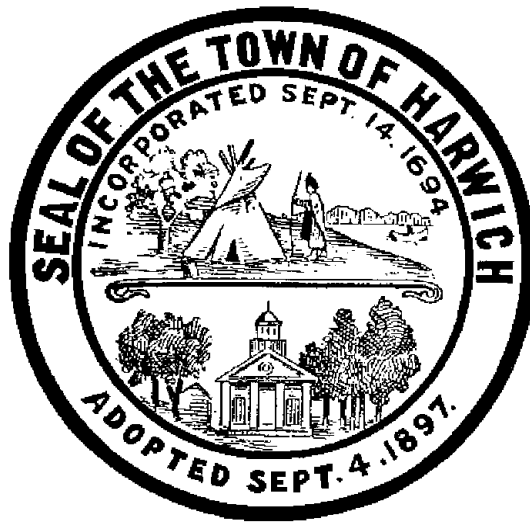


ANNUAL TOWN MEETING WARRANT



MAY 7, 2007



SPECIAL TOWN MEETING WARRANT



MAY 8, 2007

**with
RECOMMENDATIONS**

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ANNUAL TOWN MEETING WARRANT

MAY 7, 2007

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**SPECIAL TOWN MEETING WARRANT
MAY 8, 2007**

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APPENDIX

- A. Sample Ballot
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VOTING PROCEDURES

- I A quorum, 150 registered voters, must be present in order to conduct business. The only motion in order when no quorum is present is a motion to adjourn.
- II A two-thirds majority of the Town Meeting shall be required for inclusion of any Capital Outlay, unless it was included in the Capital Outlay Plan adopted at the preceding Town Meeting.
- III All motions introduced at the Town Meeting shall be in writing when required by the Moderator.
- IV Voters are limited to two times speaking on any one question; the total time speaking not to exceed 10 minutes.
- V Only registered voters shall occupy the meeting “floor”.
- VI No voter will be allowed to speak until he or she is recognized by the Moderator.
- VII Motion requiring more than a simple majority to pass:
 - A. To reconsider a vote on a motion – 3/4 majority (this motion must be made prior to the next adjournment of the meeting).
 - B. To consider articles in an order other than as appears on the warrant – 3/4 majority.
 - C. To pay unpaid bills – 4/5 majority at the Annual Town Meeting, 9/10 majority at a Special Town Meeting.
 - D. To move the previous question (terminate debate) - 3/4 majority.
- VIII Quorum cannot be questioned after a motion has been made and seconded.

MOTION CHART Section 1-211
(Application of Rules is Indicated by an X)

Motions	Debatable	Non Debatable	Amendable	Non Amendable	Second Required	Second Not Required	Majority Vote	2/3 Vote	¾ Vote	May Reconsider	Cannot Reconsider
Adjourn		X		X	X		X				X
Adjourn (in a time certain)	X		X		X		X			X	
Amendment	X		X		X		X			X	
Adopt a Resolution	X		X		X		X				X
Accept & Adopt	X		X		X		X ¹			X	
Postpone Indefinitely	X			X	X		X			X	
Previous Question Terminate Debate		X		X	X				X		X
Reconsider ²	X			X	X				X		X
Consider Articles Out of Order	X		X		X				X		X
Point of Order		X				X					
1. Unless a greater than simple majority required by General Laws of Town of Harwich by-laws.											
2. See section 1.207											

TAX RATE CHART

The chart below shows the amount of money required to change the FY 2007 tax rate in \$.05 increments.

<u>TAX RATE CHANGE IN \$1000</u>	<u>DOLLARS REQUIRED</u>
\$ 0.01	\$50,090
\$ 0.05	\$270,452
\$ 0.10	\$540,093
\$ 0.15	\$811,355
\$ 0.20	\$1,081,806
\$ 0.25	\$1,352,258
\$ 0.30	\$1,622,710
\$ 0.35	\$1,893,161
\$ 0.40	\$2,163,613
\$ 0.45	\$2,434,064
\$ 0.50	\$2,704,516
\$ 0.55	\$2,974,968
\$ 0.60	\$3,245,419
\$ 0.65	\$3,515,871
\$ 0.70	\$3,786,322
\$ 0.75	\$4,056,774
\$ 0.80	\$4,327,226
\$ 0.85	\$4,597,677
\$ 0.90	\$4,868,129
\$ 0.95	\$5,138,580
\$ 1.00	\$5,409,032

MUNICIPAL FINANCE TERMS

APPROPRIATION: An authorization granted by the Town Meeting to make expenditures and to incur obligations for specific purposes.

AVAILABLE FUNDS: Available funds refer to other funds available for appropriation by the Town Meeting, such as Wetland Protection funds, Cemetery Lot sales and Perpetual Care Interest and old article balances returned to revenue.

OVERLAY, ALSO CALLED ALLOWANCE FOR ABATEMENTS AND EXEMPTIONS: The overlay is the amount raised by the Assessors in excess of appropriations and other charges for the purpose of creating a fund to cover tax abatements granted and avoiding fractions in the tax rate. It cannot exceed 5% of the levy.

FREE CASH: Certified each year by the Director of State Bureau of Accounts, this is the portion of the fund balance which is available for appropriation by a Vote of Town Meeting. It is not cash, but rather is the approximate total of cash and receivables less current liabilities and earmarked reserves.

TRANSFER: The authorization to use an appropriation for a different purpose; in most cases only the Town Meeting may authorize a transfer.

RESERVE FUND: This fund is established by the voters at an Annual Town Meeting only and is composed of an appropriation (not exceeding 5% of the tax levy of the preceding year). Transfers from the Reserve Fund are within the exclusive control of the Finance Committee, and are for “extraordinary or unforeseen” situations, normally emergencies.

STABILIZATION FUND: This is a special reserve for future expenditures. The aggregate amount in the fund shall not exceed, at any time, 10% of the valuation in the preceding year. Money may be voted into the fund by a two-thirds vote at Town Meeting. Money may be appropriated from the fund only by a two-thirds vote at Town Meeting for any municipal purpose.

CHERRY SHEET: An annual statement received from the State Department of Revenue detailing estimated receipts for the next fiscal year from various State Aid accounts and estimated charges payable by the assessors in setting the tax rate. Named for the cherry colored paper, which the State traditionally has printed it on.

PROPOSITION 2 ½ TERMS

Chapter 59, Section 21C of the Massachusetts General Laws commonly referred to as Proposition 2 ½ (Prop. 2 ½) or the Tax Limiting Law for Cities and Towns in Massachusetts.

LEVY: The property tax levy is the revenue a Town can raise through real and personal property taxes. The property tax levy is the largest source of revenue for the Town.

LEVY CEILING: This is the maximum the levy limit can be. The ceiling equals 2.5% of the Town's full and fair cash value.

LEVY LIMIT: The Maximum the levy can be in a given year. The limit is based on the previous year's levy limit plus certain allowable increases.

LEVY LIMIT INCREASE: The levy limit automatically increases each year by 2.5% of the previous year's levy limit.

NEW GROWTH: New construction and new parcel subdivision may also increase the Town's levy limit.

OVERRIDE: A community can permanently increase its levy limit by successfully voting at a referendum to exceed the limits. A community may take this action as long as it is below the levy ceiling.

GENERAL OVERRIDE: A general override ballot question can be placed on a referendum if a majority of the Board of Selectmen vote to do so. If the ballot question is approved by a majority of the voters, the Town's levy limit is permanently increased by the amount voted at the referendum. The levy limit increase may not exceed the Town's levy ceiling. Override questions must be presented in dollar terms and specify the purpose.

DEBT EXCLUSION: This override ballot question can be placed on a referendum by a two-thirds vote of the Board of Selectmen. If a majority of the voters approve the ballot question the Town's levy limit is increased only for the amount voted at the referendum for the life of that debt only. The levy limit increase may exceed the Town's levy ceiling.

CAPITAL OUTLAY EXPENDITURE EXCLUSION: This override ballot question can be placed on a referendum by a two-thirds vote of the Board of Selectmen. If a majority of the voters approve the ballot question the additional amount for the payment of the capital project cost is added to the levy limit or levy ceiling only for the year in which the project is being undertaken.

CONTINGENT VOTES: Chapter 634 of the Acts of 1989 permits a Town Meeting to appropriate funds contingent upon passage of a referendum question (OVERRIDE). A contingent vote does not automatically result in an override referendum. An override referendum can only be called by the Board of Selectmen. If a referendum is called by the Selectmen it must take place within forty-five days of the Town Meeting vote.

**COMMONWEALTH OF MASSACHUSETTS
TOWN OF HARWICH
ANNUAL TOWN MEETING WARRANT
MAY 7, 2007**

BARNSTABLE, ss:

To either of the Constables of the Town of Harwich in said County,

Greetings:

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of said Town qualified to vote in elections and Town affairs to meet in the Community Center Gymnasium, 100 Oak Street in said Town on Monday, May 7, 2007, at 7:00 P.M., then and there to act on the following articles:

Hereof fail not to make return of the Warrant with your doings thereon at the time and place of said meeting.

Given under our hands this 5th day of March, 2007

s/Robin D. Wilkins, Chairman

s/Edward McManus,

s/David W. Marsland

s/Peter Piekarski

s/Lawrence P. Cole

BOARD OF SELECTMEN

A true copy Attest:

s/Oliver E. Pelton

Constable

April 19, 2007

By virtue of this Warrant I have this day notified and warned the inhabitants of the Town of Harwich, qualified to vote in elections and town affairs, to meet in the Community Center, 100 Oak Street in said Town on Monday 7th day of May, 2007 at the time and place for the purpose herein named by posting up attested copies hereon in the four (4) Post Office buildings and in Town Hall in the Town of Harwich, which covers all four precincts, at least fourteen (14) days before the time of said meeting as within directed, and causing an attested copy thereof to be published in the Cape Cod Chronicle published in Barnstable County and having its circulation in the Town of Harwich.

s/Oliver E. Pelton

Constable

The Moderator, Michael D. Ford, called the meeting to order at 7:00 PM when a quorum of 150 was met, having 361 registered voters were in attendance. Before town business began, Town Clerk, Anita N. Doucette read the Warrant and Return of Warrant. The May 2007 Harwich Annual Town Meeting was held in the Community Center on 100 Oak Street, the Town Meeting began with:

TOWN OFFICERS AND COMMITTEES

ARTICLE 1. To choose various Town Officers and Committees.

**THE FINANCE COMMITTEE RECOMMENDS THAT THIS ARTICLE BE
ACCEPTED AND ADOPTED. CUSTOMARY ARTICLE. VOTE: YES-5, NO-0.**

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be accepted
and adopted. Duly seconded

ACTION: So voted.

At this time:

**TOWN MODERATOR APPOINTMENTS
ANNUAL TOWN MEETING – MAY 7, 2007**

The Moderator hereby reserves the right to make all appoints at a later time.

Date: May 7, 2007

Michael D. Ford, Esq.
Town Moderator

REPORTS OF TOWN OFFICERS AND COMMITTEES

ARTICLE 2. To hear reports of all Town Officers and Committees for the year 2006.

**THE FINANCE COMMITTEE RECOMMENDS THAT THIS ARTICLE BE
ACCEPTED AND ADOPTED. CUSTOMARY ARTICLE. VOTE: YES-5, NO-0.**

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be accepted
and adopted. Duly seconded

ACTION: So voted.

ELECTED OFFICIALS SALARIES

ARTICLE 3. To see if the Town will vote to fix the salaries of the elected officials of the
Town for fiscal year commencing July 1, 2007 and ending June 30, 2008 as follows and to act
fully thereon. Estimated cost: \$71,881.20.

Selectmen (5)	\$1,500.00 (each)
Moderator	\$300.00
Town Clerk	\$62,581.20
Water Commissioners (3)	\$500.00 (each)

**THE FINANCE COMMITTEE RECOMMENDS THAT THIS ARTICLE BE
ACCEPTED AND ADOPTED. TO SET SALARIES FOR ELECTED OFFICIALS.
VOTE: YES-5, NO-0.**

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be accepted
and adopted as follows:

Selectmen (5).....	\$1500 each
Moderator	\$300

Town Clerk..... \$62,581
Water Commissioners (3)..... \$500 each

Duly seconded

ACTION: So voted.

FUND NON-UNION COMPENSATION PLAN

ARTICLE 4. To see if the Town will vote to raise and appropriate or transfer from available funds a sufficient sum of money to amend the Personnel By-law Compensation Plan for FY 2008 as follows and to act fully thereon. By request of the Board of Selectmen.

Estimated cost: \$_____.

**NO RECOMMENDATION PENDING COMPLETION OF NEGOTIATIONS. VOTE:
YES-5, NO-0.**

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be indefinitely postponed.

Duly seconded

ACTION: This article is indefinitely postponed.

FUND NEGOTIATED CONTRACT – FIRE FIGHTERS

ARTICLE 5. To see if the Town will vote to raise and appropriate or transfer from available funds a sufficient sum of money to be added to the FY 2008 Fire Department budget to implement the new contractual agreement between Harwich Permanent Fire Fighters, Local 2124, International Association of Fire Fighters and the Town of Harwich and to act fully thereon. By request of the Board of Selectmen. Estimated cost: \$_____.

**NO RECOMMENDATION PENDING COMPLETION OF NEGOTIATIONS. VOTE:
YES-5, NO-0.**

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be indefinitely postponed.

Duly seconded

ACTION: This article is indefinitely postponed.

FUND NEGOTIATED CONTRACT – WATER DEPARTMENT

ARTICLE 6. To see if the Town will vote to raise and appropriate or transfer from available funds a sufficient sum of money to be added to the FY 2008 Water Department budget to implement the new contractual agreement between the International Association of Machinists and Aerospace Workers, Local Lodge 264 of District 38, A.F.L.-C.I.O. and the Town of Harwich and to act fully thereon. By request of the Board of Selectmen. Estimated cost: \$_____.

**NO RECOMMENDATION PENDING COMPLETION OF NEGOTIATIONS. VOTE:
YES-5, NO-0.**

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be indefinitely postponed.

Duly seconded

ACTION: This article is indefinitely postponed.

FUND NEGOTIATED CONTRACT – HIGHWAYS & MAINTENANCE

ARTICLE 7. To see if the Town will vote to raise and appropriate or transfer from available funds a sufficient sum of money to be added to the FY 2008 Division of Highways & Maintenance budget to implement the new contractual agreement between the Highways & Maintenance Employees Association and the Town of Harwich and to act fully thereon. By request of the Board of Selectmen. Estimated cost: \$_____.

NO RECOMMENDATION PENDING COMPLETION OF NEGOTIATIONS. VOTE: YES-5, NO-0.

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be indefinitely postponed. Duly seconded

ACTION: This article is indefinitely postponed.

FUND NEGOTIATED CONTRACT – EMPLOYEES ASSOCIATION

ARTICLE 8. To see if the Town will vote to raise and appropriate or transfer from available funds a sufficient sum of money to be added to the FY 2008 budget to implement the new contractual agreement, including new job descriptions, between the Harwich Employees Association and the Town of Harwich and to act fully thereon. By request of the Board of Selectmen. Estimated cost: \$_____.

NO RECOMMENDATION PENDING COMPLETION OF NEGOTIATIONS. VOTE: YES-5, NO-0.

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be indefinitely postponed. Duly seconded

ACTION: This article is indefinitely postponed.

FUND NEGOTIATED CONTRACT – POLICE SUPERIOR OFFICERS

ARTICLE 9. To see if the Town will vote to raise and appropriate or transfer from available funds a sufficient sum of money to be added to the FY 2008 Police Department budget to implement the new contractual agreement between the Harwich Superior Officers Association Local 589 and the Town of Harwich and to act fully thereon. By request of the Board of Selectmen. Estimated cost: \$_____.

NO RECOMMENDATION PENDING COMPLETION OF NEGOTIATIONS. VOTE: YES-5, NO-0.

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be indefinitely postponed. Duly seconded

ACTION: This article is indefinitely postponed.

FUND NEGOTIATED CONTRACT – POLICE OFFICERS

ARTICLE 10. To see if the Town will vote to raise and appropriate or transfer from available funds a sufficient sum of money to be added to the FY 2008 Police Department budget to implement the new contractual agreement between the International Brotherhood of Police Officers and the Town of Harwich, and to act fully thereon. By request of the Board of Selectmen. Estimated cost: \$_____.

NO RECOMMENDATION PENDING COMPLETION OF NEGOTIATIONS. VOTE: YES-5, NO-0.

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be indefinitely postponed. Duly seconded

ACTION: This article is indefinitely postponed.

FUND ONE FIRE FIGHTER/PARAMEDIC

ARTICLE 11. To see if the Town will vote to raise and appropriate or transfer from available funds a sufficient sum of money to fund one Fire Fighter/Paramedic position and related expenses and to act fully thereon. By request of the Fire Chief. Estimated Cost: \$79,984.

THE FINANCE COMMITTEE RECOMMENDS THAT THIS ARTICLE BE INDEFINITELY POSTPONED. FUNDING FOR THIS ARTICLE IS INCLUDED IN THE OPERATING BUDGET. VOTE: YES-4, NO-1.

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be indefinitely postponed because funding was included in the Operating Budget.

Duly seconded

ACTION: This article is indefinitely postponed.

FUND HIRING OF SIX NEW POLICE OFFICERS

ARTICLE 12. To see if the Town will vote to raise and appropriate or transfer from available funds a sufficient sum of money to fund the hiring and related expenses for six (6) additional police officers and to act fully thereon. By request of the Chief of Police. Estimated Cost: \$440,000.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE INDEFINITELY POSTPONED AS IT DOES NOT FIT INTO THE TOWN'S CURRENT FINANCIAL ABILITY TO FUND WITHOUT A PROPOSITION 2 ½ OVERRIDE. VOTE: YES-4, NO-1.

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be indefinitely postponed. Duly seconded

ACTION: This article is indefinitely postponed.

**FUND ADDITIONAL HOURS FOR PART-TIME
OUTREACH COORDINATOR FOR COUNCIL ON AGING**

ARTICLE 13. To see if the Town will vote to raise and appropriate or transfer from available funds, a sufficient sum of money to increase the service level of the part-time 25 hour Outreach Coordinator by 10 hours for the Council on Aging and to act fully thereon. By request of the Council on Aging. Estimated Cost: \$12,163.

**THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE INDEFINITELY POSTPONED. FUNDS FOR THIS POSITION ARE IN THE OPERATING BUDGET.
VOTE: YES-5, NO-0**

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be indefinitely postponed because funding was included in the Operating Budget.
Duly seconded

ACTION: This article is indefinitely postponed.

BUDGET

ARTICLE 14. To see if the Town will vote to raise and appropriate or transfer from available funds such sums of money as may be required to defray Town charges for Fiscal Year 2008 and to act fully thereon. (BUDGET – SEE APPENDIX B). Estimated cost: \$44,597,047.

THE FINANCE COMMITTEE RECOMMENDS THAT THIS ARTICLE BE ACCEPTED AND ADOPTED. TO FUND THE CONTINUING OPERATION OF THE TOWN. VOTE: YES-6, NO-0

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be accepted and adopted as printed in the warrant under the column voted FINCOM FY 2008 **with the following changes, line # 60 Harwich Public Schools delete \$13,612,466 and replace with \$13,652,466, line # 42 Police depart S&W delete \$2,552,174 and replace with \$2,593,174, line # 43 delete \$ 292,492 and replace with \$297,492** and the sum of **\$44,683,047** be appropriated for this purpose. That to raise this appropriation, the sum of **\$40,861,796** be raised and appropriated, and that \$2,347,837 be transferred from the Water Enterprise Fund, and that \$882,418 be transferred from the CPC Fund, Undesignated Fund Balance to pay for current Land Bank debt service, and that \$113,746 be transferred from the Comcast Fund, and that \$17,250 be transferred from the Septic Loan Betterment Fund, and that \$75,000 be transferred from the Library Grant, and that \$125,000 be transferred from the Waterways Management Fund, and that \$260,000 be transferred from Overlay Surplus.
Duly seconded

ACTION: So voted.

