



Board of Selectmen Regular Meeting Minutes July 12, 2016

The regular meeting was called to order at approximately 7:00 p.m. in the Town Hall Hearing Room by Chairman Jim Quirk. Selectmen present: Tracy Post, Mike Stone, and Norm Holcomb. Also attending: Interim Town Administrator, Peter Johnson-Staub.

1. Public Announcements & Comments

Mr. Joe Glynn urged the Board of Selectmen to continue to pay close attention to several ongoing issues in the town such as the Mattacheese School building study, the town administrator selection process, the Cavalier property redevelopment project, and veterans' housing.

Mr. Tom Nickinello, Yarmouth Chamber of Commerce, commented that the town's beaches are full with visiting tourists and enjoying the summer in our town.

Chairman of the Finance Committee, Joe Goldstein, commented to the Board that the Finance Committee approved the transfer of \$35,000 to cover the town administrator search costs. Additionally, he stated that town counsel informed the committee that this transfer is somewhat ambiguous due to the transfer not being an unforeseen expense. The Finance Committee has decided they will not challenge the transfer of these funds to the Massachusetts Department of Revenue.

Mr. Steve Krintzman, again, offered his opinion on the town administrator search process in that the Board should support the appointment of Mr. Johnson-Staub as town administrator.

2. Public Hearing

a. Tax Classification Hearing. Selectman Post read the legal ad into the record. Director of Assessing, Andy Machado, began his presentation by thanking the Board of Assessors for their service and guidance to him throughout the year. He continued explaining the purpose of this hearing is to prepare to set the tax rate in preparation of sending the first half year tax bills. Mr. Machado explained the process of assessing property within the town and submitting our values to the state for approval, which have been approved. The next phase is for the Board of Selectmen to decide on tax rates for all classes of property.

Selectman Holcomb asked Director Machado to talk about the impact of a shift in the tax burden of 1.5 on commercial properties. Mr. Machado expressed the impact in terms of the increase in property taxes on a commercial property and a reduction of tax burden on residential properties. He further explained that all the towns on the Cape, with the exception of Barnstable, utilize a single tax rate. Barnstable shifts a higher burden on commercial properties due to their large commercial population.

Selectman Post asked about residential exemption tax burdens for second home owners. Barnstable has adopted a residential exemption for second home owners of approximately 15%. Most communities on the Cape have not adopted this exemption as those second home owners are

already being assessed personal property taxes and the towns feel they are already receiving taxes from those home owners without a great deal of stress on town services.

Chairman Quirk asked what the average value of a commercial property is versus a residential property. Director Machado did not have that data available. Mr. Quirk also asked about assessing lots with utilities versus lots without utilities. Mr. Machado stated all aspects of a piece of property are considered as long as they are aware of them.

Selectman Holcomb asked if any information is available relative to the cost of services for a commercial property versus residential sectors. Director Machado stated he is not aware of any data available on that particular issue but could ask if that information is available.

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

Motion by: Tracy Post

Seconded by: Norm Holcomb

Yea 4 Nay 0

MOTION: To move that the Town of Yarmouth continue to tax all classes at the same rate by adopting a factor of "1" and to reject the residential exemption and the small commercial exemption, and that the Board of Selectmen authorize the Interim Town Administrator to sign electronically for the Board of Selectmen all fiscal year 2017 tax rate forms.

Motion by: Tracy Post

Seconded by: Mike Stone

Yea 4 Nay 0

Director of Finance, Ed Senteio, acknowledged the excellent work by the entire Finance Department to accelerate the tax bill schedule to provide the first half year tax bills sooner to property owners, as discussed at town meeting, and greatly facilitates the town's cash flow. We are also anticipating that Yarmouth will be the first town in the state to have our tax rate set.

3. Tax Exemptions

Director of Assessing, Andy Machado, explained this policy discussion came about at the request of Selectman Holcomb to research the possibility of helping our senior population with their tax burden. Director Machado explained the menu of tax exemption options are highly regulated by the state. Towns can make some adjustments to existing programs which range from dollars off on taxes to not paying taxes until the homeowner no longer occupies the home. The exemptions that already exist include:

- Senior 65 & older (Clause 41C)
- Senior 65 & older - surviving spouse - minor (Clause 17C1/2)
- Veterans (Clause 22, 22A, 22C, 22E)
- Blind Persons (Clause 37A)
- Property Tax Deferral (Clause 41A)
- Senior Tax Work Off Program

