



Board of Selectmen Meeting Minutes September 24, 2019

The regular meeting was called to order at approximately 6 p.m. in the Town Hall Hearing Room by Chairman Stone. Selectmen present: Tracy Post, Norm Holcomb, and Mark Forest. Also attending: Yarmouth Town Administrator, Dan Knapik; and Yarmouth Interim Assistant Town Administrator, Rich Bienvenue.

1. Public Announcements and Comments

Stephanie Cox, resident, invited the Selectmen and any other interested Town officials to an upcoming Housing Assistance Corporation event on November 15th.

Jeff Colby, DPW Director, invited the general public to the upcoming DPW Open Houses on September 25th and October 6th from 4:30-6:30 pm to tour the facility ahead of the vote for the potential new DPW facility.

2. Town Counsel Updates

a. Amendment to No Parking Regulations and Possible Vote and Parking Clerk Discussion and Possible Vote. Dan Knapik, Town Administrator, presented a revised version of the proposed parking regulations that were revised by the Police Department and DPW. Chairman Stone expressed his lack of comfort with the due process associated with appealing any tickets. Jay Talerman, Town Counsel, explained that it is common for Police Departments to act as parking clerks and did not foresee any due process issues if Yarmouth decided to continue this practice. Officer Magnuson explained that the majority of parking tickets are issued by Beach and Recreation staff at the beaches.

MOTION: To approve the parking regulations as presented tonight while leaving the Police Department in the role of Parking Clerk.

Motion by: Tracy Post

Seconded by: Norm Holcomb

Yea 3 Nay 1

(Michael Stone voted in opposition)

b. License Agreement related to Parker's River Bridge Construction Project. Kathy Williams, Town Planner, presented a licensing agreement (through January 2022) from MIG Corporation which would allow utilization of a portion of the Drive-In Site as an equipment staging area. Ms. Williams explained that Town staff has met and reviewed this request and recommended conditions to be incorporated in the agreement. A large portion of the site will remain untouched and will continue to be capable of hosting special events.

MOTION: To approve the licensing agreement and authorize the Town Administrator to sign it on the Selectmen's behalf.

Motion by: Tracy Post

Seconded by: Mark Forest

Yea 4 Nay 0

3. DHY Update

Chairman Stone reviewed the tri-town meeting that took place last Thursday to discuss the DHY Clean Waters Community Partnership. Selectman Forest suggested having a meeting with

the Water Resources Advisory Committee at some point to discuss DHY. He also suggested that the Board have a discussion amongst themselves to discuss all the questions they have regarding the partnership. Mr. Forest also stated that public outreach regarding DHY would be crucial in the future.

Selectman Holcomb suggested requesting additional information from the Town's consultant regarding how they calculated the flow projections for each town. Mr. Holcomb also urged the Town to educate its residents on this topic as much as possible and sooner rather than later. Mr. Holcomb also stated his belief that Yarmouth should have greater representation on any DHY governing body since Yarmouth will be contributing over half of the flow for the partnership.

Tracy Post urged the Selectmen to work quickly to finalize their wastewater plan before embarking on any large-scale education on the topic. Chairman Stone suggested that the Board of Selectmen create a list of questions for the wastewater consultant to address at a later meeting. Selectman Forest also suggested checking in with the State Senate to see if there are any updates as to where the DHY Special Legislation stands in terms of being approved.

4. Sign Election Warrant

Dan Knapik, Town Administrator, explained that he reviewed the ballot question language developed by bond counsel with the Town Clerk and they discussed whether or not the dollar value of the request to voters had to be included on the ballot question language. Jay Talerman, Town Counsel, explained that statutorily the dollar value does not have to be included for debt exclusion proposals such as this one. Jeff Colby, DPW Director, explained that the Town will have a more accurate figure for the appropriation amount required for the new DPW building at Town Meeting after bids have been opened.

Attorney Talerman suggested leaving the dollar amount out if the Board wanted to take the conservative legal approach. However, the Selectmen agreed to place the dollar amount on the ballot to ensure maximum transparency to the voters. Ed Senteio, Director of Finance, suggested that the Town could include an informational handout at the ballot if the bids come in significantly less than the estimated figure of \$18 million.

MOTION: To approve the ballot question as amended.

