

**SELECT BOARD MEETING AGENDA\***

*Donn B. Griffin Room, Town Hall*

*732 Main Street, Harwich, MA*

*Executive Session 5:45 P.M.*

*Regular Meeting 6:00 P.M.*

*Monday, February 26, 2024*

**Remote Participation Optional:**

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

<https://meet.goto.com/288777125>

**You can also dial in using your phone.**

Access Code: 288-777-125

United States: [+1 \(571\) 317-3122](tel:+15713173122)

*\*As required by Open Meeting Law, you are hereby informed that the Town will be video and audio taping as well as live broadcasting this public meeting. In addition, anyone in the audience who plans to video or audio tape this meeting must notify the Chairman prior to the start of the meeting.*

**I. CALL TO ORDER**

**II. EXECUTIVE SESSION**

- A. Pursuant to MGL c. 30A, §21(a)(6) to consider the purchase, exchange, lease or value of real property if the Chair declares that an open meeting may have a detrimental effect on the negotiating position of the Town; 62 Route 28, West Harwich

**III. PLEDGE OF ALLEGIANCE**

**IV. PUBLIC COMMENTS/ANNOUNCEMENTS**

**V. PRESENTATION**

- A. Discussion with the Massachusetts Municipal Association Form of Government representative

**VI. CONSENT AGENDA**

- A. Vote to approve the Assistant Town Administrator’s recommendation to grant permission by VERIZON NEW ENGLAND INC. and NSTAR ELECTRIC d/b/a EVERSOURCE ENERGY to place a new jointly owned pole-42/30.5-at the northeasterly side of Main Street Extension, Harwich, MA
- B. Accept the resignation of Donna Richardson, Harwich Accessibility Rights Committee, effective February 27, 2024
- C. Accept the resignation of Charleen Pilon, Bikeways Committee, effective immediately
- D. Approve Select Board Meeting Minutes for February 20, 2024

**VII. NEW BUSINESS**

- A. Updates on Special Town Election and Discussion on Polling Hours
- B. Monomoy Regional School District to present their Fiscal Year 2025 budget; Votes may be taken
- C. Vote to approve the Fiscal Year 2025 budget with recommendation to Finance Committee
- D. Approve the following Special Permits, pending Health Department Approval:
  - 1. Sharon Holley d/b/a Sedona Summers – One day entertainment and wines and malt permit – March 8, 2024 & March 29, 2024, 204 Sisson Road, 4:00 p.m. to 7:00 p.m., live music
  - 2. Abigail Dudley – One day entertainment and wines and malt permit – March 9, 2024, 204 Sisson Road, 6:00 p.m. to 9:00 p.m., trivia

**VIII. OLD BUSINESS**

- A. Approve the Personnel By-law Management Compensation table
- B. Discussion on articles for the 2024 Annual Town Meeting
- C. Discussion on pickleball fees; Votes may be taken

**IX. TOWN ADMINISTRATOR’S REPORT**

**X. SELECT BOARD’S MEMBER REPORT**

**XI. CORRESPONDENCE**

**XII. ADJOURNMENT**

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

**Authorized Posting Officer:**

\_\_\_\_\_  
Danielle Freiner, Executive Assistant

**Posted by:** \_\_\_\_\_  
Town Clerk

**Date:** \_\_\_\_\_  
February 22, 2023

# **CONSENT AGENDA**

**OFFICE OF THE TOWN ADMINISTRATOR**

Phone (508) 430-7513

Fax (508) 432-5039


Joseph F. Powers, *Town Administrator*  
Meggan M. Eldredge, *Assistant Town Administrator*

732 MAIN STREET, HARWICH, MA



# MEMO

TO: Select Board

FROM: Meggan Eldredge, Assistant Town Administrator 

CC: Joseph F. Powers, Town Administrator

RE: Utility Hearing  
Verizon New England Inc., and NSTAR Electric dba Eversource Electric  
Petition Work Order # MA2023-53

DATE: February 16, 2024

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A Utility Hearing was held on February 16, 2024, at 9:01 AM at the request of Verizon New England Inc., and NSTAR ELECTRIC D/B/A Eversource ENERGY for the installation to place one (1) jointly owned pole, 42/30.5, on the northeasterly side of Main Street Extension. The new location will be approximately four hundred twenty (420) feet northwesterly of the centerline of Evergreen Way; it will also be approximately fifty-one (51) feet northwesterly of existing pole, 42/30: and will also be approximately one hundred forty (140) feet southeasterly of existing pole, 42/31. This installation is being requested to support a new subdivision called Shelley Path and to ensure that all wires maintain a safe distance over the new subdivision entrance.

Legal ads were published, and notifications were given. Two abutters attended the meeting with questions regarding the placement of poles. They were directed to the Planning Department to clarify other concerns they had. There were no objections to the installation to place (1) jointly owned pole, 42/30.5, on the northeasterly side of Main Street Extension.

There were no other questions, concerns or objections and the Hearing was adjourned at 9:15 AM. After careful review, I recommend that the Board approve VERIZON NEW ENGLAND INC., AND NSTAR ELECTRIC COMPAMY d/b/a EVERSOURCE ENERGY Petition No. MA2023-53 dated December 13, 2023.



## TOWN OF HARWICH

Phone (508) 430-7513

Fax (508) 432-5039

732 MAIN STREET, HARWICH, MA 02645

### MINUTES Utility Hearing – Petition # MA2023-53 Friday February 16, 2024

THOSE IN ATTENDANCE: Meggan Eldredge, Assistant Town Administrator, Natasha Lyon, Executive Assistant, and Representative from Verizon, Don Voner. Robert Sliney and Taylor Sliney were present as abutters.

The Assistant Town Administrator called the hearing to order at 9:01 A.M. and read the Utility Hearing Notice.

Mr. Voner stated he was present as representative of Verizon.

Ms. Eldredge reviewed information, with no concerns from department heads. Mr. Voner said that the purpose of this utility pole is to be added to run line for a new development. The pole will be in line with the existing lines on the road. He further stated that it is currently staked and accurate to plan.

Taylor Sliney stated that there was concern about the electrical lines being above or below ground. Mr. Voner did not have that information at this time but stated that further poles will be added for the development in the future. He indicated that this would be private land and will need to be addressed. Ms. Eldredge stated that she would direct the Sliney's to the Planning Department after the meeting. Robert Sliney stated concern that the pole would obstruct the view to safely exit their driveway but stated that after listening to Mr. Voner, he had no further concerns.

Ms. Eldredge explained that she would make the recommendation to the Select Board at their next meeting on February 26th, 2024, to approve this request.

The hearing was adjourned at 9:15 A.M.

Submitted by:  
Natasha Lyon  
Executive Assistant

Attachments



PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS

January 2, 2024

To the Select Board

in HARWICH, Massachusetts

VERIZON NEW ENGLAND, INC. and NSTAR ELECTRIC COMPANY D/B/A EVERSOURCE ENERGY request permission to locate poles, wires, cables and fixtures including the necessary anchors, guys and other such sustaining and protecting fixtures to be owned and used in common by your petitioners, along and across the following public way or ways:

Main Street Extension:

Install one (1) JO Pole, 42/30.5, on the northeasterly side of Main Street Extension. The new location will be approximately four hundred twenty (420) feet northwesterly of the centerline of Evergreen Way; it will also be approximately fifty-one (51) feet northwesterly of existing pole, 42/30; and will also be approximately one hundred forty (140) feet southeasterly of existing pole, 42/31.

This installation is being requested to support a new subdivision called Shelley Path and to ensure that all wires maintain a safe distance over the new subdivision entrance.

Wherefore they pray that after due notice and hearing as provided by law, they be granted joint or identical locations for and permission to erect and maintain poles, wires and cables, together with anchors, guys and other such sustaining and protecting fixtures as they may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked-VZ N.E. Inc. Plan No. MA2023-53 Dated December 13, 2023.

Also for permission to lay and maintain underground laterals, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

Your petitioners agree that space shall be reserved and maintained for the limited purpose of attaching one-way low voltage fire and police signaling wires owned by the municipality or governmental entity for public safety purposes only.

VERIZON NEW ENGLAND INC.

By Daryl Crossman  
Daryl Crossman - Manager - Rights of Way

Dated this 8 day of Jan, 2024

NSTAR ELECTRIC COMPANY D/B/A EVERSOURCE ENERGY

By Maura Jacks  
Right of Way Representative

Dated this 8 day of Jan, 2024

**ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS**

By the Select Board of HARWICH, Massachusetts.

Notice having been given and a public hearing held, as provided by law,  
IT IS HEREBY ORDERED:

that VERIZON NEW ENGLAND INC. and NSTAR ELECTRIC COMPANY D/B/A EVERSOURCE ENERGY be, and they are hereby granted joint or identical locations for and permission to erect and maintain poles and their respective wires and cables to be placed thereon, together with anchors, guys and other such sustaining and protecting fixtures as said Companies may deem necessary, in public way or ways hereinafter referred to, as requested in petition of said Companies dated the 2<sup>nd</sup> day of January, 2024.

**Main Street Extension:**

**Install one (1) JO Pole, 42/30.5, on the northeasterly side of Main Street Extension. The new location will be approximately four hundred twenty (420) feet northwesterly of the centerline of Evergreen Way; it will also be approximately fifty-one (51) feet northwesterly of existing pole, 42/30; and will also be approximately one hundred forty (140) feet southeasterly of existing pole, 42/31.**

**This installation is being requested to support a new subdivision called Shelley Path and to ensure that all wires maintain a safe distance over the new subdivision entrance.**

All construction under this order shall be in accordance with the following conditions:

Poles shall be of sound timber, and reasonably straight and shall be set substantially at the points indicated upon the plan marked-VZ N. E. Inc. No. **MA2023-53** in a package Dated **December 13, 2023** - filed with said petition.

The following are the public ways or parts of ways along which the poles above referred to may be erected, and the number of poles, which may be erected thereon under this order:

Main Street Extension  
One Jointly Owned Pole to be placed

Also that permission be and hereby is granted to each of said Companies to lay and maintain underground laterals, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each may desire for distributing purposes.

I hereby certify that the foregoing order was adopted at a meeting of the Select Board of the Town of HARWICH, Massachusetts held on the \_\_\_\_\_ day of \_\_\_\_\_ 2024.

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Select Board's Clerk

We hereby certify that on \_\_\_\_\_ 2024, at \_\_\_\_\_ o'clock \_\_\_\_\_ m., at the \_\_\_\_\_ a public hearing was held on the petition of the VERIZON NEW ENGLAND INC. and NSTAR ELECTRIC COMPANY D/B/A EVERSOURCE ENERGY for permission to erect the poles, wires, cables, fixtures and connections described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Companies are permitted to erect poles, wires, cables, fixtures and connections under said order. And that thereupon said order was duly adopted.

\_\_\_\_\_  
Select Board Member

\_\_\_\_\_  
Select Board Member

\_\_\_\_\_  
Select Board Member

\_\_\_\_\_  
Select Board Member

\_\_\_\_\_  
Select Board Member

Select Board of the Town of HARWICH, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of a joint location order and certificate of hearing with notice adopted by the Select Board of the Town of **HARWICH**, Massachusetts, on the \_\_\_\_\_ day of \_\_\_\_\_ 2024, and recorded with the records of location orders of said Town, Book \_\_\_\_\_, Page \_\_\_\_\_. This certified copy is made under the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest:

\_\_\_\_\_  
Town Clerk

VZ N.E. INC. No. MA2023-53 MUNICIPALITY HARWICH

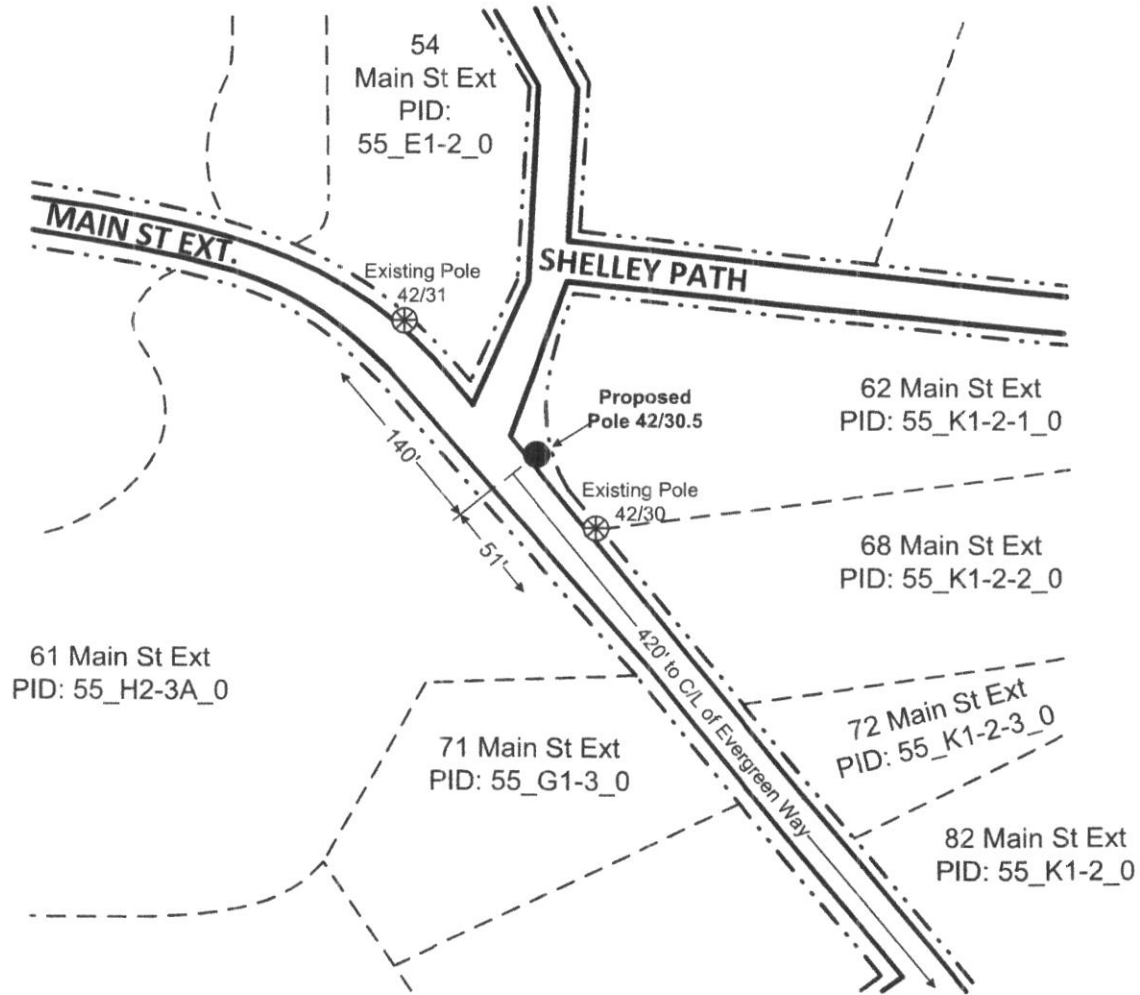
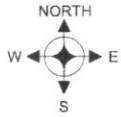
DATED 12/13/2023 NOT TO SCALE

PLAN FOR PLACE NEW POLE ON MAIN STREET EXTENSION

TO ACCOMPANY PETITION OF  
VERIZON NEW ENGLAND INC. AND  
NSTAR ELECTRIC COMPANY D/B/A EVERSOURCE ENERGY

LEGEND:

- PROPERTY LINE
- - - - - EDGE OF PAVEMENT
- ==== EDGE OF ROADWAY
- - - - - CL - - - - - CENTERLINE OF ROADWAY
- ⊗ EXISTING POLE
- PROPOSED POLE
- ⋈ POLE ANCHOR



**TOWN OF HARWICH  
NOTICE OF PUBLIC HEARING  
FEBRUARY 16, 2024**

Pursuant to M.G.L. Ch. 166, § 22, a Public Hearing will be held at **9:00 AM on Friday, February 16, 2024** at the Harwich Town Hall in the Small Hearing Room, 732 Main Street, Harwich, MA in reference to the following matter:

A petition by VERISON NEW ENGLAND, INC AND NSTAR ELECTRIC COMPANY d/b/a/ Eversource Energy requesting permission to locate underground cables, conduits and manholes, including the necessary sustaining and protecting fixtures, in under, along and across the following public way or ways:


**Main Street Extension**

**PROPOSED:** To install one (1) JO Pole, 42/30.5, on the northeasterly side of Main Street Extension. The new location will be approximately four hundred twenty (420) feet northwesterly of the centerline of Evergreen Way; it will also be approximately fifty-one (51) feet northwesterly of existing pole, 42/30; and will also be approximately one hundred forty (140) feet southeasterly of existing pole, 42/31.