CAPITAL PLAN ADOPTION

ARTICLE 15. To see if the Town will vote to adopt the Capital Plan for the ensuing seven year period as adopted last year by the Town Meeting with new fiscal year 2014 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.

THE FINANCE COMMITTEE RECOMMENDS THAT THIS ARTICLE BE ACCEPTED AND ADOPTED. TO CONTINUE TO PLAN FOR FUTURE CAPITAL EXPENDITURES. VOTE: YES-5, NO-0

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be accepted and adopted as printed in the warrant.
Duly seconded

ACTION: So voted.

FY 2007 – 2013 CAPITAL PLAN

ITEM	FY07	FY08	FY 09	FY 10	FY 11	FY 12	FY 13
Construction Projects							
Golf Bunkers Reconstruction	640,000						
Golf Driving Range Upgrade	375,000						
New Police Station Plans		600,000					
New Police Station Construction			6,000,000				
Rec. & Youth Sand Pond Bathroom				100,000			
Replace Part of High School Roof	430,000						
Replace Middle School Membrane Roof	350,000						
New High School Plans					2,400,000		
New High School Construction							15,000,000
Wastewater Treatment Planning		300,000					
Wastewater Treatment Planning					1,000,000		
Wastewater Treatment Construction						3,125,000	3,125,000
Wychmere Harbor Town Wooden Bulkhead						200,000	
Saquatucket Harbor Piling Replacement						120,000	
Total Construction	1,795,000	900,000	6,000,000	100,000	3,400,000	3,445,000	18,125,000

Recurring Items & Maintenance							
Highway Roads & Sidewalks Maintenance	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Town Hall Computer Upgrades	150,000						
Total Recurring/Maintenance	1,150,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Total Construction & Recurring	2,945,000	1,900,000	7,000,000	1,100,000	4,400,000	4,445,000	19,125,000

Vehicle Replacement							
Fire Rescue Vehicle	175,000		175,000		175,000		150,000
Fire Engine						467,000	
Ladder Truck Refurbishing				250,000			
Highway Sweeper	160,000					175,000	
Roll-off Truck		170,000					
Highway Loader				150,000			
Landfill Loader			150,000				
Land fill Refuse Trailer				110,000			
Highway Dump truck						125,000	
Total Vehicle Replacement	335,000	170,000	325,000	510,000	175,000	767,000	150,000

TOTAL PLAN	3,280,000	2,070,000	7,325,000	1,610,000	4,575,000	5,212,000	19,275,000
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Water Department							
Decommission Brooks Park Water Tank	148,000						
Water Main Projects	600,000	300,000	300,000	300,000	300,000	300,000	300,000
Water Storage Tank Rehabilitation		800,000					
New Well Source Investigation	100,000	100,000	100,000				
Repaint Lothrop Water Tank			700,000				
Remote Meter Reading				100,000	100,000		
Water Department Total	848,000	1,200,000	1,100,000	400,000	400,000	300,000	300,000

TOTAL PLAN PLUS WATER	4,128,000	3,270,000	8,425,000	2,010,000	4,975,000	5,512,000	19,575,000
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FY 2008 – 2014 CAPITAL PLAN

ITEM	FY 08	FY 09	FY 10	FY 11	FY 12	FY 13	FY 14
Construction Projects							
New Police Station Plans	\$600,000.00						
New Police Station Construction		\$6,000,000.00					
Rec. & Youth Sand Pond Bathroom			\$100,000.00				
New High School Plans					\$1,000,000.00		
New High School Construction						\$10,000,000.00	
Waste Water Management Planning	\$300,000						
Waste Water Management Design						\$1,000,000.00	
Waste Water Management Construction							\$5,000,000.00
Wychmere Harbor Town Wooden Bulkhead					\$200,000.00		
Saquatucket Harbor Piling Replacement	\$120,000.00						
Replace Fuel Storage Tanks at Highway Garage	\$210,000.00						
Total Construction	\$1,230,000.00	\$6,000,000.00	\$100,000.00	\$0.00	\$1,200,000.00	\$11,000,000.00	\$5,000,000.00

Recurring Items and Maintenance							
Highway Roads & Sidewalks Maintenance	\$1,000,000.00	\$1,000,000.00	\$1,000,000.00	\$750,000.00	\$750,000.00	\$750,000.00	\$750,000.00
Repair/maintenance Town Hall HVAC	\$100,000.00						
Total Recurring/Maintenance	\$1,100,000.00	\$1,000,000.00	\$1,000,000.00	\$750,000.00	\$750,000.00	\$750,000.00	\$750,000.00
Total Construction & Recurring	\$2,330,000.00	\$7,000,000.00	\$1,100,000.00	\$750,000.00	\$1,950,000.00	\$11,750,000.00	\$5,750,000.00

Vehicle Replacement							
Fire Rescue Vehicle		\$175,000.00		\$175,000.00		\$150,000.00	
Fire Engine					\$467,000.00		
Refurbish ladder truck			\$250,000.00				
Highway Sweeper					\$175,000.00		
Roll-off Truck	\$170,000.00						
Highway Loader							
Landfill Loader					\$150,000.00		
Landfill Road Tractor							\$130,000.00
Highway Dump truck				\$125,000.00			
Total Vehicle Replacement	\$170,000.00	\$175,000.00	\$250,000.00	\$300,000.00	\$792,000.00	\$150,000.00	\$130,000.00
TOTAL PLAN	\$2,500,000.00	\$7,175,000.00	\$1,350,000.00	\$1,050,000.00	\$2,742,000.00	\$11,900,000.00	\$5,880,000.00

Water Department							
Water Main Project	\$300,000.00	\$300,000.00	\$300,000.00	\$300,000.00	\$300,000.00	\$300,000.00	\$300,000.00
Water Storage Tank Rehabilitation							
New Well Source Investigation	\$200,000.00	\$100,000.00	\$100,000.00	\$200,000.00			
Repaint Lothrop Water Tank		\$700,000.00					
Remote Meter Reading	\$650,000.00						
New Water Treatment Plant						\$9,000,000.00	
Water Department Total	\$1,150,000.00	\$1,100,000.00	\$400,000.00	\$500,000.00	\$300,000.00	\$9,300,000.00	\$300,000.00
TOTAL PLAN PLUS WATER	\$3,650,000.00	\$8,275,000.00	\$1,750,000.00	\$1,550,000.00	\$3,042,000.00	\$21,200,000.00	\$6,180,000.00

**FUND ARCHITECT AND PROJECT MANAGER
FOR CONSTRUCTION OF NEW POLICE STATION**

ARTICLE 16. To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sufficient sum of money to engage an architect and project manager to perform services regarding the construction of a new Police facility, and to act fully thereon. By request of the Board of Selectmen. Estimated Cost: \$ 500,000.

THE FINANCE COMMITTEE RECOMMENDS THAT THIS ARTICLE BE ACCEPTED AND ADOPTED AND FUNDING FOR SUCH BE FROM A DEBT EXCLUSION. VOTE: YES-5, NO-0.

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be accepted and adopted to appropriate the sum of \$500,000 to engage an architect and a project manager to perform services related to the construction of a new police station including all costs incidental and related thereto; that to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$500,000 and to issue bonds and notes therefore pursuant to General Laws chapter 44, sections 7 or 8, or any other enabling authority; to authorize the Board of Selectmen to expend all funds available for the project and to take any other action necessary to carry out the project; provided, however, that the appropriation and borrowing authorized by this vote shall not take effect until the Town votes to exempt from the limitation on total taxes imposed by G.L. c.59, §21C (Proposition 2 ½) amounts required to pay the principal of and interest on the borrowing authorized by this vote. Duly seconded

ACTION: This article needed a two-thirds vote to pass, it was a unanimous vote, so declared.

HARWICH COMPREHENSIVE WASTEWATER MANAGEMENT PLANNING

ARTICLE 17. To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sufficient sum of money for the purpose of conducting a Comprehensive Wastewater Management Plan (CWMP) to determine the most cost effective way to meet the DEP/EPA imposed nitrogen limits for Pleasant Bay, the Nantucket Sound coastal estuaries of Allen, Wychmere and Saquatucket Harbors and Herring River and to authorize the Board of Selectmen to accept any state or other grants available and further enter into an agreement with qualified consultant(s) to assist the Town with said CWMP, and to act fully thereon. By request of the Water Quality Task Force. Estimated Cost: \$ 500,000.

THE FINANCE COMMITTEE RECOMMENDS THAT THIS ARTICLE BE ACCEPTED AND ADOPTED AND FUNDING FOR SUCH BE FROM A DEBT EXCLUSION. VOTE: YES-5, NO-0.

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be accepted and adopted to appropriate the sum of \$500,000 to conduct a Comprehensive Wastewater Management Plan to determine the most cost effective way to meet the DEP/EPA imposed nitrogen limits for Pleasant Bay, the Nantucket Sound coastal estuaries of Allen, Wychmere and Saquatucket Harbors and Herring River, including all costs incidental and related thereto; that to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$500,000 and to issue bonds and notes therefore pursuant to General Laws chapter 44, sections 7 or 8, or/or chapter 29C of the General Laws, or any other enabling authority; to authorize the Board of Selectmen to expend all funds available for the project and to take any other action necessary to carry out the project ,and to accept any state or other grants available; provided, however, that the appropriation and borrowing authorized by this vote shall not take

effect until the Town votes to exempt from the limitation on total taxes imposed by G.L. c.59, §21C (Proposition 2 ½) amounts required to pay the principal of and interest on the borrowing authorized by this vote. Duly seconded

A motion to terminate debate was made and seconded. This needed a 4/5 majority vote to pass, it was a unanimous vote, so declared.

ACTION: This article needed a two-thirds vote to pass, it was a unanimous vote, so declared.

FUND THE ROAD MAINTENANCE PROGRAM

ARTICLE 18. To see if the Town will vote to raise and appropriate or transfer from available funds and/or borrow in accordance with Chapter 44 of the Massachusetts General Laws, or any other enabling authority, a sum of money to fund the “Road Maintenance Program” as requested in the Capital Plan for Fiscal Year 2008 and to act fully thereon. By request of the Director of Highway and Maintenance. Estimated Cost: \$1,000,000.

THE FINANCE COMMITTEE RECOMMENDS THAT THIS ARTICLE BE ACCEPTED AND ADOPTED AND FUNDING FOR SUCH BE FROM A DEBT EXCLUSION. VOTE: YES-5, NO-0.

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be accepted and adopted to appropriate the sum of \$1,000,000 to fund the Road Maintenance Program as requested in the Capital Plan for Fiscal Year 2008, including all costs incidental and related thereto; that to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$1,000,000 and to issue bonds and notes therefore pursuant to General Laws chapter 44, sections 7 or 8, or any other enabling authority; to authorize the Board of Selectmen to expend all funds available for the project and to take any other action necessary to carry out the project; provided, however, that the appropriation and borrowing authorized by this vote shall not take effect until the Town votes to exempt from the limitation on total taxes imposed by G.L. c.59, §21C (Proposition 2 ½) amounts required to pay the principal of and interest on the borrowing authorized by this vote. Duly seconded

ACTION: This article needed a two-thirds majority vote. The Moderator declared that this vote did receive the necessary two-thirds majority vote to pass.

LEASE OR PURCHASE AND EQUIP VEHICLES

ARTICLE 19. To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sufficient sum of money to lease or purchase and equip the following vehicles, and to act fully thereon:

Highway and Maintenance

Estimated Purchase Cost

One (1) new Roll-Off Truck (Disposal)

\$170,000

And to further authorize trade-in or sale of the following old vehicle toward the purchase price, where the Board of Selectmen find that this vehicle cannot be utilized elsewhere in Town:

One (1) 1977 Mack Tractor

By request of the Board of Selectmen. Estimated cost: \$ 170,000.

THE FINANCE COMMITTEE RECOMMENDS THAT THIS ARTICLE BE ACCEPTED AND ADOPTED AND FUNDING FOR SUCH BE FROM A CAPITAL OUTLAY EXCLUSION. VOTE: YES-5, NO-0.

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be accepted and adopted to raise and appropriate the sum of \$170,000 to purchase a new roll-off truck (disposal), and to authorize the Board of Selectmen to trade-in or sell the 1977 Mack Tractor if it cannot be utilized elsewhere in Town; provided, however, that the appropriation authorized by this vote shall not take effect until the Town votes to exempt from the limitation on total taxes imposed by G.L. c.59, §21C (Proposition 2 ½) the amount required to pay for the capital outlay expenditure authorized by this vote in Fiscal Year 2008. Duly seconded

ACTION: So voted.

REMOVE/REPLACE FUEL STORAGE SYSTEM AT DPW GARAGE

ARTICLE 20. To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow a sufficient sum of money to remove and replace the fuel storage system, located at the DPW garage, and to act fully thereon. By request of the Director of Highway and Maintenance. Estimated Cost: \$210,000.

THE FINANCE COMMITTEE RECOMMENDS THAT THIS ARTICLE BE ACCEPTED AND ADOPTED AND FUNDING FOR SUCH BE FROM A CAPITAL OUTLAY EXCLUSION. VOTE: YES-5, NO-0.

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be accepted and adopted to raise and appropriate the sum of \$210,000 to remove and replace the fuel storage system located at the DPW Garage; provided, however, that the appropriation authorized by this vote shall not take effect until the Town votes to exempt from the limitation on total taxes imposed by G.L. c.59, §21C (Proposition 2 ½) the amount required to pay for the capital outlay expenditure authorized by this vote in Fiscal Year 2008. Duly seconded

ACTION: So voted.

FUND WATER DEPARTMENT PROJECTS AND EQUIPMENT

ARTICLE 21. To see if the Town will vote to transfer from available funds from the Water Enterprise Fund a sufficient sum of money to fund the following:

	<u>Estimated Cost</u>
New Water Meter Radio Read System	\$500,000
New Well Source Exploration	\$200,000

And to act fully thereon. By request of the Board of Water Commissioners and the Superintendent. Estimated Cost: \$700,000.

THE FINANCE COMMITTEE RECOMMENDS THAT THIS ARTICLE BE ACCEPTED AND ADOPTED AND FUNDING FOR SUCH BE FROM THE WATER ENTERPRISE FUND. VOTE: YES-5, NO-0.

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be accepted and adopted and that \$700,000 be transferred from the Water Enterprise Fund as follows:

New Well Source exploration	\$200,000
New Water Meter Radio Read System	\$500,000

Duly seconded

ACTION: So voted

PURCHASE NEW EQUIPMENT

ARTICLE 22. To see if the Town will vote to raise and appropriate and/or transfer from available funds, a sufficient sum of money to purchase and equip the following equipment and to act fully thereon:

<u>Highway & Maintenance</u>	<u>Estimated Purchase Cost</u>
One (1) new Posi-Track Skid Steer Loader (Parks/Hwy)	\$42,000
Two (2) 100 yard trailers for C&D Waste	\$90,000

And to further authorize trade-in or sale of the following old equipment toward the purchase price, where the Board of Selectmen find that this equipment cannot be utilized elsewhere in Town: Two (2) 2000 Steco 100 yard C&D Trailers

<u>Community Center</u>	<u>Estimated Purchase Cost</u>
One (1) new Koko Smarttrainer for Weight Room	\$10,465
One (1) new training system to replace elliptical trainer	\$ 4,598
Six (6) new electrical basketball winches	\$15,500

<u>Fire Department</u>	<u>Estimated Purchase Cost</u>
Four (4) Medtronic LifePak 12 Monitors & related equipment	\$85,000

By request of the Board of Selectmen. Estimated Cost: \$ 247,563.

THE FINANCE COMMITTEE RECOMMENDS THAT THIS ARTICLE BE ACCEPTED AND ADOPTED. FUNDED FROM AVAILABLE FUNDS. VOTE: YES-5, NO-0.

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be accepted and adopted and that \$247,563 be transferred from Free Cash for the following:

Highway and Maintenance
 One (1) new posi-track skid steer loader (Parks/ Hwy) \$42,000
 Two (2) 100 yard trailers for C&D Waste \$90,000
 And to authorize the Board of Selectmen to trade-in or sell (2)
 2000 Steco 100 yard C&D trailers

Community Center
 One (1) new Koko Smarttrainer for Weight room \$10,465
 One(1) new training system to replace elliptical trainer \$ 4,598
 Six (6) new electrical basketball winches \$15,500

Fire Department
 Four (4) Medtronic Lifepak 12 monitors and related
 Equipment \$85,000

Duly seconded

ACTION: So voted.

FUND REPAIR/REPLACEMENT OF TOWN HVAC UNITS

ARTICLE 23. To see if the Town will vote to raise and appropriate or transfer from available funds a sufficient sum of money to repair and/or replace the Town's HVAC systems and to act fully thereon. By request of the Board of Selectmen. Estimated cost: \$ 100,000.

THE FINANCE COMMITTEE RECOMMENDS THAT THIS ARTICLE BE ACCEPTED AND ADOPTED. FUNDED FROM AVAILABLE FUNDS. VOTE: YES-5, NO-0.

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be accepted and adopted and that \$100,000 be transferred from Free Cash to design, repair and / or replace town HVAC systems and that the Board of Selectmen be authorized to seek proposals for this work and to purchase or lease the HVAC equipment as is in the best interest of the town.

Duly seconded

ACTION: So voted.

PURCHASE OR LEASE NEW TRUCK FOR WATER DEPARTMENT

ARTICLE 24. To see if the Town will vote to transfer from available funds from the Water Enterprise Fund for the purpose of leasing/purchasing a new 6 Wheeler Dump Truck and to trade in or sell a 1992 Ford Utility Dump Truck and to act fully thereon. Requested by the Board of Water Commissioners and Superintendent. Estimated Cost: \$29,184.64.

THE FINANCE COMMITTEE RECOMMENDS THAT THIS ARTICLE BE ACCEPTED AND ADOPTED. FUNDED FROM WATER ENTERPRISE. VOTE: YES-5, NO-0.

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be accepted and adopted and that \$29,184.64 be transferred from the Water Enterprise Fund for the purpose of leasing or purchasing a new 6-wheeler dump truck and to trade in or sell a 1992 Ford Utility dump Truck for the Water Department.

Duly seconded

ACTION: So voted.

FUND IMPROVEMENTS TO SEPTIC TREATMENT SYSTEM AT MIDDLE AND ELEMENTARY SCHOOLS

ARTICLE 25. To see if the Town will vote to raise and appropriate or transfer from available funds a sufficient sum of money to fund necessary improvements for the septic treatment system at the Middle and Elementary Schools and to act fully thereon. By Request of the School Committee. Estimated Cost: \$34,000.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. FUNDING FROM AVAILABLE FUNDS. VOTE: YES-5, NO-0.

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be accepted and adopted and that the sum of \$34,000 be transferred from Free Cash for the purpose of making necessary improvements to the septic treatment system at the Middle and Elementary Schools.

Duly seconded

ACTION: So voted.

**FUND THE PURCHASE OF FOUR MODULAR REPLACEMENT
CLASSROOMS AT THE HIGH SCHOOL**

ARTICLE 26. To see if the Town will vote to raise and appropriate or transfer from available funds a sufficient sum of money to fund the purchase of four (4) modular replacement classrooms at Harwich High School and to act fully thereon. By Request of the School Committee. Estimated Cost: \$192,923.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED AND \$113,419 BE FUNDED FROM AVAILABLE FUNDS AND \$79,504 BE FUNDED BY TRANSFER FROM PRIOR YEAR'S BONDING ARTICLE. VOTE: YES-5, NO-0.

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be accepted and adopted and that \$113,419 be transferred from Free Cash and \$79,504 be transferred from Article 2 of the 2006 Special Town Meeting for the purpose of purchasing four (4) modular replacement classrooms at Harwich High School. Duly seconded

ACTION: So voted.