Motion by: Tracy Post

Seconded by: Mark Forest

Yea 4 Nay 0

5. Approve Special Town Meeting Warrant and Recommendation Votes

It was explained that Article #1 concerned the re-negotiated agreement with Dennis regarding the funding for the DY School District.

MOTION: To place Article #1 on the Special Town Meeting Warrant and to recommend it to voters.

Motion by: Tracy Post

Seconded by: Norm Holcomb

Yea 4 Nay 0

Article #2 was noted as seeking funding for the new DPW facility.

MOTION: To place Article #2 on the Special Town Meeting Warrant and to recommend it to voters.

Motion by: Norm Holcomb

Seconded by: Michael Stone

Yea 4 Nay 0

Article #3 seeks to slightly amend the Town by-laws regarding Finance Committee membership.

MOTION: To place Article #3 on the Special Town Meeting Warrant and to recommend it to voters.
Motion by: Tracy Post Seconded by: Mark Forest Yea 4 Nay 0

Articles #4 and #5 are Zoning Articles seeking minor modifications to existing regulations. It was noted that the Planning Board has yet to hold their public hearings on these articles.

MOTION: To place Articles #4 and #5 on the Special Town Meeting Warrant and to recommend it from the Town Meeting floor.
Motion by: Tracy Post Seconded by: Mark Forest Yea 4 Nay 0

Dan Knapik, Town Administrator, explained that Article #6 is a request to transfer \$384,509.35 from Free Cash for reimbursement of tornado recovery efforts. Selectmen requested that the language for this article be amended to make it clear the funding request was for tornado related expenses.

MOTION: To place Article #6 (as amended) on the Special Town Meeting Warrant and to recommend it to voters.
Motion by: Norm Holcomb Seconded by: Mark Forest Yea 4 Nay 0

Article #7 is a Free Cash request to construct the new DPW facility. The amount is unknown at this time.

MOTION: To place Article #7 on the Special Town Meeting Warrant and to recommend it from the Town Meeting floor.
Motion by: Tracy Post Seconded by: Mark Forest Yea 4 Nay 0

Article #8 is a citizen petition to ban the Town of Yarmouth from purchasing single-use plastic water bottles. It was noted that Selectmen would be getting a presentation on this Article at a future meeting.

MOTION: To place Article #8 on the Special Town Meeting Warrant and to recommend it from the Town Meeting floor.
Motion by: Tracy Post Seconded by: Mark Forest Yea 4 Nay 0

Article #9 seeks to establish a District Improvement Financing District. It was noted this would only establish the district and a financing plan would have to be approved at a later Town Meeting.

MOTION: To place Article #9 on the Special Town Meeting Warrant and to recommend it from the Town Meeting floor.
Motion by: Tracy Post Seconded by: Mark Forest Yea 4 Nay 0

6. Issue BOS Budget Policy Statement for FY21

Dan Knapik, Town Administrator, presented the Selectmen Budget Policy to the Board. He explained that the policy has remained unchanged from the past couple of years. Selectman Holcomb stated his concern regarding the 2.5% budget increases as residents have expressed concern with their rising tax bills. He also requested more detailed revenue projections from departments. Selectman Post stated she was comfortable with the policy statement as written and opined that the issues brought up by Selectman Holcomb should be brought up during the future budget discussion.

MOTION: To recommend the Board of Selectmen Budget Policy as presented. The motion was not seconded. (Motion by: Tracy Post)

The Selectmen discussed the revenue and expenditure trends in Yarmouth and requested more information on ongoing revenue trends in Town. They agreed to further examine this topic and discuss this issue following the fall Town Meeting. However, the Selectmen did agree they were comfortable with this policy as written.

**MOTION: To recommend the Board of Selectmen Budget Policy as presented.
Motion by: Norm Holcomb Seconded by: Mark Forest Yea 3 Nay 0
(Tracy Post was not present for voting as she left the meeting room at 9pm)**

7. Board and Committee Actions

a. Committee Appointments

MOTION: To move that the Board of Selectmen re-appoint Joanne Crowley and Chris Vincent to the Planning Board for terms expiring July 2022.

Motion by: Norm Holcomb Seconded by: Michael Stone Yea 3 Nay 0

MOTION: To move that the Board of Selectmen appoint Elizabeth Hartsgrove to the Planning Board for a term expiring July 2022.

