

# Town of Yarmouth

Per M.G.L.: All town and school boards, committees, commissions, and authorities shall post a notice of every meeting at least 48 hours prior to such meeting, excluding Saturdays, Sundays, and legal holidays. Notice shall contain a listing of topics/agenda that the chair reasonably anticipates will be discussed at the meeting.

## Notice of Meetings

Name of committee, board, etc:	<b>Energy Committee</b>
Date of Meeting:	March 2, 2021
Time:	<b>4:30 PM</b>
Place:	Virtual meeting

### **NOTE: THIS IS A REMOTE PARTICIPATION MEETING**

Pursuant to Governor Baker's March 12, 2020, Order Suspending Certain Provisions of the Open Meeting Law, G.L. 30A, § 18, and the Governor's March 15, 2020, Order imposing a limitation on the number of people that may gather in one location, this meeting will be conducted via remote participation. Specific information such as instructions and guidelines for remote by members of the public and/or parties with a right and/or requirement to attend this meeting can be found on the Town website at [www.yarmouth.ma.us](http://www.yarmouth.ma.us) For the public portion of this meeting, members of the public who wish to watch/listen and participate in the meeting may do so in the following manner:

1. Join the meeting hosted in Zoom by using the following link: <https://us02web.zoom.us/j/88908597140>  
Audio, video and screen sharing functions may be disabled during the public session. Request to participate by using the "raise hand" function.
2. To attend the meeting by dial-in phone, call +1 301 715 8592 and enter meeting ID 889 0859 7140

## Agenda

- 4:30 Motion to approve remote meeting; introduce members of the public; comments
- 4:40. Approval of outstanding minutes (Marilyn)
- 4:50 Cape Light Compact update (Joyce)
- 4:55 Maggie Downey, Cape Light Compact on green power supply options; Compact energy efficiency programs that fit with Solarize Plus offerings
- 5:15 Cape & Vineyard Electric Cooperative (CVEC) update:(Steve)  
Expression of gratitude to Liz Argo.
- 5:25 Update on Town energy work (if any) Amanda Lima, Town Engineer
- 5:30 Skill sets needed in next EC appointments (last chance to add)
- 5:35 EC Annual Operating Plan (Mike); status updates from Joyce, Steve, and Barry Margolin, with Introduction to Climate Resiliency data sheet (Susan)
- 5:45 Update on Yarmouth Solarize Plus preparation and website (Solarize Plus senior coach Mike Duffy)
- 5:55 Update on YCAN and Cape Cod Climate Network's petitioned TM articles; possible vote to endorse articles by Energy Committee
- 6:10 Vote of thanks to Susan Starkey  
Members' comments, and proposed agenda items
- 6:20 Adjourn until Tuesday, April 6, 2021 at 4:30 PM

Posted By (Name):	<b>Joyce Flynn</b>
-------------------	--------------------

Resolved,

- (1) That the Yarmouth Energy Committee endorses the four petitioned Articles on the Annual Town Meeting Warrant of the Town of Yarmouth relating to climate mitigation measures as appended hereto, including:
  - a. An article proposing a general by-law entitled “Energy efficiency in Town procurement of design services for Capital Facility Projects”;
  - b. An article proposing a general by-law entitled “Energy efficiency in Town procurement of motor vehicles”;
  - c. An article proposing a resolution endorsing the upcoming Solarize Plus Yarmouth program and related measures;
  - d. An article proposing a feasibility study of the conversion of the Links Course to a Solar Farm; provided, that such endorsement is conditioned on the adoption of the proposed amendment to the petitioned article as appended hereto.
- (2) That the Yarmouth Energy Committee, acting through its Chair and Vice-Chair and such other members of the Committee as they may designate, shall speak in support of these measures at the Annual Town Meeting, and at the consideration of these measures at meetings of the Board of Selectmen and the Finance Committee.
- (3) That the Yarmouth Energy Committee, acting through its Chair and Vice-Chair and such other members of the Committee as they may designate, shall seek to confer with the Town Golf Enterprise Committee to seek agreement on a form of amendment to the Article related to conversion of the Links Course as proposed above or such modified form of such amendment as may be mutually agreeable to both the Energy Committee and the Golf Enterprise Committee.
- (4) That the Yarmouth Energy Committee, acting through its Chair and Vice-Chair and such other members of the Committee as they may designate, shall seek the opportunity to present and explain these proposals on behalf of the Yarmouth Energy Committee to meetings of the Community and Economic Development Committee, the Community Preservation Committee, the Conservation Commission, the Open Space Committee, the Planning Board, the Water Resources Advisory Committee, and such other Town boards or committees as they may deem appropriate.
- (5) That the Yarmouth Energy Committee, acting through its Chair and Vice-Chair and such other members of the Committee as they may designate, shall confer with representatives of the Cape & Vineyard Energy Cooperative and the Cape Cod Commission to assess whether they may be in a position to assist the Town with the conduct of the feasibility study proposed in relation to the Links Course conversion.