Yarmouth offers all of these programs. Mr. Machado explained the requirements for each of the senior programs, such as age, residency, length of ownership, and income. He also briefed the Board on the outreach efforts the Town makes to ensure our seniors are aware of the assistance available to them, such as:

- maintaining an updated website;
- fill-in PDFs;
- increased font size on bills, including the exemption information;

- database created merging previous year's non-financial data to make the exemption form easier to complete;
- a loop video is run on town hall TV screens and on Channel 18 slides explaining the exemption programs;
- collaboration with Senior Services to conduct informational seminars
- created material for the Senior Newsletter
- training to Assessor and Collector/Treasurer personnel on issue awareness of the seniors and available exemption programs
- trained Senior Services staff on exemptions
- provided information to local non-profit organizations

Some other possible options include:

- income or asset limits may reduce those that qualify - could be indexed to the state determined inflation rate;
- exemption limit could be increased from \$500 to \$1,000; and
- promote tax deferrals to eliminate all taxes until senior can no longer live in the home

Director Machado reviewed a slide he prepared on the poverty level for those 65 years or older based on the U.S. Census. He found that approximately 600 households would potentially qualify for the senior exemptions. At this point, only 200 households in Yarmouth take advantage of the programs. Some other options available include: residential exemptions whereby the tax burden shifts to non-residents and those with higher property values; a split tax rate, shifting tax burden from homeowners to businesses; and special legislation for unique exemptions, which are difficult to obtain.

The Board had questions of Mr. Machado and Director of Finance, Ed Senteio, regarding the deferral program, how many homeowners are eligible for that program, and what would the implications be to the town if additional residents participated in that program. Mr. Senteio and Mr. Machado explained there are build-in fail safes to the deferral program in that the deferral can only be used up to 50% of the value of the home, and it is something they monitor. Mr. Senteio further explained the proactive outreach efforts the Assessor's Office has undertaken to ensure all our seniors are aware of the programs available to them, offer explanations of each program, and provide assistance applying for programs they may be eligible for.

Selectman Holcomb asked how we would go about increasing the exemption for seniors and indexing income limits. Mr. Machado explained that both could be done by vote at town meeting.

MOTION: To move that the Board of Selectmen prepare articles for the next town meeting that would increase the exemption from \$500 to \$1,000 for tax relief for elderly citizens and would index the income and asset amounts to increase in accordance with the consumer price index.

Motion by: Norm Holcomb

Seconded by: Mike Stone

Yea 4 Nay 0

Selectman Post stated that she would like to see more information on what such an article, if passed, would mean to the rest of the tax base to ensure other age groups who are also struggling are not adversely affected. Chairman Quirk stated that such data would be necessary to present at town meeting in order for the article to pass. He also commented that any exemptions for consideration for other age groups would require legislation whereas the current exemptions for seniors age 65 and older are already statutes. Mr. Senteio stated that we will have data by the end

of August that will demonstrate any movement in the number of seniors taking advantage of the exemptions for FY17.

4. Economic Development

Director of Community Development, Karen Greene, made a presentation to the Board on the efforts her department, along with numerous boards, committees, and the Chamber of Commerce, makes to create a welcoming atmosphere to new businesses. She provided background to the town's economic development program based on the Local Comprehensive Plan (LCP) which was endorsed at 2000 town meeting. Since that time, town planning efforts have primarily focused on Route 28 and the Tourism industry. Numerous program efforts that illustrate our current economic development program include:

- Bluestone Study in 2005 which identified target village center areas
- Route 28 Motel Bylaw in 2006
- Route 28 Growth Incentive Zone in 2008
- South Shore Drive Motel Bylaw in 2008
- Route 28 Market Analysis in 2008
- Tourism Revenue Preservation Fund established in 2008
- Village Center Overlays in 2012

The current efforts being offered by the Community Development team include direct assistance by staff to assist developers and their consultants through the planning and regulatory processes. Also, the Community Development Department has been focused on public improvement projects such as Packet Landing Pavilion, Drive-In Site Riverwalk, Cape Cod Rail Trail, Parker's River Bridge, and Gateway Signage to convert blighted properties to open space.

Additionally, tourism programming made possible through the TRPF continues to support our tourism industry via marketing efforts contracted through the Yarmouth Chamber of Commerce and supporting special events for residents and visitors. The Community Development team successfully works with our Historic Commission, community partners, and Community Preservation Committee to obtain funding to preserve and improve town historic properties that serve as cultural assets.

