantia, Weiner)

- **ARTICLE 36: To see if the Town will vote to appropriate from Community Preservation Act Funds - \$83,500.00 from estimated annual revenue for Fiscal Year 2022 to fund the rehabilitation and restoration of Sand Pond, which is a recreational facility owned by the Town of Harwich. Any funds left unspent from this Article are to be returned to the Community Preservation Act Funds-Undesignated Fund Balance, and to act fully thereon. By request of the Community Preservation Committee and the Recreation & Youth Commission. Estimated Cost: \$83,500.00.**

- i. **Motion to Reconsider:**
 - 1. **Motion: Anderson**
 - 2. **Second: LaMantia**
 - 3. Accepted and Adopted: 6-1 (YEA: Chorey, Tworek, Kennedy, Anderson, Ameres, LaMantia; NAY: Weiner)
- ii. **Motion to Indefinitely Postpone:**
 - 1. **Motion: Kennedy**
 - 2. **Second: Ameres**

3. Accepted and Adopted: 5-2 (YEA: Tworek, Kennedy, Anderson, Ameres, LaMantia; NAY: Chorey, Weiner)

- **ARTICLE 37: To see if the Town will vote pursuant to M.G.L. c.43B, §10 to amend Chapter 9, Section 6 of the Town Charter, as set forth below, with strikethrough text to be deleted and bold, underlined text to be inserted:**

i. Section 6. Capital Outlay Plan

1. The purpose of the ~~7~~ **5**-year capital outlay plan shall be to provide the town with a long-range forecast of the town's major capital improvement needs and to attempt to keep debt borrowing levels as even as possible from year to year.

9-6-1 A "capital outlay" shall mean the acquisition, construction or renovation of buildings, equipment or land having a total cost of \$50,000 **or more** during any budget year and planning funds for any such capital outlay.

9-6-2 The town administrator and the capital outlay committee shall submit a ~~7~~ **5**-year capital outlay plan to a joint public meeting of the board of selectmen and the finance committee during the month of December of each year.

9-6-3 The board of selectmen shall prepare articles to be included in the May annual town meeting warrant seeking adoption of the ~~7~~ **5**-year capital outlay plan and funding of the current year of the plan.

9-6-4 A simple majority vote of the town meeting shall be required to adopt the ~~7~~ **5**-year capital outlay plan as submitted. Any amendment to a previously adopted Capital Plan shall require a two-thirds vote at the Annual Town Meeting.

9-6-5 If any part of the current year of the plan receives funding support at the annual town meeting, but fails at any necessary debt exclusion, capital exclusion or proposition 2 1/2 override ballot votes, the unsupported portion shall be returned to the ~~7~~ **5**-year capital plan in year 1 of the next ~~7~~ **5**-year plan, and to act fully thereon. By the Board of Selectmen.

- ii. Motion to accept and adopt: Dale Kennedy
- iii. Second: Mary Anderson
- iv. Accepted and Adopted: 7-0 (Chorey, Tworek, LaMantia, Kennedy, Anderson, Ameres, Weiner)

- **ARTICLE 38: To see if the Town will vote to authorize the Board of Selectmen to grant a permanent easement to Cellco Partnership (d/b/a Verizon Wireless) for the installation and maintenance of fiber optic cables, communications equipment and related facilities in, on and under a portion of the Town-owned property located on Harbor Road and identified by the Assessors as Parcel 15-U23, on such terms and conditions and for such consideration, which may be nominal consideration, as the Board deems appropriate; to take any action relative thereto; and to act fully thereon. By the Board of Selectmen.**
 - i. Motion to accept and adopt: Dale Kennedy
 - ii. Second: Mary Anderson
 - iii. Accepted and Adopted: 7-0 (Chorey, Tworek, LaMantia, Kennedy, Anderson, Ameres, Weiner)

- **ARTICLE 39: To see if the Town will vote to amend the Code of the Town of Harwich –Zoning Article XXIV West Harwich Special District by adding a new §325-160 as follows:**
 - i. §325-160 Design Guidelines: For the purpose of this section the Harwich Planning Board, after a public hearing, shall adopt "*West Harwich Special District Site and Architectural Design Guidelines*" which shall constitute rules and regulations guiding historic structures and new construction within the WHSD. And to act fully thereon. By request of the Planning Board
 - 1. Motion to accept and adopt: Dale Kennedy
 - 2. Second: Mary Anderson
 - 3. Accepted and Adopted: 7-0 (Chorey, Tworek, LaMantia, Kennedy, Anderson, Ameres, Weiner)\

- **ARTICLE 44: Sale of 5 Belles Neck Road (Language to be added from final warrant)**
 - i. Motion to accept and adopt: Dale Kennedy
 - ii. Second: Mary Anderson
 - iii. Accepted and Adopted: 7-0 (Chorey, Tworek, LaMantia, Kennedy, Anderson, Ameres, Weiner)

Meeting adjourned – 8:21 pm

Respectfully submitted:

A handwritten signature in black ink, appearing to read "Brian L. Weiner". The signature is written in a cursive style with a large, looping initial "B".

Brian L. Weiner
March 30, 2021