All abutters and other interested persons are invited to attend. For further information, please call the Town Administrator's Office at (508) 430-7513 or stop by Town Hall, 732 Main Street, Harwich where the information is on file.

Meggan Eldredge  
Assistant Town Administrator

The Cape Cod Chronicle  
Feb. 1, 2024

To: Emily Mitchell, Harwich Town Clerk  
From: Donna Richardson   
RE: Resignation from the Harwich Accessibility Rights Committee  
(HARC) Committee

I am resigning from the HARC effective February 27, 2024.

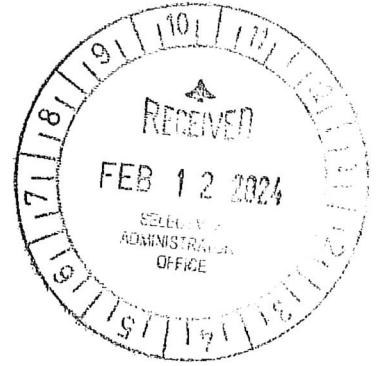
The lack of support and unforeseen resignation of former members,  
plus direction and lack of support from Select Board have caused me  
to give up!

RECEIVED  
TOWN CLERK  
HARWICH, MA  
2024 FEB 20 P 1:11

Town of Harwich Board of Selectmen

RECEIVED  
TOWN CLERK  
HARWICH, MA

2024 FEB 12 P 12:00



January 28, 2024

Dear Board Members,

I am writing to submit my resignation from the Harwich Bikeways Committee effective immediately. For the past 2 1/2 years I served on the committee we have accomplished a great deal. In addition to keeping the DPW Director aware of any physical issues that required attention to keep the trail safe, we demonstrated and facilitated the installation of crossing lights, fix-it stations, and hydration stations along the Old Colony Rail Trail. We also worked with the Chatham Bikeways Committee to find ways to collaborate on trail issues and to provide input to local and state agencies re: safe cycling. More recently we have taken on the job of educating residents about the new Vulnerable Roadway Users Law and addressing the needs of J1 students for bike lights that they need to comply with the new law and to make cycling at night safer.

I want to thank DPW Director Lincoln Hooper for his unfailing support of our efforts to keep the trail safe and enjoyable for all users.

I believe the Bikeways Committee has the potential to do so much more in the future but will need the complete support of the you, the Board of Selectmen and the administration. which I think is lacking.

Finally, I want to thank the other members of the Bikeways Committee: Fran Salewski, Charles Walkley, Paul Gazaille, and Alain Ferry for their commitment to the committee.

Sincerely,

A handwritten signature in black ink, consisting of a large, loopy initial 'C' followed by a long horizontal stroke.

Charlene Pilon

**MINUTES  
SELECT BOARD MEETING  
DONN B. GRIFFIN ROOM, TOWN HALL  
732 MAIN STREET, HARWICH, MA  
EXECUTIVE SESSION - 5:30PM  
REGULAR MEETING - 6:00PM  
TUESDAY, FEBRUARY 20, 2024**

**MEMBERS PARTICIPATING:** Julie Kavanagh, Chair, Jeff Handler, Clerk and Don Howell  
Mr. MacAskill participated remotely during Executive Session and rejoined the Regular Meeting remotely.

**ALSO PARTICIPATING:** Joseph Powers, Town Administrator participated remotely.

**I. CALL TO ORDER**

Ms. Kavanagh called the meeting of the Harwich Select Board to order on Tuesday, February 20, 2024 at 5:35PM and announced that the Board will be entering into Executive Session and returning to the Regular Meeting no earlier than 6:00PM.

**II. EXECUTIVE SESSION**

A. Pursuant to MGL c. 30A, §21(a)(6) to consider the purchase, exchange, lease or value of real property if the Chair declares that an open meeting may have a detrimental effect on the negotiating position of the Town; 62 Route 28, West Harwich

Mr. Handler moved to enter into Executive Session as presented, seconded by Mr. Howell.

Vote 3:0 in favor by roll call vote. Motion carried.

Ms. Kavanagh called the meeting of the Select Board back to order at 6:00PM reporting that in Executive Session, action was taken on Item A with a vote of 3:1 to move forward. That item will be brought back on a later date.

Ms. Kavanagh also announced that Item A. under Public Hearing has been postponed until March 5, 2024.

Ms. Kavanagh read the Open Meeting Law Notice.

**III. PLEDGE OF ALLEGIANCE**

February 20, 2024



Ms. Kavanagh invited all attendees to join in the Pledge of Allegiance.

#### **IV. PUBLIC COMMENTS/ANNOUNCEMENTS**

Emily Mitchell, Town Clerk was present and gave reminders about the important dates and deadlines regarding the upcoming election. All information is on the Town's website.

#### **V. CONSENT AGENDA**

A. Approve the resignation of Charleen Pilon, Bikeways Committee, effective immediately

Mr. Handler moved to approve the resignation of Charleen Pilon as presented, seconded by Mr. Howell.

Mr. Handler commented on how valuable Committee members are to the Town and to the Select Board. He noted a comment in the letter of resignation that concerned him which referred to a lack of support from Town Administration and the Select Board. He encouraged any Committee members who have concerns about support to speak with their Liaison.

Mr. Howell suggested postponing a vote until they had an opportunity to speak with Ms. Pilon.

Mr. Howell removed his second.

Mr. Handler removed his motion.

B. Approve Select Board Meeting Minutes from February 12, 2024

Mr. Handler moved to approve the Select Board Minutes from February 12, 2024, seconded by Mr. Howell.

Mr. MacAskill joined the meeting remotely.

Vote 4:0 in favor by roll call vote. Motion carried.

C. Approve the request of the Fire Chief for vacation buy back

Mr. Handler moved to approve the request of the Fire Chief for vacation buy back, seconded by Mr. Howell.

Mr. Howell questioned the appropriate timing for a buy back.

Chief LeBlanc was present and responded by explaining that buy backs are budgeted fiscally and his contract does not specify when the request can or should be made.

February 20, 2024

Vote 4:0 in favor by roll call vote. Motion carried.

## **VI. PUBLIC HEARING**

A. Public Hearing - Approve a Stormwater Permit application for a seven (7) lot subdivision plan "Wildlife Circle" located off of Littlefield Pond Road, Assessors Map 65, Parcel R2-2/ - Continued from February 12, 2024

Mr. Handler moved to open the Public Hearing, seconded by Mr. Howell.

Vote 4:0 in favor by roll call vote. Motion carried.

Mr. Handler moved to continue A. Public Hearing as presented to March 5, 2024

## **VII. NEW BUSINESS**

A. Approved the Personnel by-law Management Compensation table

Mr. Handler moved to approve the Personnel by-law Management Compensation table, seconded by Mr. Howell.

Mr. MacAskill asked that the Select Board be given the data necessary to understand the net effect of the proposed changes and specific monetary changes. He also requested something from the Town Administrator regarding his support for the changes. The information before them now is not enough to make a full factual decision.

Mr. Powers will supply the requested documents and information to the Board members.

Mr. Howell commented on the abundance of tasks associated with the position of Assistant Town Administrator and that it had been previously under graded.

The Board agreed to table this item.

B. Discussion on items related to 2024 Annual Town Meeting

Mr. Powers referred to information in the packet, noting changes made since a previous discussion.

Mr. MacAskill noted that he had not received the documents that he had requested.

Kathleen Barrette, Finance Director was present and responded, noting that all requested documents had been emailed late on Friday evening and early Saturday. She will resend all documents to Mr. MacAskill. She noted that she has hard copies available.

February 20, 2024

Mr. MacAskill noted specific items where more information is needed.

Ms. Barrette left the meeting to resend documents. She returned explaining that the documents were not sending as expected.

This item will be brought back at next week's meeting.

C. Discussion on Fiscal Year 2025 budget as it relates to Finance Committee

This item was addressed in the discussion under New Business Item B..

D. Approve a Special Permit Application for one day entertainment and a one day wines & malt permit – WOMR-FM/Lower Cape Communication – Event to be held on May 11, 2024, rain date of May 12, 2024, 12:00 p.m. to 4:00 p.m. at Brooks Park, 1 Oak Street.

Mr. Handler moved to approve a Special Permit Application as presented, seconded by Mr. MacAskill.

Mr. Howell commented that this is a charitable organization as part of the Public Broadcasting Service.

Vote 4:0 in favor by roll call vote. Motion carried.

## **VIII. OLD BUSINESS**

A. Discussion on March 2, 2024 Budget Meeting

Ms. Kavanagh requested an agenda for the March 2, 2024 meeting.

Mr. Powers noted how the previous joint Budget Meetings had been organized and made suggestions to the Select Board for this year's agenda.

Board members discussed separating some Departments to a weekday meeting, the possibility of staying later on March 2nd if necessary and/or scheduling another meeting.

Ms. Kavanagh summarized that they are requesting that the agenda include Departments with Enhancement of Services.

Mr. Powers noted the request and added Departments with higher budget requests by percentage and larger budget Departments. He will create a draft Agenda and start allotting the time frames.

## **IX. TOWN ADMINISTRATOR'S REPORT**

February 20, 2024

Mr. Powers expressed his thanks to the DPW as they worked with new contractors and to everyone for their patience during the storm.

#### **X. SELECT BOARD'S MEMBER REPORT**

Mr. Handler noted that he will be scheduling the next Office Hours. He also noted that no one attended the Office Hours for Restaurant, Hospitality and Bar that were held by he and Cindy Williams, Director of the Chamber of Commerce.

#### **XI. CORRESPONDENCE**

#### **XII. ADJOURNMENT**

Mr. Howell moved to adjourn, seconded by Mr. Handler.

Vote 4:0 in favor by roll call vote. Motion carried.

Meeting adjourned.

Respectfully submitted,

Judi Moldstad  
Board Secretary

February 20, 2024

# **NEW BUSINESS**



# Town of Harwich

## TOWN CLERK'S OFFICE

Emily Mitchell, Town Clerk  
Harwich Town Hall • 732 Main Street • Harwich, MA 02645  
Tel: 508-430-7516 • Fax: 508-430-7517

## memo

**TO:** Select Board

**FROM:** Emily Mitchell, Town Clerk

**DATE:** February 21, 2024

**RE:** Updates on Special Town Election and Discussion on Polling Hours

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The Special Town Election to fill the current Select Board vacancy is scheduled for Tuesday, April 9, 2024.

Candidates interested in running for the vacant seat had until Friday, February 16, 2024 to obtain nomination papers and until Tuesday, February 20, 2024 to submit completed nomination papers for certification.

Only one candidate submitted completed nomination papers by the deadline. The Board of Registrars was able to certify a sufficient number of valid signatures on those nomination papers for this candidate to appear on the ballot.

At your meeting on February 12<sup>th</sup>, you voted 4-0 to opt out of Vote by Mail for the Special Town Election. Voters will have the option to participate in this election by Absentee ballot or by voting in person on Election Day.

### **Polling Hours**

The Select Board must establish the polling hours for the Special Election, within the requirements outlined in MGL c. 54, § 64. For local elections, the parameters are as follows:

- Polls may open as early as 5:45 AM,
- Polls must open no later than 12:00 PM,
- Polls must be open for at least 4 hours, and
- Polls must close no later than 8:00 PM

The standard polling hours for state and federal elections are 7 AM to 8 PM. Harwich has historically mirrored these hours for our annual town elections, with some exceptions. We most recently shortened hours during the 2020 Annual Town Election, held June 30, 2020, with polls open from 11 AM to 6 PM.

Where there is only one race that will appear on this special election ballot and given that the seat will be uncontested, I think there is value in reducing polling hours.

For cost considerations, I would estimate the *hourly cost* of a local election to be about \$600/hour, including wages for election workers and registrars, Town Clerk's Office staff overtime, and police detail costs. This does not include fixed per-election costs such as catering, supplies, ballot printing, memory card programming, etc.

At your February 26<sup>th</sup> meeting, I am seeking your guidance on polling hours. I anticipate submitting the final election warrant, which will include the polling hours you establish, for your approval and signature at your meeting on March 11<sup>th</sup>.

I look forward to your discussion and am available to answer your questions at any time.

Thank you.

**TOWN OF HARWICH**  
**SELECT BOARD & FINANCE COMMITTEE**  
*Joint Budget Meeting*  
*Griffin Room*  
*Harwich Town Hall*  
*732 Main Street*  
*Saturday, March 2, 2024 - 9:00 A.M.*

I. **CALL TO ORDER**

II. **NEW BUSINESS**

A. Joint Budget Meetings:

Morning session 9:00 am -noon:

Discussion on Sources and Uses  
Water/Wastewater Department  
Police Department  
Fire Department  
Department of Public Works  
Harbormaster

12:00 p.m. to 12:30 p.m.

Break

Afternoon session 12:30 pm start:

Administration  
Treasurer/Collector  
Assessing Department  
Town Clerk  
Youth & Family Services  
Information Technology  
Rec and Youth  
Cemetery Department  
Community Center  
The Harwich Channel  
Any other department that wants to be heard  
Open Discussion

III. **ADJOURNMENT**

*\*Per the Attorney General's Office: The Board of Selectmen may hold an open session for topics not reasonably anticipated by the Chair 48 hours in advance of the meeting following "New Business."  
If you are deaf or hard of hearing or are a person with a disability who requires an accommodation, contact the Selectmen's Office at (508) 430-7512 ext. 2*

Authorized Posting Officer:

Posted by: \_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Danielle Freiner, Executive Assistant

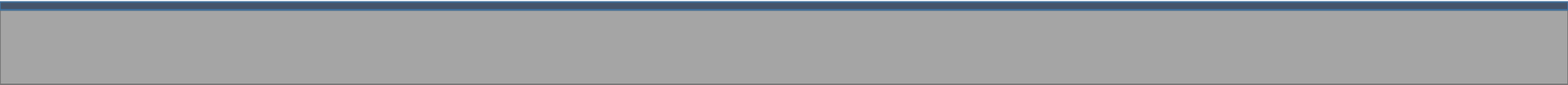
Date: 02/27/2024



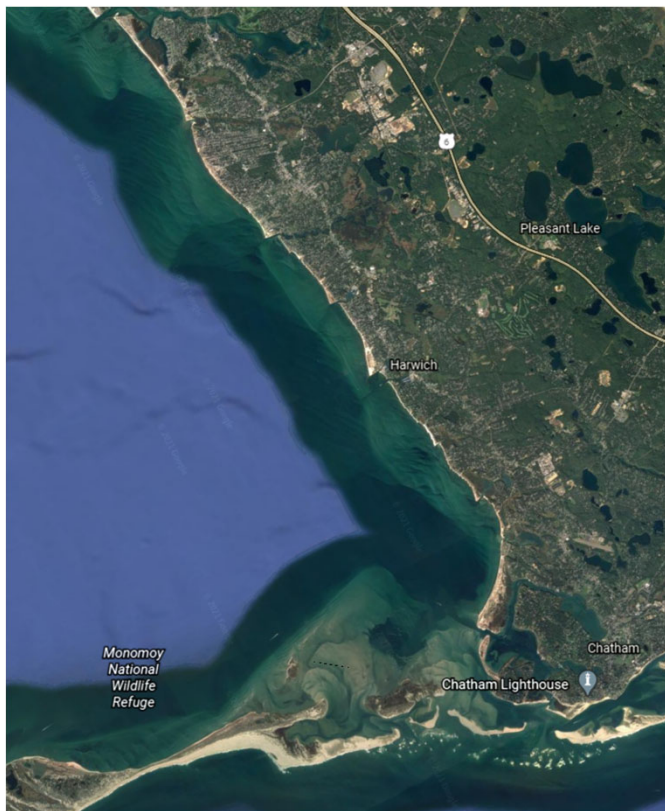
# FY25 Budget

**Town Presentations**

February 2024



# The 30,000-foot view – a budget that responds to the challenges facing the district and provides students the resources they need.



