

**MINUTES**  
**BOARD OF SELECTMEN**  
**WORKSHOP MEETING**  
**TUESDAY, MARCH 18, 2008**  
**7:00 PM**

**Present: Selectmen – Suzanne McAuliffe, Jim Hoben, Bud Groskopf, Dr. William Marasco, Jerry Sullivan; Town Administrator – Robert C. Lawton Jr.**

**Budget Hearing – FY '09**

Ms. McAuliffe – She informs the Board that there will be presentations by Mr. Lawton the Town Administrator, Mr. Bastian Chairman of the Finance Committee, Mrs. Woodbury Superintendent of D-Y Schools and Peter Johnson-Staub, Carol Wall and Brad Goodwin representing the Capital Budget Committee.

*Town Budget Overview*

Mr. Lawton – He reviews the FY09' budget for the town, including state aid, proposition 2 ½ limit, low new growth, and free cash. (See attached PowerPoint)

The Selectmen ask various questions on the proposed FY09' budget.

Dr. Marasco – He states that it is nice to see that the state aid has increased. He says that going forward in the future the town needs to continue budget discipline in order to stay within Prop. 2 ½.

Mr. Hoben – He asks Mr. Lawton why the local receipts are down.

Mr. Lawton – He states that local receipts consist of motor vehicle excise tax, water receipts, receipts at the landfill, investment income, recreation receipts. He explains that local receipts are down because of investments, motor vehicle excise tax, room tax and lottery money.

Bill Bastian (Chairman of the Finance Committee) – He explains that the FinComm reviewed the proposed FY09' budget including operating, and capital budgets as well as ATM financial articles. He begins the presentation by introducing the members of the Finance Committee and reviews the current budget climate in Yarmouth, including the town's bond rating and the fact that department's budgets have been level funded for the last five years. He states that Article 5 the operating budget of the town will go to ATM with a recommendation of a 3.33% increase over FY08' budget. He reviews the budget reductions to stay within Prop 2 ½ , 3% cuts were made from all departments, including library wages, contract street sweeping, life guards, police staff and overtime, increase senior services class charge, DNR seasonal cuts, and capital budget funded by borrowing. He then reviews the ATM financial articles.

Ms. McAuliffe – She explains to the BOS that the high increase in the Fire Department budget is due to the contract negotiations that went into arbitration in which case the arbitrator came up with the final contract number.

Dr. Marasco – He thanks the Finance Committee for doing their due diligence in the budget process this year. He suggests that zero based budgeting should be considered in the development of the FY10' budget.

Mr. Bastian – He states that zero based budgeting is a good idea but 2/3<sup>rd</sup> of the overall budget is mandated by the state.

Mr. Hoben – He says that until the core issues are discussed such as the rising cost of health care and utility costs the town will continue to be in a poor financial situation. He states that he would like to focus on those issues in the upcoming fiscal year.

Mr. Groskopf – He explains that the town needs to cut costs but also increase revenues for example spend money to increase advertising for tourism.

#### *School Budget Discussion*

Mrs. Woodbury – She reviews the D-Y School District's budget for FY09', she also states that the budget is still being updated. She says that the school district is always trying to improve the level of education from year to year. She also indicates that there was a huge decline in state aid, but there are also a large number of fixed costs associated with the school budget. She says that the price of special education has increased. She explains why the school budget is looking for an increase for the upcoming year, for example mandated special education transportation, and special education support. She continues discussing the process the School Committee went through to ensure fiscal discipline for FY09'. She discusses the amount of Yarmouth's assessment to the D-Y School District.

Mr. Hoben – He asks how school choice effects the D-Y budget.

Mrs. Woodbury – She explains how school choice is paid for.

The discussion continues regarding the D-Y School Department's budget requests.

Dr. Marasco – He makes several budgeting suggestions to Mrs. Woodbury.

Phil Morris (Member of School Committee) – He states that he has been impressed with the School Committee's work in budgeting and using good fiscal practices.

#### *Capital Budget Committee Overview*

Ms. Carol Wall – She introduces the members of the Committee. She reviews the capital spending for ATM 08' as well as future capital needs. (See attached PowerPoint)

Dr. Marasco – He thanks the Capital Budget Committee for a good overview. He asks about the Simpkins School and the historical restrictions?

Brad Goodwin – He informs Dr. Marasco that Curt Sears (CPC representative) stated that if money is used from CPC funds, there would be historical restrictions put on the building therefore restricting the future use. He also states that the use of the Simpkins School has not been decided therefore the Capital Budget Committee was uncomfortable with putting funds toward the building until a use is determined.

#### **Agricultural Commission Discussion – Right-to-Farm Code**

Bill Snowden and the members of the Agricultural Commission are present.

Ms. McAuliffe – She welcomes the Agricultural Commission and says that the Selectmen have invited the Commission to come before the Board to discuss the Right-to-Farm Code further and to ensure that all the town departments are satisfied with the new code.

Mr. Lawton – He states that Town Counsel has made minor revisions to satisfy that the code is “rights neutral.”

Mr. Snowden – He indicates that the code does not grant any rights to the Agricultural Commission or a farmer or takes away any rights that a town board may have over farming in the town, for example the Board of Health. He says that the code is only a strong affirmation that the Town of Yarmouth supports agriculture within the bounds of zoning and Board of Health regulations.