Over the past 10 years, the town's Affordable Housing program has made great strides with a variety of housing developments through technical assistance for developers and direct financial subsidy. The Ready Renter List coordinates renters with small scale landlords, homeowner rehab programs, and homelessness prevention efforts. Our Conservation Division works to preserve and improve our natural environment, which is the main reason many visitors come to the Cape.

Future efforts for economic development include attempts to diversity existing and potential businesses as well as expanding our focus on tourism and non-tourism businesses. We are currently working on a survey tool to gauge town responsiveness, customer service levels, and to identify barriers to investment by the business community. Additionally, marketing efforts to the general public and future investors can be improved through press releases, website, and online communications. Staff will also continue to make progress with the LCP, other planning documents, and wastewater planning. Director Greene continues to focus on filling the Economic Development Planner position to facilitate special events and expand the department's assistance to the business community.

Selectman Post asked what the top three reasons are that prohibit businesses or projects from completion. Ms. Greene responded that lack of wastewater treatment, a perception of regulatory difficulties, the actual time for permitting of a project, and land is very expensive. Ms. Post further commented that a big concern of hers is the lack of good paying jobs in town to allow our working families to stay in Yarmouth. She suggested that perhaps a sub-committee needs to be formed for the Community Economic Development Committee (CEDC) to charge them with tourism-related items which would allow the CEDC to focus on community development.

Selectman Stone commented that he believes the biggest obstacle to development on Route 28 is wastewater rather than zoning. He also asked Director Greene to elaborate on regulatory efforts being the Conservation Division's top priority. Ms. Greene commented that as projects come forward, the wetlands laws and our own wetlands bylaw become hindrances to moving a project forward.

Selectman Holcomb commented that approximately 30% of the town's population earns \$400-\$500 a week in retail and tourism businesses, which is insufficient to maintain a household. He suggested we need to challenge higher paying wage industries to invest in Yarmouth. Mr. Holcomb discussed working with other communities on the Cape to develop plans to draw more industry to the Cape in an effort to provide improved wages, not only for Yarmouth, but other towns as well.

Chairman Quirk commented that he also believes the wastewater issue is prohibiting business development in Yarmouth. Additionally, the excessive levels of state, town, and Cape Cod Commission regulations become untenable, particularly for a relatively small parcel being considered for development. Mr. Quirk also expressed his concern for not only the 65 and older population, but the younger residents as well who cannot afford to live here.

Selectman Post asked if the tax increment financing option was still being offered and considered to attract and promote businesses. Ms. Greene stated it is still an option and she would reach out to the Massachusetts Office of Business Development again as personnel have changed under a new administration.

5. Fire Overtime

Chief Simonian presented a PowerPoint brief on the Fire Department's overtime expenditures. Using data from the Collins Report, the overtime figures were broken out in codes which represented the reason for the overtime. A review of actual overtime costs for a ten-year period was also explained, showing a fairly flat line over the past few years, with a downward trend the last two years. The annual call volume has risen steadily and this year is trending to surpass last year's call volume with the same number of personnel as 2003. The wage trend also shows a lower expenditure for overtime than would be expected but is right in line with budgeted overtime estimates.

Chief Simonian explained to the Board what he has done to reduce overtime. His department works closely with the insurance company to expedite line-of-duty medical appointments; they monitor time to manage abuse; billing nursing and retirement facilities for non-emergent transports; IT personnel now assigned to YFD to eliminate firefighters' need to work on IT related issues; a sick time retirement buyback incentive is now included in the contract; fire department detail policy now requires end user to pay for services; and established training on funding and budgets throughout the department to aid in managing expenses. Some options to

further decrease overtime would be increasing staffing; study unconventional staffing models; and placing a Captain in a car to better manage a fire scene. Also from the Collins Report is an estimated overtime savings of \$241,000 if an increase of four personnel is utilized, based on FY14 data. Other considerations of having additional staff include reduction in injuries, turnovers, and other fatigue issues; and will allow for more leeway with retirement and longevity planning.

The Board queried Chief Simonian on the various staffing levels, overtime categories, and use of call firefighters to backfill vacancies. Selectman Holcomb expressed his support for increased manning levels but would like to see data on call volume by station. He also asked if the towns of Dennis and Harwich had similar call volume, manning, and overtime costs. Chief Simonian explained that Dennis is in a similar situation as Yarmouth in that they are shorthanded and spending similar funds for overtime costs. He also explained that Falmouth, being similar in size to Yarmouth, has five stations to man and is also shorthanded. He did not have information on Harwich's fire department manning or costs but would be able to get it if desired.