Motion by: Michael Stone Seconded by: Norm Holcomb Yea 3 Nay 0

MOTION: To move that the Board of Selectmen re-appoint Mary Ann Walsh as the Housing Authority's representative to the Community Preservation Committee for a term expiring July 2022.

Motion by: Michael Stone Seconded by: Norm Holcomb Yea 3 Nay 0

MOTION: To move that the Board of Selectmen appoint George Bovino and Linda Callahan to the Library Planning Committee for terms expiring September 2022.

Motion by: Michael Stone Seconded by: Norm Holcomb Yea 3 Nay 0

MOTION: To move that the Board of Selectmen appoint Annmarie Galvin, Susan Loveland, and Will Rubenstein to the Library Planning Committee for terms expiring September 2021.

Motion by: Michael Stone Seconded by: Norm Holcomb Yea 3 Nay 0

MOTION: To move that the Board of Selectmen appoint Richard Simon and Jack Moylan to the Library Planning Committee for terms expiring September 2020.

Motion by: Michael Stone Seconded by: Norm Holcomb Yea 3 Nay 0

b. Approval of Minutes for March 19, 2019; April 9, 2019; and Executive Session Minutes for July 16, July 30, August 13, and August 27, 2019.

MOTION: To move that the Board of Selectmen approve the minutes of March 19, 2019 and April 9, 2019.

Motion by: Mark Forest Seconded by: Norm Holcomb Yea 3 Nay 0

MOTION: To move that the Board of Selectmen approve and hold the executive session minutes of July 16, July 30, August 13, and August 27, 2019.

Motion by: Norm Holcomb Seconded by: Mark Forest Yea 3 Nay 0

c. Upcoming Agenda Review. The next Board of Selectmen meeting will take place on October 8, 2019. It was explained that petition articles, the Veterans' Beach Sicker Policy, and the CVEC Solar Lease will be discussed.

8. Town Administrator Items

a. Consent Agenda.

MOTION: To move that the Board of Selectmen approve the consent agenda.

Motion by: Norm Holcomb

Seconded by: Mark Forest

Yea 3 Nay 0

b. Town Administrator Updates. Dan Knapik, Town Administrator, explained that he received a request from a DY High School student to hold a climate change strike in front of Yarmouth Town Hall.

9. Adjourn

MOTION: To move that the Board of Selectmen adjourn the meeting.

Motion by: Norm Holcomb

Seconded by: Michael Stone

Yea 3 Nay 0

Meeting adjourned at approximately 9:30pm.

Respectfully submitted,



Linda Dennehy

DISTRIBUTED MATERIAL AGENDA PACKET

- Memo to BOS from Town Planner dated September 19, 2019 re: Parker's River Bridge Tidal Restoration Project
- Memo to BOS from Town Administrator dated September 24, 2019 re: FY2021 Budget Policy Statement
- Special Town Meeting Warrant (to be provided via separate cover)
- Special Town Election Warrant
- Memo to BOS from Appointments Chair dated September 18, 2019 re: Reappointments to Planning Board
- Memo to BOS from Appointments Chair dated September 18, 2019 re: Appointment to Planning Board
- Memo to BOS from Appointments Chair dated September 18, 2019 re: Appointment to Community Preservation Committee
- Memo to BOS from Appointments Chair dated September 18, 2019 re: Appointments to Library Planning Committee
- BOS Meeting Minutes of March 19, 2019
- BOS Meeting Minutes of April 9, 2019
- Executive Session Meeting Minutes of July 16, 2019 (under separate cover)
- Executive Session Meeting Minutes of July 30, 2019 (under separate cover)
- Executive Session Meeting Minutes of August 13, 2019 (under separate cover)
- Executive Session Meeting Minutes of August 27, 2019 (under separate cover)
- 2019 BOS Upcoming Agenda Items Schedule
- Letter to BOS from Recreation Division dated September 11, 2019 re: Donations
- Email to BOS from Chairman, Seaside Festival Committee dated September 12, 2019 re: Parade Permission Request
- Email to BOS from Chairman, Seaside Festival Committee dated September 12, 2019 re: Request to Use Town Hall Parking Lot for VIP Parking; and Invitation to BOS to participate in Parade
- Memo to BOS from Town Administrator dated September 19, 2019 re: DPW Building Financing
- DY Adult Education Press Release re: Financial Foundation
- DY Adult Education Press Release re: Kind Hatha Yoga
- Let's Talk Plastic – educational presentation flyer