FUND BUILDING MAINTENANCE AT THE SCHOOLS

ARTICLE 27. To see if the Town will vote to raise and appropriate or transfer from available funds a sufficient sum of money to fund building maintenance at the Elementary, Middle and High Schools in order to accomplish the extraordinary maintenance goals set forth by the School Administration in accordance with its 5-year maintenance plan and to act fully thereon. By request of the School Committee. Estimated Cost: \$87,350.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. FUNDING FROM AVAILABLE FUNDS TO PRESERVE THE TOWN'S ASSETS. VOTE: YES-4, NO-1.

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be accepted and adopted and that the sum of \$87,350 be transferred from available Free Cash for the purpose of funding building maintenance at the Elementary, Middle and High Schools in accordance with its 5-year maintenance plan. Duly seconded

ACTION: So voted.

FUND PROJECT CONTEMPORARY COMPETITIVENESS

ARTICLE 28. To see if the Town will vote to raise and appropriate or transfer from available funds for the Board of Selectmen and School Committee to award scholarships which will defray the cost of tuitions and related expenses to seventh, eighth and ninth grade Harwich students to participate in Project Contemporary Competitiveness at Bridgewater State College and the Advanced Leadership Program at Mass Maritime Academy and to act fully thereon. By request of the School Committee or Board of Selectmen. Estimated Cost: \$12,000.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. FUNDING FROM AVAILABLE FUNDS. VOTE: YES-5, NO-0.

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be accepted and adopted and that the sum of \$12,000 be transferred from Free Cash for the Board of Selectmen and School Committee to award scholarships which will defray the cost of tuitions and related expenses to seventh, eighth and ninth grade Harwich students to participate in Project Contemporary Competitiveness at Bridgewater State College and the Advanced Leadership Program at Mass Maritime Academy. Duly seconded

ACTION: So voted.

**FUND TECHNOLOGY HARDWARE AND
SOFTWARE FOR SCHOOL DEPARTMENT**

ARTICLE 29. To see if the Town will vote to raise and appropriate or transfer from available funds a sufficient sum of money to fund technology hardware and software for the School Department and to act fully thereon. By request of the School Committee or Board of Selectmen Estimated Cost: \$54,306.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. FUNDING FROM AVAILABLE FUNDS. VOTE: YES-5, NO-0.

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be accepted and adopted and that the sum of \$54,306 be transferred from Free Cash for the purpose of funding technology hardware and software for the School Department. Duly seconded

ACTION: So voted.

**ACCEPT FUNDING FOR MAINTENANCE, REPAIR
AND CONSTRUCTION OF PRIMARY ROADS**

ARTICLE 30. To see if the Town will vote to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow in anticipation of Chapter 90 reimbursement from the Commonwealth of Massachusetts for Highway related expenses and to act fully thereon By request of the Director of Highway and Maintenance.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. VOTE: YES-5, NO-0.

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be accepted and adopted to expend such sum or sums of money that may be available under the provisions of Massachusetts General Laws, Chapter 90, Section 34, Clause 2(a) or other state roadway reimbursement program and to authorize the Board of Selectmen to enter into a contract with the Commonwealth of Massachusetts, Department of Public Works and to authorize the Treasurer, with the approval of the Board of Selectmen to borrow in anticipation of 100% reimbursement of said amounts. Duly seconded

ACTION: It was a unanimous vote, so declared.

**REPLACE A PORTION OF THE ROOF OF THE
HIGHWAY MAINTENANCE BUILDING**

ARTICLE 31. To see if the Town will vote to raise and appropriate or transfer from available funds a sufficient sum of money to replace a portion of the roof of the Highway Maintenance building and to act fully thereon. By request of the Director of Highway and Maintenance. Estimated Cost: \$24,500.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. TO FUND PHASE 2 OF REPLACEMENT OF ROOF AT TOWN GARAGE. FUNDING FROM AVAILABLE FUNDS. VOTE: YES-5, NO-0.

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be accepted and adopted and that the sum of \$24,500 be transferred from Free Cash to replace a portion of the roof of the Highway Maintenance building. Duly seconded

ACTION: So voted

REMOVE/REPLACE LIGHT POLE AND FIXTURES AT WHITEHOUSE FIELD

ARTICLE 32. To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sufficient sum of money to partially fund the removal and replacement of light poles and fixtures at Whitehouse Field contingent upon the Harwich Athletic Association funding the remainder of this project in its entirety and to act fully thereon. By request of the Recreation and Youth Commission. Estimated Cost: \$40,000.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED CONTINGENT ON FUNDS TO BE RAISED FOR THE BALANCE OF THE COST OF THIS PROJECT BY THE HARWICH ATHLETIC ASSOCIATION. VOTE: YES-4, NO-1.

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be accepted and adopted and that the sum of \$40,000 be transferred from Free Cash to partially fund the removal and replacement of light poles and fixtures at Whitehouse Field contingent upon the Harwich Athletic Association funding the remainder of this project in its entirety.

Duly seconded

ACTION: So voted.

REPLACEMENT OF FLOORS AT COMMUNITY CENTER

ARTICLE 33. To see if the Town will vote to raise and appropriate or transfer from available funds, a sufficient sum of money to remove and replace some of the existing rug floor coverings throughout the Community Center building with new flooring and to act fully thereon. By request of the Community Center Director. Estimated cost: \$28,550.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE INDEFINITELY POSTPONED. VOTE: YES-5, NO-0.

MOTION: (Peter Piekarski-Selectman) I move that this article be accepted and adopted and the sum of \$28,550 be transferred from Free Cash for this purpose. Duly seconded

ACTION: A standing count was taken; YES 93 NO 93, the Moderator declared his vote and the motion passed.

DREDGING RESERVE FUND

ARTICLE 34. To see if the Town will vote to raise and appropriate and/or transfer from available funds a sufficient sum of money to dredge various harbors and to apply for and accept any State, Federal or private grant monies available for this purpose and to act fully thereon. By request of the Harbormaster. Estimated Cost: \$100,000.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. TO BE FUNDED \$40,000 FROM AVAILABLE FUNDS AND \$60,000 FROM THE WATERWAYS MANAGEMENT FUND. VOTE: YES-5, NO-0.

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be accepted and adopted for the purpose of appropriating and/or transferring \$40,000 from Free Cash and \$60,000 from the Waterways Management Fund to dredge various harbors and to apply for and accept any State, Federal or private grant monies available for this purpose. Duly seconded

ACTION: So voted.

SKINEQUIT POND RESTORATION PROJECT

ARTICLE 35. To see if the Town will vote to transfer from Article 56 of the 2001 Annual Town Meeting the balance of \$1,800 to be used for a remediation project involving the aeration of Skinequit Pond and to act fully thereon. By request of the Natural Resources Director. Estimated Cost: \$1,800.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. FUNDED BY TRANSFER OF FUNDS FROM PREVIOUS TOWN MEETING. VOTE: YES-6, NO-0.

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be accepted and to transfer from Article 56 of the 2001 Annual Town Meeting the balance of \$1,800 to be used for a remediation project involving the aeration of Skinequit Pond. Duly seconded

ACTION: So voted.

RECONSTRUCT TENNIS COURTS AT BROOKS PARK

ARTICLE 36. To see if the Town will vote to transfer from Community Preservation Act funds (Recreation) to the Recreation and Youth Commission, a sum of money it determines necessary for the reconstruction of the four (4) existing tennis courts at Brooks Park and to act fully thereon. By recommendation of the Community Preservation Committee and the Recreation and Youth Commission. Estimated Cost: \$ 82,000.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. TO BE FUNDED FROM COMMUNITY PRESERVATION FUNDS. VOTE: YES-6, NO-0.

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be accepted and adopted and that the sum of \$82,000 be transferred from CPC Fund, Undesignated Fund Balance (Recreation) to the Recreation and Youth Commission for this purpose. Duly seconded

ACTION: So voted.

FUND WALKING TRAIL IMPROVEMENTS

ARTICLE 37. To see if the Town will vote to transfer from Community Preservation Act funds (Recreation) to the Harwich Trails Committee, a sum of money it determines necessary for walking trail improvements and to act fully thereon. By recommendation of the Community Preservation Committee and the Harwich Trails Committee. Estimated Cost: \$ 5,000.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. TO BE FUNDED FROM COMMUNITY PRESERVATION FUNDS. VOTE: YES-6, NO-0.

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be accepted and adopted and that the sum of \$5,000 be transferred from CPC Fund, Undesignated Fund Balance (Recreation) to the Harwich Trails Committee for this purpose. Duly seconded

ACTION: So voted

CONSTRUCT BOCCE COURT AT BROOKS PARK

ARTICLE 38. To see if the Town will vote to transfer from Community Preservation Act funds (Recreation) to the Harwich Recreation and Youth Commission, a sum of money it determines necessary for the construction of a bocce court at Brooks Park and to act fully thereon. By recommendation of the Community Preservation Committee and the Harwich Recreation and Youth Commission. Estimated Cost: \$ 5,000.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. TO BE FUNDED FROM COMMUNITY PRESERVATION FUNDS. VOTE: YES-6, NO-0.

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be accepted and adopted and that the sum of \$5,000 be transferred from CPC Fund, Undesignated Fund Balance (Recreation) to the Harwich Recreation and Youth Commission for this purpose. Duly seconded

ACTION: So voted.

FUND PRESERVATION OF TOWN RECORDS

ARTICLE 39. To see if the Town will vote to transfer from Community Preservation Act funds (Historic) to the Harwich Town Clerk, a sum of money it determines necessary for the preservation of Town records and to act fully thereon. By recommendation of the Community Preservation Committee and the Harwich Town Clerk. Estimated Cost: \$ 34,629.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. TO BE FUNDED FROM COMMUNITY PRESERVATION FUNDS. VOTE: YES-6, NO-0.

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be accepted and adopted and that the sum of \$34,629 be transferred from CPC Fund, Historic Reserves (Historic) to the Harwich Town Clerk for this purpose. Duly seconded

ACTION: So voted.

FUND CODIFICATION OF THE CHARTER AND BY-LAWS

ARTICLE 40. To see if the Town will vote to transfer from Community Preservation Act funds (Historic) to the Harwich Town Clerk, a sum of money it determines necessary for the codification of the Harwich Town Charter, General By-laws, Zoning By-laws and Zoning Regulations and to act fully thereon. By recommendation of the Community Preservation Committee and the Harwich Town Clerk. Estimated Cost: \$ 30,000.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE INDEFINITELY POSTPONED. WORK SHOULD BE ABLE TO BE DONE BY TOWN STAFF. VOTE: YES-6, NO-0.

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be accepted and adopted and the sum of \$30,000 be transferred from the Community Preservation Act funds (Historic) to the Town Clerk for this purpose. Duly seconded

ACTION: So voted.

FUND RESTORATION PROJECTS AT BROOKS ACADEMY

ARTICLE 41. To see if the Town will vote to transfer from Community Preservation Act funds (Historic) to the Brooks Academy Commission a sum of money it determines necessary for certain restoration projects at Brooks Academy and to act fully thereon. By recommendation of the Community Preservation Committee and the Brooks Academy Commission.
Estimated Cost: \$ 50,000.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. TO BE FUNDED FROM COMMUNITY PRESERVATION FUNDS. CONTINUATION OF FACILITY UPGRADE. VOTE: YES-5, NO-1.

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be accepted and adopted and that the sum of \$50,000 be transferred from CPC Fund, Historic Reserves (Historic) to the Brooks Academy Commission for this purpose. Duly seconded

ACTION: So voted.

FUND RENOVATIONS AT OLD RECREATION BUILDING AND WEST HARWICH SCHOOL

ARTICLE 42. To see if the Town will vote to transfer from Community Preservation Act funds (Historic) to the Harwich Cultural Council a sum of money it determines necessary for the renovation, and /or purchase, and installation of historically appropriate windows at the Recreation Building on Sisson Road and the West Harwich School and to act fully thereon. By recommendation of the Community Preservation Committee and the Harwich Cultural Council.
Estimated Cost: \$ 84,000.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE INDEFINITELY POSTPONED PENDING MORE DEFINITE PLANS FOR UTILIZATION OF THE BUILDING. VOTE: YES-4, NO-2.

MOTION: (Edward J. McManus – Selectman) I move that this article be accepted and adopted and the sum of \$84,000 be transferred from the CPC Fund, Historic Reserves (Historic) to the Harwich Cultural Council for this purpose. Duly seconded

A motion was made and seconded to terminate debate, this needed a 3/4 majority vote to pass, and this motion failed. The debate continued.

ACTION: A standing count was taken YES 87 NO 82, the motion was so voted.

UPGRADE ELECTRICAL SYSTEM AT THE BROOKS ACADEMY

ARTICLE 43. To see if the Town will vote to transfer from Community Preservation Act funds (Historic) to the Harwich Historical Society a sum of money it determines necessary for upgrading the electrical system and the installation of interior lighting at Brooks Academy and to act fully thereon. By recommendation of the Community Preservation Committee and the Harwich Historical Society. Estimated Cost: \$ 30,000.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. TO BE FUNDED FROM COMMUNITY PRESERVATION FUNDS. CONTINUATION OF FACILITY UPGRADE. VOTE: YES-6, NO-0.

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be accepted and adopted and that the sum of \$13,062 be transferred from CPC Fund, Historic Reserve (Historic) and \$16,938 be transferred from CPC Fund, Undesignated Fund Balance to the Harwich Historical Society for this purpose. Duly seconded

ACTION: So voted.

FUND HOUSING COSTS AT 916 AND 920 ROUTE 28 IN SOUTH HARWICH

ARTICLE 44. To see if the Town will vote to transfer from Community Preservation Act funds (Housing) to the Harwich Ecumenical Council for the Homeless, Inc., a sum of money it determines necessary for predevelopment and carrying costs for housing on the site of 916 and 920 Route 28 in South Harwich and to act fully thereon. By recommendation of the Community Preservation Committee and the Harwich Ecumenical Council for the Homeless, Inc. Estimated Cost: \$ 69,533.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. TO BE FUNDED FROM COMMUNITY PRESERVATION FUNDS. VOTE: YES-6, NO-0.

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be accepted and adopted and that the sum of \$69,533 be transferred from CPC Fund, Housing Reserve (Housing) to the Harwich Ecumenical Council for the Homeless, Inc. for this purpose. Duly seconded

ACTION: A standing count was taken YES 90 NO 45, the motion carried.

At 11:00 PM on Monday, May 7, 2007 a motion was made and seconded to adjourn until Tuesday, May 8, 2007 at 6:30 PM.

On Tuesday, May 8, 2007, the Moderator, Michael D. Ford, Esq. called the Annual Town Meeting to order at 6:30 PM after a quorum of 150 was met; having 301 registered voters were in attendance the Annual Town Meeting was opened and began with:

DEVELOPMENT OF DRIFTWOOD LANE HOUSING DEVELOPMENT

ARTICLE 45. To see if the Town will vote to transfer from Community Preservation Act funds (Housing) to Habitat for Humanity of Cape Cod, a sum of money it determines necessary to assist in the development of the Driftwood Lane housing development and to act fully thereon. By recommendation of the Community Preservation Committee and Habitat for Humanity of Cape Cod. Estimated Cost: \$ 90,000.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. TO BE FUNDED FROM COMMUNITY PRESERVATION FUNDS. VOTE: YES-5, NO-0, ABSTAINED-1.

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be accepted and adopted and that the sum of \$90,000 be transferred from CPC Fund, Housing Reserve (Housing) to Habitat for Humanity of Cape Cod for this purpose. Duly seconded

ACTION: So voted.

FUND INFRASTRUCTURE DESIGN AND CONSTRUCTION
AT OLD RECREATION SITE ON SISSON ROAD

ARTICLE 46. To see if the Town will vote to transfer from Community Preservation Act funds (Housing) to the Harwich Housing Committee, a sum of money it determines necessary for infrastructure design and construction at the Recreation site on Sisson Road and the West Harwich School and to act fully thereon. By recommendation of the Community Preservation Committee and the Harwich Housing Committee. Estimated Cost: \$ 90,000.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE AMENDED TO REMOVE THE WORD “CONSTRUCTION”. IF AMENDED, THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. FUNDING FROM COMMUNITY PRESERVATION FUNDS. VOTE: YES-5, NO-0.

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be accepted and adopted as printed in the warrant except by deleting the words “and construction” and that the sum of \$30,000 be transferred from the CPC Fund, Housing Reserve (Housing) and \$60,000 be transferred from CPC Fund , Undesignated Fund Balance to the Harwich Housing Committee for this purpose. Duly seconded

AMEND MAIN MOTION: (Edward McManus – Selectman) I move that this motion be amended by including the words “and construction”. Duly seconded

ACTION ON AMENDMENT: The amendment carried.

ACTION ON MAIN MOTION AS AMENDED: So voted.

FUND RENTAL ASSISTANCE REVOLVING LOAN FUND

ARTICLE 47. To see if the Town will vote to transfer from Community Preservation Act funds (Housing) to the Harwich Housing Authority, a sum of money it determines necessary for a rental assistance revolving loan fund and to act fully thereon. By recommendation of the Community Preservation Committee and the Harwich Housing Authority. Estimated Cost: \$ 100,000.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. TO BE FUNDED FROM COMMUNITY PRESERVATION FUNDS. VOTE: YES-4, NO-2.

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be accepted and adopted and that the sum of \$77,842 be transferred from the CPC Fund ,Housing Reserve

(Housing) and \$22,158 be transferred from CPC Fund, Undesignated Fund Balance (Housing) to the Harwich Housing Authority for this purpose. Duly seconded

ACTION: So voted.

**FUND PRE-DEVELOPMENT OF HARWICH PORTUGUESE
MEN'S CLUB HOUSING DEVELOPMENT**

ARTICLE 48. To see if the Town will vote to transfer from Community Preservation Act funds (Housing) to the Lower Cape Cod Community Development Corporation, a sum of money it determines necessary for pre-development of the Harwich Portuguese Men's Club's Housing Development, located at 59 Queen Anne Road and to act fully thereon. By recommendation of the Community Preservation Committee, the Lower Cape Cod Community Development Corporation and the Harwich Portuguese Men's Club. Estimated Cost: \$ 100,000.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED PROVIDED PROPER TITLE TO PROPERTY CAN BE ASCERTAINED. TO BE FUNDED FROM COMMUNITY PRESERVATION FUNDS.

VOTE: YES-6, NO-0.

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be accepted and adopted and that the sum of \$100,000 be transferred from CPC Fund, Undesignated Fund Balance (Housing) to the Lower Cape Cod Community Development Corporation, subject to a determination that the Harwich Portuguese Men's Club has secured clear title to the property, for this purpose. Duly seconded

ACTION: So voted.

**FUND ADMINISTRATIVE COSTS OF THE
COMMUNITY PRESERVATION COMMITTEE**

ARTICLE 49. To see if the Town will vote to transfer from Community Preservation Act funds (Administration) to the Community Preservation Committee, a sum of money it determines necessary for administrative costs and to act fully thereon. By recommendation of the Community Preservation Committee. Estimated Cost: \$ 25,000.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. TO BE FUNDED FROM COMMUNITY PRESERVATION FUNDS. VOTE: YES-6, NO-0.

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be accepted and adopted and that the sum of \$25,000 be transferred from CPC Fund, Undesignated Fund Balance (Administration) to the Community Preservation Committee for this purpose.

Duly seconded

ACTION: So voted.

ACQUISITION OF TAX TITLE PROPERTIES

ARTICLE 50. To see if the Town will vote to transfer from Community Preservation Act funds (Open Space) to the Real Estate and Open Space Committee, a sum of money it determines necessary for the acquisition of certain properties by tax title and to act fully thereon. By recommendation of the Community Preservation Committee and the Real Estate and Open Space Committee. Estimated Cost: \$ 40,000.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE INDEFINITELY POSTPONED. VOTE: YES-6, NO-0.

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be indefinitely postponed. Duly seconded

ACTION: The article was indefinitely postponed.