## STUDENT NEEDS

There is an ongoing need for continued academic intervention, broader social and emotional learning support, and special education services.

## FINANCIAL PRESSURES

The end of the approximately \$2.2m in federal funding for COVID relief, new staffing contracts, and reduced, though still high inflation.

## BUDGET

The draft budget request is \$46,511,471 , (\$2.1m / 4.8% increase).

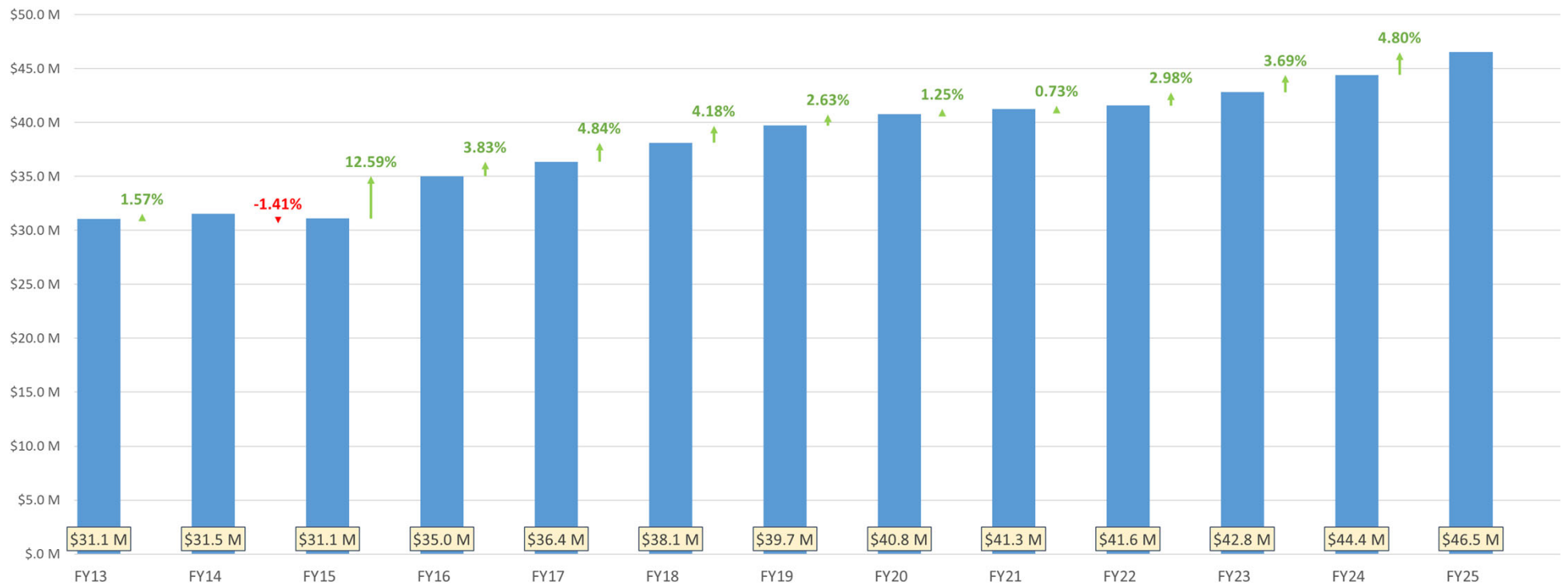
## ASSESSMENTS

An increase of \$1,407,516 (4.9%) for Harwich and \$598,490 (6.2%) for Chatham.

# FY25 Draft Budget Request

	<b>FY25 Budget</b>
<b>Budget</b>	<b>\$46,511,471</b>
<b>Budget Change from Previous Year</b>	<b>\$2,129,468</b>
<b>Budget % Change</b>	<b>4.8%</b>

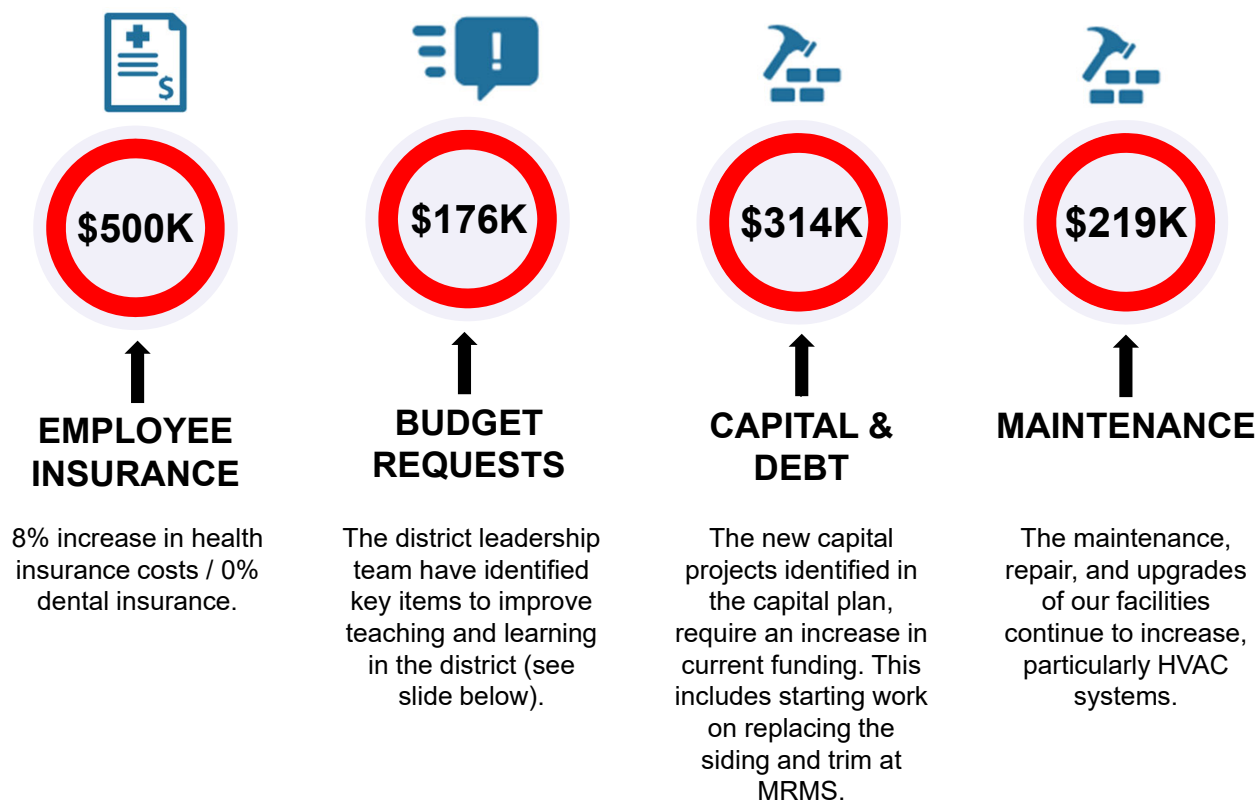
# Budget Increases since 2013 – the average since 2013 is 3.47%, and 3.2% since 2016.



## FY25 Budget by Major Account

Major Account	2024	2025	FY24 to FY25 Change
Acquisition, Improvement and Replacement of Fixed Assets	\$ 200,000	\$ 320,000	\$ 120,000
Administration	\$ 1,155,132	\$ 1,244,159	\$ 89,027
Benefits and Fixed Charges	\$ 8,433,557	\$ 8,883,380	\$ 449,823
Debt and Retirement Service	\$ 1,824,625	\$ 2,019,624	\$ 194,999
Instructional Leadership	\$ 2,701,960	\$ 2,871,739	\$ 169,779
Instructional Materials, Equipment and Technology	\$ 975,272	\$ 928,223	\$ (47,049)
Operations and Maintenance	\$ 3,988,458	\$ 4,207,846	\$ 219,388
Other Teaching Services	\$ 3,197,321	\$ 3,537,920	\$ 340,599
Professional Development	\$ 378,160	\$ 448,575	\$ 70,415
Programs with Other School Districts	\$ 3,006,780	\$ 2,672,701	\$ (334,079)
Pupil Services	\$ 3,307,036	\$ 3,469,243	\$ 162,207
Teachers	\$14,064,975	\$14,405,799	\$ 340,824
Guidance, Counseling and Testing	\$ 1,177,974	\$ 1,502,270	\$ 324,296

There are multiple factors influencing this draft of the budget. The key, non-staffing, related factors are provided below:



The district is currently in negotiations with employee associations for a new contract. This combined with the end of Federal 'ESSER' funding is having a significant impact on the budget.



↑  
**ESSER  
POSITIONS**

There are currently 9 positions funded through federal ESSER funds. In FY25, these positions will move to the district's budget.



↑  
**POSITION &  
SALARY  
CHANGES**

This is an estimate of the net effect of step and lane increases, the outcome of current contract negotiations, savings from turnover, and a reduction in the number of positions as class sizes are 'renormed' to district guidelines.

There are also some areas where there is an expected reduction in costs.



**\$260K**



**SCHOOL  
CHOICE  
TUITION**

School Choice tuition costs down, based on FY24 enrollment data.



**\$124K**



**OUT OF  
DISTRICT  
TUITION**

There has been a reduction in the number/cost of students requiring out of district placements.



**\$55K**



**HIGH SCHOOL  
DEBT  
PAYMENTS**

The schedule of payments on the high school construction loan includes a reduction in the total payment every year.



**\$30K**



**IT EQUIPMENT**

Due to the purchase of Chromebooks during COVID, this year a new lease is not required.



**Portrait of  
a Graduate  
Implementation**

**Learning  
and  
Academics**

**2024-2028  
Strategic  
Plan**

**Being  
and  
Wellness**



## The budget requests have been identified and prioritized by the District's leadership team.

Project	SCHOOL	Cost	Health Insurance
Increase in supplies for ELA curriculum.	HES	\$11,000	
Social Studies Textbook for Grades 6-7.	MRMS	\$36,000	
Increase Speech & Language Pathologist position by 0.2FTE.	DISTRICT	\$17,990	
Increase Physical Therapy position by 0.2FTE.	DISTRICT	\$13,354	
Differentiation professional development.	CES/HES	\$24,000	
Math professional development.	CES/HES	\$30,000	
Professional Development – High quality instruction and wellness	DISTRICT	\$44,000	
Additional professional development related to the Strategic Plan and Portrait of Graduate.	DISTRICT	\$95,000	
Increase science and technology supply budget.	MRHS	\$30,000	
Dean of Students Position.	MRHS	\$69,442	\$17,396
Equity Instructional Leaders.	District	\$20,000	
CES Sharkyard - courtyard project.	CES	\$75,000	

These items have been included in this draft of the budget.

These items have not been included in this draft of the budget.

This budget includes a number of key capital and debt projects. The buildings require investment to maintain a healthy environment for students and staff.

### **Capital**

Project	Budget
CES Replace carpet with new tiles	\$40,000
HES Replace two roof top units	\$120,000
MRMS Replace existing smoke alarm system	\$40,000
MRMS Service and repair exhaust fans	\$25,000
Middle school roof - feasibility study	\$150,000
Stabilization fund deposit	\$50,000
<b>TOTAL</b>	<b>\$425,000</b>

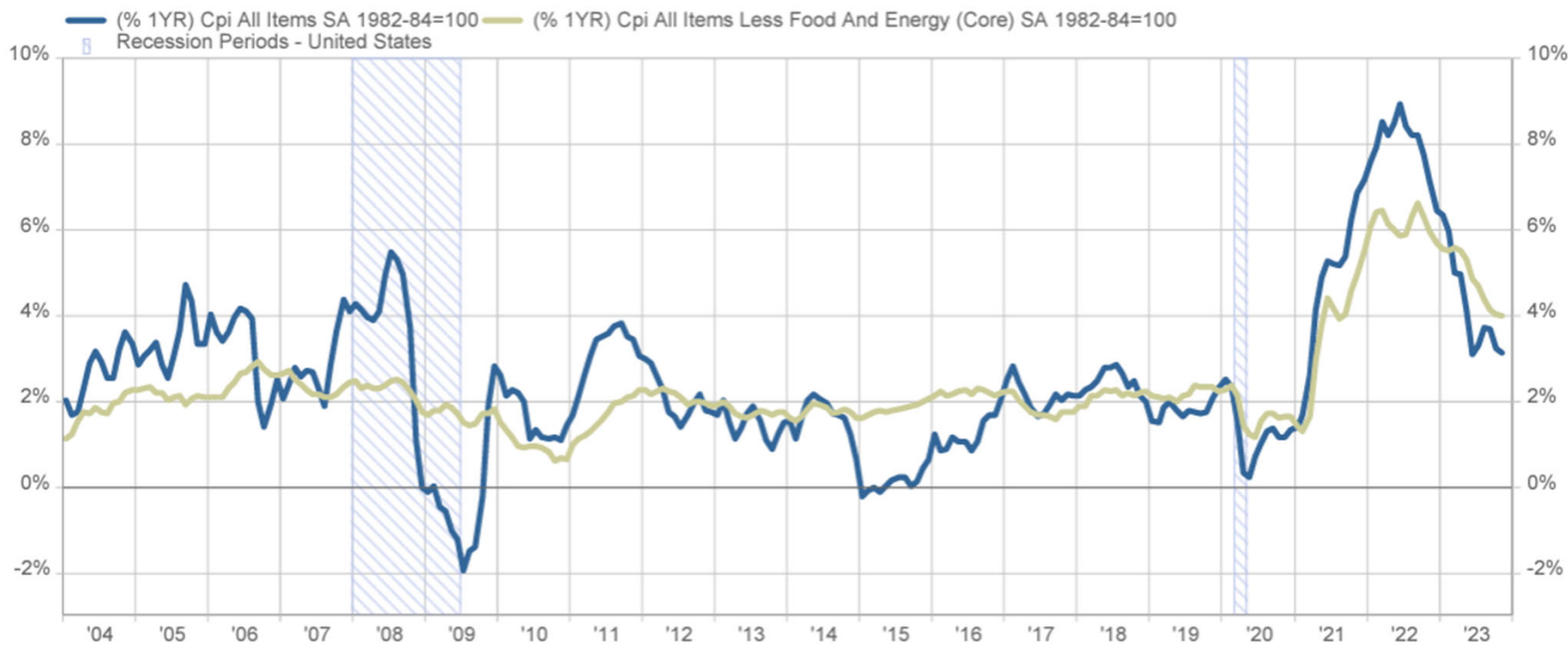
### **Debt**

Project	Budget
MRHS building construction loan principal	\$1,100,000
Interest payment on high school construction loan	\$321,062
Interest payment on high school construction loan	\$348,562
First payment on Middle School Siding Replacement	\$250,000
<b>TOTAL</b>	<b>\$2,019,624</b>

