MINUTES SELECTMEN'S MEETING GRIFFIN ROOM, TOWN HALL MONDAY, MARCH 27, 2017 6:30 P.M.



SELECTMEN PRESENT: Brown, Hughes, Kavanagh, MacAskill

OTHERS PRESENT: Town Administrator Christopher Clark, Assistant Town Administrator Charleen Greenhalgh, Chief Guillemette, Lincoln Hooper, John Rendon, Matt Hart, Larry Cole, Chris Harlow, Sharon Pfleger, Peter DeBakker, David Young, Kyle Edson, and others.

PUBLIC COMMENT/ANNOUNCEMENTS

Mr. Cole reported on some complaints from electricity and natural gas customers in town. He noted that in one instance a person was notified that they had changed their electricity supplier and she had not made such a change. He noted that the customer's bill didn't clearly state that NextEra is billing on behalf of Cape Light Compact. He further noted that the gas company failed to notify customers that there were turning off the gas to start making connections from newly laid pipes. He said if they are going to continue this practice we will need someone to contact them. Mr. Hooper said he would make a call to our Republic liaison and see if he can't intervene on this situation.

Peter DeBakker updated the public on the activities of the Wastewater Implementation Committee and noted that there are new wastewater brochures. He also provided notification on their upcoming meetings.

Chairman MacAskill noted that the Town has receive an award from American Council of Engineering Companies of Massachusetts for the Muddy Creek project.

CONSENT AGENDA

- A. Approve Minutes
 - 1. March 6, 2017 Regular Meeting
 - 2. March 6, 2017 Executive Session
 - 3. March 13, 2017 Regular Meeting
- B. Approve Employment Contract for Chief of Police
- C. Approve application by Harwich Cranberry Festival for Beach Day event on September 9, 2017 at Red River Beach
- D. Approve 2017 Seasonal General License Renewals as recommended
- E. Approve recommendation for Committee appointments

| Appointee: | Committee: | Expiration: |
|---------------|--|-------------|
| Robert Aron | Council on Aging – 2 vacancies for 3-year terms | 2019 |
| Andrew Docken | Bikeways Committee – 1 vacancy for a 3-year term | 2019 |
| Paula McGuire | Conservation Commission – 1 vacancy with an | 2017 |
| | unexpired term to 2017 | |
| | Youth Services Committee - 1 vacancy with an | 2017 |
| | unexpired term to 2017 | |

Ms. Kavanagh moved approval of the Consent Agenda with the exception of the appointment of Mr. Aron. Mr. Hughes seconded the motion. Chairman MacAskill noted that they are holding the

appointment of Mr. Aron as there is some confusion as to whether there is an open spot on the committee.

PUBLIC HEARINGS/PRESENTATIONS (Not earlier than 6:30 P.M.)

A. Public Hearing – Application for transfer and change of location for the Annual, Package Store, All Alcoholic Beverages License from William R. Coffin & Sons, Inc. dba Plum's Package Store, 326 Route 28, Harwich Port, John W. Coffin – Manager to ATJX, Inc. dba Moonshine Liquors, 4 Great Western Road, Unit #1, Harwich, Alexander Christos Jamoulis – Manager

Ms. Kavanagh read the hearing notice into record. Mr. Ford, Attorney for applicant, explained that the corporation consists of two brothers, educated in Harwich, and the family has been in the retail business for 3 generations. He noted that both brothers have a lot of experience working in the other family stores. He noted that Bob Coffin is the existing license holder. He explained that this is a transfer of license and a change of location and he provided a map of the existing package store locations in town. He noted that this location is not well served at this time and provides for public need and convenience. Mr. Ford further stated that the location has the benefit of a special permit for retail at this location. He noted that they met with the Town Planner and there wasn't any problem and it meets the land use requirements. Chairman MacAskill closed the Public Hearing. Mr. Ford said he had neglected to bring the return receipts from the abutter notification but will deliver them. Mr. Hughes moved to grant the application for transfer and change of location for the Annual, Package Store, All Alcoholic Beverages License from William R. Coffin & Sons, Inc. dba Plum's Package Store, 326 Route 28, Harwich Port, John W. Coffin – Manager to ATJX, Inc. dba Moonshine Liquors, 4 Great Western Road, Unit #1, Harwich, Alexander Christos Jamoulis – Manager. Ms. Brown seconded the motion and the motion carried by a unanimous vote.

B. Public Hearing – Proposed Sewer Regulations

Ms. Kavanagh read the hearing notice into record. Chairman MacAskill opened the hearing. Mr. Clark noted that this is Article 13 of Town Meeting. Mr. Hughes said this came about because we are entering into a municipal agreement with Chatham on wastewater and this is one of the steps you have to take to implement the by-law. No one came before the Board from the public. Chairman MacAskill closed the hearing.

C. Public Hearing - Chatham/Harwich Inter-Municipal Agreement relative to Wastewater

Ms. Kavanagh read the hearing notice into record. Mr. Hughes provided an overview of where we are and the history of this. He stated that Harwich will pay 23% of operational and maintenance costs in the end. He outlined the payments and the work of the subcommittee. He commented that this is a win-win situation and if we did this on our own it would cost \$12-15 million. No one from the public appeared before the Board. Mr. Clark stated that the IMA has been reviewed by both Chatham's and Harwich's Town Counsels. Chairman MacAskill closed the hearing.