OPEN SPACE/MANAGEMENT PLAN

ARTICLE 51. To see if the Town will vote to transfer from Community Preservation Act funds (Open Space) to the Real Estate and Open Space Committee, a sum of money it determines necessary to create an Open Space/Management Plan and to update the Town Open Space Plan and to act fully thereon. By recommendation of the Community Preservation Committee and the Real Estate and Open Space Committee. Estimated Cost: \$ 40,000.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. FUNDS FROM COMMUNITY PRESERVATION FUND. VOTE: YES-6, NO-0.

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be accepted and adopted and that the sum of \$40,000 be transferred from CPC Fund, Undesignated Fund Balance (Open Space) to the Real Estate and Open Space Committee for this purpose.

Duly seconded

ACTION: It was a unanimous vote, so declared.

**MAINTAIN, UPDATE, AND/OR CERTIFY
REAL/PERSONAL PROPERTY VALUATIONS**

ARTICLE 52. To see if the Town will vote to raise and appropriate or transfer from available funds a sufficient sum of money to maintain, update, and/or certify real and personal property valuations and to act fully thereon. By request of the Board of Assessors. Estimated cost: \$21,000.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. CUSTOMARY ARTICLE TO FUND ANNUAL UPGRADE OF ASSESSMENT RECORDS. VOTE: YES-5, NO-0.

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be accepted and adopted and that the sum of \$21,000 be transferred from Free Cash for this purpose.

Duly seconded

ACTION: So voted.

JIM NOONAN HUMAN SERVICES ARTICLE

ARTICLE 53. To see if the Town will vote to raise and appropriate or transfer from available funds a sufficient sum of money, to be expended under the direction of the Board of Selectmen, to help defray the expenses of certain Human Services Agencies and to act fully thereon. By Petition. Estimated cost: \$76,500.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED FOR THE SUM OF \$57,250 TO BE FUNDED FROM AVAILABLE FUNDS. VOTE: YES-3, NO-2.

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be accepted and adopted and that the sum of \$57,250 be transferred from Free Cash for this purpose.

Duly seconded

AMEND MAIN MOTION: (Edward McManus – Selectman) I move that this motion be amended by deleting the sum of \$57,250 and inserting the sum of \$76,500.

Duly seconded

ACTION ON AMENDMENT: Amendment carried.

ACTION ON MAIN MOTION AS AMENDED: Motion carried.

FUND MUNIS CHART OF ACCOUNT REVISION

ARTICLE 54. To see if the Town will vote to raise and appropriate or transfer from available funds a sufficient sum of money for the purchase of Munis revised Chart of Accounts and to act fully thereon. By request of the Town Accountant. Estimated Cost: \$ 41,800.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. TO BE FUNDED FROM AVAILABLE FUNDS. VOTE: YES-7, NO-0.

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be accepted and adopted and that the sum of \$41,800 be transferred from Free Cash for this purpose.

Duly seconded

ACTION: So voted.

FUND POLICE AND FIRE CLAIMS TRUST ACCOUNT

ARTICLE 55. To see if the Town will vote to raise and appropriate or transfer from available funds a sufficient sum of money to the Police and Fire Claims Trust Fund Account for Fiscal Year 2008 and to act fully thereon. By request of the Board of Selectmen. Estimated cost: \$4,000.00.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. VOTE: YES-6, NO-0.

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be accepted and adopted and that the sum of \$4,000 be transferred from Free Cash for this purpose.

Duly seconded

ACTION: So voted.

AMEND HARWICH EMPLOYEE ASSOCIATION COMPENSATION PLAN AND JOB DESCRIPTIONS

ARTICLE 56. To see if the Town will vote to raise and appropriate or transfer from available funds a sufficient sum of money to retain a consultant to prepare a new pay and classification plan for the Harwich Employees Association for FY 2008, including new job descriptions and to act fully thereon. Estimated Cost: \$ 25,000.

THE FINANCE COMMITTEE RECOMMENDS \$10,000 FOR THIS ARTICLE. VOTE: YES-4, NO-1.

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be accepted and adopted and that the sum of \$18,000 be transferred from Free Cash for this purpose.

Duly seconded

ACTION: So voted.

CONTRACT TO CONDUCT DEMOGRAPHIC STUDY

ARTICLE 57. To see if the Town will vote to raise and appropriate or transfer from available funds, a sufficient sum of money to contract for 20-year projections of year-round total population, school age population, summer population, resident and non-resident housing structures, miles of town roads, and the demand for public safety services, to aid in sizing of future capital projects, facilities planning and staffing of town departments and to act fully thereon. Historical data will be provided by town departments. Final product delivered to the town will permit town staff to update projections as additional data are acquired. By request of the Board of Selectmen. Estimated Cost: \$ _____.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE INDEFINITELY POSTPONED. VOTE: YES-5, NO-0.

MOTION: (Lawrence Cole – Selectman) I move that this article be accepted and adopted and the sum of \$32,000 be transferred from Free Cash for this purpose. Duly seconded

ACTION: Motion carried.

CONTRACT TO CONDUCT BENCHMARK STUDY

ARTICLE 58. To see if the Town will vote to raise and appropriate or transfer a sufficient sum of money to conduct a benchmark study of the cost of delivery of public services in Harwich relative to costs in other similar communities in Massachusetts. The purpose is to identify expenditures and/or staffing that are out of line with those levels in towns that are comparable in size, demographics, economic structure, etc., so that activities where significant savings may be achievable are addressed and to act fully thereon. By request of the Board of Selectmen. Estimated Cost: \$ _____.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. TO BE FUNDED FROM AVAILABLE FUNDS. VOTE: YES-3, NO-2.

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be accepted and adopted and that a sum of \$7,500 be transferred from Free Cash for this purpose. Duly seconded

ACTION: Motion carried.

At 8:05 PM a motion was made, seconded and so moved to adjourn the Annual Town Meeting until the conclusion of the Special Town Meeting.

**COMMONWEALTH OF MASSACHUSETTS
TOWN OF HARWICH
SPECIAL TOWN MEETING WARRANT
MAY 8, 2007**

BARNSTABLE, SS:

To either of the Constables of the Town of Harwich in said County,

Greetings:

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of said Town qualified to vote in elections and Town affairs to meet in the Community Center Gymnasium, 100 Oak Street in said Town on Tuesday, May 8, 2007 at 8:00 P.M., then and there to act on the following articles:

Hereof fail not to make return of this Warrant with your doings thereon at the time and place of said meeting.

Given under our hands this 4th day of April, 2007

s/Robin D. Wilkins, Chairman

s/Peter Piekarski

s/David W. Marsland

s/Edward McManus

s/Lawrence P. Cole

HARWICH BOARD OF SELECTMEN

A true copy Attest:

s/Oliver E. Pelton

Constable

April 19, 2007

By virtue of this Warrant I have this day notified and warned the inhabitants of the Town of Harwich, qualified to vote in elections and town affairs, to meet in the Community Center, 100 Oak Street in said Town on Tuesday, the 8th day of May, 2007 at the time and place for the purpose herein named by posting up attested copies thereon in the four (4) Post Office buildings and in Town Hall in the Town of Harwich, which covers all four precincts, at least fourteen (14) days before the time of said meeting as within directed, and causing an attested copy thereof to be published in the Cape Cod Chronicle published in Barnstable County and having its circulation in the Town of Harwich.

s/Oliver E. Pelton

Constable

The Moderator, Michael D. Ford, Esq. convened the Special Town Meeting, the Town Clerk, Anita N. Doucette read the Warrant and return of Warrant. The Special Town Meeting began with:

FUND POLICE AND FIRE CLAIMS ACCOUNT

ARTICLE 1. To see if the Town will vote to raise and appropriate or transfer from available funds a sufficient sum of money to the Police and Fire Claims Trust Fund Account for Fiscal Year 2007 and to act fully thereon. By request of the Board of Selectmen. Estimated cost: \$13,900.00.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED AND FUNDED FOR \$13,900 FROM AVAILABLE FUNDS. VOTE: YES-6, NO-0.

MOTION: (Robert Tombs, Chairman-Finance Committee) I move that this article be accepted and adopted and that the sum of \$13,900 be transferred from Free Cash for this purpose.

Duly seconded

ACTION: So voted.

CONSTRUCT PARKING LOT AT EARLE ROAD BEACH

ARTICLE 2. To see if the Town will vote to transfer from Community Preservation Committee Act funds the amount of \$35,000 to fund the completion of the Earle Road Beach construction project and to act fully thereon. By request of the Community Preservation Committee and Recreation and Youth Commission. Estimated Cost: \$ 35,000.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED AND FUNDED FROM COMMUNITY PRESERVATION FUNDS. VOTE: YES-4, NO-1, ABSTAIN-1

MOTION: (Robert Tombs, Chairman-Finance Committee) I move that this article be accepted and adopted and that the sum of \$35,000 be transferred from the CPC Fund, Undesignated Fund Balance (Recreation) to the Recreation and Youth Commission for this purpose. Duly seconded

A motion was made and seconded to terminate debate, this needed a $\frac{3}{4}$ majority vote to pass, and it was a unanimous vote, so declared.

ACTION: So voted.

FUND HIGHWAYS AND MAINTENANCE CONTRACT AGREEMENT

ARTICLE 3. To see if the Town will vote to raise and appropriate or transfer from available funds a sufficient sum of money to be added to the Fiscal Year 2007 Division of Highways and Maintenance Employee's Association and the Town of Harwich and to act fully thereon. By request of the Board of Selectmen. Estimated cost: \$22,560.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED AND FUNDED FROM AVAILABLE FUNDS. VOTE: YES-6, NO-0

MOTION: (Robert Tombs, Chairman-Finance Committee) I move that this article be accepted and adopted and the sum of \$22,560 be transferred from Free Cash for this purpose.

Duly seconded

ACTION: So voted.

FUND NEGOTIATED CONTRACT – POLICE SUPERIOR OFFICERS

ARTICLE 4. To see if the Town will vote to raise and appropriate or transfer from available funds a sufficient sum of money to be added to the FY 2007 Police Department budget to implement the new contractual agreement between the Harwich Superior Officers Association Local 589 and the Town of Harwich and to act fully thereon. By request of the Board of Selectmen. Estimated cost: \$_____.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE POSTPONED UNTIL SETTLEMENT OF PENDING ARBITRATION. VOTE: YES-6, NO-0.

MOTION: (Robert Tombs, Chairman-Finance Committee) I move that this article be accepted and adopted and the sum of \$14,300 be transferred from Article 4 of the May 2, 2005 Annual Town Meeting for this purpose.

Duly seconded

ACTION: So voted.

REPLACE PILINGS AT WYCHMERE AND SAQUATUCKET HARBORS

ARTICLE 5. To see if the Town will vote to raise and appropriate or take from the Waterways Improvement Fund a sufficient sum of money to replace pilings at Saquatucket Municipal Marina and Wychmere Harbor town Pier and to apply for and accept any State, Federal or private grant monies for this purpose and to act fully thereon. By request of the Harbormaster. Estimated cost: \$125,000.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED FOR \$125,000 AND FUNDED FROM \$102,735 FROM AVAILABLE FUNDS AND TRANSFER OF \$22,266 FROM A PRIOR YEAR'S ARTICLE. VOTE: YES-6, NO-0.

MOTION: (Robert Tombs, Chairman-Finance Committee) I move that this article be accepted and adopted and the sum of \$102,734 be transferred from Free Cash and \$22,266 be transferred from Article 35 of the 1996 Annual Town Meeting for this purpose. Duly seconded

ACTION: So voted.

FUND GENERAL HEALTH INSURANCE TRUST FUND

ARTICLE 6. To see if the Town will vote to transfer a supplemental sum of money to fund the Fiscal Year 2007 General Health Insurance Trust Fund and to act fully thereon. By request of the Board of Selectmen. Estimated Cost: \$268,282.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED FOR \$268,282 FROM AVAILABLE FUNDS. VOTE: YES-5, NO-0

MOTION: (Robert Tombs, Chairman-Finance Committee) I move that this article be accepted and adopted and the sum of \$268,282 be transferred from Free Cash for this purpose. Duly seconded

ACTION: So voted

SUPPLEMENT FY 2007 SCHOOL OPERATING BUDGET

ARTICLE 7. To see if the Town will vote to transfer a sufficient sum of money to supplement the Fiscal Year 2007 School Department operating budget and to act fully thereon. By request of the School Committee. Estimated Cost: \$ 79,960.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED FOR \$79,960 FROM AVAILABLE FUNDS. VOTE: YES-4, NO-2

MOTION: (Robert Tombs, Chairman-Finance Committee) I move that this article be accepted and adopted and the sum of \$79,960 be transferred from Free Cash for this purpose. Duly seconded

ACTION: So voted.

INTER-MUNICIPAL AGREEMENT / ROAD BETTERMENT PROJECT

ARTICLE 8. To see if the Town of Harwich will vote to authorize the Board of Selectmen to enter and to perform an inter-municipal agreement, in substantially the form on file in the Town Clerk's Office, providing for the Town of Harwich to repair and improve Wayside Road in Harwich, and for the Town of Harwich to impose and assess the apportioned betterments upon the owners of the Brewster lots having frontage on Wayside Road and to act fully thereon. By request of the Board of Selectmen.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. VOTE: YES-5, NO-1

MOTION: (Robert Tombs, Chairman-Finance Committee) I move that this article be infinitely postponed. Duly seconded

ACTION: This article is indefinitely postponed.

MEDICARE EXTENSION PLANS; MANDATORY TRANSFER OF RETIREES

ARTICLE 9. To see if the Town will vote to accept M.G.L. Ch. 32B Section 18 that requires all retirees, their spouses and dependents who are enrolled in Medicare Part A at no cost to a retiree, their spouse or dependents or eligible for coverage thereunder at no cost to a retiree, their spouse or dependents, be required to enroll in a Medicare health benefits supplement plan offered by the town and to act fully thereon. By request of the Board of Selectmen.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. VOTE: YES-6, NO-0

MOTION: (Robert Tombs, Chairman-Finance Committee) I move that this article be accepted and adopted for this purpose. Duly seconded

AMENDMENT: (Robin Wilkins – Selectman) I move that this article be amended and referred back to the Board of Selectmen for further study and report the benefits and costs to the Town, its employees and retirees at the next scheduled town meeting. Duly seconded

ACTION ON AMENDMENT: The amendment carried.

ACTION ON MAIN MOTION AS AMENDED: So voted.

EXTENSION OF ALLEN HARBOR BOAT RAMP

ARTICLE 10. To see if the Town will vote to raise and appropriate or transfer a sufficient sum of money to construct a fifteen (15) foot extension to the Allen Harbor boat ramp and to act fully thereon. By request of the Harbormaster. Estimated cost: \$42,000.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED FOR \$42,000 AND FUNDED FROM AVAILABLE FUNDS. VOTE: YES-5, NO-0.

MOTION: (Robert Tombs, Chairman-Finance Committee) I move that this article be accepted and adopted and the sum of \$42,000 be transferred from Free Cash for this purpose.

Duly seconded

ACTION: So voted.

CHANGE SENIOR EXEMPTION FROM \$500 TO \$600

ARTICLE 11. To see if the Town will vote to accept certain provisions of Chapter 184 Section 51 of the Acts of 2002 amending General Laws section 5 Clause 41-C as follows:

Change the amount of the Senior Exemption from \$500.00 to \$600.00 only. This change to take effect for FY 2008, and to act fully thereon.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE INDEFINITELY POSTPONED. A PRIOR YEARS TOWN MEETING VOTED THE EXEMPTION TO BE \$1,000. VOTE: YES-5, NO-0.

MOTION: (Robert Tombs, Chairman-Finance Committee) I move that this article be indefinitely postponed. Duly seconded

ACTION: This article is indefinitely postponed.

SENIOR CITIZEN PROPERTY TAX WORK-OFF ABATEMENT PROGRAM

ARTICLE 12. To see if the Town will vote to accept the provisions of Chapter 184, Section 52 of the Acts of 2002 amending the Massachusetts General Laws Chapter 59, Section 5K, effective Fiscal Year 2008, allowing the Town to enter into a Senior Citizen Property Tax Work-Off Abatement Program and to act fully thereon. By request of the Council on Aging.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. VOTE: YES-5, NO-0.

MOTION: (Robert Tombs, Chairman-Finance Committee) I move that this article be accepted and adopted for this purpose. Duly seconded

ACTION: So voted.

DEMOLITION DELAY PROPOSED BY-LAW CHANGE

ARTICLE 13. To see if the Town will vote to amend the General By-Law ARTICLE _V PART 2, entitled Historically Significant Buildings; Demolition Purpose and Scope, by amending Section 5-208, Determination of Applicability and Demolition Delay as follows:

Delete the phrase “up to ninety (90) days” and replacing it with the phrase “up to one hundred and eighty (180) days.” The new section to read:

“If after hearing the Commission determines that the building in question is historically significant, and the proposed work would destroy or substantially diminish its historic value, it is empowered to impose a demolition delay of up to one hundred and eighty (180) days from the date of said determination and may schedule additional hearings during any such delay period to allow an opportunity to develop alternatives to demolition” and to act fully thereon. By request of the Harwich Historical Commission.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE INDEFINITELY POSTPONED. AMOUNT OF TIME REQUESTED APPEARS TO BE NOT PRACTICAL. VOTE: YES-6, NO-0.

MOTION: (Robert Tombs, Chairman-Finance Committee) I move that this article be indefinitely postponed. Duly seconded

ACTION: This article was indefinitely postponed.

INTENT REQUIREMENT PROPOSED BY-LAW CHANGE

ARTICLE 14. To see if the Town will vote to amend the General By-Law ARTICLE _V PART 2, entitled Historically Significant Buildings; Demolition Purpose and Scope, by amending Section 5-203, Notice of Intent requirements as follows:

Delete “prior to 1900 A.D.”, and insert “prior to 100 years before the present calendar year.” The new section to read:

“Before any building constructed prior to one hundred (100) years before the present calendar year is demolished in whole, or in part, a Notice of Intent to do so will be filed with the Commission” and to act fully thereon. By request of the Harwich Historical Commission.
THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. VOTE: YES-6, NO-0.

MOTION: (Robert Tombs, Chairman-Finance Committee) I move that this article be indefinitely postponed. Duly seconded

ACTION: This article was indefinitely postponed.

BOARD OF APPEALS FEES

ARTICLE 15. To see if the Town will vote to amend Section X (Administrative Official), E (Board of Appeals) by deleting the last sentence, and by deleting everything in the next to last sentence following the phrase "or appeal with the Board" so that it reads:

"The Board of Appeals is hereby authorized to establish, from time to time, by regulation, the filing fee to be charged for filing a petition or appeal with the Board, ~~said fee shall not exceed two hundred fifty (\$250.00) dollars. (In addition to such filing fee, all costs of publishing shall be paid by the appellant or petitioner.)~~" and to act fully thereon. By request of the Planning Board.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. VOTE: YES-5, NO-1.

MOTION: (Robert Tombs, Chairman-Finance Committee) I move that this article be accepted and adopted for this purpose. Duly seconded

ACTION: This article needed a 2/3 majority vote to pass, it was a unanimous vote, so declared.

WIND ENERGY BY-LAW CHANGE

ARTICLE 16. To see if the Town will vote to amend Section XX (Regulations for Wind Energy Systems) of the Zoning By-laws by making the following changes:

In Section 4.7, delete the word "Uniform" in the title and second sentence and replace it in both instances with the word "State" so that it reads "State Building Code;" and

In Section 4.9, delete the word "National" in the title and first sentence and replace it in both instances with the word "Massachusetts" so that it reads "Massachusetts Electrical Code;"

and to act fully thereon. By request of the Planning Board.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. VOTE: YES-5, NO-1.