In accordance with Massachusetts General Laws c. 39, § 10, and §47-2 of the By-Laws of the Town of Yarmouth, the undersigned registered voters of Yarmouth, Massachusetts request the insertion of the following Article on the Warrant for the 2021 Annual Town Meeting of Yarmouth, Massachusetts:

To see if the Town will vote to adopt the following as a general by-law and to insert it into the Code of the Town of Yarmouth, Massachusetts:

Energy efficiency in Town procurement of design services for Capital Facility Projects.

1. Purpose. The purpose of this by-law is to mitigate the threat of climate change by reducing greenhouse gas emissions from the Town's public buildings by evaluating design options for reduced emissions from the first stage of the design process for new public buildings, providing for thorough analysis of the feasibility, cost and impacts of net zero emission designs, and analysis of each element of design which could facilitate reduction in emissions where net zero design is not yet feasible.

2. Definitions.

- a) Alternative Design Recommendation: any Design Recommendation other than a Compliant Design Recommendation.
- b) Capital Facility Project: any Capital Facility Project as defined in Section 1 of Chapter 7C of Massachusetts General Laws.
- c) Compliant Design Recommendation: a Design Recommendation which is fully compliant with both the Efficiency Code and the Zero Code.
- d) Design recommendation: any master plans, studies, cost estimates, programs, drawings, plans or specifications prepared for a Capital Facility Project as part of Design Services as defined herein.
- e) Design Services: any Design Services as defined in Section 44 of Chapter 7C of Massachusetts General Laws, and which not exempted from the jurisdiction of the State designer selection board pursuant to Section 46(e) of Chapter 7C of Massachusetts General Laws.
- f) Economic Impact: the estimated long term financial costs and benefits including costs of initial development of the Capital Facility Project and the present value of projected future operating expenses for the Capital Facility Project.
- g) Efficiency Code: the 2021 International Energy Efficiency Code applicable to non-residential buildings as promulgated and most recently updated by the International Code Council.
- h) Emissions Impact: the estimated long term impact on total emissions of greenhouse gases resulting from development and operation of the Capital Facility Project.
- i) Greenhouse Gases: Gases that trap heat in the atmosphere as defined by the United States Environmental Protection Agency including carbon dioxide, methane, nitrous oxide and fluorinated gases.
- j) Zero Code: the Zero Code Renewable Energy Appendix to the Efficiency Code as incorporated in Code Change Proposal CE264-19 submitted by the American Institute of Architects or as subsequently adopted and incorporated into the Efficiency Code by the International Code Council.

3. Provisions of requests for proposals for Design Services.

- a) Economic Impact Evaluation of Design Recommendations: The purpose of this By-law is solely to assure that the decision of the Town regarding any future Capital Facility Project is fully informed by the thorough evaluation of alternatives and nothing in this by-law shall be construed to require the Town to select a Compliant Design Recommendation for any Capital Facility Project. Every request for proposals for Design Services for any Capital Facility Project which is issued by any instrumentality of the Town shall require at least one Compliant Design Recommendation, and may at the discretion of the issuing authority request evaluation of an Alternative Design Recommendation, in which case the Design Recommendations shall evaluate the comparative Economic Impacts of the Compliant Design Recommendation and the Alternative Design Recommendation.
- b) Emissions Impact Evaluation of Alternative Design Recommendation: In the event that the Design Services include an Alternative Design Recommendation, the Design Recommendations shall evaluate the comparative Emissions Impacts of the Alternative Design Recommendation and the Compliant Design Recommendation together with the relative Economic Impacts and relative Emissions Impacts of each major design element related to energy generation and usage to facilitate assessment of lower-emission alternatives to the Alternative Design Recommendation.
- c) Effective date: This by-law shall apply to any request for proposals issued on or after January 1, 2022.