OLD BUSINESS

A. Chatham/Harwich Inter-Municipal Agreement - discussion and possible vote

Ms. Kavanagh moved to approve the IMA between Chatham and Harwich in terms of the agreement between the Towns of Chatham and Harwich relative to wastewater. Mr. Hughes seconded the motion and the motion carried by a unanimous vote. Mr. Hughes said he would notify Chatham of the vote.

NEW BUSINESS

- A. Annual Town Meeting Warrant Article review and possible vote:
 - 1. Article 5 MRSD Budget (Capital Portion)

Mr. Clark said he has built \$224,114 into the budget for this but he had to reduce the contributions to OPEB and the Stabilization Fund. Supt. Carpenter stated that he had recommended to the School Committee to use \$38,000 from Excess and Deficiency to offset some of this. He said there was some support but no vote. Mr. Russell of the School Committee reiterated Supt. Carpenter's remarks noting that there was no consensus. Mr. Clark recommended that the Board vote "up to \$224,000" and then upon the vote of the School Committee it would go down. He noted that the potential \$38,000 reduction would have to be split with Chatham. Ms. Kavanagh moved to approve Article 5 MRSD Capital Budget in the amount of \$224,114 to be funded from free cash. Mr. Hughes seconded the motion and the motion carried by a unanimous vote.

2. Article 13 - Enact a Sewer Use General By-Law Sewer By-Law

Mr. Hughes moved Article 13 Amend the Code of the Town of Harwich General By-Law by adding new Sewer Use By-Law Chapter 295 that we include in the warrant and approve it. Ms. Kavanagh seconded the motion and the motion carried by a unanimous vote.

3. Article 20 - Fund the Saquatucket Harbor Landside Renovations Project

Mr. Rendon noted that the total project cost came in significantly higher than the \$3,000,000 estimate we have carried on the Capital Plan and as such they made adjustments to the plan to bring it within the \$3,000,000. He said that although the scope has been reduced the overall the design is very good. He stated that the plan has received overwhelming support of the Saquatucket Development Committee and the Waterways Committee. He provided a Power Point presentation of the updated project (attached). Mr. Hart made the following statement:

At a regularly scheduled Public Meeting, last Thursday evening the Saquatucket Development Committee reviewed and voted for the Saquatucket Landside Site Plan that Harbormaster John Rendon has just presented to you this evening. I'm sure that each of you has seen or heard about the proposed "Landside Draft Site Plan" that was introduced to the public last year at the Town Meeting, by the Saquatucket Development Committee and the Harbormaster. At that time this proposed Saquatucket Landside Site Plan had a total estimated cost of Three Million Dollars. During the last year, the Saquatucket Development Committee, Harwich Waterways Committee, and the Harbormaster Department at several public meetings reviewed each of the recommended options, restrictions, and innovations to that original draft site plan. The resulting design and financial details for this site plan are based on the Engineering, the Board of Health and the Conservation Commission's recommendations along with input from the Harbormaster's Department, the Saquatucket Development Committee and most important, the citizens of Harwich. The goal has always been to be in full compliance with the original estimated cost and the features for the completed Landside Project.

The decisions for this Site Plan were a difficult process that was a balance between what the committee 'would like' to have as compared to what the committee budget 'could afford' to have. As a result, this on-going discussion produced several options and some interesting recommendations, but some options were just too expensive. Many Harwich taxpayers are not

aware that the Waterways Fees and Harbor related revenues have been over one million dollars annually for several years with operating costs at only a fraction of that revenue. Thus, that remaining annual surplus contributes to other Town projects and Free Cash. Last year the Town of Harwich approved the funding for the Saquatucket Marina 'Waterside,' and most the funding used to pay that debt will be coming directly from the Harbor income. I'd like to ask each of you here and at home to take a few moments to drive over to each of the Town Harbor facilities at Allen Harbor and Wychmere Harbor. Harwich Port, Three Harbors One Port! When you do visit these two locations you will see the new Rest Rooms, Parking Lots, Storm drains and of course the modern Docks. These two new harbor facilities in the Town of Harwich cost over Two and a half Million Dollars. But once again many citizens and visitors do not know that the overwhelming majority of the funding for these two projects came from State Waterways Grants and from fees that the boaters paid.

The Saquatucket Development Committee has always planned to help cover as much of this Landside Debt from the Harbor revenue as is possible to do so. That would be in addition to using the proceeds from the sale of the former fire station property on Bank Street to reduce this proposed Landside debt. As I indicated earlier, this Saquatucket Landside Site Plan was unanimously approved by the Saquatucket Development Committee last Thursday evening at the regularly scheduled public meeting. In addition to the previous goals, this site plan looks toward the future by providing for potential growth and additional options as part of the "Harwich Port, Three Harbors - One Port" concept.

The most important feature of this Saquatucket Landside Site Plan for the Harwich Taxpayers was and still is that this project was designed to be completed with the original budget requirements during 2017. This "Landside Project" will create an attractive and enhanced addition to the Saquatucket Marina neighborhood. Plus this will become a new and active Harwich Port Destination that will attract both locals and visitors by providing safe public and handicap accessibility for waterfront viewing and the additional vehicle parking at the Saquatucket Marina for all of Harwich's residents, visitors and boaters that want to go there.

On behalf of the Saquatucket Development Committee and the Harwich Waterways Committee, I would like to thank each of the individuals and Town Departments that contributed to this effort to help make the final Saquatucket Landside Site Plan a realistic and functional reality.