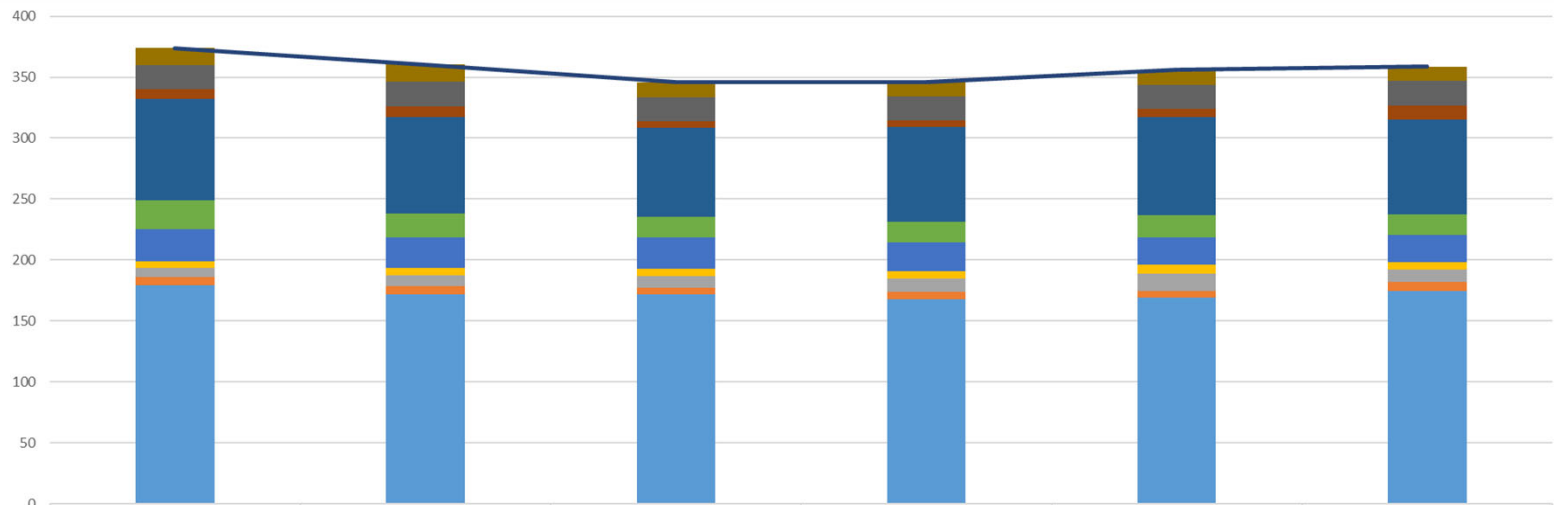
# A period of high inflation increases the costs for the district and puts pressure on salaries.

US Consumer Price Inflation

Launch full data release



# Staffing levels since FY19



	2019	2020	2021	2022	2023	2024
Cafeteria	14.0	14.0	12.0	12.0	12.0	12.0
Facilities & Custodians	20.0	20.0	19.5	19.5	20.0	20.0
Special Education Related Staff	8.1	8.95	5.8	5.87	6.57	11.17
Paraprofessional	83.1	79.25	73.25	77.56	80.266	78.185
Official -- Administrative	23.65	19.7	16.81	16.81	18.81	16.81
Office / Clerical / Administrative Support	26.5	25.1	25.2	23.9	22.3	22.3
Medical / Health Services	5.5	6	6.09	6.09	7.09	5.79
Instructional Support Staff	7.03	8.73	9.85	10.34	14.11	10.61
Instructional Support and Special Education Shared Staff	6.8	6.5	5.6	6.2	5.6	7
Instructional Staff	179	172	172	168	169	175
<b>Grand Total</b>	<b>374</b>	<b>360</b>	<b>346</b>	<b>346</b>	<b>356</b>	<b>359</b>

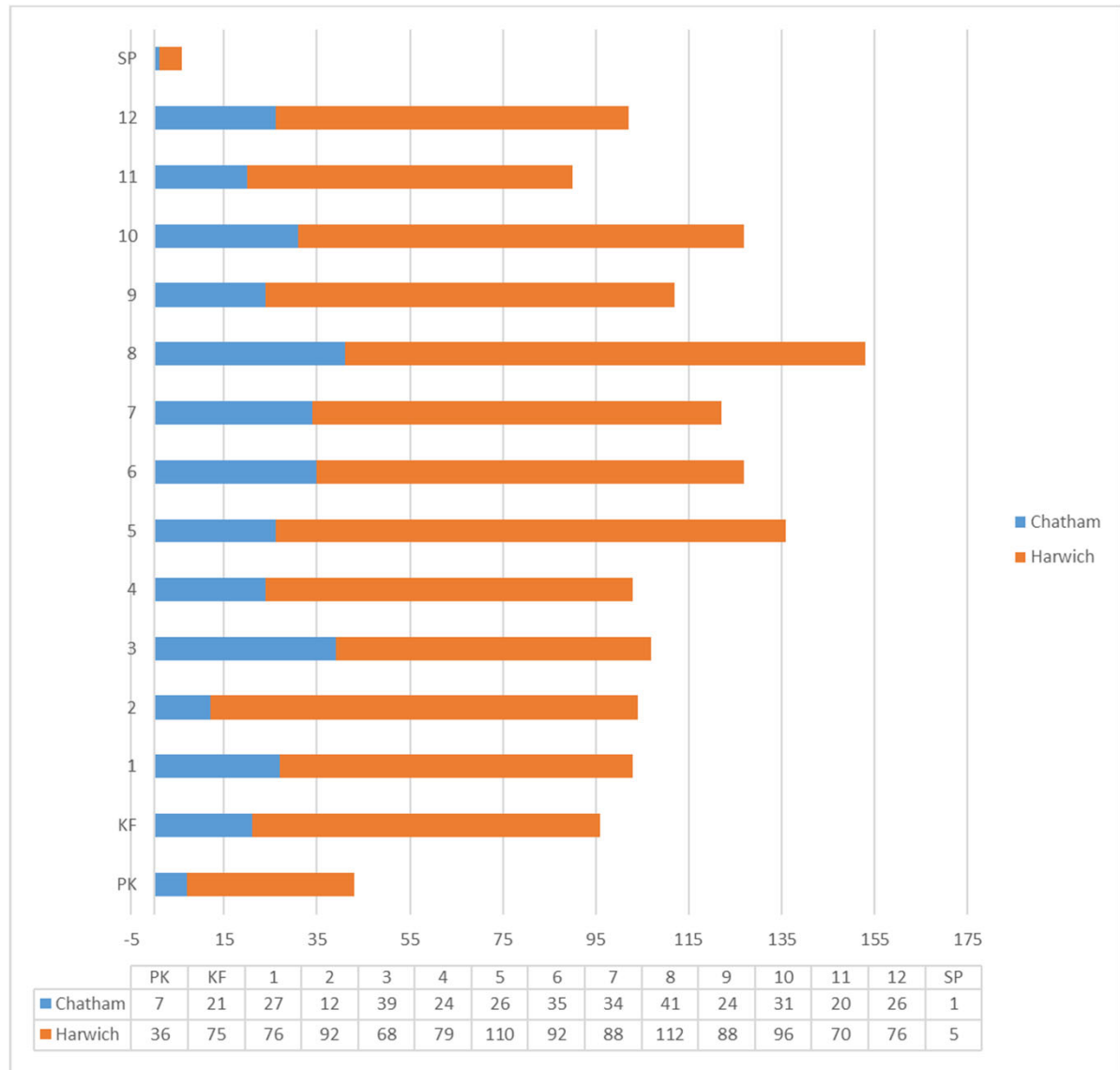
# Teacher Salaries: This chart shows the difference between the FY24 rates Monomoy RSD pays teachers and the rates paid by other districts.

*These figures include an assumption for differences in health insurance reimbursement.*

Step	Column	Nauset	Falmouth	DY	Sandwich	Mashpee	Barnstable	Cape Tech	Cape Cod Collaborative	Bourne
\$ 1	B	↑ \$ 1,094	↑ \$ 4,221	↓ \$ (2,943)	↑ \$ 1,069	↑ \$ 7,443	↓ \$ (3,831)	↓ \$ (353)	↑ \$ 775	↑ \$ 4,468
\$ 1	M	↑ \$ 3,588	↑ \$ 5,555	↓ \$ (2,375)	↑ \$ 1,123	↑ \$ 7,979	↓ \$ (693)	↑ \$ 963	↑ \$ 3,231	↑ \$ 5,057
\$ 2	M	↑ \$ 3,730	↑ \$ 5,768	↓ \$ (2,000)	↑ \$ 1,871	↑ \$ 8,257	↑ \$ 1,585	↑ \$ 1,970	↑ \$ 2,871	↑ \$ 7,828
\$ 3	M	↑ \$ 3,882	↑ \$ 8,297	↓ \$ (1,080)	↑ \$ 914	↑ \$ 8,547	↑ \$ 1,539	↑ \$ 2,888	↑ \$ 2,480	↑ \$ 7,832
\$ 4	M+15	↑ \$ 3,110	↑ \$ 7,507	↓ \$ (805)	↓ \$ (288)	↑ \$ 8,430	↑ \$ 660	↑ \$ 4,083	↑ \$ 202	↑ \$ 7,703
\$ 5	M+15	↑ \$ 3,237	↑ \$ 7,373	↓ \$ (137)	↑ \$ 130	↑ \$ 8,725	↑ \$ 355	↑ \$ 4,821	↓ \$ (336)	↑ \$ 8,010
\$ 6	M+15	↑ \$ 3,367	↑ \$ 7,633	↑ \$ 412	↑ \$ 442	↑ \$ 9,030	↑ \$ 2,166	↑ \$ 5,455	↓ \$ (915)	↑ \$ 8,231
\$ 7	M+30	↑ \$ 4,935	↑ \$ 9,059	↑ \$ 1,939	↑ \$ 400	↑ \$ 9,633	↑ \$ 622	↑ \$ 6,307	↑ \$ 2,406	↑ \$ 8,617
\$ 8	M+30	↑ \$ 5,130	↑ \$ 10,927	↑ \$ 2,200	↑ \$ 410	↑ \$ 9,976	↑ \$ 2,128	↑ \$ 6,721	↑ \$ 1,834	↑ \$ 8,767
\$ 9	M+30	↑ \$ 5,336	↑ \$ 19,157	↑ \$ 3,627	↑ \$ 304	↑ \$ 10,336	↑ \$ 6,765	↑ \$ 7,017	↑ \$ 1,216	↑ \$ 8,984
\$ 10	M+45	↑ \$ 3,067	↑ \$ 16,880	↑ \$ 5,146	↓ \$ (754)	↑ \$ 10,075	↑ \$ 5,143	↑ \$ 4,709	↓ \$ (1,936)	↑ \$ 7,725
\$ 11	M+45	↑ \$ 3,187	↑ \$ 13,464	↑ \$ 6,443	↓ \$ (827)	↑ \$ 10,434	↑ \$ 6,042	↑ \$ 4,654	↓ \$ (2,756)	↑ \$ 13,555
\$ 12	M+45	↑ \$ 3,317	↑ \$ 9,913	↑ \$ 5,810	↓ \$ (900)	↑ \$ 9,834	↑ \$ 6,197	↑ \$ 4,465	↓ \$ (3,634)	↑ \$ 10,004
\$ 13	M+60	↑ \$ 2,015	↑ \$ 3,859	↑ \$ 261	↓ \$ (3,220)	↑ \$ 6,276	↓ \$ (355)	↓ \$ (3,098)	↓ \$ (8,444)	↑ \$ 3,505
\$ 14	M+75/DOC	↑ \$ 3,799	↑ \$ 1,191	↓ \$ (1,896)	↓ \$ (3,593)	↑ \$ 2,661	↓ \$ (4,555)	↓ \$ (5,809)	↓ \$ (2,573)	↓ \$ (695)
\$ 16	M+75/DOC	↑ \$ 3,937	↓ \$ (614)	↓ \$ (3,701)	↓ \$ (5,398)	↑ \$ 4,204	↓ \$ (6,360)	↓ \$ (7,614)	↓ \$ (4,378)	↓ \$ (2,500)

↑ ##	Comparison district pays more
↓ ##	Comparison district pays less

# Enrollment by Grade and by Town



## Total expenditure, all funds, by major account.

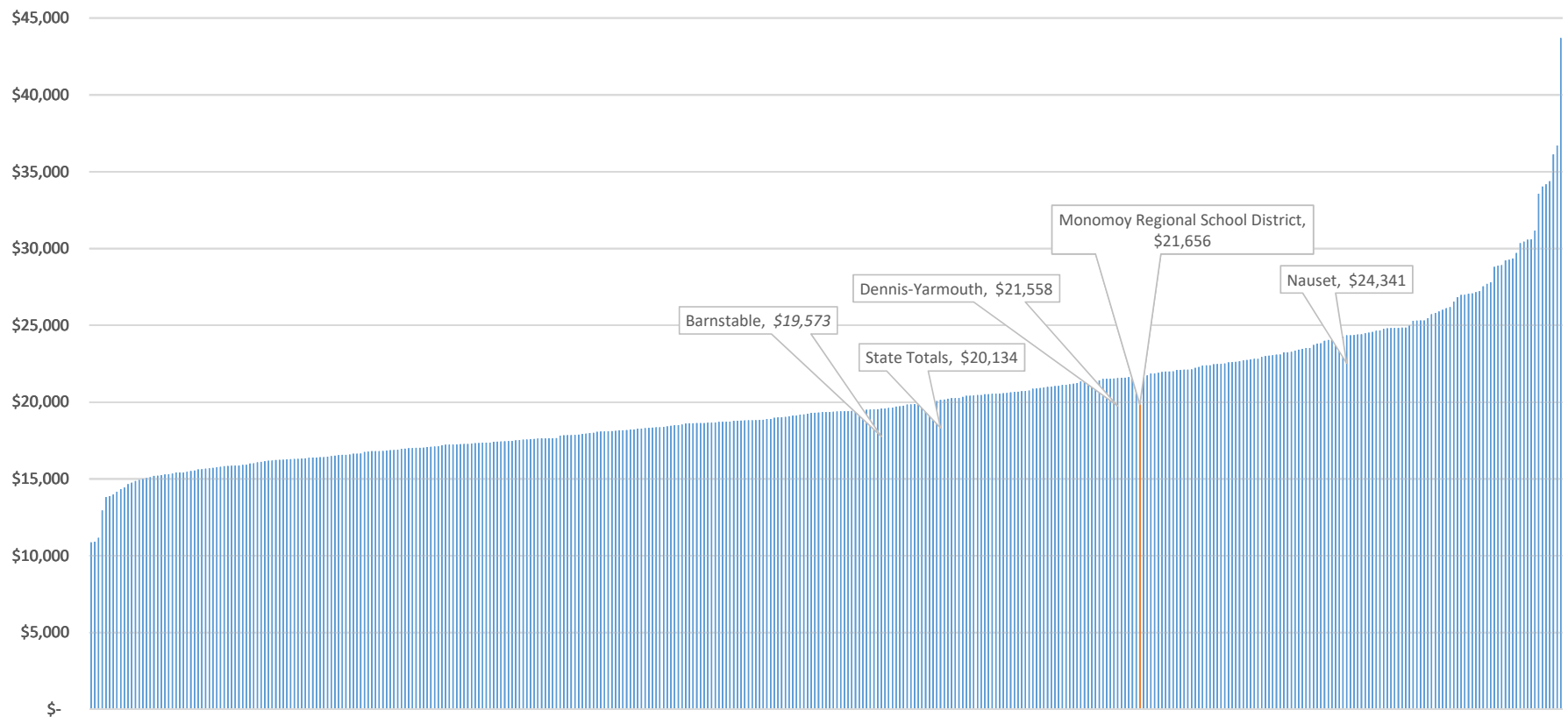
Major Account	2019	2020	2021	2022	2023
Acquisition, Improvement and Replacement of Fixed Assets	\$ 357,000	\$ 319,041	\$ 399,012	\$ 370,223	\$ 343,690
Administration	\$ 1,070,819	\$ 1,060,112	\$ 1,056,636	\$ 1,077,712	\$ 1,146,665
Benefits and Fixed Charges	\$ 7,409,056	\$ 7,661,064	\$ 7,763,480	\$ 7,410,240	\$ 8,139,887
Community Services	\$ 361,045	\$ 187,469	\$ 5,122	\$ 14,607	\$ 19,951
Debt and Retirement Service	\$ 2,234,698	\$ 2,258,541	\$ 2,113,344	\$ 1,938,373	\$ 1,883,412
Instructional Leadership	\$ 1,873,156	\$ 1,865,069	\$ 1,794,950	\$ 1,947,401	\$ 2,446,525
Instructional Materials, Equipment and Technology	\$ 674,277	\$ 583,093	\$ 930,622	\$ 1,671,586	\$ 1,138,717
Operations and Maintenance	\$ 3,247,471	\$ 3,532,748	\$ 3,274,105	\$ 3,566,075	\$ 4,145,405
Other Teaching Services	\$ 3,629,395	\$ 3,660,700	\$ 3,711,148	\$ 4,068,994	\$ 4,319,262
Professional Development	\$ 382,261	\$ 365,365	\$ 358,062	\$ 437,525	\$ 528,124
Programs with Other School Districts	\$ 3,418,670	\$ 3,681,723	\$ 3,882,303	\$ 2,934,036	\$ 2,958,774
Pupil Services	\$ 3,494,123	\$ 3,133,247	\$ 3,797,242	\$ 4,303,488	\$ 4,659,209
Teachers	\$ 13,622,697	\$ 13,577,755	\$ 14,027,954	\$ 14,265,831	\$ 14,327,249
Guidance, Counseling and Testing	\$ 972,232	\$ 1,054,321	\$ 1,054,796	\$ 1,101,515	\$ 1,343,701

Debt, Teacher salaries, and Programs with other districts had the largest decrease in the percentage of total expenditure.