MOTION: (Robert Tombs, Chairman-Finance Committee) I move that this article be accepted and adopted for this purpose. Duly seconded

At this time Joseph McParland read the Planning Board Report:

April 10, 2007

To: Board of Selectmen
From: Planning Board
RE: Planning Board Report to Special Town Meeting
Article 16 – Wind Energy By-law Change

On April 10, 2007 the Planning Board held a public hearing on the proposed amendment to the Zoning By-law to Section X.X. regarding changes to the Wind Energy by-law. These changes result from comments received from the Attorney General's Office following last year's Town Meeting. There were no comments from the public or the Board. The Board voted unanimously to recommend this article to the Town Meeting.

ACTION: It was a unanimous vote, declared.

WIND ENERGY SYSTEMS IN INDUSTRIAL DISTRICTS

ARTICLE 17. To see if the Town will vote to amend Section XX (Regulations for Wind Energy Systems) of the Zoning By-laws by creating a new section C, entitled "Wind Energy Systems in the Industrial (IL) District" as follows:

B. Wind Energy Systems in the Industrial (IL) District

1.0 Definitions

1.1 Wind Energy System: A wind energy conversion system consisting of a wind turbine, a tower, and associated control or conversion electronics, which has a rated capacity of not more than 25 kW and which is intended to reduce on-site consumption of utility power for a single non-residential lot.

1.2 Rotor: The blades and hub of the wind turbine that rotate during turbine operations.

1.3 Tower Height: The height above existing grade of the fixed portion of the tower, excluding the wind turbine itself.

2.0 Special Permit Requirements: The Planning Board is hereby established as the special permit granting authority, in connection with the construction of Wind Energy Systems (WES) in the Industrial (IL) District in the Town of Harwich. A special permit may be issued for the erection of a WES, as an accessory use in any designated industrial district provided that the conditions outlined in 4.1 to 4.11 of this section are met.

and to act fully thereon. By request of the Planning Board.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. VOTE: YES-5, NO-1.

MOTION: (Robert Tombs, Chairman-Finance Committee) I move that this article be accepted and adopted for this purpose. Duly seconded

AMENDMENT: (Joseph McParland – Planning Board) I move that the article be accepted and adopted as printed in the warrant with the following changes:

add the following sentence at the end of paragraph 1.1:

A meteorological/test tower used to measure factors including wind speed and wind directions for the purpose of determining the appropriateness of a specific location for a wind energy system is also considered part of a wind energy system. Duly seconded

At this time Joseph McParland read the Planning Board report:

April 10, 2007

To: Board of Selectmen
From: Planning Board
Re: Planning Board Report to Special Town Meeting
Article 17 – Wind Energy Systems in Industrial Districts

On April 10, 2007 the Planning Board held a public hearing on the proposed amendment to the Zoning By-law to Section X.X. regarding changes to the Wind Energy by-Law to allow wind energy systems in Industrial Districts. There was a great deal of discussion between the Planning Board and the public concerning issues including the need for a by-law addressing wind generation for profit, the need for increasing the allowable kilowatts for wind turbines, and whether or not wind turbines should be allowed anywhere else in Harwich. A recommendation was made that the Board consider adding language to accommodate meteorological or “test” towers for measuring wind speeds prior to installing a turbine. The article has been amended to include that provision. The Board voted 7 in favor (Brophy, McParland, Idman, Baldwin, Nightingale, Owens, Follas) and 1 opposed (McCaffery) to recommend this article to the Town Meeting.

ACTION ON AMENDMENT: It was a unanimous vote, so declared.

ACTION ON MAIN MOTION AS AMENDED: This motion needed a 2/3 majority vote to pass, it was a unanimous vote, so declared.

WIND ENERGY SYSTEMS IN COMMERCIAL DISTRICTS

ARTICLE 18. To see if the Town will vote to amend Section XX (Regulations for Wind Energy Systems) of the Zoning By-laws by amending section B, entitled "Commercial Wind Energy Systems" by changing the title to "Wind Energy Systems in Commercial Districts," deleting the word (reserved), and adding new text as follows:

C. Wind Energy Systems in Commercial Districts

1.0 Definitions

1.1 Wind Energy System: A wind energy conversion system consisting of a wind turbine, a tower, and associated control or conversion electronics, which has a rated capacity of not more than 25 kW and which is intended to reduce on-site consumption of utility power for a single non-residential lot.

1.2 Rotor: The blades and hub of the wind turbine that rotate during turbine operations.

1.3 Tower Height: The height above existing grade of the fixed portion of the tower, excluding the wind turbine itself.

2.0 Special Permit Requirements: The Planning Board is hereby established as the special permit granting authority, in connection with the construction of Wind Energy Systems (WES) in Commercial Districts in the Town of Harwich. A special permit may be issued for the erection of a WES, as an accessory use in any designated commercial district provided that the conditions outlined in 4.1 to 4.11 of this section are met.

and to act fully thereon. By request of the Planning Board.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. VOTE: YES-5, NO-1.

MOTION: (Joseph McParland – Planning Board) I move that the article be accepted and adopted as printed in the warrant with the following changes:

add the following sentence at the end of paragraph 1.1:

A meteorological/test tower used to measure factors including wind speed and wind directions for the purpose of determining the appropriateness of a specific location for a wind energy system is also considered part of a wind energy system.

Duly seconded

At this time Joseph McParland read the Planning Board report:

April 10, 2007

To: Board of Selectmen

From: Planning Board

Re: Planning Board Report to Special Town Meeting

Article 18 – Wind Energy Systems in Commercial Districts

On April 10, 2007 the Planning Board held a public hearing on the proposed amendment to the Zoning By-law to Section X.X. regarding changes to the Wind Energy by-law to allow wind energy systems in Commercial Districts. Since the prior article dealt with the same language for the Industrial district, there was a limited discussion on this article. A recommendation was made that the Board consider adding the same language to this article that was proposed for the prior article. The article has been amended to include that language. The Board voted 7 in favor (Brophy, McParland, Idman, Baldwin, Nightingale, Owens, Follas) and 1 opposed (McCaffery) to recommend this article to the Town Meeting.

ACTION: This motion needed a 2/3 majority vote to pass, it was a unanimous vote, so declared.

AMEND ZONING BY-LAWS – NON CONFORMING STRUCTURES

ARTICLE 19. To see if the Town will vote to amend Section X (Administrative Official), J (Non-Conforming Structures and Uses), 1 (Non-Conforming Structures), e, by adding the *italicized* text and deleting the ~~strike through~~ text as follows:

- e. A lawfully pre-existing non-conforming single or two-family residential structure, may, by Special Permit, be demolished and replaced with a new structure on the same site, provided that it is determined by the Board of Appeals that:
 - i. The replacement of the structure will not be substantially more detrimental to the neighborhood than the existing structure, *and*
 - ii. The replacement of the structure will not cause or contribute to any undue nuisance, hazard or congestion in the neighborhood, zoning district or Town, and
 - iii. *The replacement structure will not increase any of the following existing non-conformances: building coverage, site coverage, setback encroachment, and*
 - iv. *The replacement structure will reduce at least one of the following existing non-conformances: building coverage, site coverage, setback encroachment, and*
 - v. *The replacement structure may not increase the habitable square footage of the structure by more than 25% over the habitable square footage of the existing structure over a ten (10) year period beginning on the date of the issuance of the special permit by the Board of Appeals.*
 - ~~vi. The replacement structure will not increase the non-conforming nature of the structure as defined in b. above.~~
- and to act fully thereon. By request of the Planning Board.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. VOTE: YES-5, NO-1.

MOTION: (Jonathon Idman – Planning Board) I move that the article be accepted and adopted as printed in the warrant Duly seconded

At this time Jonathon Idman read the Planning Board Report:

April 10, 2007

To: Board of Selectmen

From: Planning Board

Re: Planning Board Report to Special Town Meeting

Article 19 – Amend Zoning By-laws – Non-Conforming Structures

On April 10, 2007 the Planning Board held a public hearing on the proposed amendment to the Zoning By-law to Section X.J. regarding non-conforming structures. There was discussion between the Board and the public concerning some of the language, including the limit to a 25% increase in floor area over a 10 year period. The Board voted to amend the language to include a square footage figure as well. The Board voted 7 in favor (Brophy, McParland, Idman, Baldwin, Nightingale, Owens, Follas) and 1 opposed (McCaffery) to recommend this article to the Town Meeting.

After speaking with the Moderator, it was determined that addition of a 500 square foot figure was out of the scope of the article. Therefore, we have moved this article as written in the Town Warrant.

ACTION: It was a unanimous vote, so declared.

AMEND ZONING BY-LAWS – NON CONFORMING USES

ARTICLE 20. To see if the Town will vote to amend Section X (Administrative Official), J (Non-Conforming Structures and Uses), 2 (Non-Conforming Uses), by adding the *italicized* text and deleting the ~~strike through~~ text as follows.

2. Non-Conforming Uses

- a. *Except for single and two family dwellings provided for in paragraph e of this section, a lawfully pre-existing structure, whether conforming or not, used for a lawfully non-conforming use, may, by Special Permit, be ~~changed~~, altered/extended, or razed and replaced with a new structure on the same site, provided that it is determined by the Board of Appeals that:*
 - i. The replacement of the structure will not be substantially more detrimental to the neighborhood than the existing structure, *and*
 - ii. The replacement of the structure will not cause or contribute to any undue nuisance, hazard or congestion in the neighborhood, zoning district or Town, and
 - iii. The replacement, *or altered alteration or extension* structure will be used for the same use or for a conforming use, *and*
 - iv. *The replacement structure will not increase the non-conforming nature of the structure as defined in b. above.*
- b. *Except for single and two family dwellings provided for in paragraph e of this section, a proposal to demolish and replace a lawfully pre-existing structure, whether conforming or not, used for a lawfully non-conforming use which will increase the non-conforming nature of the structure will require a variance from the Board of Appeals pursuant to Chapter 40A Section 10 of the Massachusetts General laws.*
- c. Re-number former b.
- d. Re-number former c.

and to act fully thereon. By request of the Planning Board.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE INDEFINITELY POSTPONED. VOTE: YES-4, NO-2.

MOTION: (Jonathon Idman – Planning Board) I move that the article be accepted and adopted as printed in the warrant with the following changes:

In paragraphs 2.a.i and ii, add a comma and the words “alteration or change” following the word “replacement” so that it reads “The replacement, alteration or change of the structure...” and

In paragraph 2.a.iii, delete the proposed word “or” and add the words “or changed” following the proposed word “altered” so that it reads: “The replacement, altered or changed structure...” and

delete the remainder of the article (paragraph 2.a.iv, 2.b. and the renumbering of 2.c. and 2.d).

Duly seconded

At this time Jonathon Idman read the Planning Board Report:

April 24, 2007

To: Board of Selectmen

From: Planning Board

Re: Planning Board Report to Special Town Meeting

Article 20 – Amend Zoning By-laws – Non-Conforming Uses

On April 10, 2007 the Planning Board held a public hearing on the proposed amendment to the Zoning By-law to Section X.J. regarding non-conforming uses. There was discussion between the Board and the public concerning some of the language, and the Board decided to table the discussion until the Board’s meeting on April 24, 2007. At the April 24 meeting, the Board chose to leave the change, alteration or replacement of a non-conforming use as a Special Permit. Therefore, the proposed amendments are meant to clarify existing language and do not change the intent of the existing by-law. The Board voted 7 in favor (Brophy, McParland, Idman, Baldwin, Nightingale, Ownes, Follas) and 1 opposed (McCaffery) to recommend this article to the Town Meeting.

ACTION: It was a unanimous vote, so declared.

SUPPLEMENTAL FUNDS FOR CRANBERRY VALLEY FUEL TANK PROJECT

ARTICLE 21. To see if the Town will vote to raise and appropriate or transfer from available funds a supplemental sum of money to remove an underground fuel storage tank and install an above ground fuel storage tank at the Cranberry Valley Golf Course and to act fully thereon. By request of the Golf Committee. Estimated Cost: \$9,500.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED AND FUNDED THROUGH AVAILABLE FUNDS. VOTE: YES-6, NO-0.

MOTION: (Robert Tombs, Chairman-Finance Committee) I move that this article be accepted and adopted and the sum of \$9,500 be transferred from Free Cash for this purpose.

Duly seconded

ACTION: So voted.

FUND CLEAN-UP COSTS FOR OIL SPILL AT POLICE STATION

ARTICLE 22. To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sufficient sum of money to fund clean-up costs resulting from an oil tank leak at the Police Station and to act fully thereon. By request of the Police Chief. Estimated Cost: \$15,000.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED AND FUNDED FROM AVAILABLE FUNDS. THIS ARTICLE ONLY COVERS EXPENSES TO DATE. ADDITIONAL FUNDS MAY BE NEEDED TO COMPLETE THE CLEAN-UP. VOTE: YES-5, NO-1.

MOTION: (Robert Tombs, Chairman-Finance Committee) I move that this article be accepted and adopted and the sum of \$15,000 be transferred from Free Cash for this purpose.

Duly seconded

ACTION: So voted.

MATCHING GRANT FUNDS - COMMUNITY CENTER
HURRICANE SHUTTERS

ARTICLE 23: To see if the Town will vote to raise and appropriate from available funds a sufficient sum of money to meet the requirement for a 25% match of grant funds from the Massachusetts Emergency Management Agency through the Hazard Mitigation Grant Program for hurricane shutters for the Community Center and to act fully thereon. By request of the Director of Emergency Management, the Community Center Director and the Town Planner. Estimated Cost: \$ 15,000.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED FOR \$15,000 FROM AVAILABLE FUNDS. FINAL APPROVAL FOR THIS PROJECT AFTER GRANT FUNDS HAVE BEEN APPROVED SHOULD BE BY THE TOWN ADMINISTRATOR . VOTE: YES-4, NO-2.

MOTION: (Robert Tombs, Chairman-Finance Committee) I move that this article be accepted and adopted and the sum of \$15,000 be transferred from Free Cash for this purpose, subject to final project approval by the Town Administrator.

Duly seconded

ACTION: So voted.

At 9:15 PM a motion was made and seconded to adjourn the Special Town Meeting, and resume the Annual Town Meeting, the Meeting began with:

SUPPLEMENT FUND FOR CULTURAL COUNCIL ACTIVITIES

ARTICLE 59. To see if the Town will vote to raise and appropriate or transfer from available funds a sufficient sum of money to supplement available funds for the Town's Cultural Council which will increase the availability of cultural activities in the Town and to act fully thereon. By request of the Harwich Cultural Council. Estimated cost: \$2,500.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE INDEFINITELY POSTPONED. NOT A PRIORITY USE OF TOWN FUNDS. VOTE: YES-5, NO-0.

MOTION: (Edward McManus – Selectman) I move that this article be accepted and adopted and the sum of \$2,500 be transferred from Free Cash for this purpose.

Duly seconded

ACTION: So voted.

FUND EXPENSES ASSOCIATED WITH COSTS OF FLU CLINIC

ARTICLE 60. To see if the Town will vote to raise and appropriate or transfer from available funds a sufficient sum of money to fund the purchase of vaccines and to cover expenses associated with the administration of a flu clinic and to act fully thereon. By request of the Board of Health. Estimated Cost: \$ 7,500.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. TO BE FUNDED FROM AVAILABLE FUNDS. VOTE: YES-5, NO-0.

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be accepted and adopted and that the sum of \$7,500 be transferred from Free Cash for this purpose.

Duly seconded

ACTION: So voted.

ACCEPT GENERAL LAW CHAPTER 59 SECTION 5L

ARTICLE 61. To see if the Town will vote to accept Massachusetts General Law Chapter 59 Section 5L pertaining to deferral of taxes for National Guard overseas effective for Fiscal Year 2008 and to act fully thereon. By request of the Board of Assessors. Estimated Cost: Loss of interest.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND THAT IT PERTAINS TO NATIONAL GUARD AND RESERVISTS. VOTE: YES-5, NO-0.

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be accepted and adopted.

Duly seconded

ACTION: It was a unanimous vote, so declared.

AMEND BY-LAWS – USE OF MATERIALS CONTAINING PERCHLORATE

ARTICLE 62. To see if the Town will vote to amend Article IV of the General By-Laws by adding a new Part 15 as follows:

Part 15 Prohibition on the Storage and Use of Materials Containing Perchlorate

4-15-1 Purpose

1. Perchlorate is an inorganic chemical commonly used in the manufacturing of rockets, missiles, fireworks and explosives. It may be found in surface and ground waters around military operations, defense contracting, manufacturing facilities, and areas where blasting agents have been used.

2. Perchlorate is highly mobile in water and can persist for many years in ground water and surface water. It can cause adverse health effects at even low concentrations, and the US Environmental Protection Agency and the Massachusetts Department of Environmental Protection (DEP) have made it a priority to implement regulations to protect drinking water supplies and public health from Perchlorate impacts. Accordingly, the DEP is promulgating a drinking water standard of 2 parts per billion (ppb) that comes into effect during 2007.

3. Given the potential for adverse effects on groundwater resources from Perchlorate, the purpose of this bylaw is to protect the Town's drinking water supplies from contamination.

4-15-2 Prohibition.

The storage, use, handling, igniting, or disposal of any materials, including without limitation explosives or fireworks, containing Perchlorate within 1500 feet of the boundary of the Zone II protective area around any public water supply as approved by the Massachusetts Department of Environmental Protection, including drinking water wells owned and operated by the Town, is

hereby prohibited. The limit of the 1500 foot protective radius for each Town-owned well field is shown on the map included as Appendix A to this bylaw. In the event that the delineation of a Zone II changes, the Board of Water Commissioners (“Board”) shall revise Appendix A and shall keep a copy of the revised map on file with the Town Clerk and the Water Department.

4-15-3 Administration.

1. The Board shall administer, implement, and enforce this Bylaw. Any powers granted to or duties imposed upon the Board may be delegated in writing by the Board to its employees or agents.

2. The Board may adopt, and periodically amend, rules and regulations relating to the administration of this Bylaw. Failure by the Board to promulgate such rules and regulations or a legal declaration of their invalidity by a court shall not act to suspend or invalidate the effect of this Bylaw.

4-15-4 Enforcement.

1. The Board or an authorized agent may issue a written order to enforce the provisions of this Bylaw or the regulations thereunder, which may include requirements to cease and desist from any specified activity until there is compliance with this Bylaw.

2. Any person who violates any provision of this bylaw, or regulation, order or permit issued thereunder shall be punished by a fine of \$300. Each day or part thereof that such violation occurs or continues shall constitute a separate offense; or to take any other action relative thereto.

and to act fully thereon. By request of the Board of Water Commissioners and the Superintendent.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. FOR PROTECTION OF THE TOWN’S WATER SUPPLY. VOTE: YES-5, NO-0.

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be accepted and adopted as printed in the warrant. Duly seconded

ACTION: It was a unanimous vote, so declared.

ACCEPT NEW SECTION OF GENERAL LAWS

ARTICLE 63. To see if the Town will vote to accept Massachusetts General Laws, Chapter 39, Section 23D which is part of Chapter 79 of the Acts of 2006 entitled “*An Act Further Regulating Meetings of Municipal Boards*” and to act fully thereon. By request of the Board of Selectmen.
THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. VOTE: YES-5, NO-0.

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be accepted and adopted. Duly seconded

ACTION: So voted.

ACCEPT NEW SECTION OF GENERAL LAWS

ARTICLE 64. To see if the Town will vote to accept Massachusetts General Laws Chapter 40, Section 22F regarding license fees and service charges and to act fully thereon. By request of the Board of Selectmen.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. VOTE: YES-5, NO-0.

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be accepted and adopted. Duly seconded

ACTION: So voted.

ANIMAL CONTROL BY-LAWS AND PENALTIES

ARTICLE 65. To see if the Town will vote to amend the Animal Control By-Law by deleting the fifth paragraph in its entirety under section:

10-102 LICENSES AND TAGS:

“The fee for each dog license shall be ten (10) dollars unless a certificate from a veterinarian stating that the dog has been spayed or neutered is presented to the clerk, in which case the fee shall be six (6) dollars. No fee shall be charged for a dog specially trained to lead the blind or serve a blind or deaf person upon presentation to the clerk of a certificate of such training.”