I would particularly like to thank our Harbormaster John Rendon for his tireless and professional leadership for making this project possible and successful.

In conclusion, on behalf of the Saquatucket Development Committee, the Harwich Waterways Committee and the Harwich Boating and Viewing Public I'm asking that the Board of Selectmen place this request for funding back on the 2017 Town Meeting Warrant tonight!

Mr. Cafarelli took questions from the Board regarding the septic. Chairman MacAskill stated that Mr. LaMantia, although not present tonight, has offered his full support and the Conservation Administrator has sent a letter of support. Ms. Kavanagh moved to approve to fund Article 20 on the construction of the Saquatucket Harbor Landside Renovations in the estimated cost of \$3,000,000 as a debt exclusion. Ms. Brown seconded the motion and the motion carried by a unanimous vote.

4. Article 21 - Purchase and Equip DPW Vehicles

After discussion with Mr. Hooper, Ms. Brown moved to support Article 21 to Purchase and Equip the DPW vehicles in the amount of \$390,000 as written from free cash. Mr. Hughes seconded the motion and the motion carried by a unanimous vote.

B. Withdrawal of petition article "Refrain from Enforcing Federal Immigration Laws"

Mr. Hughes moved to accept the withdrawal from the Annual Town Meeting warrant the petition article that was entitled Refrain from Enforcing Federal Immigration Laws at the request of the applicant. Ms. Brown seconded the motion and the motion carried by a unanimous vote.

C. Rescind vote to include, accept and adopt in the ATM warrant "Memorial Tree and Landscaping Fund for Cemetery" article

At Mr. Clark's recommendation, Ms. Kavanagh moved to remove Article 46 Memorial Tree and Landscaping Fund for Cemetery. Mr. Hughes seconded the motion and the motion carried by a unanimous vote.

D. Annual Town Meeting Warrant - vote to approve and sign

Mr. Hughes moved to vote to approve and sign the Annual Town Meeting warrant for May 1, 2017 and the Special Town Meeting warrant for May 2, 2017. Ms. Brown seconded the motion and the motion carried by a unanimous vote.

E. Annual Election Ballot – vote to approve and sign

Mr. Hughes moved to approve and sign the Annual Election Ballot. Ms. Brown seconded the motion and the motion carried by a unanimous vote.

F. One Liners Update

Mr. Clark outlined the updates to the one-liners document. No action was taken.

TOWN ADMINISTRATOR'S REPORT

A. Letter of Support to DEP for developing regional framework for stormwater management

Mr. Clark reported that he wrote a letter of support in concert with the Cape Cod Commission in regard to MS4 for this grant.

B. Board of Health Hearing regarding Regulations Restricting the Sale of Tobacco Products on April 11, 2017 at 6:30 p.m.

C. Planning Board Hearing regarding Temporary Moratorium on Sale and Distribution of Recreational Marijuana April 13, 2017 at 6:30 p.m.

Mr. Clark announced the above Public Hearings.

ADJOURNMENT

Ms. Brown moved to adjourn at 8:52 p.m. Ms. Kavanagh seconded the motion and the motion carried by a unanimous vote.

Respectfully submitted,

Ann Steidel Recording Secretary

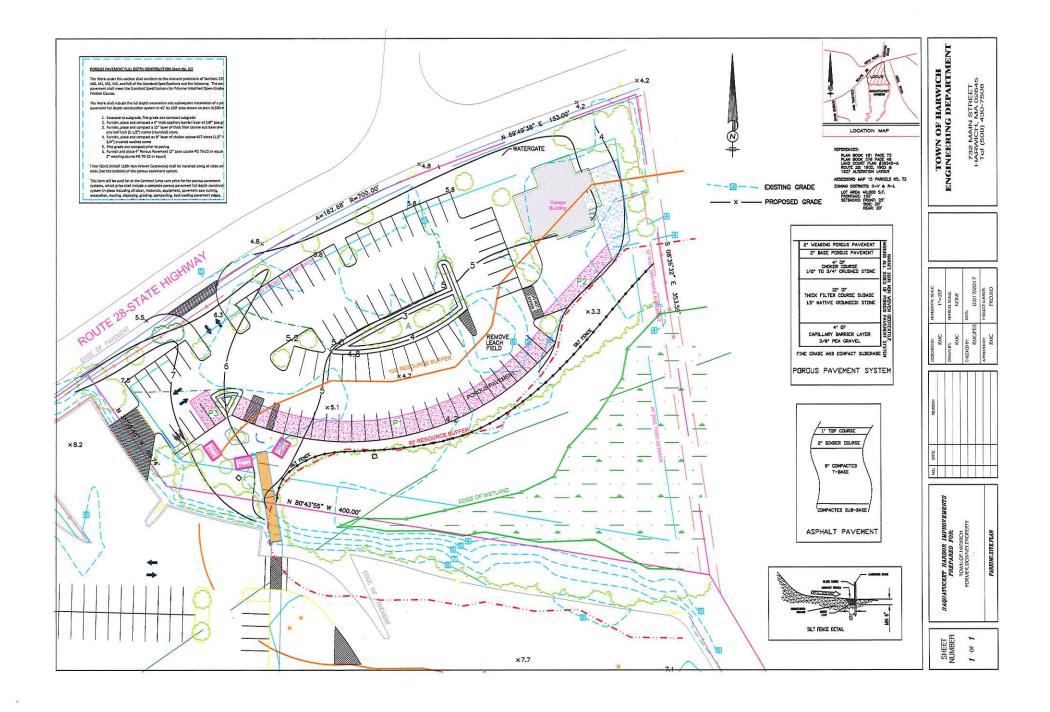
2017 SEASONAL GENERAL LICENSE RENEWALS

Belmont Condo Beach Club d/b/a The Beach
One Belmont Rd., West Harwich
Common Victualler
Weekday Entertainment – Recorded or live music with use of amplification, dancing by patrons, 10:00 a.m. – 11:00 p.m.