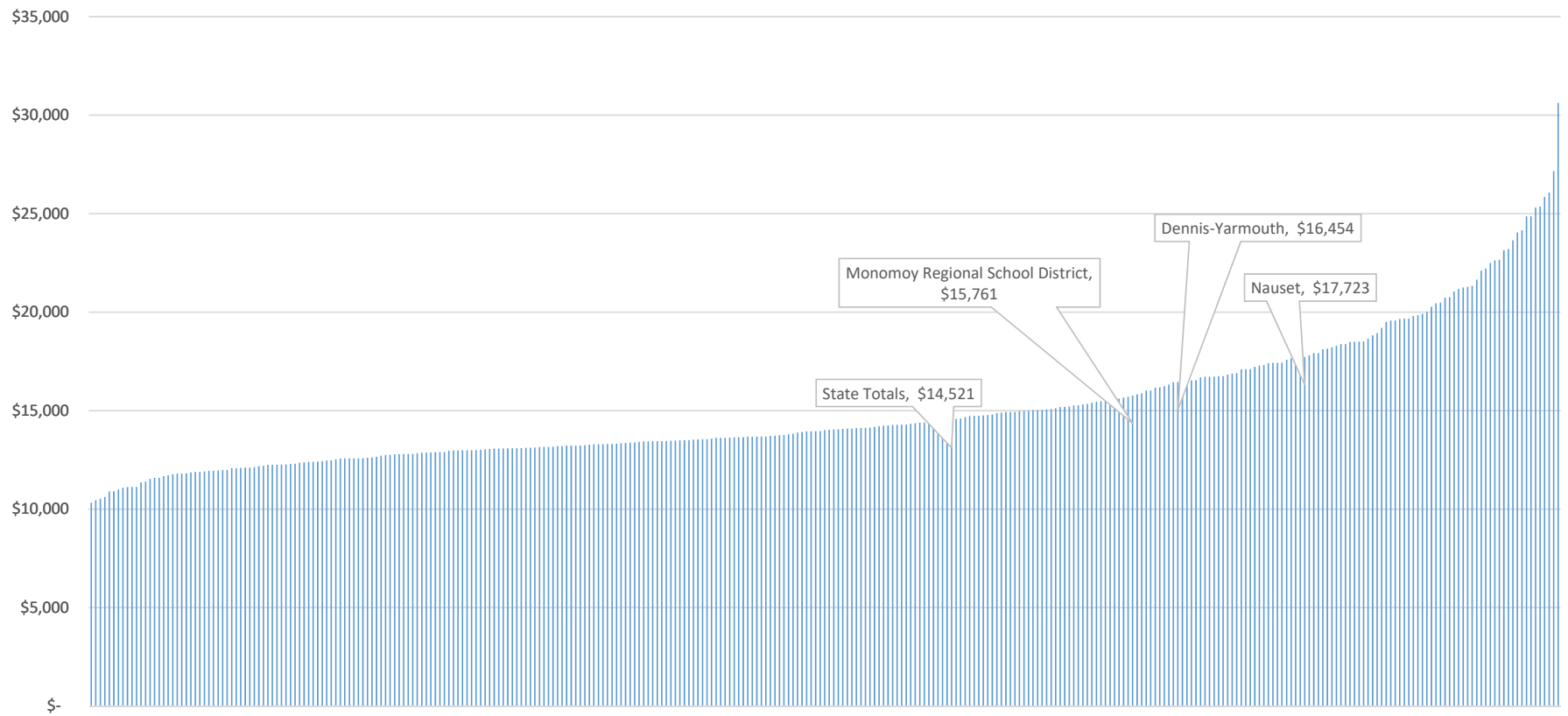
Operations and Maintenance and Pupil Services (transportation) had the largest increase in percentage of total expenditure.



# Per Pupil Expenditure For All Districts (FY22): Monomoy ranked 114<sup>th</sup> in the state out of 398 reporting districts (1=highest, 398=lowest).



# Per Pupil Expenditure For All Districts (FY14): Monomoy ranked 94<sup>th</sup> in the state out of 324 reporting districts.



## BUDGET FUNDING

	FY25 Budget	Change
<b>State and Other Revenue</b>	\$4,747,829	+3.8%
<b>Regional Transportation</b>	\$777,720	-5.8%
<b>Excess and Deficiency</b>	\$800,000	No Change
<b>Harwich Assessment</b>	\$29,876,982	+4.9%
<b>Chatham Assessment</b>	\$10,308,940	+6.2%

## DRAFT General Fund Revenue and State Aid

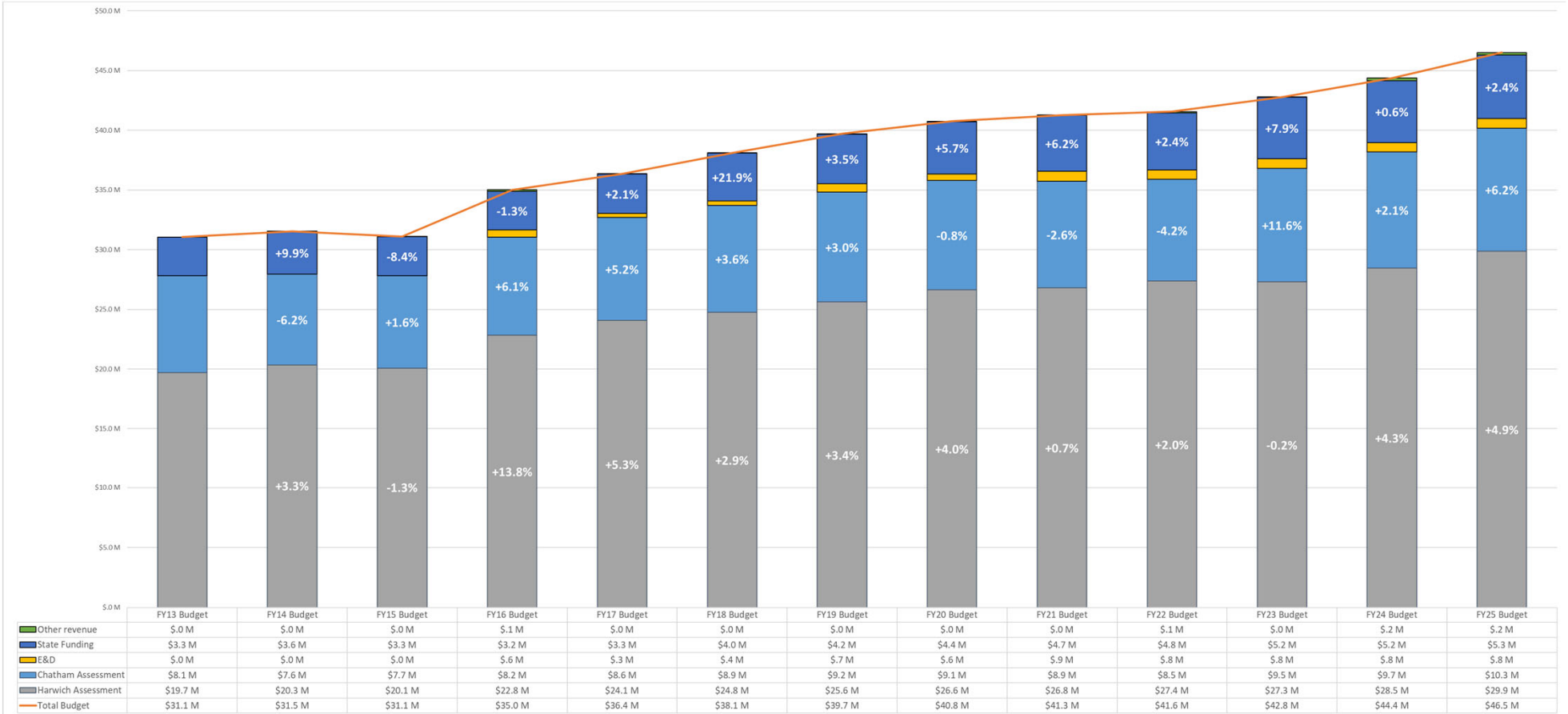
Source	Forecast	Change from FY24
Chapter 70	\$ 4,263,555	\$ 98,070
Excess And Deficiency	\$ 800,000	\$ -
Charter School	\$ 206,620	\$ 69,909
Medicaid	\$ 63,654	\$ 3,654
Interest	\$ 200,000	\$ -
Misc Revenues	\$ 14,000	\$ -
Total Transportation Aid	\$ 777,720	\$ (48,171)
<b>Total</b>	<b>\$6,325,549</b>	<b>\$123,462</b>

*These are based on the state draft budget, released on January 24<sup>th</sup>.*

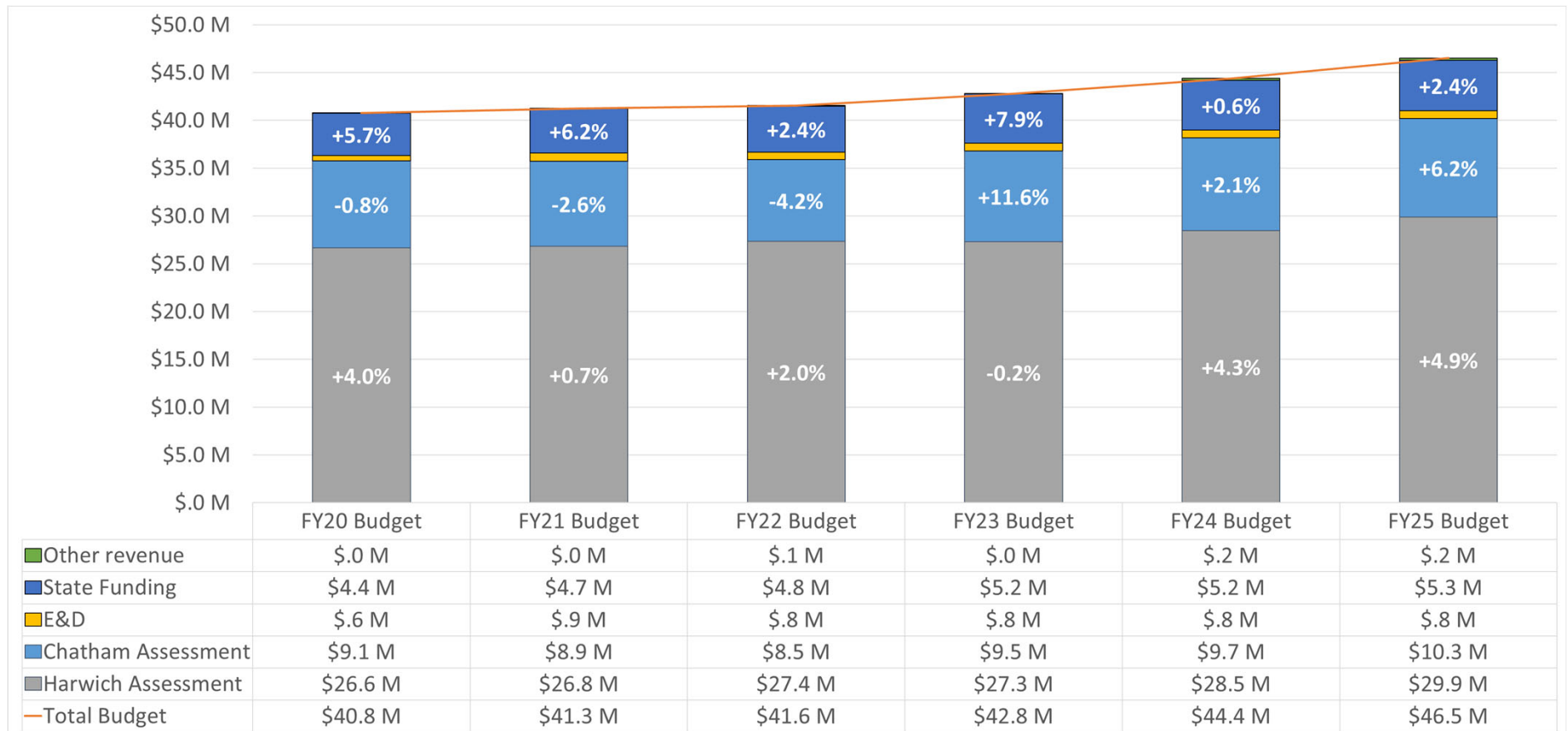
*The most significant changes are in transportation aid and charter school aid, which are respectively \$100,000 and \$60,000 higher than predicted.*

