



Board of Selectmen Regular Meeting Minutes February 13, 2018

The regular meeting was called to order at approximately 5:00 p.m. in the Town Hall Hearing Room by Chairman Tracy Post. Selectmen present: Mike Stone, Norm Holcomb, Mark Forest, and Erik Tolley. Also attending: Yarmouth Town Administrator Dan Knapik; Assistant Town Administrator, Chris Dwelley; Finance Director Ed Senteio.

1. Public Announcements & Comments

Tom Sullivan of West Yarmouth asked about funding for the new Director of Community Services position, and spoke against beach fee increases and the petitioned article regarding immigration.

Vida Morris also inquired about the new position, and expressed concern over recreational marijuana and the budget.

Nate Mayo of Vineyard Wind updated the Board and outlined the many reviews and permits that will be required for the project.

2. Tri-Town Water Treatment District Update by Town Counsel

Director of Municipal Operations Shawn MacInnes and Town Counsel Jay Talerman advised that four options for regionalizing wastewater services have been evaluated, and two have been recommended by Counsel: a regional wastewater district by Special Act, or a joint powers agreement. In 1984 Selectmen were authorized to act as Sewer Commissioners for the Town. A proposed article authorizing the Town to develop a Clean Waters Community Partnership was reviewed as the first step. Any subsequent agreements and funding proposals will have to go before all parties' Town Meetings.

Attorney Talerman explained the statutes referenced in the proposed article, noting that there is nothing binding in it; its function would be to gauge public support. Discussion followed regarding how the agreement may be developed; pros and cons of a Special Act compared to a Joint Powers Agreement were outlined. The Mansfield/Norton/Foxborough agreement was cited as a good template. The March 22nd Tri-Town meeting will serve as a kickoff and be a good opportunity for discourse. The Yarmouth Clean Water Advisory Group has been assembled, as charged by the Board of Selectmen. Mr. Forest is the Yarmouth representative to the Tri-Town group.

3. Cape Cod Commercial Fisherman's Alliance Brief

Amanda Cousart, Policy Coordinator for the Cape Cod Commercial Fishermen's Alliance, explained the problems caused by midwater trawlers, particularly the overfishing of herring. A buffer zone has been proposed, and the Alliance is asking for a letter of support for Amendment 8 during the public comment period. A buffer zone in the Gulf of Maine has led to a significant rebound in marine life.

MOTION: To move that the Board of Selectmen sign a letter of support.

Motion by: Mike Stone

Seconded by: Mark Forest

Yea 5 Nay 0

Town of Yarmouth
Board of Selectmen

February 13, 2018
Approved July 10, 2018

4. Ambulance Fee Hearing (1st Hearing)

Chair Tracy Post read the legal notice into the record and opened the hearing. Fire Chief Philip Simonian, Deputy Chief Jon Sawyer, and two medical billing company representatives were present. Ambulance fees have not been raised since 2010, and a 30% increase is being proposed. Termination of the Blue Cross/Blue Shield agreement is also suggested, as well as sending non-resident bills over 180 days to a collection agency. The additional funding will offset the cost of the proposed four new firefighters. Call volume trends and a cost breakdown of hiring new staff was reviewed.

Mr. Holcomb questioned the ethics of pursuing non-residents through a collection agency, and discussion followed regarding collection procedures. The billing company outlined their procedures. The SAFER Grant was explained and will be pursued. Although the Town would like to tie fees to the cost for service, it is not feasible in this case because the actual costs for ambulance runs is substantially higher than the fee charged.

In response to Vida Morris' inquiry, Chief Simonian stated that the savings realized by reduction in overtime is \$50,000. Mr. Tolley suggested keeping any savings realized by the SAFER Grant within the fire department. Retention after "start-up" investment in personnel was also discussed.

The consensus of the board was to eliminate the collections component of the proposal; Chief Simonian concurred. The second hearing will be March 6th.