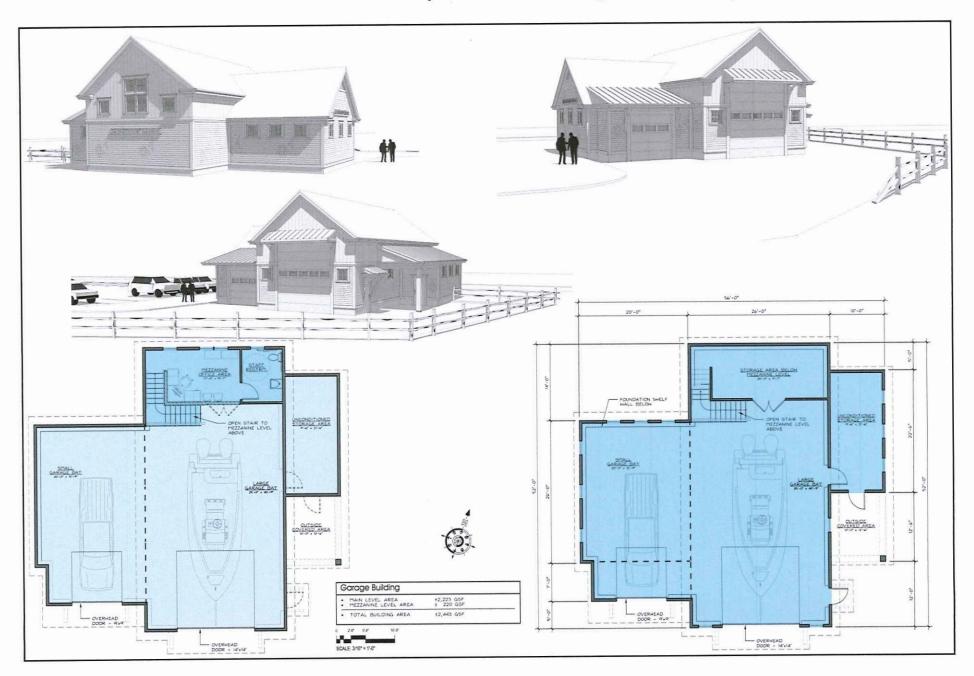
Gingerbread House 141 Division St., West Harwich *Lodging House*

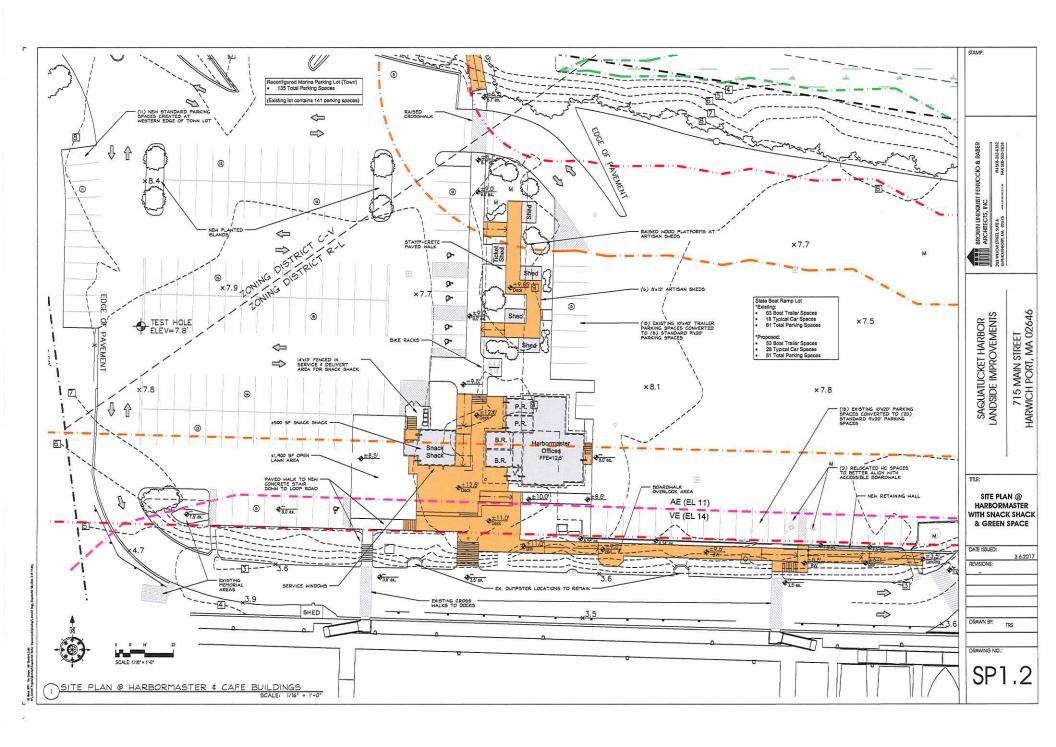
Viera LLC d/b/a Viera Restaurant 11 Route 28, West Harwich Common Victualler