*This total is approximately 2% increase in FY24.*

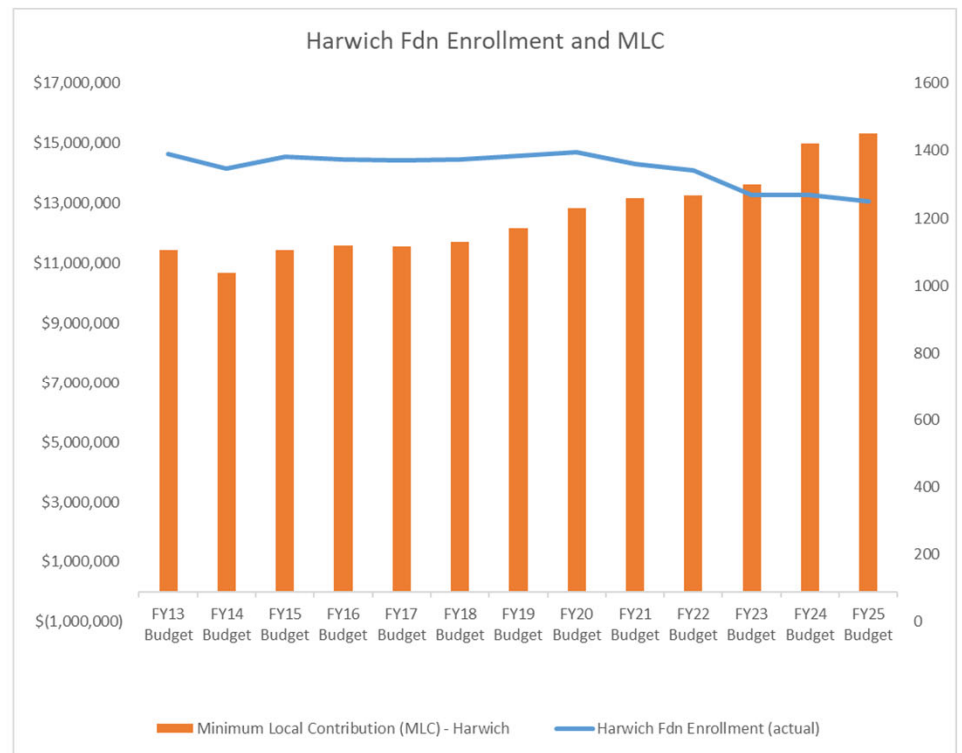
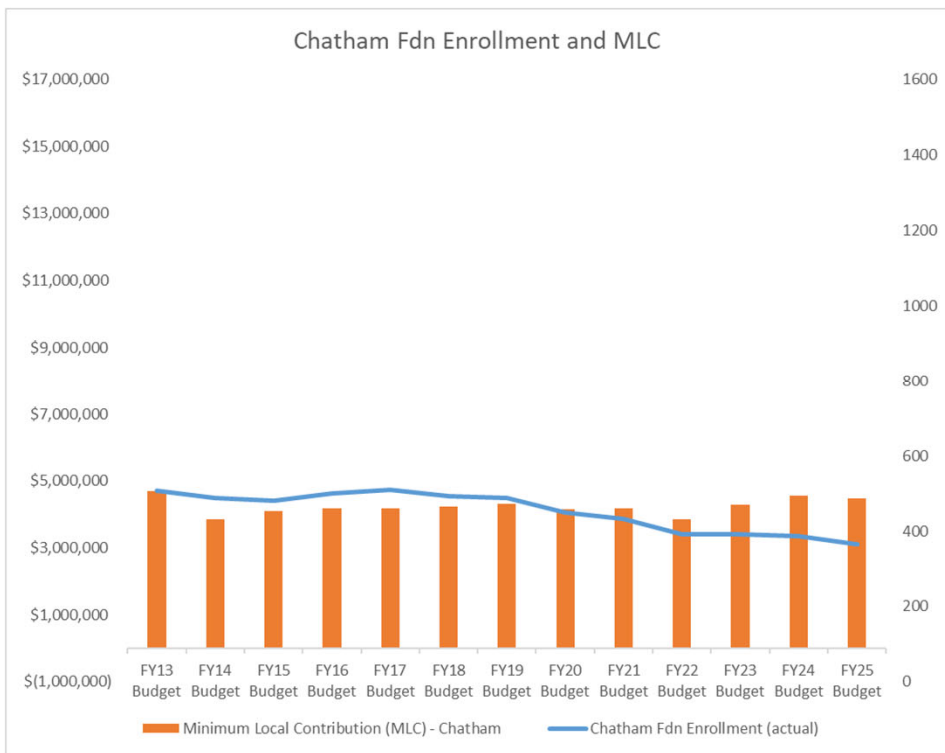
# DISTRICT ASSESSMENTS SINCE FY13



# DISTRICT ASSESSMENTS SINCE FY20



# Foundation Enrollment at both towns is going down, but the rate is a little faster in Chatham, this impacts the assessments.



The FY23 budget was the first year that the district used a revised assessment methodology whereby each town pays for its elementary school. The table below shows how the assessments would differ if this new approach had not been implemented.

Assessment	Harwich	Chatham
New Assessment Method	\$29,876,982	\$10,308,940
<i>Original Method</i>	<i>\$30,984,167</i>	<i>\$9,201,755</i>
<i>Difference between methods</i>	<i>(\$1,107,185)</i>	<i>\$1,107,185</i>



# FY25 Draft Budget Request

	FY25 Budget
Budget	\$46,511,471
Harwich Assessment	\$29,876,982
Chatham Assessment	\$10,308,940



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

**APPLICATION FOR A SPECIAL PERMIT**

- One day Entertainment (\$25)
- One day Liquor License – All Alcohol (\$50)
- One day Liquor License – Wines & Malt (\$50)
- Craft Fair (\$50)
- Event (\$25)
- Road Race (\$50)
- Other (please specify) \_\_\_\_\_

Applicants Name ABIGAIL R. DUDLEY Phone [REDACTED]

Mailing Address [REDACTED]

Owners Name & Address \_\_\_\_\_

Email Address [REDACTED]

**REQUIRED FOR ONE DAY ENTERTAINMENT – PLEASE PRINT**

- The date & time (I.E. 4 P.M. to 10 P.M.) you are requesting to have entertainment  
3/9/2024 6-9 pm
- Location of entertainment (Inside and/or outside)  
INSIDE
- Address where entertainment will be playing  
HARWICH CULTURAL CENTER, 204 SISSON RD., HARWICH, MA
- Event Information  
FUND RAISER : PUNCH4 PARKINSONS
- Indicate if there will be food service  
Yes   
No

**REQUIRED FOR ONE DAY ENTERTAINMENT - ENTERTAINMENT TYPE: (Check all appropriate boxes)**

- Concert  Dance  Exhibition  Cabaret  Public Show  Other (trivia night)
- Dancing by Patrons
- Dancing by Entertainers or Performers
- Recorded or Live Music
- Use of Amplification System
- Theatrical Exhibit, Play or Moving Picture Show
- A Floor Show of Any Description
- A Light Show of Any Description

**REQUIRED FOR ONE DAY LIQUOR/ROAD RACE/CRAFT FAIR/ANY OTHER EVENT**

Address of Event HARWICH CULTURAL CENTER, 204 SISSON RD., HARWICH, MA

Date & Time MARCH 9, 2024; 6-9 pm

Route/Location for Road Race N/A

Indicate if there be food service

Yes X

No \_\_\_\_\_

Provide any additional information necessary for the Board of Selectmen I AM REQUESTING PERMISSION TO HOLD A TRIVIA NIGHT FUND RAISER FOR THE CHARITY "PUNCH 4 PARKINSONS". (PLEASE SEE ATTACHED FLYER)

Pursuant to MGL, Chapter 62C, Section 49A, I certify under the penalties of perjury that I, to the best of my knowledge and belief, have filed all State tax returns, and have paid all State taxes under the law.

Rob Buckley for Abigail Buckley  
Signature of applicant & title Federal I.D. #

Signature of individual or corporate name Federal I.D. #

Signature of Manager Federal I.D. #

Signature of Partner Federal I.D. #

**REGULATORY COMPLIANCE FORM**

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

DocuSigned by:  
Jack Mee  
Building Commissioner

DocuSigned by:  
Carrie Schauer  
Board of Health

DocuSigned by:  
Ernie Young  
Fire Department

DocuSigned by:  
Kevin Conidine  
Police Department

DocuSigned by:  
Eric Bush  
Recreation Department

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

**Please note: This permit does not exempt the applicant from the Town of Harwich Chapter 189 Noise by-law**



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

**APPLICATION FOR A SPECIAL PERMIT**

- One day Entertainment (\$25)
- One day Liquor License – All Alcohol (\$50)
- One day Liquor License – Wines & Malt (\$50)
- Craft Fair (\$50)
- Event (\$25)
- Road Race (\$50)
- Other (please specify) \_\_\_\_\_

Applicants Name Sharon A Holler AKA Summer <sup>Sedona</sup> Phone [REDACTED]

Mailing Address [REDACTED]

Owners Name & Address \_\_\_\_\_

Email Address [REDACTED]

**REQUIRED FOR ONE DAY ENTERTAINMENT - PLEASE PRINT**

- The date & time (I.E. 4 P.M. to 10 P.M.) you are requesting to have entertainment  
3/8 & 3/29 4:00 - 7:00
- Location of entertainment (Inside and/or outside)  
Inside
- Address where entertainment will be playing  
204 Mission Rd.
- Event Information  
Art Show with Guitar player + singer
- Indicate if there will be food service  
Yes   
No

**REQUIRED FOR ONE DAY ENTERTAINMENT - ENTERTAINMENT TYPE: (Check all appropriate boxes)**

- Concert  Dance  Art Exhibition  Cabaret  Public Show  Other
- Dancing by Patrons
- Dancing by Entertainers or Performers
- Recorded or Live Music
- Use of Amplification System
- Theatrical Exhibit, Play or Moving Picture Show
- A Floor Show of Any Description
- A Light Show of Any Description

**REQUIRED FOR ONE DAY LIQUOR/ROAD RACE/CRAFT FAIR/ANY OTHER EVENT**

Address of Event 204 Mission Rd. Harwich Center

Date & Time 3-8 & 3-29 4:00 pm - 7:00 pm


Route/Location for Road Race \_\_\_\_\_

Indicate if there be food service

Yes   
No

Provide any additional information necessary for the Board of Selectmen \_\_\_\_\_

Pursuant to MGL, Chapter 62C, Section 49A, I certify under the penalties of perjury that I, to the best of my knowledge and belief, have filed all State tax returns, and have paid all State taxes under the law.

S. Holey - Sole Proprietor  
Signature of applicant & title of ART Studio + Sedona Spa Federal I.D. # 

Signature of individual or corporate name Federal I.D. #

Signature of Manager Federal I.D. #

Signature of Partner Federal I.D. #

**REGULATORY COMPLIANCE FORM**

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

DocuSigned by:  
Jack Mee  
Building Commissioner

DocuSigned by:  
Carrie Schauer  
Board of Health

DocuSigned by:  
Eric Young  
Fire Department

DocuSigned by:  
Lewin Considine  
Police Department

DocuSigned by:  
Eric Bush  
Recreation Department

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

**Please note: This permit does not exempt the applicant from the Town of Harwich Chapter 189 Noise by-law**

# **OLD BUSINESS**



**OFFICE OF THE TOWN ADMINISTRATOR**

Phone (508) 430-7513

Fax (508) 432-5039

Joseph F. Powers, *Town Administrator*


Meggan M. Eldredge, *Assistant Town Administrator*

732 MAIN STREET, HARWICH, MA 02645



# Memo

To: Select Board  
Joseph F. Powers, Town Administrator

From: Meggan Eldredge, Assistant Town Administrator 

RE: Personnel Bylaw Class and Compensation Table

Date: February 23, 2024

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It is my understanding that the Select Board and Town Administrator have a desire to elevate the Assistant Town Administrator (ATA) position to better capture the extensive oversight, responsibility and job functions this position has.

Attached please find the current Class and Compensation Table for Managers covered by the Personnel ByLaw as well as a red-line version showing the proposed table.

The current classification table includes grades M-1 through M-9. In order to elevate the ATA, a new grade M-10 is proposed. The new grade has been created based on the existing grade differentials in between grades and in between steps.

Also attached is a spreadsheet showing the results of an informal salary survey of Assistant Town Administrator roles across the Cape. The spreadsheet contains a column of actual salary figures and a column of figures derived from a 2023 salary survey conducted by the Town of Dennis. As actual salary figures are obtained, I will update this spreadsheet. Please note that each town may utilize their ATA role in different ways and staffing levels within administrations may differ from the Town of Harwich.

**NON-UNION COMPENSATION PLAN  
BY-LAW POSITIONS: FULL TIME MANAGMENT**

Grade	Position	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10
M-9	<u>DPW Director</u>	123,843.28	126,860.44	130,022.19	133,306.78	136,620.43	140,005.89	143,498.52	147,066.05	150,723.05	154,472.66
M-8	<u>Water/ Wastewater Superintendent</u>	113,682.73	116,505.34	119,399.73	122,366.95	125,404.92	128,520.92	131,715.99	134,988.04	138,344.37	141,783.94
M-7	<u>Assistant Town Administrator; Deputy Police Chief; Library Director; Deputy Fire Chief</u>	104,356.59	106,946.14	109,600.20	112,321.89	115,113.28	117,970.22	120,901.03	123,903.62	126,982.17	130,136.66
M-6		95,803.46	98,178.69	100,616.35	103,112.27	105,668.53	108,294.50	110,979.77	113,733.71	116,557.36	119,452.79
M-5		87,621.75	89,812.30	92,057.60	94,359.04	96,718.02	99,135.97	101,614.37	104,154.73	106,758.60	109,427.56
M-4	<u>Personnel Director; Director of Cultural Affairs</u>	80,766.37	82,756.84	84,806.43	86,909.08	89,061.67	91,269.40	93,531.23	95,849.24	98,168.29	100,543.52
M-3	<u>Housing Advocate</u>	74,152.74	75,986.96	77,868.00	79,793.78	81,771.58	83,796.20	85,871.80	88,000.46	90,128.08	92,307.72
M-2		68,095.53	69,775.77	71,501.80	73,267.35	75,069.33	76,938.93	78,843.90	80,795.69	82,747.48	84,778.77
M-1	<u>Zoning Compliance Officer</u>	54,625.47	55,972.79	57,354.44	58,767.30	60,219.70	61,707.48	63,229.58	64,790.18	66,390.31	68,032.06



**NON-UNION COMPENSATION PLAN  
BY-LAW POSITIONS: FULL TIME MANAGMENT**

FY24

Grade	Position	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10
M-10	<del>Assistant Town Administrator</del>	134,060.35	137,411.86	140,847.16	144,368.33	147,977.54	151,676.98	155,468.91	159,355.63	163,339.52	167,423.01
M-9	DPW Director	123,843.28	126,860.44	130,022.19	133,306.78	136,620.43	140,005.89	143,498.52	147,066.05	150,723.05	154,472.66
M-8	Water/ Wastewater Superintendent	113,682.73	116,505.34	119,399.73	122,366.95	125,404.92	128,520.92	131,715.99	134,988.04	138,344.37	141,783.94
M-7	<del>Assistant Town Administrator:</del> Deputy Police Chief: Library Director: Deputy Fire Chief	104,356.59	106,946.14	109,600.20	112,321.89	115,113.28	117,970.22	120,901.03	123,903.62	126,982.17	130,136.66
M-6		95,803.46	98,178.69	100,616.35	103,112.27	105,668.53	108,294.50	110,979.77	113,733.71	116,557.36	119,452.79
M-5		87,621.75	89,812.30	92,057.60	94,359.04	96,718.02	99,135.97	101,614.37	104,154.73	106,758.60	109,427.56
M-4	Personnel Director: Director of Cultural Affairs	80,766.37	82,756.84	84,806.43	86,909.08	89,061.67	91,269.40	93,531.23	95,849.24	98,168.29	100,543.52
M-3	Housing Advocate	74,152.74	75,986.96	77,868.00	79,793.78	81,771.58	83,796.20	85,871.80	88,000.46	90,128.08	92,307.72
M-2		68,095.53	69,775.77	71,501.80	73,267.35	75,069.33	76,938.93	78,843.90	80,795.69	82,747.48	84,778.77
M-1	Zoning Compliance Officer	54,625.47	55,972.79	57,354.44	58,767.30	60,219.70	61,707.48	63,229.58	64,790.18	66,390.31	68,032.06

average 2.5% increase between steps  
 average 8.5% increase between grades (eliminate outliers)  
**reclassification of Assistant Town Administrator**

Assistant Town Administrator informal salary survey 2.23.2024

Town	current salary	current range	data from FY23 survey + 2% COLA
Dennis	\$ 144,550.00	\$116,256-\$153,398	
Mashpee	\$ 122,400.00	Personal Services Contract	
Barnstable			\$137,411-\$164,225
Brewster	\$ 121,051.80	\$98,423.10-128,431.56	
Chatham	position does not exist		
Eastham			\$107,275-\$158,219
Falmouth			no response
Orleans			\$99,948-\$127,955
ProvinceTown			\$95,689-\$127,955
Sandwich	\$ 145,000.00	101,382-152,073	
Truro			no response
Wellfleet			\$107,105



## OFFICE OF THE TOWN ADMINISTRATOR


732 MAIN STREET, HARWICH, MA 02645

Joseph F. Powers, *Town Administrator*  
Meggan M. Eldredge, Assistant Town Administrator

Phone (508) 430-7513  
Fax (508) 432-5039

# MEMO

TO: Harwich Select Board

FROM: Joseph F. Powers, Town Administrator 

CC: Meggan M. Eldredge, Assistant Town Administrator

RE: 2024 Annual Town Meeting Warrant – List of Standard and Potential Articles

DATE: Friday, February 9, 2024

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This memorandum provides information on the lists attached herein. The first list outlines the standard articles which appear in every Annual Town Meeting with their prospective article number (subject to the Board's preference on article placement) as well as the category they fall under (customary, budget, capital, etc.).