5. Cape Cod Tech FY 19 Budget Presentation and Building Project Update

Superintendent Robert Sanborn and School Committee Member Christine Greeley presented the Cape Cod Regional Tech budget, which will also be presented in a public hearing at the February 16th School Committee meeting at 6:30 at Cape Cod Tech. Enrollment, MCAS results, and graduation rates were reviewed. The budget increased by 1.44%. The Early Childhood Education and Welding programs have been eliminated. Other areas of the budgets, such as Building Improvement, have been significantly reduced because of the upcoming construction project. Key milestones of the building project were outlined, with "shovels in the ground" in December 2018. Loan payments will begin in FY2020 with Yarmouth's assessment being \$934,000. Mr. Sanborn thanked Mr. Knapik for his efforts in pursuing additional state aid for the school's septic system. Ms. Greeley announced that Yarmouth needs an additional Tech School Committee member.

6. Cape Cod Tech Ballot Question Potential Vote

Mr. Knapik explained that by a vote of the Board of Selectmen, the debt exemption question can be placed on the town election ballot. Ms. Post read the sample proposed ballot question into the record. There was discussion as to whether to place the question now or later. The consensus was to place it on the upcoming ballot to allow for a second opportunity should the question fail the first time. Attorney Taleran confirmed that the language was specific enough to protect the Town.

MOTION: In accordance with the provisions of Chapter 59, Section 21C(k) of the General Laws, a motion was made to approve the placement of the following question on the ballot for the town election to be held on May 15, 2018:

“Shall the Town of Yarmouth be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the Town’s allocable share of the bond issued by the Cape Cod Regional Technical High School District in order to pay costs of designing, constructing, originally equipping and furnishing a new District high school to be located at 351 Pleasant Lake Avenue, Harwich, including the payment of all costs incidental or related thereto?”

Motion by: Mike Stone

Seconded by: Norm Holcomb

Yea 5 Nay 0

7. Beach Sticker Fee Increase hearing (2nd Hearing)

Director of Parks and Recreation Pat Armstrong and DPW Director Jeff Colby presented the proposed new fees, which are in line with neighboring towns. Total new revenue is estimated at just under \$170,000 which would support recreational enhancements (exercise classes, fishing clinics, drumming circle, Dog Days, etc.), deferred projects (boat ramps, bulkheads, bath houses, parking lots, Run Pond Culvert project, etc.), and the establishment of a Beach Capital Improvement Fund (BCIF). Using the Town of Dennis’ model under Chapter 44, Section 53e^{1/2}, Ms. Armstrong reviewed what the BCIF might look like extrapolated out to 2023 and with concession fees included. Funds would be spent only on capital improvements; Town Meeting approval would be needed; and a fund manager would need to be identified. The Recreation Commission and staff recommend directing 100% of the proposed non-resident beach fee increases to the BCIF, and establishing a BCIF utilizing Chapter 44, Section 53e^{1/2}. Resident fee increases would be recommended in 2019, with 80% of the increase directed to the BCIF.

There was no public comment. Mr. Stone expressed concern regarding the methodology and accounting, and could not support the proposal. Mr. Tolley concurred and added that this level of detail should have been in the initial hearing. Mr. Forest approved of establishing the BCIF but felt the policy draft needed further review. Ms. Post clarified that the beach receipts are allocated to the General Fund, not to the Parks & Recreation Department. Mr. Knapik explained that staff was asked to investigate a capital improvement fund as a way to prepare for future needs. Ms. Armstrong confirmed that she used the Dennis BCIF template, as recommended by Mr. Holcomb at the first hearing. Mr. Holcomb supported keeping the revenues closer to the service.

MOTION: To move that the Board of Selectmen accept the recommendation for the fee increases, and move forward with establishing a capital improvement fund.

Motion by: Norm Holcomb

Seconded by: Mark Forest

Yea 3

Nay 1 (Mr. Stone)

Abstain 1 (Mr. Tolley)

MOTION: To move that the Board of Selectmen close the public hearing.