Inserting in its place the following:

The fee for each dog license shall be determined annually by a committee of the Town Administrator, The Town Clerk, and The Animal Control Officer and approved by the Board of Selectmen. No fee shall be charged for a dog specially trained to lead the blind or serve the blind or deaf person upon presentation to the Town Clerk of a certificate of such training and to act fully thereon. By request of the Town Clerk and the Animal Control Officer.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. REMOVES THE SETTING OF FEES FROM THE BY-LAW. VOTE: YES-4, NO-2.

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be accepted and adopted as printed in the warrant. Duly seconded

ACTION: So voted.

ANIMAL CONTROL BY-LAW – KENNEL LICENSES

ARTICLE 66. To see if the Town will vote to amend the Animal Control By-Law Section 10-106 by deleting the first two paragraphs in its entirety under section:

“A kennel maintained as a business for the boarding and/or grooming of dogs shall obtain a Commercial Kennel License upon written application and the payment of fifty (50) dollars. Each kennel shall be available for inspection by the Animal Control Officer, a Police Officer, or the Board of Health.

Any owner or keeper of more than three (3) dogs but less than seven (7) shall obtain a kennel license for a Multiple Pet Household upon payment of twenty five (25) dollars. The owner or keeper shall present to the Town Clerk verification that all dogs six (6) months old or older have been currently immunized against rabies.”

Inserting in its place the following:

A kennel maintained as a business for the boarding and/or grooming of dogs shall obtain a Commercial Kennel License. The fee for each Commercial Kennel License shall be determined annually by a committee of the Town Administrator, The Town Clerk, and The Animal Control Officer and approved by the Board of Selectmen. Each kennel shall be available for inspection during normal business hours by the Animal Control Officer, a Police Officer, or the Board of Health.

Any owner or keeper of more than three (3) dogs but less than seven (7) dogs shall obtain a kennel license for a Multiple Pet Household. The owner or keeper shall present to the Town Clerk verification that all dogs six (6) months or older have been immunized against rabies. The fee for each Kennel License shall be determined annually by a committee of the Town Administrator, The Town Clerk, and The Animal Control Officer and approved by the Board of Selectmen and to act fully thereon. By request of the Town Clerk and the Animal Control Officer.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. REMOVES THE SETTING OF FEES FROM THE BY-LAW. VOTE: YES-4, NO-2.

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be accepted and adopted as printed in the warrant. Duly seconded

ACTION: So voted.

TOWN BY-LAW – HOUSE NUMBERING

ARTICLE 67. To see if the Town will vote to change the wording of the Town By-Law “House numbering Section 4-901” to read as follows:

4-901

All Dwellings, apartment buildings, condominiums, and business establishments located in whole or in part in the Town of Harwich shall have affixed thereto or otherwise posted on the premises in a location approved by the Selectmen the street number representing the address of such dwelling unit. Said number shall be four (4) inches or greater, and must be visible from the street or road providing vehicular access to such building. For the safety of Harwich citizens or visitors to our town, said number must be in numerical form only and not affixed to the entrance door.

4-902

An owner or occupant who fails to post on their premises the street number assigned thereto by the Selectmen within 60 days after being given written notice by the Engineering, Building, Police or Fire departments or Harwich TRIAD assigned designee of the Selectmen, or any owner or occupant who fails to keep said number posted and maintained in a legible condition, or any person who unlawfully removes, defaces or conceals said number, shall be subject to a \$50 fine for each offense. In case of a failure to post, keep posted or maintain said number in a legible condition, each day such number is not so posted or maintained in a legible condition shall constitute a separate offense and to act fully thereon. By request of the Council on Aging and the Fire Department.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE INDEFINITELY POSTPONED. CLARIFICATION OF THE BY-LAW NEEDS TO BE UNDERTAKEN. VOTE: YES-6, NO-0.

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be indefinitely postponed. Duly seconded

ACTION: The article was indefinitely postponed.

ESTABLISH COUNCIL ON AGING REVOLVING FUND

ARTICLE 68. To see if the Town will vote to establish a revolving fund (for the purpose of funding programs with the Council on Aging) pursuant to the provisions of Massachusetts General Laws Chapter 44, Section 53E ½ and to act fully thereon. By request of the Council on Aging.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. ANNUAL VOTE TO ESTABLISH A REVOLVING ACCOUNT. VOTE: YES-6, NO-0.

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be accepted and adopted to approve a revolving fund for the purpose of receiving fees and donations and paying for congregate meals and exercise programs at the Senior Center authorized by the Council on Aging with an upset annual limit of \$50,000. Duly seconded

ACTION: So voted.

LEASE AGREEMENT FOR CONSTRUCTION OF WIRELESS TOWER ON PLEASANT LAKE WATER STORAGE FACILITY

ARTICLE 69. To see if the Town will vote to authorize the Board of Water Commissioners to enter into lease agreements for up to 20 years with wireless (cellular) providers on the Pleasant Lake water storage facility and to act fully thereon. Requested by the Board of Water Commissioners and Superintendent.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. WILL PROVIDE ADDITIONAL REVENUES FOR WATER ENTERPRISE FUND. VOTE: YES-5, NO-0.

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be accepted and adopted. Duly seconded

ACTION: So voted.

**PINE GROVE ARTICLE AUTHORIZING SELECTMEN
TO FILE SPECIAL LEGISLATION WITH GENERAL COURT**

ARTICLE 70. To see if the Town will vote to authorize the Board of Selectmen to petition the General Court to enact special legislation authorizing the Town to accept by gift, transfer, purchase or eminent domain the real and personal property of the Pine Grove Cemetery (a.k.a. Pine Grove Cemetery Association of West Harwich, Inc. or Pine Grove Cemetery Association) as previously authorized by vote of the 2006 Annual Town Meeting, Article 23, which article identified both the reference of the recorded deeds of the parcels contained in such transfer and the associated Perpetual Care funds held in the accounts of the Pine Grove Cemetery. This action will not preclude the ability of the Pine Grove Cemetery to also petition the Barnstable County Probate Court seeking its affirmative judgment for the transfer of said funds and to act fully thereon. By request of the Cemetery Commission.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. THIS CLARIFIES A VOTE FROM LAST YEAR'S TOWN MEETING.

VOTE: YES-4, NO-1.

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be accepted and adopted to authorize the Board of Selectmen to petition the General Court to enact special legislation authorizing the Town to accept by gift, transfer, purchase or eminent domain the real and personal property of the Pine Grove Cemetery. Duly seconded

ACTION: It was a unanimous vote, so declared.

KELLEY CEMETERY ADJACENT LANDS EMINENT DOMAIN PROCEEDING

ARTICLE 71. To see if the Town will vote to authorize the Board of Selectmen to petition the General Court to enact special legislation authorizing the town to take or accept by gift, transfer, purchase or eminent domain, for cemetery purposes the unnumbered parcel of land adjoining Kelley Cemetery as previously authorized by the 2006 Annual Town Meeting, Article 21, and as identified by said article and to act fully thereon. By request of the Cemetery Commission

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. THIS CLARIFIES A VOTE FROM LAST YEAR'S TOWN MEETING.

VOTE: YES-4, NO-1.

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be accepted and adopted to authorize the Board of Selectmen to petition the General Court to enact special legislation authorizing the town to take or accept by gift, transfer, purchase or eminent domain, for cemetery purposes the unnumbered parcel of land adjoining Kelley Cemetery as previously authorized by the 2006 Annual Town Meeting, Article 21, and as identified by said article.

Duly seconded

ACTION: It was a unanimous vote, so declared.

HARWICH HISTORICAL SOCIETY LEASE AGREEMENT

ARTICLE 72. To see if the Town will vote to authorize the Board of Selectmen to enter into a ten (10) year lease agreement with the Harwich Historical Society to lease the Brooks Academy Museum and to act fully thereon. By request of the Board of Selectmen.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. THIS IS A RENEWAL OF THE LEASE PRESENTLY IN EFFECT. VOTE: YES-6, NO-0.

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be accepted and adopted for this purpose. Duly seconded

ACTION: It was a unanimous vote, so declared.

SELL PARCELS OF LAND OWNED BY THE TOWN

ARTICLE 73. To see if the Town will vote to authorize the Board of Selectmen to sell certain parcels of land owned by the Town, the proceeds which will be deposited into the Affordable Housing Trust Fund upon such terms and conditions as the Board deems to be in the best interest of the Town, and to authorize the Board to first take such parcels by eminent domain for the purpose of clearing title thereto, and to further authorize the Board to enter into any agreements in connection with the above purpose and to act fully thereon. The specific parcels are as follows:

<u>Map/Parcel</u>	<u>Address</u>	<u>Acreage</u>
Map 32/Lot N3-B	0 Bank Street	.20 acres
Map 58/Lot K6	246 Queen Anne Road	1.45 acres
Map 69/Lot M1	276 Queen Anne Road	2.25 acres
Map 58/Lot K1-4	178 Queen Anne Road	.79 acres
Map 58/Lot K1-3	172 Queen Anne Road	.68 acres
Map 72/Lot L 262	759 Queen Anne Road	.23 acres
Map 85/Lot S 102	13 Haromar Heath	.25 acres
Map 66/Lot A 1-91 (94)	754 Depot Street	.23 acres
Map 92/Lot H5-A	0 Cottonwood Road	.44 acres
Map 13/Lot A-3	386 Route 28	.30 acres
Map 65/Lot A4-70 (73)	0 Belmont Gardens	.23 acres
Map 39/Lot C-2	0 Main Street	.39 acres

By request of the Board of Selectmen and the Housing Committee.
NO RECOMMENDATION PENDING FURTHER INFORMATION.

MOTION: (David Marsland – Selectman) I move that this article be accepted and adopted as printed in the warrant. Duly seconded

AMENDMENT: (Paul Widegren – Real Estate and Open Space Committee) I move that this Main Motion be amended to read as follows: “That the article be accepted and adopted as printed except that the following parcels be deleted:

Map 58/Lot K6	246 Queen Anne Road	1.45 acres
Map 69/Lot M1	276 Queen Anne Road	2.25 acres
Map 58/Lot K1-4	178 Queen Anne Road	.79 acres
Map 58/Lot K1-3	172 Queen Anne Road	.68 acres

Duly seconded

ACTION ON AMENDMENT: A standing count was taken, YES 106 NO 58, amendment carried.

AMENDMENT: (Stephen Chandler) I move that the main motion be further amended by adding the following parcel to the list of those parcels to be deleted.

Map 32/Lot N3-B	0 Bank Street	20 acres
		Duly seconded

ACTION: This amendment did not carry.

AMENDMENT: (Leo Cakounes) I move that the main motion be further amended by adding the following parcels to the list of those parcels to be deleted.

Map 85/Lot S 102	13 Haromar Heath	.25 acres
Map 66/Lot A 1-91 (94)	754 Depot Street	.23 acres
		Duly seconded

ACTION ON AMENDMENT: This amendment carried.

A motion was made and seconded to terminate debate, this needed a 3/4 majority vote to pass, it was a unanimous vote, so declared.

ACTION ON MAIN MOTION AS AMENDED: This article needed a 2/3 majority vote to pass, it was declared to have received the necessary 2/3 majority vote, the article passed.

ACQUIRE PROPERTIES ASSESSED TO CAPE COD HOSPITAL

ARTICLE 74. To see if the Town will vote to accept five (5) properties owned by Cape Cod Hospital that are up for tax taking by accepting a release deed from Cape Cod Hospital and to act fully thereon. The properties are as follows:

<u>Assessor's Map</u>	<u>Parcel</u>
Misc.	4
Misc.	5
Misc.	6
Misc.	7
Misc.	11260000

By request of the Board of Assessors.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. VOTE: YES-5, NO-0.

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be accepted and adopted for this purpose. Duly seconded

ACTION: It was a unanimous vote, so declared.

ACQUIRE DOWNEY PROPERTY

ARTICLE 75. To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, by purchase, by eminent domain or otherwise, for general municipal purposes, all or a portion of land now or formerly owned by Julia T. Downey, Trustee, and located on the south side of Route 28 in Harwich, Mass, and shown on Assessor's map 15 as Parcel H4, containing 2.2 acres, more or less, and to raise and appropriate, or transfer from available funds or borrow a sufficient sum of money for such acquisition; and further to authorize the Board of Selectmen to negotiate the purchase of the land and to make the decision to enter into any agreement to purchase the land and to execute any and all instruments as may be necessary on behalf of the Town and to act fully thereon. By request of the Board of Selectmen.

NO RECOMMENDATION PENDING FURTHER INFORMATION.

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be indefinitely postponed. Duly seconded

ACTION: This article was indefinitely postponed.

FUND RECONSTRUCTION OF COVE ROAD, OLD POST ROAD & WAYSIDE ROAD

ARTICLE 76. To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sufficient sum of money to repair Cove Road, Old Post Road and Wayside Road, subject to repayment through the use of a private way betterment assessment program and an inter-municipal agreement with the Town of Brewster to recover from Brewster residents who abut Wayside Road and to act fully thereon. By request of the Board of Selectmen. Estimated cost: \$ 175,000.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. FUNDING TO BE FROM \$175,000 DEBT EXCLUSION OVERRIDE.

VOTE: YES-4, NO-3.

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be indefinitely postponed. Duly seconded

ACTION: This article was indefinitely postponed.

DEFRAY EXPENSES – CHASE AND HARWICH PORT LIBRARIES

ARTICLE 77. To see if the Town will vote to raise and appropriate or transfer from available funds a sufficient sum of money to help defray the expenses of the Chase Library and Harwich Port Library; said funds to be expended under the direction of the Chase Library and the Harwich Port Library Trustees and to act fully thereon. By Petition. Estimated cost: \$22,630.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE INDEFINITELY POSTPONED. THE SELECTMEN NOTIFIED THE LIBRARIES AT TOWN MEETING LAST YEAR THAT FUNDING WAS QUESTIONABLE FOR FUTURE YEARS. VOTE: YES-5, NO-1.

MOTION: (Leo Cakounes) I move that this article be accepted and adopted and that the sum of \$22,630.00 be transferred from Free Cash for this purpose. Duly seconded

A motion was made to terminate debate, this needed a 3/4 majority vote to pass, it was a unanimous vote, so declared.

ACTION: So voted.

PROMOTE TOWN OF HARWICH

ARTICLE 78. To see if the Town will vote to raise and appropriate or transfer a sufficient sum of money for the Harwich Chamber of Commerce to advance economic development initiatives for and with the town of Harwich. Said monies to be used for marketing and informational pieces and activities promoting the Town to local and regional residents, second home owners, visitors and tourists and to encourage businesses to establish themselves in Harwich and to act fully thereon. By Petition. Estimated cost: \$12,000.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. FUNDS FROM AVAILABLE FUNDS. VOTE: YES-5, NO-1.

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be accepted and adopted and that the sum of \$12,000 be transferred from Free Cash to the Harwich Chamber of Commerce for this purpose. Duly seconded.

ACTION: So voted.

AMEND DESIGNATIONS OF TOWN ZONING DISTRICTS

ARTICLE 79. To see if the Town will vote to amend the Town of Harwich Zoning Map by changing the zoning designation of certain portions of the R-R zoning district, being parcels H5-2, R1, and R2 on Map 115 of the Town of Harwich "Assessor's Maps, to the R-H-2 zoning district in the manner shown on a copy of said Zoning Map which is on file in the Office of the Town Clerk, a copy of a portion of which map showing the land area affected is attached and appears in this warrant and to act fully thereon. By Petition of Wequassett Inn.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. VOTE: YES-4, NO-1, ABSTAIN-1.

MOTION: (Robert Tombs-Chairman, Finance Committee) I move that this article be accepted and adopted to amend the Town of Harwich Zoning Map by changing the zoning designation of certain portions of the R-R zoning district, being parcels H5-2, R1, and R2 on Map 115 of the Town of Harwich "Assessor's Maps, to the R-H-2 zoning district in the manner shown on a copy of said Zoning Map which is on file in the Office of the Town Clerk. Duly seconded

John Idman - Planning Board read the Planning Board report as follows:

March 23, 2007

To: Board of Selectmen

From: Planning Board

RE: Planning Board Report to Town Meeting

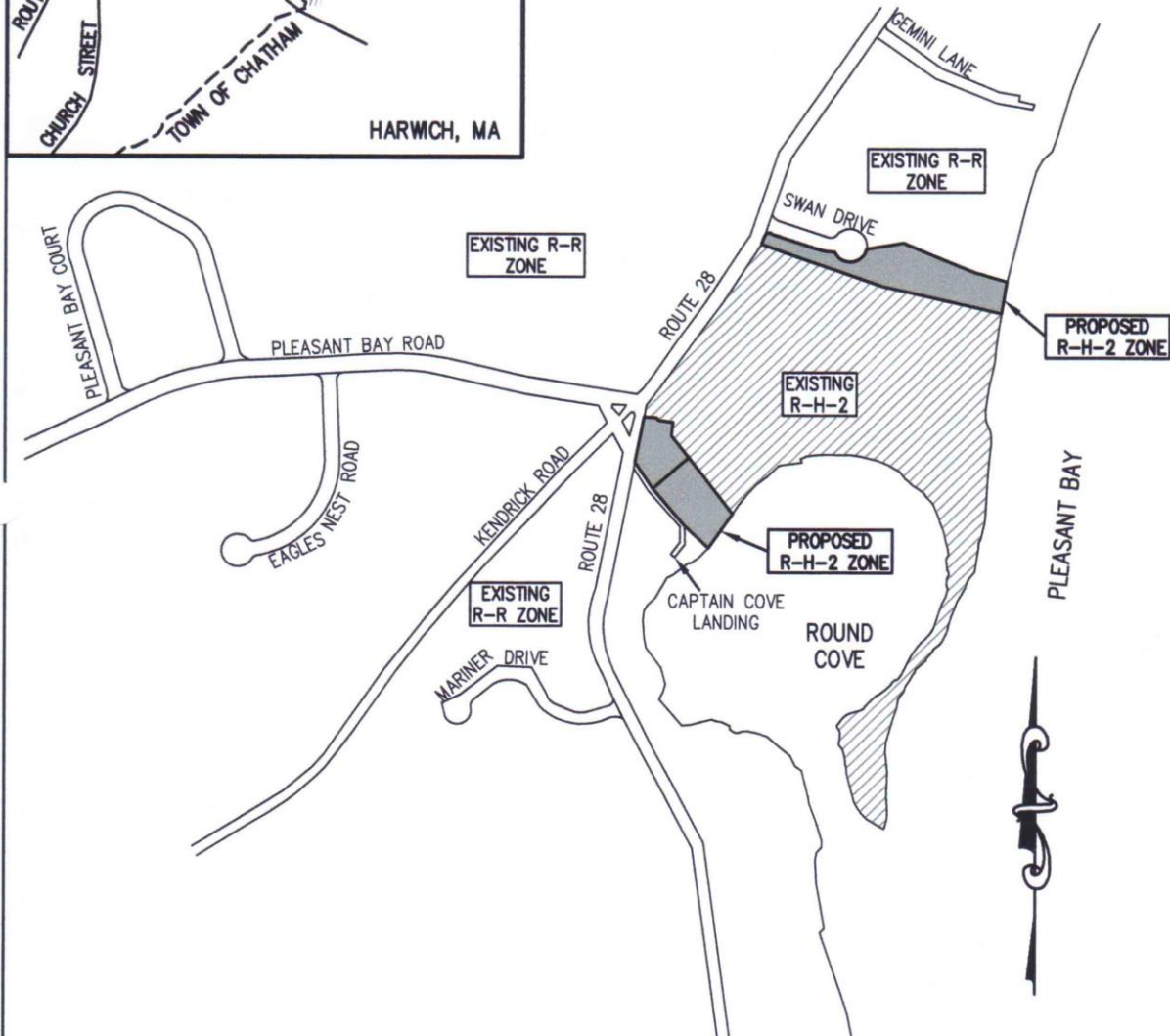
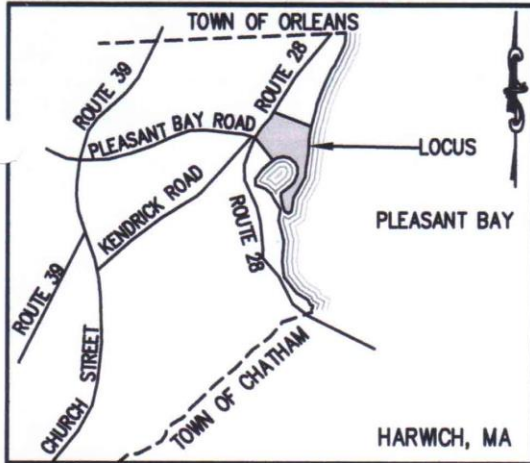
Amendment to the Town of Harwich Zoning Map

On March 13, 2007, the Planning Board held a public hearing on the proposed amendment to the Town of Harwich Zoning Map relative to change the zoning designation of parcels H5-2, R1 and R2 on Map 115 of the Town of Harwich Assessor's Maps from the R-R to the R-H-2 zoning district. There were several letters and comments from the public in support of the zoning designation change. The Board voted unanimously to recommend this article to the Town Meeting.