Ms. McAuliffe – She asks Mr. Snowden to explain why the Commission believes that the town needs this code.

Mr. Snowden – He states that several towns in MA have adopted the code. He indicates that the Commission is looking to preserve, and encourage farming, and the code gives the Commission the opportunity to mediate disputes between farmers and the various town regulatory boards. He also says that the code makes an affirmative statement, and the quality of life in Yarmouth is enhanced if there are viable agricultural activities in the town.

Ms. McAuliffe – She says that the code encourages sustainability in the community.

Mr. Hoben – He discusses the benefits of local agriculture such as restaurants being able to attain local produce.

Mr. Snowden – He also informs the Board that the adoption of a Right-to-Farm code will give the town four additional credits towards applying for grant funds.

Ms. McAuliffe – She thanks the Commission and says that they have satisfied many of the questions that Selectmen had.

### **2<sup>nd</sup> Reading Adoption –Shellfish License Fees – 2008**

Ms. McAuliffe – She states that this is the second hearing for changing the shellfish license fees, for residents to be from \$15.00 to \$25.00 and 75 and older would go from no fee to \$15.00.

Mr. Hoben – He states that he would like to revisit the fees next year after age data was collected.

Mr. Groskopf – He says that he would like the senior age to be 70 and not 75.

Karl vonHone – He informs the Board about data that he collected of ages of shell fisherman last weekend. He indicates that there were only two individuals who were over 70 and both of those people were under the age of 75.

Mr. Hoben – He motions to approve the fee change with the initial senior age to be set at 75. Dr. Marasco seconds.

Mr. Groskopf – He would like to amend the motion that the age for a senior resident be set at 70. No one seconds.

Ms. McAuliffe – She says that since no one seconds Mr. Groskopf’s amendment to the motion that the original motion stands. Motion passes. **VOTE 4-0-1** (Mr. Groskopf abstains)

**Discussion: Cape Cod Commission Hearing March 25, 2008**

Ms. McAuliffe – She updates the Board about the upcoming Cape Cod Commission hearing at the Mattacheese School at 7:00pm on March 25<sup>th</sup>. She says that Tom George will be the moderator and Paul Niedzwiecki the Executive Director of the Cape Cod Commission will be doing a presentation. She indicates that the public will be allowed to speak at the hearing.

The discussion continues with regards to the hearing on March 25<sup>th</sup>.

**Selectmen's Items:**

**Meeting Minutes Approval – dtd 1-15-08**

**Executive Session Minutes Approval – dtd 3-04-08**

Mr. Groskopf – He motions to approve the minutes of 1-15-08 and approve and hold the executive session minutes of 3-04-08. Mr. Hoben Seconds. **VOTE 5-0**

Mr. Groskopf – He wants the Board to recognize the Yarmouth residents who were presented the Red Cross's Hero award.

Mr. Hoben – He wants to recognize the Y-D Mites hockey team who swept the Lobsterpot hockey tournament.

Dr. Marasco – He speaks about the South Shore Drive potential zoning by-law height restrictions.

Mr. Sullivan – He asks if the Board will be able to speak to the Planning Board one more time before the South Shore by-law will go to Town Meeting?

Ms. Lawton – He says that the Selectmen could speak with the Planning Board on April 1<sup>st</sup>, 2008.

The Board agrees to have the Planning Board come to the April 1<sup>st</sup> meeting to review the South Shore by-law.

**Town Administrator Items:**

**Consent Agenda**

Mr. Lawton - He reviews to consent agenda for the Board.

The Board speaks about the D-Y Band can drive at the Transfer Station.

Mr. Sullivan – He motions to approve the consent agenda. Mr. Hoben seconds.

**VOTE 5-0**

Mr. Lawton – He informs the Board that there are several warrant articles that the Board needs to take a position on before Town Meeting.

The Board agrees to meet before the Cape Cod Commission hearing at 6:30pm at Mattacheese to try and get through some of the warrant articles.

Mr. Lawton – He states that on April 1<sup>st</sup>, 2008 the Selectmen will have to review the ballot question pro and con statements and approve the statements.

Dr. Marasco – He states that there are several issues with the pro and con statements and having pro and cons may not be a good idea in the future.

**Adjourn**

McAuliffe – She asks for a motion to adjourn.

Mr. Groskopf – He motions to adjourn. Mr. Hoben seconds. **VOTE 5-0**

Meeting adjourned at 9:46pm.

**BOARD OF SELECTMEN'S WORKSHOP MEETING  
MARCH 18, 2008  
CONSENT AGENDA**

<b>Donation to Recreation Division:</b>	
<b>From: Robert Granger for the Tennis Program</b>	<b>\$200.00</b>
<b>Donation to Fire Department</b>	
<b>From: OE ANON</b>	<b>\$25.00</b>
<b>Approval D-Y Band: Can drive to be held at Transfer Station April 12, &amp; 13, 2008.</b>	
<b>TOTAL:</b>	<b>\$225.00</b>

**APPROVED: VOTE 5-0**

**DATE: March 18<sup>th</sup>, 2008**