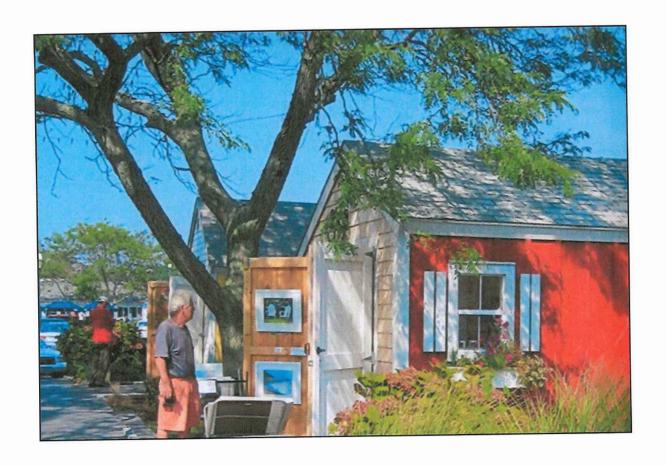


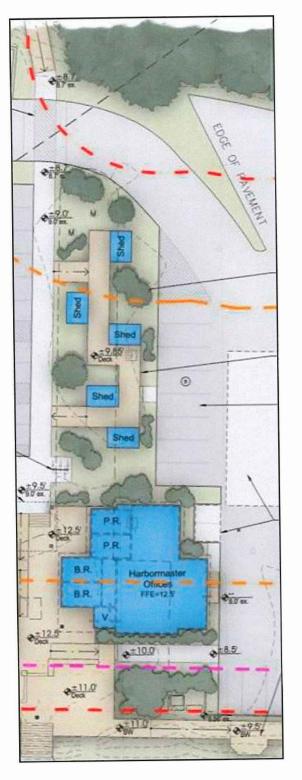
Harbormaster Department Garage/Workshop



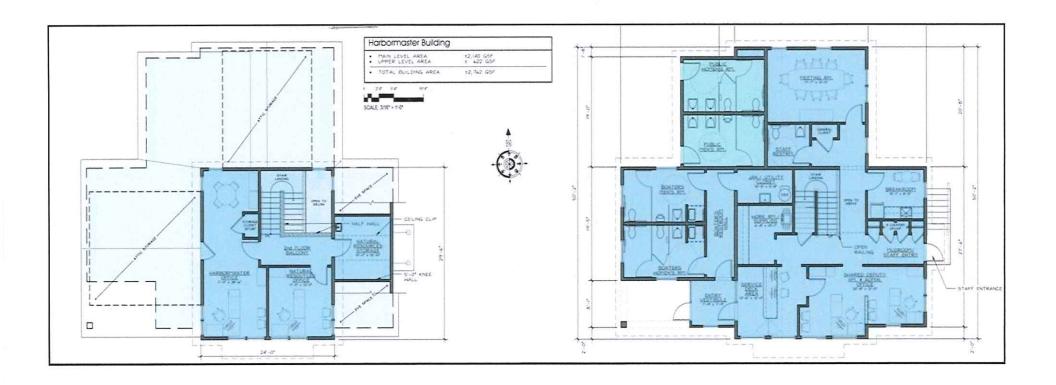


Artisan Shacks

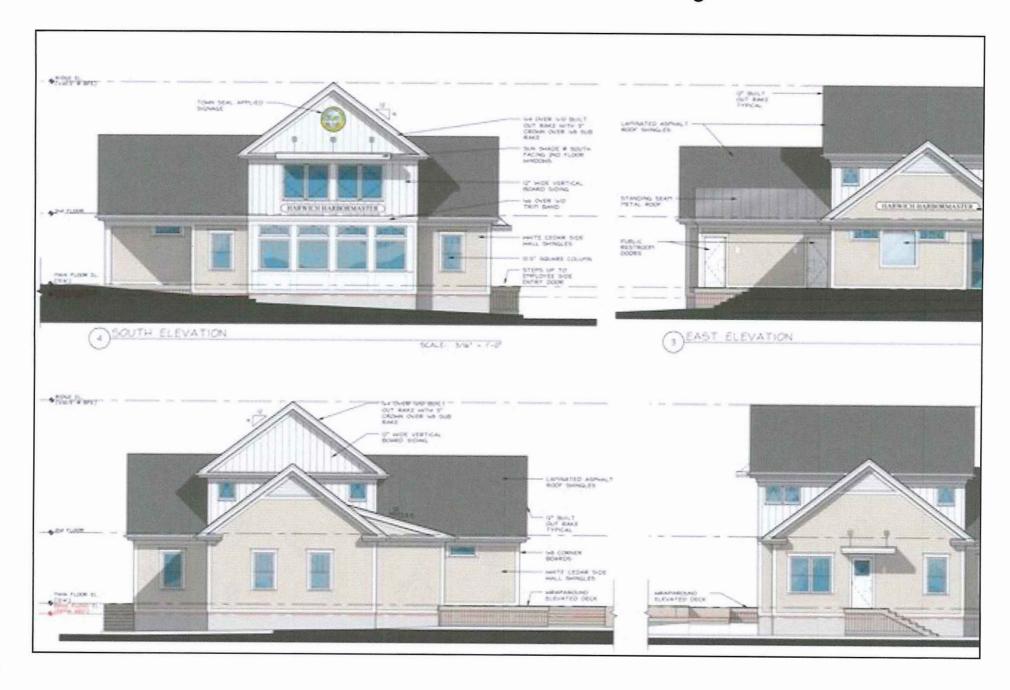


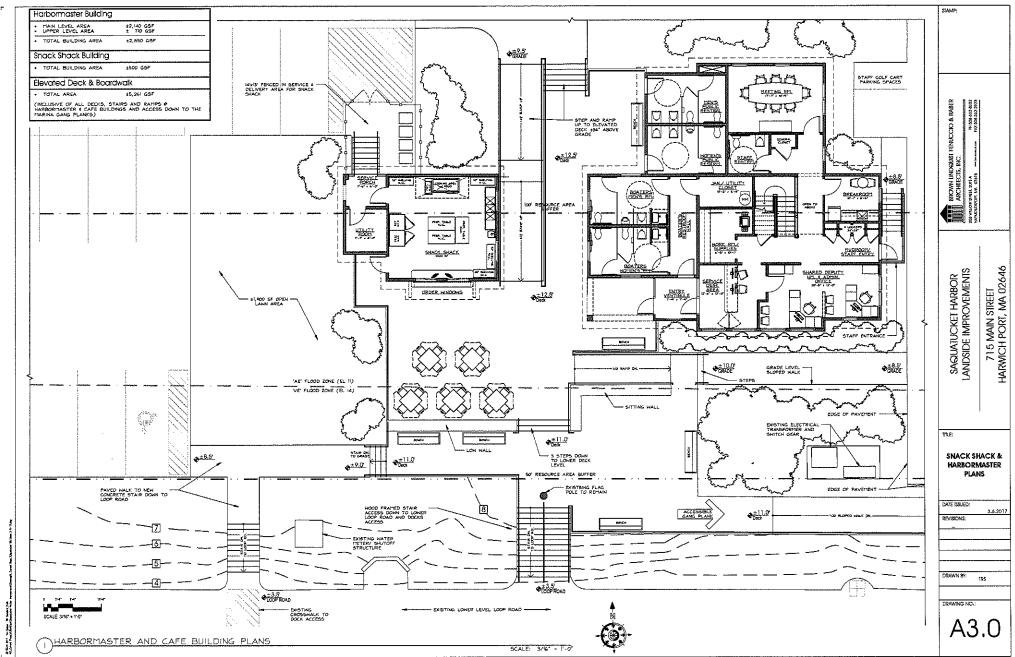


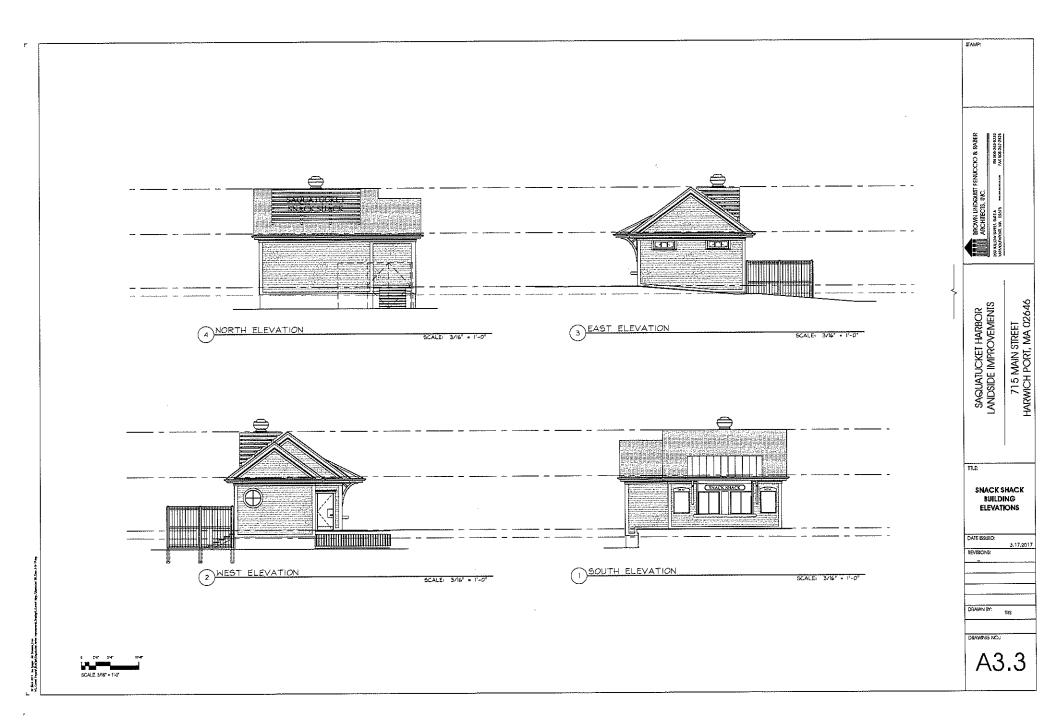
Harbormaster Office Building



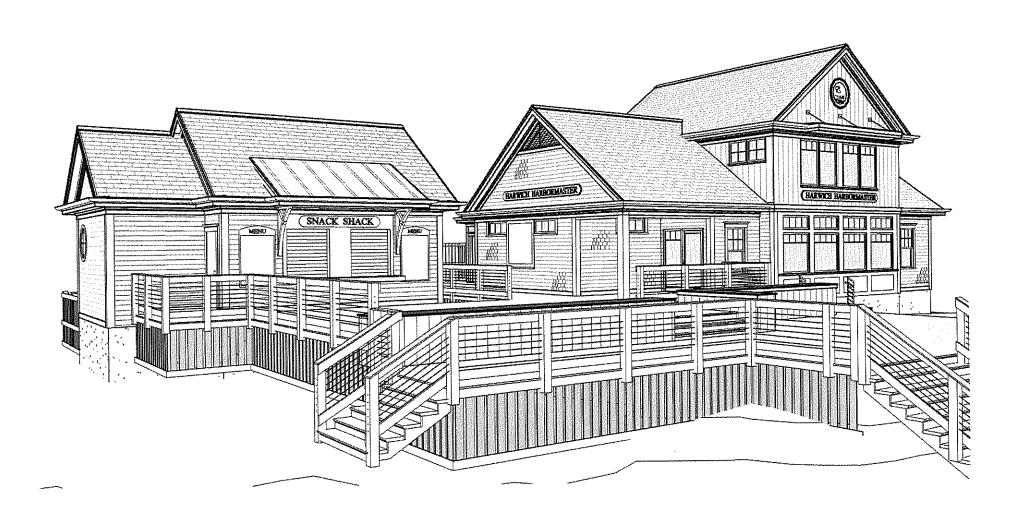
Harbormaster Office Building

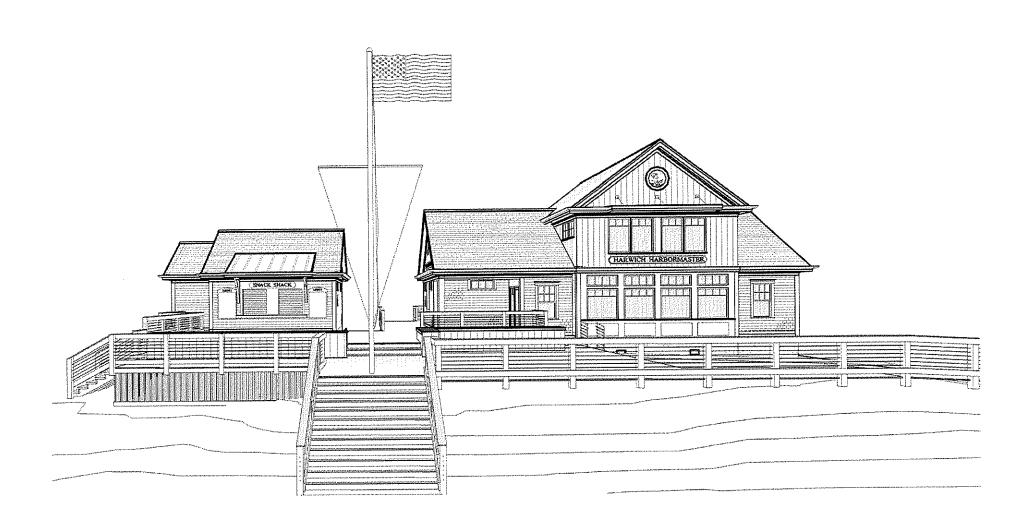












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March 23rd, 2017 Preliminary Project Cost Estimate for

Construction Contract #'s 1,2 3

Saquatucket Harbor, Landside Redevelopment Town of Harwich

Information in the following preliminary project cost estimate pertaining to vertical construction was prepared by an independent construction