ACTION: This article needed a 2/3 majority vote to pass, it was a unanimous vote, so declared.

PLAN REFERENCES:

ASSESSORS MAPS 108, 109, 114, AND 115



EXISTING R-H-2 ZONE
PROPOSED R-H-2 ZONE

DRAWN BY: KMB
C1654203.dwg

Coastal Engineering Co., Inc. © 2007

COASTAL
ENGINEERING
COMPANY, INC.
260 Cranberry Hwy. Orleans, MA 02653
508.255.6511 Fax: 508.255.6700

PROPOSED REZONING
(3 PARCELS R-R TO R-H-2)
WEQUASSETT INN
HARWICH, MA

PROJECT

SHEET NO.

SKC-1

PROJECT NO.

C16542.03

SCALE

NO SCALE

DATE

1/18/07

FUND SOLAR ENERGY SYSTEM AT TOWN HALL

ARTICLE 80. To see if the Town will vote to spend a sufficient sum of money to install a solar energy system onto the Harwich Town Hall and to act fully thereon. By Petition. Estimated Cost: \$50,000.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE INDEFINITELY POSTPONED. NO DEFINITE PLAN OR COSTS WERE SUBMITTED. VOTE: YES-6, NO-0.

MOTION: (Milton Hirshberg) I move that this article be accepted and adopted and the amount of \$50,000 be transferred from Free Cash for this purpose.

Duly seconded.

ACTION: This motion did not carry.

FUND SOLAR ENERGY SYSTEM AT COMMUNITY CENTER

ARTICLE 81. To see if the Town will vote to spend a sufficient sum of money to install a solar energy system onto the Harwich Community Center and to act fully thereon. By Petition. Estimated Cost: \$50,000.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE INDEFINITELY POSTPONED. NO DEFINITE PLAN OR COSTS WERE SUBMITTED. VOTE: YES-6, NO-0.

MOTION: (Milton Hirshberg) I move that this article be accepted and adopted and the amount of \$50,000 be transferred from Free Cash for this purpose.

Duly seconded.

ACTION: This motion did not carry.

DEFRAY COSTS OF THE HARWICH ATHLETIC ASSOCIATION

ARTICLE 82. To see if the Town will vote to raise and appropriate or transfer the sum of Three Thousand (\$3,000.00) Dollars to help defray the cost of the Harwich Athletic Association, Inc. in sponsoring the Harwich Town Baseball Team (Harwich Mariners) a member of the Cape Cod Baseball League and other community athletic events. Said money to be spent under the direction of the Board of Selectmen and to act fully thereon. By Petition. Estimated Cost: \$ 3,000.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE INDEFINITELY POSTPONED. VOTE: YES-6, NO-0.

MOTION: (Edward McManus – Selectman) I move that this article be accepted and adopted and the sum of \$3,000 be transferred from Free Cash for this purpose.

Duly seconded

ACTION: So voted.

COMPENSATION BALANCE AGREEMENT

ARTICLE 83. To see if the Town will vote to authorize its Treasurer to enter into a compensating balance agreement or agreements with banking institutions for fiscal year 2008 pursuant to Chapter 44, Section 53F of the General Laws and to act fully thereon. Customary Article.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. CUSTOMARY ARTICLE. VOTE: YES-5, NO-1.

MOTION: (Robert Tombs, Chairman-Finance Committee) I move that this article be accepted and adopted for this purpose. Duly seconded

ACTION: So voted.

LIABILITY TIDAL/NON-TIDAL RIVERS

ARTICLE 84. To see if the Town will assume the liability in the manner provided by Section 29 of Chapter 91 of the General Laws as amended by Chapter 516 and 524, Acts of 1950, for all damages that may be incurred by work to be performed by the Department of Public Works of Massachusetts, for improvement, development, maintenance and protection of tidal and non-tidal rivers, streams, harbors, tide waters, foreshore and shores along a public beach outside of Boston Harbor, including the Merrimack and Connecticut Rivers in accordance with Section 11 of Chapter 91 of the General Laws and to authorize the Selectmen to execute and deliver a bond of indemnity to the Commonwealth and to act fully thereon. Customary Article.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. CUSTOMARY ARTICLE. VOTE: YES-5, NO-1.

MOTION: (Robert Tombs, Chairman-Finance Committee) I move that this article be accepted and adopted for this purpose. Duly seconded

ACTION: So voted.

HERRING FISHERIES

ARTICLE 85. To see what action the Town will take in regard to the Herring Fisheries and to act fully thereon. Customary Article.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. CUSTOMARY ARTICLE. VOTE: YES-5, NO-1.

MOTION: (Robert Tombs, Chairman-Finance Committee) I move that this article be accepted and adopted for this purpose. Duly seconded

ACTION: So voted.

UNPAID BILLS

ARTICLE 86. 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 Chapter 170 of the Acts of 1941 and to act fully thereon. By request of the Town Accountant.

Estimated cost: \$_____.

NO RECOMMENDATION PENDING FURTHER INFORMATION.

MOTION: (Robert Tombs, Chairman-Finance Committee) I that this article be accepted and adopted and that the sum of \$ 17,360.98 be transferred from Free Cash for this purpose.

<u>Department</u>	<u>Vendor</u>	<u>Description</u>	<u>Amount</u>
Fire/EMS	Len Kalback- Electrician	repairs and parts	\$ 390.00
Harbors	Longevity bonus	S&W	3,916.01
Schools	Cape Cod Collaborative	Virtual H.S. Program	5,916.01
Town Hall	Longevity Bonus	S&W	1,284.64

Town Engin.	Longevity bonus	S&W	533.81
Recreation	United Rental Lift	Whitehouse Field	500.02
Town Hall	Staples	Office Supplies	273.32
Town Hall	Staples	Office Supplies	325.32
Town Hall	Verizon	damage claim	2,538.27
Town Hall	NStar Electric / Gas	repairs	1,974.89
Town Hall	CIT Tech Fin Services	copier rental	449.70
Total			\$ 17,360.98

Duly seconded.

ACTION: It was a unanimous vote, so declared.

At this time the Moderator, Michael D. Ford, Esq. made the following appointments:

FINANCE COMMITTEE

I hereby appoint Linda Cebula to a 3 year term
I hereby appoint Dana DeCosta to a 3 year term

SURVEYOR OF WOOD & LUMBER

I hereby appoint Geoff Larsen as the Surveyor of Wood & Lumber

CALEB CHASE TRUST FUND

I hereby appoint David M. Davis to a 3 year term as a Trustee of the Caleb Chase Trust Fund

Date: May 8, 2007

s/Michael D. Ford, Esq.
Town Moderator

STABILIZATION FUND

ARTICLE 87. To see if the Town will vote to raise and appropriate or transfer from surplus revenue or available funds a sum of money to be added to the Stabilization Fund and to act fully thereon. By request of the Board of Selectmen. Estimated Cost: \$ 100,000.

THE FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. VOTE: YES-6, NO-0.

MOTION: (Robert Tombs, Chairman- Finance Committee) I move that this article be accepted and adopted and that the sum of \$100,000 be transferred from Free Cash to be added to the Stabilization Fund.

Duly seconded

ACTION: It was a unanimous vote, so declared.

At 11:50 PM on May 8, 2007 a motion was made to adjourn the May 2007 Annual Town Meeting, duly seconded and so voted.

**THE FOLLOWING ARTICLE WERE PASSED AT THE
ANNUAL TOWN MEETING
MAY 7, 2007**

CUSTOMARY ARTICLES

ARTICLE 1 TOWN OFFICERS AND COMMITTEES
ARTICLE 2 REPORTS OF TOWN OFFICERS AND COMMITTEES
ARTICLE 84 LIABILITY TIDAL/NON-TIDAL RIVERS
ARTICLE 85 HERRING FISHERIES

CAPITAL PLAN

ARTICLE 15 CAPITAL PLAN ADOPTION

LAND TAKING/SPECIAL LEGISLATION

ARTICLE 70 PINE GROVE ARTICLE AUTHORIZING SELECTMEN TO
FILE SPECIAL LEGISLATION WITH GENERAL COURT
ARTICLE 71 KELLEY CEMETERY ADJACENT LANDS EMINENT
DOMAIN PROCEEDING

AMEND GENERAL BY-LAWS

ARTICLE 62 AMEND BY-LAWS – USE OF MATERIALS CONTAINING PERCHLORATE
ARTICLE 65 ANIMAL CONTROL BY-LAWS AND PENALTIES
ARTICLE 66 ANIMAL CONTROL BY-LAW – KENNEL LICENSES

AMEND ZONING BY-LAWS

ARTICLE 79 AMEND DESIGNATIONS OF TOWN ZONING DISTRICTS

ACCEPT MASSACHUSETTS GENERAL LAWS

ARTICLE 61 ACCEPT GENERAL LAW CHAPTER 59 SECTION 5L
ARTICLE 63 ACCEPT NEW SECTION OF GENERAL LAWS
ARTICLE 64 ACCEPT NEW SECTION OF GENERAL LAWS

**APPROPRIATIONS VOTED UNDER ARTICLES
ANNUAL TOWN MEETING
MAY 7, 2007**

FROM TAX LEVY

ARTICLE 14 BUDGET \$ 40,861,796.00

TRANSFERRED FROM FREE CASH

ARTICLE 22.	PURCHASE NEW EQUIPMENT	\$	247,563.00
ARTICLE 23.	FUND REPAIR/REPLACEMENT OF TOWN HVAC UNITS		100,000.00
ARTICLE 25.	FUND IMPROVEMENTS TO SEPTIC TREATMENT SYSTEM AT MIDDLE AND ELEMENTARY SCHOOLS		34,000.00
ARTICLE 26.	FUND THE PURCHASE OF FOUR MODULAR REPLACEMENT CLASSROOMS AT THE HIGH SCHOOL		113,419.00

ARTICLE 27	FUND BUILDING MAINTENANCE AT THE SCHOOLS	87,350.00
ARTICLE 28	FUND PROJECT CONTEMPORARY COMPETITIVENESS	12,000.00
ARTICLE 29	FUND TECHNOLOGY HARDWARE AND SOFTWARE FOR SCHOOL DEPARTMENT	54,306.00
ARTICLE 31	REPLACE A PORTION OF THE ROOF OF THE HIGHWAY MAINTENANCE BUILDING	24,500.00
ARTICLE 32	REMOVE/REPLACE LIGHT POLE AND FIXTURES AT WHITEHOUSE FIELD	40,000.00
ARTICLE 33	REPLACEMENT OF FLOORS AT COMMUNITY CENTER	28,550.00
ARTICLE 34	DREDGING RESERVE FUND	40,000.00
ARTICLE 52	MAINTAIN, UPDATE, AND/OR CERTIFY REAL/PERSONAL PROPERTY VALUATIONS	21,000.00
ARTICLE 53	JIM NOONAN HUMAN SERVICES ARTICLE	76,500.00
ARTICLE 54	FUND MUNIS CHART OF ACCOUNT REVISION	41,800.00
ARTICLE 55	FUND POLICE AND FIRE CLAIMS TRUST ACCOUNT	4,000.00
ARTICLE 56	AMEND HARWICH EMPLOYEE ASSOCIATION COMPENSATION PLAN AND JOB DESCRIPTIONS	18,000.00
ARTICLE 57	CONTRACT TO CONDUCT DEMOGRAPHIC STUDY	32,000.00
ARTICLE 58	CONTRACT TO CONDUCT BENCHMARK STUDY	7,500.00
ARTICLE 59	SUPPLEMENT FUND FOR CULTURAL COUNCIL ACTIVITIES	2,500.00
ARTICLE 60	FUND EXPENSES ASSOCIATED WITH COSTS OF FLU CLINIC	7,500.00
ARTICLE 77	DEFRAY EXPENSES – CHASE AND HARWICH PORT LIBRARIES	22,630.00
ARTICLE 78	PROMOTE TOWN OF HARWICH	12,000.00
ARTICLE 82	DEFRAY COSTS OF THE HARWICH ATHLETIC ASSOCIATION	3,000.00
ARTICLE 86	UNPAID BILLS	17,360.98
ARTICLE 87	STABILIZATION FUND	100,000.00
FROM OTHER AVAILABLE FUNDS		
ARTICLE 14	BUDGET	113,746.00
		17,250.00
		125,000.00
		75,000.00
		260,000.00
ARTICLE 26	FUND THE PURCHASE OF FOUR MODULAR REPLACEMENT CLASSROOMS AT THE HIGH SCHOOL	79,504.00
ARTICLE 34	DREDGING RESERVE FUND	60,000.00
ARTICLE 35	SKINEQUIT POND RESTORATION PROJECT	1,800.00
BALLOT QUESTIONS – DEBT EXCLUSIONS		
ARTICLE 16	FUND ARCHITECT AND PROJECT MANAGER FOR CONSTRUCTION OF NEW POLICE STATION	\$ 500,000.00
ARTICLE 17	HARWICH COMPREHENSIVE WASTEWATER MANAGEMENT PLANNING	500,000.00
ARTICLE 18	FUND THE ROAD MAINTENANCE PROGRAM	1,000,000.00

BALLOT QUESTIONS – CAPTIAL EXCLUSIONS

ARTICLE 19 LEASE OR PURCHASE AND EQUIP VEHICLES	170,000.00
ARTICLE 20 REMOVE/REPLACE FUEL STORAGE SYSTEM AT DPW GARAGE	210,000.00

CPC/ FUNDS

ARTICLE 14 BUDGET	882,418.00
ARTICLE 36 RECONSTRUCT TENNIS COURTS AT BROOKS PARK	82,000.00
ARTICLE 37 FUND WALKING TRAIL IMPROVEMENTS	5,000.00
ARTICLE 38 CONSTRUCT BOCCE COURT AT BROOKS PARK	5,000.00
ARTICLE 39 FUND PRESERVATION OF TOWN RECORDS	34,629.00
ARTICLE 40 FUND CODIFICATION OF THE CHARTER AND BY-LAWS	30,000.00
ARTICLE 41 FUND RESTORATION PROJECTS AT BROOKS ACADEMY	50,000.00
ARTICLE 42 FUND RENOVATIONS AT OLD RECREATION BUILDING AND WEST HARWICH SCHOOL	84,000.00
ARTICLE 43 UPGRADE ELECTRICAL SYSTEMS AT THE BROOKS ACADEMY	30,000.00
ARTICLE 44 FUND HOUSING COSTS AT 916 AND 920 ROUTE 28 IN SOUTH HARWICH	69,533.00
ARTICLE 45 DEVELOPMENT OF DRIFTWOOD LANE HOUSING DEVELOPMENT	90,000.00
ARTICLE 46 FUND INFRASTRUCTURE DESIGN AND CONSTRUCTION AT OLD RECREATION SITE ON SISSON ROAD	90,000.00
ARTICLE 47 FUND RENTAL ASSISTANCE REVOLVING LOAN FUND	100,000.00
ARTICLE 48 FUND PRE-DEVELOPMENT OF HARWICH PORTUGUESE MEN'S CLUB HOUSING DEVELOPMENT	100,000.00
ARTICLE 49 FUND ADMINISTRATIVE COSTS OF THE COMMUNITY PRESERVATION COMMITTEE	25,000.00
ARTICLE 51 OPEN SPACE/MANAGEMENT PLAN	40,000.00

WATER ENTERPRISE FUND

ARTICLE 14 BUDGET	2,347,837.00
ARTICLE 21 FUND WATER DEPARTMENT PROJECTS AND EQUIPMENT	700,000.00
ARTICLE 24 PURCHASE OR LEASE NEW TRUCK FOR WATER DEPARTMENT	29,184.64

**THE FOLLOWING ARTICLE WERE PASSED AT THE
SPECIAL TOWN MEETING
MAY 8, 2007**

AMEND ZONING BY-LAWS

ARTICLE 15 BOARD OF APPEALS FEES
ARTICLE 16 WIND ENERGY BY-LAW CHANGE
ARTICLE 17 WIND ENERGY SYSTEMS IN INDUSTRIAL DISTRICTS
ARTICLE 18 WIND ENERGY SYSTEMS IN COMMERCIAL DISTRICTS
ARTICLE 19 AMEND ZONING BY-LAWS – NON CONFORMING STRUCTURES
ARTICLE 20 AMEND ZONING BY-LAWS – NON CONFORMING USES

ACCEPT MASSACHUSETTS GENERAL LAWS

ARTICLE 12 SENIOR CITIZEN TAX WORK OFF PROGRAM

**APPROPRIATIONS VOTED UNDER ARTICLES
SPECIAL TOWN MEETING
MAY 8, 2007**

FROM FREE CASH

ARTICLE 1 FUND POLICE AND FIRE CLAIMS ACCOUNT	\$13,900.00
ARTICLE 3 FUND HIGHWAYS AND MAINTENANCE CONTRACT AGREEMENT	22,560.00
ARTICLE 5 REPLACE PILINGS AT WYCHMERE AND SAQUATUCKET HARBORS	102,734.00
ARTICLE 6 FUND GENERAL HEALTH INSURANCE TRUST FUND	268,282.00
ARTICLE 7 SUPPLEMENT FY 2007 SCHOOL OPERATING BUDGET	79,960.00
ARTICLE 10 EXTENSION OF ALLEN HARBOR BOAT RAMP	42,000.00
ARTICLE 21 SUPPLEMENTAL FUNDS FOR CRANBERRY VALLEY FUEL TANK PROJECT	9,500.00
ARTICLE 22 FUND CLEAN-UP COSTS FOR OIL SPILL AT POLICE STATION	15,000.00
ARTICLE 23 MATCHING GRANT FUNDS - COMMUNITY CENTER HURRICANE SHUTTERS	15,000.00

FROM OTHER AVAILABLE FUNDS

ARTICLE 4 FUND NEGOTIATED CONTRACT – POLICE SUPERIOR OFFICERS	14,300.00
ARTICLE 5 REPLACE PILINGS AT WYCHMERE AND SAQUATUCKET HARBORS	22,266.00