The second list attached provides information on potential articles which the Board may wish to discuss and debate their inclusion in the 2024 Warrant. Two potential articles of significant note include:

- An article establishing the creation of a "Municipal Water Infrastructure Investment Fund" (which would also require approval by the voters at the Annual Town Election) to create another dedicated funding source to offset costs related to construction of wastewater infrastructure as required by the Watershed Management Plan; and
- An article relating to the Home Rule Petition suggested by Senator Cyr wherein the Town would request the establishment of a local option transfer fee as outlined by the Senator. This article would be meant to proceed legislation filed by Governor Healey establishing such an option throughout the Commonwealth.

As you will see from the attached lists, we may have more than fifty (50) articles in the Warrant for the 2024 Annual Town Meeting.

## Standard Warrant Articles

Article #	Article Title	Cost	Category
1	Town Officers & Committees		Customary
2	Reports of Officers & Committees		Customary
3	Elected Officials' Salaries		Customary
4	Operating Budget		Budget
5	MRSD Assessment		Budget
6	CCRTSD Assessment		Budget
7	Water Department		Budget
8	Wastewater Department		Budget
9	Cape Cod Community Media Center		Cable
10	Harwich Channel Capital		Capital
11	Lease Purchase Agreements		Customary
12	Adopt the Capital Plan		Capital
13	Capital Funding – Source #1		Capital
14	Capital Funding – Source #2		Capital
15	Capital Funding – Source #3		Capital
16	Capital Funding – Source #4		Capital
17	CPC - Housekeeping		CPA
18	CPC #1		CPA
19	CPC #2		CPA
20	CPC #3		CPA
21	CPC #4		CPA
22	CPC #5		CPA
23	CPC #6		CPA
24	CPC #7		CPA
25	CPC #8		CPA
26	CPC #9		CPA
27	CPC #10		CPA
28	CPC #11		CPA
29	CPC #12		CPA
30	CPC #13		CPA
31	CPC #14		CPA
	Petitioned Article #1 - Fertilizer		Citizen Petition
	Petitioned Article #2 - Pesticide		Citizen Petition
	Petitioned Article #3 - Trees		Citizen Petition
	Petitioned Article #4 – Pool		Citizen Petition
	Petitioned Article #5 – GBL c.140		Citizen Petition
	Defray Library Expenses		Customary
	Promote the Town of Harwich		Customary
	Herring Fisheries		Customary

## Potential Warrant Articles

<b>Proposal</b>	<b>Category</b>
Water Infrastructure Investment Fund (WIIF)	Town Meeting/Town Election
Home Rule articles suggested by Senator Cyr	Home Rule Petition
Harwich Port Parking Initiatives	Appropriation and/or Bylaw
Short-term rental tracking system	Appropriation Article
Town Newsletter	Appropriation Article
Electric Vehicle Charging Station Const.	Appropriation Article
Repurpose 2023 ATM Article 31 (Library Trustees)	Appropriation Article
Various Bylaw and/or Charter Changes (Bylaw/Charter Comm.)	Bylaw or Charter
Correct 2023 ATM Article 24	CPC Change
Inclusionary Housing Bylaw	Zoning Bylaw
Use Variance Amendment	Zoning Bylaw
Primary Use v. Multiple Uses	Zoning Bylaw

**TOWN**  
**ADMINISTRATOR'S**  
**REPORT**



## OFFICE OF THE TOWN ADMINISTRATOR

Phone (508) 430-7513

Fax (508) 432-5039

Joseph F. Powers, *Town Administrator*  
Meggan M. Eldredge, *Assistant Town Administrator*

732 MAIN STREET, HARWICH, MA 0264



# Memo

To: Select Board  
Joseph F. Powers, Town Administrator

From: Meggan Eldredge, Assistant Town Administrator

RE: Contract for tree trimming services in cemeteries *ME*

Date: February 7, 2024

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This memo corresponds to the attached executed contract with Mackenzie Tree Service for tree trimming services in the Town of Harwich Cemeteries. Using best practices for contracts under \$50,000, quotes were requested from three vendors who offer this service in accordance with the Massachusetts procurement law chapter 30b.

Tree service is needed to remove dead, damaged or dying trees that are close to monuments or hazards within the cemetery grounds. It is anticipated that this contract will cover up to 12 days of service at \$2,500 per eight-hour day. The Cemetery Revolving Fund will support this contract.

# PROCUREMENT CHECKLIST & APPROVAL FORM

STAFF LEAD: Robbin Kelley DEPARTMENT: Cemetery Department

FUNDING SOURCE: Cemetery Revolving Fund 16111002 - 538000

Appropriated amount: \$30,000.00 Estimated cost: \_\_\_\_\_ Actual cost: \_\_\_\_\_

## PROCUREMENT METHOD:

Competitive Bidding. \$2,500 per day x 12 days

## PURCHASE DESCRIPTION:

Purchase descriptions should contain the following components (see document on purchase descriptions):  
*Description of supplies or services required; quantities required; schedule for performance and delivery terms.*

The Town of Harwich Cemetery Department is soliciting quotes from qualified vendors for tree removal and tree trimming services in accordance with the provision of Massachusetts General Laws Chapter 30B. The Cemetery employees do perform some tree removal and trimming services but require the services of certified arborist to safely remove dead, damaged or dying trees that are close to monuments or a hazard within the cemetery grounds. Scope of Work  
The Cemetery Staff will provide a list of tree locations where trees need to be removed or trimmed. These trees will be tagged by cemetery employees. Absent of an emergency condition, the Cemetery Staff will develop a list of work requesting services.  
The contractor will be responsible for cleaning the area of work back to pre-work condition removing all branches, logs and wood chip debris generated from the area. However, there are times when the contractors will be direct to leave large logs on the side of the road that will be picked up later by the Town staff. This is done to maximize bucket truck usage while working for the Town. When working for the Town, you will be able to dump woodchips and logs at the Town's Disposal Area without charge.  
The price quoted should be for a daily rate of 8 hours that will start and end at the cemetery location. The c

### PROCUREMENT MAY PROCEED ONLY IF SIGNATURES PROVIDED BELOW

Funds Available: Finance Director: Megan Green Account # 16111002-538000  
DocuSigned by: 36E65676E18A4AC... UP TO \$30,000.00

Approved to proceed: Town Administrator or Designee: Joseph F. Powers  
DocuSigned by: 0623C0C5799644E...



## Tree Removal for Harwich Cemeteries

Funding Cemetery Revolving Account: 16111002      Total \$ 2,500.00

<b>TOWN OF HARWICH</b> <b>MAIN STREET</b> <b>HARWICH, MA 02645</b>	<b><u>PRUDENT PROCUREMENT</u></b>			
DEPARTMENT	Cemetery Department	DATE: 1/18/2024		
	FIRM CONTACTED	TELEPHONE	ITEM(S) REQUESTED	QUOTE
NAME ADDRESS TOWN CONTACT	<b>MacKenzie Tree Service</b> 125 Main Street Unit 3 Dennis Port, MA 02639 Geoff <a href="mailto:trees@mtscapecod.com">trees@mtscapecod.com</a>	508-776-7218  cell 508-237-8588	Tree Removal See description below  Bucket Truck	<b>\$2,500.00</b>
NAME ADDRESS TOWN CONTACT	<b>Bretten S Johnson Tree Services</b> 52 Commercial Park Road Brewster, MA 02631 Bretten Johnson <a href="mailto:bsj.tree.landscape@gmail.com">bsj.tree.landscape@gmail.com</a>	508-432-5511	Tree Removal See description below No bucket truck spider lift	<b>\$2,350.00</b>
NAME ADDRESS TOWN CONTACT	<b>Luke's Tree &amp; Landscapes, Inc.</b> 191 Queen Anne Road Harwich, MA 02645 <a href="mailto:lwstratton92@gmail.com">lwstratton92@gmail.com</a> Luke Stratton	508-237-8841	Tree Removal See description below  No bucket truck	<b>\$3,500.00</b>

The Town of Harwich Cemetery Department is soliciting quotes from qualified vendors for tree removal and tree trimming services in accordance with the provision of Massachusetts General Laws Chapter 30B. The Cemetery employees do perform some tree removal and trimming services but require the services of certified arborist to safely remove dead, damaged or dying trees that are close to monuments or a hazard within the cemetery grounds.

#### Scope of Work

The Cemetery Staff will provide a list of tree locations where trees need to be removed or trimmed. These trees will be tagged by cemetery employees. Absent of an emergency condition, the Cemetery Staff will develop a list of work requesting services. The contractor will be responsible for cleaning the area of work back to pre-work condition removing all branches, logs and woodchip debris generated from the area. However, there are times when the contractors will be direct to leave large logs on the side of the road that will be picked up later by the Town staff. This is done to maximize bucket truck usage while working for the Town. When working for the Town, you will be able to dump woodchips and logs at the Town's Disposal Area without charge. The price quoted should be for a daily rate of 8 hours that will start and end at the cemetery location. The contractor's price will include all equipment and personnel (minimum of 2) to perform the requested work including bucket truck (working height of at least 65') chipper, chainsaws, fuel, personal protective safety equipment and any other ancillary equipment needed.

**Procurement for Tree Removal and Tree Trimming Services  
Harwich Cemetery Department  
Contact Robbin Kelley, Cemetery Administrator  
[rkelly@harwich-ma.gov](mailto:rkelly@harwich-ma.gov)  
Bids should be received by January 18, 2024**

The Town of Harwich Cemetery Department is soliciting quotes from qualified vendors for tree removal and tree trimming services in accordance with the provision of Massachusetts General Laws Chapter 30B. The Cemetery employees do perform some tree removal and trimming services but require the services of certified arborist to safely remove dead, damaged or dying trees that are close to monuments or a hazard within the cemetery grounds.

**Scope of Work**

The Cemetery Staff will provide a list of tree locations where trees need to be removed or trimmed. These trees will be tagged by cemetery employees. Absent of an emergency condition, the Cemetery Staff will develop a list of work requesting services.

The contractor will be responsible for cleaning the area of work back to pre-work condition removing all branches, logs and woodchip debris generated from the area. However, there are times when the contractors will be direct to leave large logs on the side of the road that will be picked up later by the Town staff. This is done to maximize bucket truck usage while working for the Town. When working for the Town, you will be able to dump woodchips and logs at the Town's Disposal Area without charge.

The price quoted should be for a daily rate of 8 hours that will start and end at the cemetery location. The contractor's price will include all equipment and personnel (minimum of 2) to perform the requested work including bucket truck (working height of at least 65') chipper, chainsaws, fuel, personal protective safety equipment and any other ancillary equipment needed.

# ESTIMATE

**Mackenzie Tree Service**  
 125 Main St Unit 3  
 Dennis Port, MA 02639

trees@mtscapecod.com  
 +1 (508) 776-7218  
 mtscapecod.com



Robbin Marie Kelley

**Bill to**

Robbin Marie Kelley  
 Town of Harwich  
 732 Main Street  
 Harwich, MA 02645

**Estimate details**

Estimate no.: 1905  
 Estimate date: 12/29/2023

#	Product or service	SKU	Qty	Rate	Amount
1.	<b>General Tree Work</b> This is our daily rate for the following tree services: Tree Removal, Pruning, Trimming and Tree Planting services (not including material costs or dump fees) Price includes removal of all debris, clean up and disposal fees. Stump will be cut as slow as possible without damaging saw blade, usually 2-3 inches above dirt line.		1	\$3,000.00	\$3,000.00
2.	<b>Discount</b> Volume discount for commercial/municipal work		1	-\$500.00	-\$500.00
				<b>Total</b>	<b>\$2,500.00</b>

**Note to customer**

Quoted price is for cash or check. Extra fee may apply for credit, debit and other payment methods.

## Robbin Kelley

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**From:** Bretten S. Johnson Tree & Landscape <bsj.tree.landscape@gmail.com>  
**Sent:** Saturday, January 13, 2024 6:34 PM  
**To:** Robbin Kelley  
**Subject:** Tree Service Contractor (Bretten S. Johnson Tree Service)

Robbin Kelley  
Harwich Cemetery Department

Dear Robbin,

I am responding to the Town Of Harwich's request for a tree contractor for the Harwich Cemetery Department.

My name is Bretten Johnson. I own and Operate Bretten S. Johnson Tree Service out of Brewster. Some of our equipment includes a 72 foot spider lift that is capable of moving through a 4 foot opening when fully collapsed. Other equipment includes chippers, saws an excavator and chip trucks. We are fully insured and our employees have full workman's compensation and wear complete PPE in accordance with OSHA guidelines.

Per your request, here is our day rate, meaning 8 hours starting and finishing at the cemetery with 2-3 employees complete with all necessary equipment to perform the job and also a complete clean up at the end of the project as stated in your letter.

Quoted Day Rate: \$2350

A brief note:

I started this business in 2012 just after graduating from Harwich High School. I grew up in town and it has been very rewarding to watch this business grow while serving the community I was raised in. I would appreciate the opportunity to work with the Town Of Harwich.

Feel free to google our business and look up pictures and references.

If your looking for references within the Town Of Harwich, Lincoln Hooper and Rich (Boo) Berube will be able to attest to our work ethic and professionalism.

Thank you very much for your consideration.

Sincerely,

Bretten Johnson

Bretten S. Johnson  
Tree Service

## Robbin Kelley

---

**From:** Luke Stratton <lwstratton92@gmail.com>  
**Sent:** Saturday, January 20, 2024 9:48 AM  
**To:** Robbin Kelley  
**Subject:** Tree removal.

Just want to make clear don't have 65 ft bucket truck. If not required can do the work!

Thank you for opportunity to place bid on work.

Day rate for tree removal 3500

Just let me know on how many days you need and would like to discuss a few more things on phone with you!

How many days do we have to complete all the work?

Sent from my iPhone

**AGREEMENT FOR TOWN OF HARWICH**

The following provisions shall constitute an Agreement between the Town of Harwich, acting by and through its Select Board, hereinafter referred to as "Town," and Mackenzie Tree Service with an address of 125 Main Street, Unit 3, Dennisport, MA 02639 hereinafter referred to as "Contractor", effective as of the \_\_\_\_<sup>14th</sup> day of February, 2024. In consideration of the mutual covenants contained herein, the parties agree as follows:

**ARTICLE 1: SCOPE OF WORK:**

The Contractor shall perform all work and furnish all services necessary to provide the Town of Harwich Cemetery Department with tree removal and tree trimming services as described in the scope of work, attached.

**ARTICLE 2: TIME OF PERFORMANCE:**

The Contractor shall complete all work and services required hereunder commencing upon contract execution through February 7, 2024.

**ARTICLE 3: COMPENSATION:**

The Town shall pay the Contractor for the performance of the work outlined in Article 1 above \$2,500 per day of work as outlined in estimate no. 1905, attached. Total contract sum shall not exceed \$30,000.00 The Contractor shall submit monthly invoices to the Town for services rendered, which will be due 30 days following receipt by the Town.

**ARTICLE 4: CONTRACT DOCUMENTS:**

The following documents form the Contract and all are as fully a part of the Contract as if attached to this Agreement or repeated herein:

1. This Agreement.
2. Amendments, or other changes mutually agreed upon between the parties.

3. All attachments to the Agreement.

In the event of conflicting provisions, those provisions most favorable to the Town shall govern.