In accordance with Massachusetts General Laws c. 39, § 10, and §47-2 of the By-Laws of the Town of Yarmouth, the undersigned registered voters of Yarmouth, Massachusetts request the insertion of the following Article on the Warrant for the 2021 Annual Town Meeting of Yarmouth, Massachusetts:

To see if the Town will vote to adopt the following as a general by-law and to insert it into the Code of the Town of Yarmouth, Massachusetts:

Energy efficiency in Town procurement of motor vehicles.

1. Purpose. The purpose of this by-law is to mitigate the threat of climate change by reducing greenhouse gas emissions from the Town's motor vehicles by transitioning the Town motor vehicle fleet to zero emission vehicles at the earliest feasible time as Town vehicles are replaced or added.

2. Definitions.

- a) Battery electric vehicle: a battery electric vehicle that draws propulsion energy solely from an on-board electric storage device during operation that is charged from an external source of electricity, as defined in Section 16(a) of Chapter 25A of Massachusetts General Laws.
- b) Conventional motor vehicle: any motor vehicle which is not an electric vehicle or fuel cell vehicle.
- c) Electric vehicle: any battery electric vehicle or plug-in hybrid electric vehicle, as defined in Section 16(a) of Chapter 25A of Massachusetts General Laws.
- d) Fuel cell vehicle: a new qualified fuel cell motor vehicle as defined in sub-section (b)(3) of Section 30B of Title 26 of the United States Code.
- e) Listed vehicle: an electric vehicle or fuel cell vehicle which the Cape Cod Commission has determined (i) is capable of serving particular functions required by a category of municipal user in the normal usage of such motor vehicle and (ii) the total lifetime cost of such electric vehicle or fuel cell vehicle is not likely to materially exceed the total lifetime cost of a conventional motor vehicle.
- f) Materially exceeds: exceeds by more than the greater of five per cent or five thousand dollars.
- g) Motor vehicle: Any vehicle included in the definition of motor vehicles, as defined in Section 1 of Chapter 90 of Massachusetts General Laws.
- h) Plug-in hybrid electric vehicle: a plug-in hybrid electric vehicle with an on-board electric energy storage device that can be recharged from an external source of electricity which also has the capability to run on another fuel, as defined in Section 16(a) of Chapter 25A of Massachusetts General Laws.
- i) Total lifetime cost: the total net cost to the Town of a motor vehicle over its expected useful life including the price for purchase or leasing plus the total net cost to the Town of purchasing fuel or other energy and replacement parts, and performance of repairs and maintenance, over the expected useful life of the vehicle.
- j) Zero emission vehicle: a battery electric vehicle or a fuel cell vehicle.

3. Energy efficiency standards for procurement of motor vehicles by Town departments.

- a) Priority for procurement of zero emission vehicles: Any instrumentality of the Town which intends to procure a motor vehicle by purchase or lease shall select a zero emission vehicle if there is such a listed vehicle and otherwise unless the head of such instrumentality documents in writing that there is no commercially available zero emission vehicle capable of serving the functions required the Town in the normal usage of such motor vehicle or that it is likely that the total lifetime cost of such zero emission vehicle would materially exceed the total lifetime cost of a conventional motor vehicle.
- b) Preference for procurement of plug-in hybrid electric vehicles: In the event that there is no commercially available zero emission vehicle would meet the requirements of sub-section (a), the instrumentality shall procure a plug-in hybrid electric vehicle for such purposes if there is such a list vehicle and otherwise unless the head of such instrumentality documents in writing that there is no commercially available zero emission vehicle capable of serving the functions required by the Town in the normal usage of such motor vehicle or that it is likely that the total lifetime cost of such zero emission vehicle would materially exceed the total lifetime cost of a conventional motor vehicle.
- c) Exception for emergency procurement of motor vehicles: The Town Administrator may authorize the purchase of a conventional motor vehicle by an instrumentality of the Town if he or she determines that an emergency exists which requires the immediate purchase of a motor vehicle by the Town and that it is not feasible to complete the procurement of a zero emission vehicle within the time frame required by such emergency.
- d) Effective date: This by-law shall apply to any procurement which will be completed on or after January 1, 2022.