cost estimator and is based upon the schematic design level drawings dated 2/13/2017. Site work construction cost estimates were provided by the Town of Harwich Engineering department who is coordinating all site related improvements. We would recommend that the budget be updated as the Design Development & Construction Documents are further developed.

| Scope: Harbormaster Building (with all restrooms), Garage Building, Al | I Elevated Boardwalks, Ramps, and Stairs, Site Lighting and | Landscaping. |
|--|---|--------------|
| Direct Construction Cost Buildings: | | |
| Demolition and removal of Existing Harbormaster Building: (Not inclusive | e of any potential haz-mat abatement) | \$7,980 |
| Harbormaster Building: | 2,762 sf @ ±\$326 /SF | |
| Garage Building 2,443 sf @ ±\$214 /SF | | \$526,009 |
| | Building Costs Subtotal: | \$1,435,110 |
| <u>Direct Construction Cost Site Improvements:</u> (Working In Constru | action Contract #1 ONLY) | |
| Elevated decks, ramps, stairs & boardwalks | | |
| Landscaping (Marina and Downey properties) Allowance | | \$80,000 |
| Site/ pathway lighting (Marina and Downey properties) | Allowance | \$100,000 |
| | Site Costs Subtotal: | \$385,900 |
| Direct Costs Sub-Total | | \$1,821,010 |
| General Contractor Associated Costs: | | |
| General Conditions | 7.50% | \$136,576 |
| General Administrative O&P | 5% | \$91,051 |
| P&P Bond | 2% | \$27,315 |
| | G.C. Costs Subtotal: | \$254,941 |
| Sub-Total Estimated Construction Contract #1 Cost | | \$2,075,951 |
| Recommended Contingency (Based on Schematic Design Level Estim | nating) 10% | \$207,595 |