CPC/FUNDS

ARTICLE 2 CONSTRUCT PARKING LOT AT EARLE ROAD BEACH	35,000.00
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<u>LINE</u>	<u>FY 2008 OPERATING BUDGET</u> <u>DESCRIPTION</u>	<u>FY 06</u> <u>ACTUAL</u>	<u>VOTED BY</u> <u>TOWN MEETING</u> <u>FY 2007</u>	<u>TA REQUEST</u> <u>FY 2008</u>	<u>VOTED BY BOS</u> <u>FY 2008</u>	<u>VOTED BY</u> <u>FIN COM</u> <u>FY 2008</u>
1	Moderator S&W	\$ 300	\$ 300	\$ 300	\$ 300	\$ 300
2	Selectmen's S&W	6,531	7,500	7,500	7,500	7,500
3	Selectmen's Expense	<u>3,196</u>	<u>7,000</u>	<u>7,000</u>	<u>7,000</u>	<u>7,000</u>
	Sub-Total	9,727	14,500	14,500	14,500	14,500
4	Finance Committee S&W	9,373	9,600	4,200	4,200	4,200
5	Finance Committee Expense	<u>-</u>	<u>1,020</u>	<u>1,020</u>	<u>1,020</u>	<u>1,020</u>
	Sub-Total	9,373	10,620	5,220	5,220	5,220
6	Finance Committee Reserve Fund.	-	221,945	193,602	193,602	193,602
	Sub-Total	-	221,945	193,602	193,602	193,602
7	Accountant's S&W	183,527	190,643	191,438	191,438	191,438
8	Accountant's Expense	951	1,300	2,900	2,900	2,900
9	Audit	<u>25,500</u>	<u>35,000</u>	<u>38,000</u>	<u>38,000</u>	<u>38,000</u>
	Sub-Total	209,978	226,943	232,338	232,338	232,338
10	Assessors' S&W	206,999	208,963	208,901	208,901	208,901
11	Assessors' Expense	<u>17,542</u>	<u>21,055</u>	<u>21,620</u>	<u>21,620</u>	<u>21,620</u>
	Sub-Total	224,541	230,018	230,521	230,521	230,521
12	Postage	<u>32,405</u>	<u>60,000</u>	<u>35,030</u>	<u>35,030</u>	<u>35,030</u>
	Sub-Total	32,405	60,000	35,030	35,030	35,030

<u>LINE</u>	<u>FY 2008 OPERATING BUDGET DESCRIPTION</u>	<u>FY 06 ACTUAL</u>	<u>VOTED BY</u> <u>TOWN MEETING</u>	<u>TA REQUEST</u>	<u>VOTED BY BOS</u>	<u>VOTED BY</u> <u>FIN COM</u>
			<u>FY 2007</u>	<u>FY 2008</u>	<u>FY 2008</u>	<u>FY 2008</u>
13	Treasurer/Tax Collector S&W	196,408	209,156	213,052	213,052	213,052
14	Treasurer/Tax Collector Expense	66,369	71,634	71,116	71,116	71,116
15	Treasurer Bonding Expense	-	-	-	-	-
	Sub-Total	262,778	280,790	284,168	284,168	284,168
16	Medicare Town Share	Included in Health Ins	264,000	276,106	276,106	276,106
		-	264,000	276,106	276,106	276,106
17	Town Hall S&W	321,770	337,362	349,122	349,122	349,122
18	Town Hall Expense	124,376	131,050	134,850	134,850	134,850
19	Town Hall Capital Outlay	4,308	4,600	-	-	-
	Sub-Total	450,455	473,012	483,972	483,972	483,972
20	Legal Services	120,570	110,000	110,000	110,000	110,000
21	Claims & Suits	-	1,000	500	500	500
22	Land Transactions	-	-	-	-	-
	Sub-Total	120,570	111,000	110,500	110,500	110,500
23	Computer Hardware/Software/Support	70,935	73,970	94,553	94,553	94,553
24	Constable Salaries	125	375	375	375	375
25	Clerk's S&W	125,095	131,003	143,837	143,837	143,837
26	Clerk's Expense	17,585	22,750	22,498	22,498	22,498

<u>LINE</u>	<u>DESCRIPTION</u>	<u>Sub-Total</u>	<u>142,680</u>	<u>153,753</u>	<u>166,335</u>	<u>166,335</u>	<u>166,335</u>
		<u>FY 2008 OPERATING BUDGET</u>	<u>FY 06</u>	<u>VOTED BY</u>	<u>TA REQUEST</u>	<u>VOTED BY BOS</u>	<u>VOTED BY</u>
		<u>ACTUAL</u>	<u>FY 2007</u>	<u>TOWN MEETING</u>	<u>FY 2008</u>	<u>FY 2008</u>	<u>FIN COM</u>
							<u>FY 2008</u>
27	Conservation Commission S&W	39,752	43,753	43,753	43,753	43,753	43,753
28	Conservation Commission Expense	<u>5,255</u>	<u>5,770</u>	<u>5,770</u>	<u>5,770</u>	<u>5,770</u>	<u>5,770</u>
	Sub-Total	45,007	49,523	49,523	49,523	49,523	49,523
29	Town Planner S&W	127,503	162,003	114,051	114,051	114,051	114,051
30	Town Planner Expense	<u>1,798</u>	<u>1,900</u>	<u>2,900</u>	<u>2,900</u>	<u>2,900</u>	<u>2,900</u>
	Sub-Total	129,301	163,903	116,951	116,951	116,951	116,951
31	Planning Board S&W	778	1,822	1,800	1,800	1,800	1,800
32	Planning Board Expense	<u>50</u>	<u>600</u>	<u>760</u>	<u>760</u>	<u>760</u>	<u>760</u>
	Sub-Total	828	2,422	2,560	2,560	2,560	2,560
33	Board of Appeals S&W	1,864	4,200	1,800	1,800	1,800	1,800
34	Board of Appeals Expense	<u>281</u>	<u>600</u>	<u>560</u>	<u>560</u>	<u>560</u>	<u>560</u>
	Sub-Total	2,145	4,800	2,360	2,360	2,360	2,360
35	Repairs to Public Buildings	-	5,000	3,000	3,000	3,000	3,000
	Town & Finance Committee						
36	Reports	12,821	16,000	16,000	16,000	16,000	16,000
37	Miscellaneous Printing	-	2,000	2,000	2,000	2,000	2,000
38	Advertising	3,551	3,700	3,700	3,700	3,700	3,700
39	Telephone	64,750	78,500	74,500	74,500	74,500	74,500
40	Gasoline	275,430	330,000	284,320	284,320	284,320	284,320
41	Out of State Travel	<u>-</u>	<u>2,000</u>	<u>300</u>	<u>300</u>	<u>300</u>	<u>300</u>

		Sub-Total	356,552	437,200	383,820	383,820	383,820
		<u>FY 2008 OPERATING BUDGET</u>	<u>FY 06</u>	<u>VOTED BY</u>	<u>TA REQUEST</u>	<u>VOTED BY BOS</u>	<u>VOTED BY</u>
<u>LINE</u>	<u>DESCRIPTION</u>	<u>ACTUAL</u>	<u>FY 2007</u>	<u>FY 2008</u>	<u>FY 2008</u>	<u>FY 2008</u>	<u>FIN COM</u>
							<u>FY 2008</u>
42	Police Dept S&W	2,351,879	2,484,804	2,552,174	2,552,174	2,552,174	2,552,174
43	Police Dept Expense	234,246	254,058	292,492	292,492	292,492	292,492
44	Police Dept Capital Outlay	<u>51,204</u>	<u>52,584</u>	<u>81,000</u>	<u>81,000</u>	<u>81,000</u>	<u>81,000</u>
	Sub-Total	2,637,329	2,791,446	2,925,666	2,925,666	2,925,666	2,925,666
45	Fire Dept S&W	2,439,375	2,493,797	2,620,967	2,620,967	2,620,967	2,620,967
46	Fire Dept Expense	171,878	191,493	203,046	203,046	203,046	203,046
47	Fire Capitol Outlay						
48	Emergency Medical Services Expense	53,300	54,125	53,610	53,610	53,610	53,610
49	Emergency Medical Services S&W	<u>52,494</u>	<u>75,000</u>	<u>77,000</u>	<u>77,000</u>	<u>77,000</u>	<u>77,000</u>
	Sub-Total	2,717,047	2,814,415	2,954,623	2,954,623	2,954,623	2,954,623
50	Building Inspection S&W	138,352	147,935	222,833	222,833	222,833	222,833
51	Building Inspection Expense	9,133	10,050	10,050	10,050	10,050	10,050
52	Building Capitol Outlay	<u>-</u>	<u>-</u>	<u>7,000</u>	<u>7,000</u>	<u>7,000</u>	<u>7,000</u>
	Sub-Total	147,485	157,985	239,883	239,883	239,883	239,883
53	Emergency Management Expense	<u>3,000</u>	<u>5,000</u>	<u>5,000</u>	<u>5,000</u>	<u>5,000</u>	<u>5,000</u>
54	Dog Officer S&W	-	-	-	-	-	-
55	Dog Officer Expense	-	-	-	-	-	-
56	Inspector of Animals S&W	<u>Included in Police Budget</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
	Sub-Total	-	-	-	-	-	-

<u>LINE</u>	<u>FY 2008 OPERATING BUDGET DESCRIPTION</u>	<u>FY 06 ACTUAL</u>	<u>VOTED BY</u> <u>TOWN MEETING</u>	<u>TA REQUEST</u>	<u>VOTED BY BOS</u>	<u>VOTED BY</u> <u>FIN COM</u>
			<u>FY 2007</u>	<u>FY 2008</u>	<u>FY 2008</u>	<u>FY 2008</u>
57	Natural Resources Expense	24,057	26,600	29,800	29,800	29,800
	Sub-Total	24,057	26,600	29,800	29,800	29,800
58	Pleasant Bay Alliance Expense	16,825	16,825	16,825	16,825	16,825
59	Cape Cod Reg Tech High School	954,244	894,212	814,661	814,661	814,661
60	Harwich Public Schools	12,816,571	13,242,220	13,612,466	13,612,466	13,612,466
	Sub-Total	13,770,815	14,136,432	14,427,127	14,427,127	14,427,127
61	Town Engineer's Dept S&W	130,136	137,150	138,426	138,426	138,426
62	Town Engineer's Dept Expense	1,605	3,700	3,800	3,800	3,800
	Sub-Total	131,742	140,850	142,226	142,226	142,226
63	Highways and Maintenance S&W	1,423,628	1,467,371	1,521,929	1,521,929	1,521,929
64	Highways and Maint.Expense	1,145,382	1,243,245	1,274,869	1,274,869	1,274,869
65	Hot Mix, Oil/Improve Town Roads	85,000	100,000	-	-	-
66	Hwy Snow Removal Wages	8,000	10,000	25,000	25,000	25,000
67	Hwy Snow Removal Materials	17,000	20,000	30,000	30,000	30,000
68	Hwy Snow Removal Equipment	34,000	35,000	45,000	45,000	45,000
	Sub-Total	2,713,010	2,875,616	2,896,798	2,896,798	2,896,798

<u>LINE</u>	<u>FY 2008 OPERATING BUDGET DESCRIPTION</u>	<u>FY 06 ACTUAL</u>	<u>VOTED BY</u> <u>TOWN MEETING</u>	<u>TA REQUEST</u>	<u>VOTED BY BOS</u>	<u>VOTED BY</u> <u>FIN COM</u>
			<u>FY 2007</u>	<u>FY 2008</u>	<u>FY 2008</u>	<u>FY 2008</u>
69	Street Lights	<u>80,530</u>	<u>80,000</u>	<u>80,000</u>	<u>80,000</u>	<u>80,000</u>
70	Cemetery S&W	25,283	22,733	33,965	33,965	33,965
71	Cemetery Expense	<u>1,849</u>	<u>3,850</u>	<u>3,850</u>	<u>3,850</u>	<u>3,850</u>
	Sub-Total	27,132	26,583	37,815	37,815	37,815
72	Water Enterprise Fund	<u>1,951,783</u>	<u>1,710,182</u>	<u>1,844,021</u>	<u>1,844,021</u>	<u>1,844,021</u>
73	Board of Health S&W	179,680	206,023	241,256	241,256	241,256
74	Board of Health Expense	22,526	27,425	29,425	29,425	29,425
75	Flax Pond Monitoring	<u>-</u>	<u>2,000</u>	<u>-</u>	<u>-</u>	<u>-</u>
	Sub-Total	202,206	235,448	270,681	270,681	270,681
76	Channel 18 S&W	55,216	59,327	59,936	59,936	59,936
77	Channel 18 Expense	28,203	38,910	32,110	32,110	32,110
78	Channel 18 Capital Outlay	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
	Sub-Total	83,419	98,237	92,046	92,046	92,046
79	Community Center S&W	206,275	237,061	236,269	236,269	236,269
80	Community Center Exp.	<u>132,666</u>	<u>133,860</u>	<u>143,410</u>	<u>143,410</u>	<u>143,410</u>
	Sub-Total	338,941	370,921	379,679	379,679	379,679
81	Council on Aging S&W	188,262	188,410	209,104	209,104	209,104
82	Council on Aging Expense	<u>32,751</u>	<u>32,451</u>	<u>38,905</u>	<u>38,905</u>	<u>38,905</u>
	Sub-Total	221,013	220,861	248,009	248,009	248,009

<u>LINE</u>	<u>FY 2008 OPERATING BUDGET DESCRIPTION</u>	<u>FY 06 ACTUAL</u>	<u>VOTED BY</u> <u>TOWN MEETING</u>	<u>TA REQUEST</u>	<u>VOTED BY BOS</u>	<u>VOTED BY</u> <u>FIN COM</u>
			<u>FY 2007</u>	<u>FY 2008</u>	<u>FY 2008</u>	<u>FY 2008</u>
83	Youth Counselor S&W	52,457	56,240	56,240	56,240	56,240
84	Youth Counselor Expense	<u>3,443</u>	<u>3,835</u>	<u>4,280</u>	<u>4,280</u>	<u>4,280</u>
	Sub-Total	55,901	60,075	60,520	60,520	60,520
85	Veterans' Services Expense	25,260	25,831	25,831	25,831	25,831
86	Veterans' Benefits	<u>13,870</u>	<u>30,000</u>	<u>15,000</u>	<u>15,000</u>	<u>15,000</u>
	Sub-Total	39,130	55,831	40,831	40,831	40,831
87	Disability Rights Committee Expense	<u>30</u>	<u>640</u>	<u>640</u>	<u>640</u>	<u>640</u>
	Sub-Total	30	640	640	640	640
88	Brooks Library S&W	336,561	347,393	361,585	361,585	361,585
89	Brooks Library Expense	<u>181,255</u>	<u>215,819</u>	<u>229,545</u>	<u>229,545</u>	<u>229,545</u>
	Sub-Total	517,816	563,212	591,130	591,130	591,130
90	Recreation & Youth Seasonal Help	160,000	167,546	175,533	175,533	175,533
91	Recreation and Youth S&W	147,254	147,774	151,292	151,292	151,292
92	Recreation and Youth Expense	47,443	51,150	52,215	52,215	52,215
93	Aid to Various Programs	<u>26,107</u>	<u>26,950</u>	<u>26,950</u>	<u>26,950</u>	<u>26,950</u>
	Sub-Total	380,804	393,420	405,990	405,990	405,990
94	Harbormaster/NR S&W	217,810	249,843	250,203	250,203	250,203
95	Harbormaster Expense	72,677	80,675	80,500	80,500	80,500
96	Harbormaster Capital Outlay	<u>-</u>	<u>-</u>	<u>5,000</u>	<u>5,000</u>	<u>5,000</u>
	Sub-Total	290,487	330,518	335,703	335,703	335,703

<u>LINE</u>	<u>FY 2008 OPERATING BUDGET DESCRIPTION</u>	<u>FY 06 ACTUAL</u>	<u>VOTED BY</u> <u>TOWN MEETING</u>	<u>TA REQUEST</u>	<u>VOTED BY BOS</u>	<u>VOTED BY</u> <u>FIN COM</u>
			<u>FY 2007</u>	<u>FY 2008</u>	<u>FY 2008</u>	<u>FY 2008</u>
97	Brooks Museum Com. Expense	11,366	14,225	14,225	14,225	14,225
	Sub-Total	11,366	14,225	14,225	14,225	14,225
98	Historical Commission S&W	434	1,327	1,327	1,327	1,327
99	Historical Commission Expense	1,068	1,750	1,750	1,750	1,750
	Sub-Total	1,502	3,077	3,077	3,077	3,077
100	Memorial & Veteran's Day	<u>1,948</u>	<u>2,000</u>	<u>2,000</u>	<u>2,000</u>	<u>2,000</u>
101	Golf Operations & Maintenance S&W	550,191	584,650	635,553	635,553	635,553
102	Golf Operations & Maintenance Expense	380,743	385,133	429,852	429,852	429,852
	Sub-Total	930,934	969,783	1,065,405	1,065,405	1,065,405
103	Total Departmental Budgets	<u>14,595,597</u>	<u>15,926,852</u>	<u>16,335,967</u>	<u>16,335,967</u>	<u>16,335,967</u>
104	Total Debt Service (Prin. & Int.)	5,044,089	4,558,691	4,817,620	4,817,620	4,817,620
105	Barnstable County Retirement	1,656,708	1,656,603	1,742,558	1,742,558	1,742,558
106	Special Retirement Pension a & b	3,552	3,552	3,552	3,552	3,552
107	Unemployment Compensation	-	60,000	60,000	60,000	60,000
108	Group Health Insurance	4,483,703	4,359,672	5,410,863	5,410,863	5,410,863
109	Insurance, General	810,674	800,000	750,000	750,000	750,000
110	Insurance Deductibles/Exclusions	24,677	20,000	20,000	20,000	20,000
	Sub-Total	6,979,314	6,899,827	7,986,973	7,986,973	7,986,973

<u>LINE</u>	<u>FY 2008 OPERATING BUDGET</u> <u>DESCRIPTION</u>	<u>FY 06</u> <u>ACTUAL</u>	<u>VOTED BY</u> <u>TOWN MEETING</u> <u>FY 2007</u>	<u>TA REQUEST</u> <u>FY 2008</u>	<u>VOTED BY BOS</u> <u>FY 2008</u>	<u>VOTED BY</u> <u>FIN COM</u> <u>FY 2008</u>
111	Total Town Budget w/o Schools & Water	<u>26,618,999</u>	<u>27,385,371</u>	<u>29,140,560</u>	<u>29,140,560</u>	<u>29,140,560</u>
112	Total Operating Budget FY 08 Including Schools & Water Enterprise	<u>\$ 41,387,353</u>	<u>\$ 42,337,773</u>	<u>\$ 44,597,047</u>	<u>\$ 44,597,047</u>	<u>\$ 44,597,047</u>

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 _____ Street/P.O. _____ Town _____ Zip _____

Occupation _____ Telephone _____

PLANNING AND PRESERVATION

- ☐ Agricultural Commission
- ☐ Architectural Advisory Committee
- ☐ ***Board of Appeals**
- ☐ Brooks Academy Museum Commission
- ☐ Building Code Board of Appeals
- ☐ Bylaw/Charter Review Committee
- ☐ Community Preservation Committee
- ☐ ***Conservation Commission**
- ☐ Cultural Council
- ☐ Designer Selection Review
- ☐ Herring River Watershed Study Committee
- ☐ Historic District Commission
- ☐ Historical Commission
- ☐ Insurance Committee
- ☐ Long Pond Advisory committee
- ☐ ***Planning Board**
- ☐ Police Station Building Committee
- ☐ Real Estate, Open Space & Land Bank Committee
- ☐ Recycling Committee
- ☐ Shellfish & Marine Water Quality Committee
- ☐ Town Forest Committee
- ☐ Traffic Safety Committee
- ☐ Trail Committee
- ☐ Utility & Energy Conservation Commission
- ☐ OTHER _____

RECREATION

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

OTHER

- ☐ ***Board of Assessors**
- ☐ ***Board of Health**
- ☐ Cablevision Advisory Committee
- ☐ Capital Outlay
- ☐ Cemetery Commission
- ☐ Channel 18 Advisory Committee
- ☐ Community Center Facilities Committee
- ☐ Constable
- ☐ Council on Aging
- ☐ Disability Rights Committee
- ☐ Finance Committee
- ☐ Harwich Housing Committee
- ☐ Herring Supervisor (Voluntary)
- ☐ Human Services Advisory Committee
- ☐ Shellfish Constable (Voluntary)
- ☐ School Building Needs Committee
- ☐ Technology Committee
- ☐ Treasure Chest
- ☐ Water Quality Task Force
- ☐ Youth Services Committee

*** PLEASE INCLUDE RESUME**

NOTES

NOTES