To see if the Town will vote to adopt the following resolution:

Be it resolved that:

WHEREAS, the Town of Yarmouth recognizes the urgency of reducing greenhouse gas emissions in order to mitigate the threats posed by the climate emergency to the safety and economic well-being of the residents of the Town, as well as the economic benefits to local residents and businesses of increased energy efficiency and renewable energy supplies:

NOW, THEREFORE, the Town:

- (1) endorses the upcoming Solarize Plus Yarmouth program which will be offered to residents of Yarmouth in 2021 in conjunction with the Massachusetts Clean Energy Center and the Massachusetts Department of Energy Resources, and encourages all residents to consider the opportunity to install rooftop solar panels and air source heat pumps for heating and cooling, all of which would reduce greenhouse gas emissions while providing financial savings to residents;
- (2) encourages all residents to take advantage of opportunities to improve energy efficiency and energy conservation in their homes through participation in the energy efficiency audit programs offered through the Cape Light Compact;
- (3) encourages all residents to take advantage of opportunities to transition to electric vehicles and the lower operating costs and cleaner environment associated with them;
- (4) encourages commercial and industrial property owners and condominium associations to explore opportunities to improve energy efficiency and install renewable energy facilities for long term cost savings and reduced greenhouse gas emissions;
- (5) encourages the Yarmouth Energy Committee to engage in outreach and education to assist residents and businesses to access opportunities for renewable energy, energy efficiency, electrification of transportation, heating and cooling, and related strategies for reducing greenhouse gas emissions in our community.

**PETITIONED ARTICLE:** To see if the Town will vote to authorize the Board of Selectmen and the Town Administrator to investigate and report on the feasibility of the conversion and re-purposing of the Links Course, formerly the site of the Town Landfill, to a Solar Farm whose potential income would be applied to offsetting the capital expenditures of the Town, as applied to Capital projects including Golf, Wastewater System, New DY Middle School, , New Town Library, and other future Capital projects, as well as previously approved debt exclusions for the DPW Building and Cape Tech construction.

**EXPLANATION OF ARTICLE:** The article is proposed in view of reports of little or minimal use of the Links Course as well as the recent report of the National Golf Association citing lowered conditions and needed infrastructure repairs. Agreements or special conditions which established the Links Course are administrative and as such may be altered from time to time as necessary. Any funds or financial obligations by the Town have the potential of being offset by the Solar Proposal. The principle benefit of establishing a Solar Farm at this site is the generation potential of an estimated 28 to 30 Megawatts. Conservative estimates have shown that benefit may exceed \$9 to \$10 million, annually. The Capital obligations facing the Town will, by necessity, fall upon property tax assessments for payment. The Solar Farm represents a different means of meeting those obligations.

Proposed amendment to petitioned article relating to study of Links Course conversion to solar farm:

The feasibility study shall (i) assume that closure of the Links Course and construction of the Solar Farm would not commence until the Bass River Course is restored to full operation subsequent to any renovation required in connection with waste water treatment improvements; (ii) determine the portion of revenues of the Solar Farm which should be allocated to operations of the Golf Enterprise to provide for the future viability of the Enterprise in recognition of the loss of access to the Links Course for the town's golfing community; (iii) in cooperation with County and State government representatives, identify any actions or changes pursuant to public utility regulation which would be required in order to assure that the Solar Farm developed at the largest feasible scale can be interconnected with the grid without undue economic burden on the Solar Farm and similar renewable energy initiatives; and (iv) identify other actions by the Town which will be required to facilitate State consent to the change in use of the property under existing State law and policy.