**ARTICLE 5: CONTRACT TERMINATION:**

The Town may suspend or terminate this Agreement by providing the Contractor with ten (10) days written notice for the reasons outlined as follows:

1. Failure of the Contractor, for any reason, to fulfill in a timely and proper manner its obligations under this Agreement.
2. Violation of any of the provisions of this Agreement by the Contractor.
3. A determination by the Town that the Contractor has engaged in fraud, waste, mismanagement, misuse of funds, or criminal activity with any funds provided by this Agreement.

Either party may terminate this Agreement at any time for convenience by providing the other party written notice specifying therein the termination date which shall be no sooner than thirty (30) days from the issuance of said notice. Upon receipt of a notice of termination from the Town, the Contractor shall cease to incur additional expenses in connection with the Agreement. Upon such termination, the Contractor shall be entitled to compensation for all satisfactory work completed prior to the termination date as determined by the Town. Such payment shall not exceed the fair value of the services provided hereunder.

**ARTICLE 6: INDEMNIFICATION:**

The Contractor shall defend, indemnify and hold harmless the Town and its officers, agents, and all employees from and against claims arising directly or indirectly from the contract. Contractor shall be solely responsible for all local taxes or contributions imposed or required under the Social Security, Workers' Compensation, and income tax laws. Further, the Contractor

shall defend, indemnify and hold harmless the Town with respect to any damages, expenses, or claims arising from or in connection with any of the work performed or to be performed under this Agreement. This shall not be construed as a limitation of the Contractor's liability under the Agreement or as otherwise provided by law.

**ARTICLE 7: AVAILABILITY OF FUNDS:**

The compensation provided by this Agreement is subject to the availability and appropriation of funds.

**ARTICLE 8: APPLICABLE LAW:**

The Contractor agrees to comply with all applicable local, state and federal laws, regulations and orders relating to the completion of this Agreement. This Agreement shall be governed by and construed in accordance with the law of the Commonwealth of Massachusetts.

**ARTICLE 9: ASSIGNMENT:**

The Contractor shall not make any assignment of this Agreement without the prior written approval of the Town.

**ARTICLE 10: AMENDMENTS:**

All amendments or any changes to the provisions specified in this Contract can only occur when mutually agreed upon by the Town and Contractor. Further, such amendments or changes shall be in writing and signed by officials with authority to bind the Town. No amendment or change to the contract provisions shall be made until after the written execution of the amendment or change to the Contract by both parties.



**ARTICLE 11: INDEPENDENT CONTRACTOR:**

The Contractor acknowledges and agrees that it is acting as an independent contractor for all work and services rendered pursuant to this Agreement and shall not be considered an employee or agent of the Town for any purpose.

**ARTICLE 12: INSURANCE:**

The Contractor shall be responsible to the Town or any third party for any property damage or bodily injury caused by it, any of its subcontractors, employees or agents in the performance of, or as a result of, the work under this Agreement. The Contractor and any subcontractors used hereby certify that they are insured for workers' compensation, property damage, personal and product liability. The Contractor and any subcontractor it uses shall purchase, furnish copies of, and maintain in full force and effect insurance policies in the amounts here indicated.

- 1) General Liability of at least \$1,000,000 Occurrence/\$3,000,000 General Aggregate. The Municipality should be named as an "Additional Insured". Products and Completed Operations should be maintained for up to 3 years after the completion of the project.
- 2) Automobile Liability (applicable for any contractor who has an automobile operating exposure) of at least \$1,000,000 Bodily Injury and Property Damage per accident. The Municipality should be named as an "Additional Insured".
- 3) Workers' Compensation Insurance as required by law. Include Employers Liability Part B with a limit of \$1,000,000
- 4) Property Coverage for materials and services being transported by the contractor, as the Town's Property Contract provides coverage for personal property within 1000 feet of the premises.
- 5) Umbrella Liability of at least \$2,000,000/ occurrence, \$2,000,000/aggregate. The Municipality should be named as an Additional Insured.

Prior to commencement of any work under this Agreement, the Contractor shall provide the Town with Certificates of Insurance which include the Town as an additional named insured and which include a thirty day notice of cancellation to the Town.

**ARTICLE 13: SEVERABILITY:**

If any term or condition of this Agreement or any application thereof shall to any extent be held invalid, illegal or unenforceable by the court of competent jurisdiction, the validity, legality, and enforceability of the remaining terms and conditions of this Agreement shall not be deemed affected thereby unless one or both parties would be substantially or materially prejudiced.

**ARTICLE 14: ENTIRE AGREEMENT:**

This Agreement, including all documents incorporated herein by reference, constitutes the entire integrated agreement between the parties with respect to the matters described. This Agreement supersedes all prior agreements, negotiations and representations, either written or oral, and it shall not be modified or amended except by a written document executed by the parties hereto.

**ARTICLE 15: COUNTERPARTS:**

This Agreement may be executed in any number of counterparts, each of which shall be deemed to be a counterpart original.

**CERTIFICATION AS TO PAYMENT OF STATE TAXES**

Pursuant to Chapter 62C of the Massachusetts General Laws, Section 49A(b), I, Geoff Mackenzie, authorized signatory for the Contractor do hereby certify under the pains and penalties of perjury that said Contractor has complied with all laws of the Commonwealth of Massachusetts relating to taxes, reporting of employees and contractors, and withholding and remitting child support.

85-4085987

Social Security Number or  
Federal Identification Number

DocuSigned by:  
Geoff Mackenzie  
BB51282441D24BF...

Signature of Individual or  
Corporate Name

By:  
Corporate Officer  
(if applicable)

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed on the day and year first above written.

CONTRACTOR

By

DocuSigned by:  
Geoff Mackenzie  
BB51282441D24BF...

trees@mtscapecod.com President

Printed Name and Title

TOWN OF HARWICH

by its Select Board Over \$75,000

Approved as to Availability of Funds:

DocuSigned by:  
Megan Green

Finance Director

16111002-538000

Max \$30,000.00  
(\$ \_\_\_\_\_)

Contract Sum

by its Town Administrator Up to \$75,000

DocuSigned by:  
Joseph F. Powers

Town Administrator

## Tree Removal for Harwich Cemeteries

Funding Cemetery Revolving Account: 16111002      Total \$ 2,500.00

<b>TOWN OF HARWICH</b> <b>MAIN STREET</b> <b>HARWICH, MA 02645</b>	<b><u>PRUDENT PROCUREMENT</u></b>				
DEPARTMENT	Cemetery Department	DATE:	1/18/2024		
	FIRM CONTACTED	TELEPHONE	ITEM(S) REQUESTED	QUOTE	
NAME ADDRESS TOWN CONTACT	<b>MacKenzie Tree Service</b> <b>125 Main Street Unit 3</b> <b>Dennis Port, MA 02639</b> <u>Geoff</u> <u>trees@mtscapecod.com</u>	<b>508-776-7218</b>  cell 508-237-8588	<b>Tree Removal</b> <b>See description below</b>  <b>Bucket Truck</b>	<b>\$2,500.00</b>	
NAME ADDRESS TOWN CONTACT	<b>Bretten S Johnson Tree Services</b> <b>52 Commercial Park Road</b> <b>Brewster, MA 02631</b> <u>Bretten Johnson</u> <u>bsj.tree.landscape@gmail.com</u>	<b>508-432-5511</b>	<b>Tree Removal</b> <b>See description below</b> <b>No bucket truck</b> <b>spider lift</b>	<b>\$2,350.00</b>	
NAME ADDRESS TOWN CONTACT	<b>Luke's Tree &amp; Landscapes, Inc.</b> <b>191 Queen Anne Road</b> <b>Harwich, MA 02645</b> <u>lwstratton92@gmail.com</u> <b>Luke Stratton</b>	<b>508-237-8841</b>	<b>Tree Removal</b> <b>See description below</b>  <b>No bucket truck</b>	<b>\$3,500.00</b>	
<p>The Town of Harwich Cemetery Department is soliciting quotes from qualified vendors for tree removal and tree trimming services in accordance with the provision of Massachusetts General Laws Chapter 30B. The Cemetery employees do perform some tree removal and trimming services but require the services of certified arborist to safely remove dead, damaged or dying trees that are close to monuments or a hazard within the cemetery grounds.</p> <p style="text-align: center;"><b>Scope of Work</b></p> <p>The Cemetery Staff will provide a list of tree locations where trees need to be removed or trimmed. These trees will be tagged by cemetery employees. Absent of an emergency condition, the Cemetery Staff will develop a list of work requesting services.</p> <p>The contractor will be responsible for cleaning the area of work back to pre-work condition removing all branches, logs and woodchip debris generated from the area. However, there are times when the contractors will be direct to leave large logs on the side of the road that will be picked up later by the Town staff. This is done to maximize bucket truck usage while working for the Town. When working for the Town, you will be able to dump woodchips and logs at the Town's Disposal Area without charge. The price quoted should be for a daily rate of 8 hours that will start and end at the cemetery location. The contractor's price will include all equipment and personnel (minimum of 2) to perform the <u>requested work including bucket truck (working height of at least 65')</u> chipper, chainsaws, fuel, personal protective safety equipment and any other ancillary equipment needed.</p>					

**Procurement for Tree Removal and Tree Trimming Services  
Harwich Cemetery Department  
Contact Robbin Kelley, Cemetery Administrator  
[rkelly@harwich-ma.gov](mailto:rkelly@harwich-ma.gov)  
Bids should be received by January 18, 2024**

The Town of Harwich Cemetery Department is soliciting quotes from qualified vendors for tree removal and tree trimming services in accordance with the provision of Massachusetts General Laws Chapter 30B. The Cemetery employees do perform some tree removal and trimming services but require the services of certified arborist to safely remove dead, damaged or dying trees that are close to monuments or a hazard within the cemetery grounds.

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# ESTIMATE

Mackenzie Tree Service  
 125 Main St Unit 3  
 Dennis Port, MA 02639

trees@mtscapcod.com  
 +1 (508) 776-7218  
 mtscapcod.com



Robbin Marie Kelley

**Bill to**

Robbin Marie Kelley  
 Town of Harwich  
 732 Main Street  
 Harwich, MA 02645

**Estimate details**

Estimate no.: 1905  
 Estimate date: 12/29/2023

#	Product or service	SKU	Qty	Rate	Amount
1.	<b>General Tree Work</b> This is our daily rate for the following tree services: Tree Removal, Pruning, Trimming and Tree Planting services (not including material costs or dump fees) Price includes removal of all debris, clean up and disposal fees. Stump will be cut as low as possible without damaging saw blade, usually 2-3 inches above dirt line.		1	\$3,000.00	\$3,000.00
2.	<b>Discount</b> Volume discount for commercial/municipal work		1	-\$500.00	-\$500.00
<b>Total</b>					<b>\$2,500.00</b>

**Note to customer**

Quoted price is for cash or check. Extra fee may apply for credit, debit and other payment methods.



Project Name: tree services for cemetery

TM Year and Article #: revolving fund

Appropriation: \$30,000

Bid Price: \$ 2,500/day

### 12/13/18 Revised Procurement Checklist

Please complete checklist below for contracts requiring Select Board\* signature **before Wednesday morning\*\*** in order to get sign-off approval from the Town Administrator or the Assistant Town Administrator.

\*Note: contracts (not grants) **below \$75,000** can be signed by Town Administrator.

- 1. Please provide a **separate page titled "Summary of Project"** which includes:
  - a. Provide how many bidders there were, the range of bids, and apparent low bidder.
  - b. Identify the funding source, such as article number and amount approved.
  - c. Include what you feel is pertinent, but keep this section to 4 sentences or less.
- 2. Finance Director has signed that funds are available: Cemetery Revol. Account 16111002 - 538000
- 3. Please provide a single **copy of the bid packet** along with all supporting documents.
- 4. Please use K-P Law provided standardized contracts.

Buildings and Public Works	Goods and Services
<input type="checkbox"/> C1. Please show Prevailing Wage was used.	<input type="checkbox"/> GS1. If procured using the <b>State Bid List</b> :
<input type="checkbox"/> C2. If construction is <b>near \$10,000</b> you also need: <ul style="list-style-type: none"> <li><input type="checkbox"/> a. Written spec sheet.</li> <li><input type="checkbox"/> b. Advertised for two weeks on Central Register and COMMBUYS.</li> <li><input type="checkbox"/> c. Apparent low bidder posted to Town website.</li> </ul>	<input type="checkbox"/> a. Over \$25,000 please show project was on the Capital Plan.
<input type="checkbox"/> C3. If construction <b>over \$25,000</b> you need C1, C2, as well as: <ul style="list-style-type: none"> <li><input type="checkbox"/> a. Show project was in the Capital Plan.</li> <li><input type="checkbox"/> b. Low bidder provides 50% payment bond after Selectmen's countersignature.</li> </ul>	<input type="checkbox"/> GS2. If project is <b>over \$5,000</b> : <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> a. Please provide written spec sheet used and who it was sent to.</li> <li><input checked="" type="checkbox"/> b. Maximum contract length is three years.</li> </ul>
<input type="checkbox"/> C4. If construction <b>over \$50,000</b> you need C1, C2, C3, as well as: <ul style="list-style-type: none"> <li><input type="checkbox"/> a. Bid Bond of 5% of total value.</li> <li><input type="checkbox"/> b. Sealed Bids.</li> <li><input type="checkbox"/> c. <b>End of Public Works construction requirements</b></li> </ul>	<input type="checkbox"/> GS3. If project is <b>over \$50,000</b> : <ul style="list-style-type: none"> <li><input type="checkbox"/> a. Show project was advertised for two weeks in a newspaper and on COMMBUYS.</li> <li><input type="checkbox"/> b. Show project utilized sealed bids.</li> <li><input type="checkbox"/> c. Apparent low bidder posted to Town website.</li> </ul>
<input type="checkbox"/> C5. If <b>Building</b> estimated construction costs are over \$300,000 <b>and</b> estimated design costs are over \$30,000 you'll need to follow the Designer Selection RFQ process: <ul style="list-style-type: none"> <li><input type="checkbox"/> a. Advertise in Central Register and local newspaper for two weeks.</li> <li><input type="checkbox"/> b. Set a designer fee or price ceiling.</li> <li><input type="checkbox"/> c. Use Standard Designer Application Form</li> </ul>	<input type="checkbox"/> GS4. If project is <b>over \$100,000</b> : <ul style="list-style-type: none"> <li><input type="checkbox"/> a. Show project was advertised for two weeks in COMMBUYS and Goods and Services Bulletin.</li> <li><input type="checkbox"/> b. Show project utilized sealed bids.</li> </ul>
<input type="checkbox"/> C6. If <b>Building</b> construction <b>over \$150,000</b> you'll need C1, C2, C3, C4, C5, as well as: <ul style="list-style-type: none"> <li><input type="checkbox"/> a. 100% payment bond was in bids.</li> <li><input type="checkbox"/> b. 100% performance bond was in bids.</li> <li><input type="checkbox"/> c. DCAMM certified bidders.             <ul style="list-style-type: none"> <li><input type="checkbox"/> i. DCAMM certified sub-bids if over \$25,000.</li> </ul> </li> </ul>	<p>Note 1: If lowest bidder was found to be either not responsive or not responsible, the Town may begin negotiations with next lowest bidder.</p> <p>Note 2: Bids may be negotiated downwards but never higher than original quote.</p> <p>Note 3: Municipalities shall not provide a down payment, deposit, or provide funding before possession of purchased item.</p>
<input type="checkbox"/> C7. If <b>Building</b> construction <b>over \$10,000,000</b> you'll need C1, C2, C3, C4, C5, C6, as well as: <ul style="list-style-type: none"> <li>a. Solicit qualifications prior to sealed bids.</li> </ul>	

Original for Accounting     Original for Procurement     Original for Vendor     Contract to Treasurer's

Signature of Town Administrator or Assistant Town Administrator: 