Motion by: Norm Holcomb

Seconded by: Mark Forest

Yea 5

Nay 0

8. DPW FY19 Budget Review

DPW Director Jeff Colby presented the FY19 budget. He noted that the Park and Cemetery Divisions have been integrated into the Department of Public Works and explained some of the shifts and challenges in the Facilities, Trees, Administration, Highway, Snow and Ice, Sanitation, Cemetery, Parks, Water, Septage Facility, and Water Capital line items. Seasonal staff will handle some litter, trimming, and projects handled by last year’s Beautification Team; other needs are proposed to be supplemented by Free Cash. Sanitation, Septage, and Water actual and estimated revenues were reviewed.

Mr. Colby reviewed the DPW Facility project and gave an overview of the funding options. He introduced Jeff Alberti from Weston & Sampson who summarized the work completed to date; the deficiencies that were identified; design process; project cost summary (roughly \$13.5 million),

and schedule. Discussion followed regarding funding options. A proposal using debt drop-off and free cash will be drafted for a future meeting.

Returning to the budget presentation, Finance Director Ed Senteio explained the accounting and budgeting practices used for the Water budget. The Town gets roughly \$500,000 for supplying water to Barnstable.

9. DPW ATM Articles Review (Arts. 4, 5, 9, 14)

ATM Articles 4, 5, 9, and 14 were reviewed.

10. Board of Selectmen

- a. Board and Committee Actions: None
- b. Upcoming Agenda Review.
- c. Next meeting is February 27th beginning at 6:00 p.m. Candidate interviews for Director of Community Services is February 26th at 6:00 p.m.
- d. Individual Items:

Mr. Tolley asked for written updates, as opposed to presentations, on the Vineyard Wind project. Mr. Forest asked for a copy of the MEPA certificate acquired by Vineyard Wind as well as letters from Coastal Zone Management and Department of Environmental Protection. Online posting was suggested. Ms. Post announced that the D-Y School budget has been reduced by \$600,000 due to a lower-than-expected insurance increase. Yarmouth's assessment is now down to \$34,693,000; \$2.1 million over 2 ½%.

11. Town Administrator Items

- a. Consent Agenda.

MOTION: To move that the Board of Selectmen approve the Consent Agenda.

Motion by: Norm Holcomb

Seconded by: Erik Tolley

Yea 5 Nay 0

- b. Town Administrator Updates. None.
- c. Tri-Town Water Resources Planning: Next meeting is March 22th at Dennis Senior Center, 6:00 pm.
- d. Dennis-Yarmouth School Agreement: None
- e. Mattacheese School Project: Building Committee hoping to get the project proposal to Boston in mid-March.
- f. Drive-In Site Utilization Project: None.
- g. Cape Tech Update: None

12. Adjourn

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

Motion by: Mike Stone

Seconded by: Erik Tolley

Yea 5 Nay 0

Meeting adjourned at approximately 9:40 p.m.

Respectfully submitted,



Linda Dennehy

DISTRIBUTED MATERIAL AGENDA PACKET

- Memo to Dan from Phil Gaudet, dated 2/7/2018 re: '84 Ballot Question – BOS Act as Sewer Commissioners
- New England Fishery Management Council Brief – Atlantic Herring/Moving Midwater Trawlers Offshore
- Ambulance Fee Hearing Notice, dated 2/7/2018 – Fire Dept. Ambulance Fee Proposal
- CC Tech High School FY 19 Proposed Budget
- CC Tech High School Building Update – Presentation Material
- Memo to Dan from Town Counsel, dated 12/28/2017 re: Debt Exclusion – CC Tech Ballot Question
- Beach Sticker Fee Increase Hearing (2nd) Beach Related Expense by Calendar year 2008-2017
- Summer 2018 Beach Programming
- DPW FY 19 Budget – Operating by Divisions
- DPW Articles 4, 5, 9, 15
- DPW FY 19 Budget Summary
- Board of Selectmen Projected 2018 Agenda Items
- DRAFT Articles for ATM
- Yarmouth Chamber of Commerce – Fee Waiver for Special Entertainment License – Cleanup Day
- Memo to Town Administrator from Libraries dated February 8, 2018 re: Donations