| Scope: 500sf Seasonal Snack Shack | | | |
|--|-----------------------|-------|-----------|
| Direct Construction Cost Site: | | | |
| Seasonal Snack Shack: | 500 sf @ ±\$275 /SF | | \$137,500 |
| | Add Alt. C Subtota | | \$137,500 |
| General Contractor Associated Costs: | | | 59.1 |
| General Conditions | 7. | 50% | \$10,313 |
| General Administrative O&P | | 5% | \$6,875 |
| P&P Bond | | 2% | \$2,063 |
| | G.C. Coo | 23822 | \$19,250 |
| Sub-Total Estimated Construction Contract #1 "Add Alternate - 1" Costs | | | \$156,750 |
| Recommended Contingency (Based on Schematic Design Level Estimation | ating) | 10% | \$15,675 |
| Total Estimated Construction Contract #3 Cost + 10% Recon | nmended Contingency | | \$172,425 |

March 23rd, 2017 **Preliminary Project Cost Estimate for**

Construction Contract #'s 1,2 3
Saquatucket Harbor, Landside Redevelopment **Town of Harwich**

| | ; Various other Site Impro | ovements |
|--|----------------------------|---|
| Direct Construction Cost Site: | | |
| Downey Site work (Exclusive of septic) | | \$210,00 |
| Marina Site work (Exclusive of Septic) | | \$90,00 |
| | Site Costs Subtotal: | \$300,00 |
| General Contractor Associated Costs: | | |
| General Conditions | 7.50% | \$22,50 |
| General Administrative O&P | 5% | \$15,00 |
| P&P Bond | 2% | \$4,50 |
| | G.C. Costs Subtotal: | \$42,00 |
| Sub-Total Estimated Construction Contract #2 Cost | | \$342,00 |
| Recommended Contingency (Based on Schematic Design Level Estimating) | 10% | \$34,20 |
| Total Estimated Construction Contract #2 Cost + 10% Recommended Contingency | | \$376,20 |
| Direct Construction Cost Site: | · 的 · 多斯· 编码 · 下級 | ModPatrito CO CO. |
| Downey Septic work | | |
| Marina Septic work | | \$25,00 |
| | Site Costs | \$25,00 \$100,00 |
| | Site Costs Subtotal: | \$100,00 |
| General Contractor Associated Costs: | | \$100,00 |
| General Contractor Associated Costs: General Conditions | | |
| | Subtotal: | \$100,00 \$125,00 |
| General Conditions | 7.50% 5% 2% | \$100,00 \$125,00 \$9,37 |
| General Conditions General Administrative O&P | Subtotal: 7.50% 5% | \$100,00 \$125,00 \$9,37 \$6,25 |
| General Conditions General Administrative O&P P&P Bond | Subtotal: | \$100,00 \$125,00 \$9,37 \$6,25 \$1,87 |
| General Conditions General Administrative O&P P&P Bond Sub-Total Estimated Construction Contract #3 Cost | Subtotal: | \$100,00 \$125,00 \$9,37 \$6,25 \$1,87 \$17,50 |
| General Conditions General Administrative O&P P&P Bond Sub-Total Estimated Construction Contract #3 Cost | Subtotal: | \$100,00 \$125,00 \$9,37 \$6,25 \$1,87 \$17,50 |
| General Conditions General Administrative O&P P&P Bond Sub-Total Estimated Construction Contract #3 Cost Recommended Contingency (Based on Schematic Design Level Estimating) Total Estimated Construction Contract #3 Cost + 10% Recommended Contingency | Subtotal: | \$100,000 \$125,000 \$9,37 \$6,25 \$1,87 \$17,50 \$142,50 \$142,50 \$156,75 |
| General Conditions General Administrative O&P P&P Bond Sub-Total Estimated Construction Contract #3 Cost Recommended Contingency (Based on Schematic Design Level Estimating) | Subtotal: | \$100,00 \$125,00 \$9,37 \$6,25 \$1,87 \$17,50 \$142,50 \$14,25 |

- Notes:
 (1) Possible project expenses not included in the estimate are:

 Hazardous Materials Removal

 Project escalation costs for extended period to groundbreaking

 Clerk of the Works (Assumed by Town)

 Temp facilities for harbormasters operations and storage inclusive of moving costs, setup and breakdown.

Related Documents - March 27, 2017 BOS Meeting

- 01 Agenda.pdf
- 02 Minutes March 6, 2017.pdf
- 03 Minutes March 13, 2017.pdf
- 04 Police Chief's Contract.pdf
- 05 Beach Day Application.pdf
- 06 Seasonal Licenses.pdf
- 07 Committee Appointments.pdf
- 08 Liquor License Hearing.pdf
- 09 Sewer Regs Hearing.pdf
- 10 Chatham Harwich IMA Hearing.pdf
- 11 Article 5.pdf
- 12 Article 13.pdf
- 13 Article 20.pdf
- 14 Article 21.pdf
- 15 Withdrawal of Petition Article.pdf
- 16 Removal of Cemetery Article.pdf
- 17 ATM Warrant.pdf
- 18 Ballot Version #1.pdf
- 18 Ballot Version #2.pdf
- 19 One Liners.pdf
- 20 DEP Letter.pdf
- 21 Muddy Creek Award.pdf
- 22 Tobacco Hearing Notice.pdf
- 23 Marijuana Moratorium Notice.pdf