Selectman Stone stated that he doesn't understand how manning levels can be established not knowing when the calls will come in. Chief Simonian stated that he cannot predict that either but based on historical data, he knows the calls are going to come in at about 20 calls per day and will only increase as the town grows. There have been no signs of decline in call volume over several years. Mr. Stone asked Chief Simonian, in his view, whether new hires or maintaining overtime expenditures would be best for the department and in the interest of public safety. Chief Simonian stated that he believes new hires would be much better for public safety.

6. Board of Selectmen

a. Town Administrator Recruitment Consultant. Chairman Quirk explained that the Collins Center is able to assist with another town administrator search for approximately \$5,000. He felt that is the path the Board should take. Mr. Johnson-Staub explained to the Board that the letter from the Collins Center was unsolicited and is the reason they are not included on the bid sheet. He further explained the request for quote was sent out and two firms responded, only one of which met our minimum requirements. Selectman Post asked if we knew why the Collins Center changed their position from not being interested in pursuing another search to now being able to assist. Chairman Quirk stated that once Mr. Johnson-Staub withdrew his name from consideration, Mr. Kobayashi felt there would be a different pool of candidates. Selectman Holcomb stated he felt the Board should move forward with the Collins Center as they have familiarity with Yarmouth as well as being an economical approach. Selectman Post asked if we would be using the same literature and requirements as the previous search and would the Board be able to review that literature. Chairman Quirk and Selectman Holcomb were comfortable with the same literature and criteria the Board set forth for the initial search.

MOTION: To move that the Board of Selectmen hire the Collins Center to conduct the Town Administrator search.

Motion by: Mike Stone

Seconded by: Norm Holcomb

Yea 4 Nay 0

b. FY17 Board of Selectmen Goals. Chairman Quirk suggested the goals discussion be deferred to another meeting.

c. Board and Committee Actions. On behalf of Appointments Chairman Tolley, Chairman Quirk asked for a motion to appoint Mr. Kenneth Smith to the Community and Economic Development Committee as a regular member for a three-year term to run through July 2019.

MOTION: To move that the Board of Selectman appoint Kenneth Smith to the Community and Economic Development Committee as a regular member for a three-year term to run through July 2019.

Motion by: Tracy Post

Seconded by: Norm Holcomb

Yea 4 Nay 0

d. Nominations for the Town Administrator Selection Committee.

- 1) Selectman Post nominates Ms. Jamie Carder
- 2) Selectman Stone nominates Mr. David Reid
- 3) Selectman Holcomb nominates Mr. Richard Coughlin
- 4) Chairman Quirk nominates Mr. Dewitt Davenport

e. Upcoming Agenda Review. Mr. Johnson-Staub went over the future meetings and identified which Board members will not be present for specific meetings for the remainder of the summer. The BOS Goals agenda item will be added to the July 19th meeting.

f. Approval of Minutes for June 7, 2016.

MOTION: To move that the Board of Selectman approve the Board of Selectmen meeting minutes of June 7, 2016.

Motion by: Norm Holcomb

Seconded by: Mike Stone

Yea 4 Nay 0

g. Individual Items. None.

7. Town Administrator's Items

a. Consent Agenda:

Donations:

- YPD
 - Dennis-Yarmouth Regional School District \$500.00
 - Town Administrator's Office
 - NARFE \$100.00
 - Libraries
 - Cape Cod Salties Fishing Club \$150.00
 - Virginia Gifford \$ 25.00
- TOTAL: \$775.00**

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

Motion by: Tracy Post

Seconded by: Mike Stone

Yea 4 Nay 0

b. Town Administrator Updates. Mr. Johnson-Staub informed the Board that all departments in the town are doing well and the town is enjoying a very busy summer. He also

mentioned that the Dakota Partners have been asked to reduce the scope of their project for the Cavalier property development.

8. Adjourn

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

Motion by: Norm Holcomb

Seconded by: Tracy Post

Yea 4

Nay 0

Respectfully submitted,



Linda Dennehy

DISTRIBUTED MATERIAL AGENDA PACKET

- Letter to BOS from Director of Assessing dated July 6, 2016 re: Classification Hearing FY17 w/attachments
- Tax Exemption Policy Discussion PowerPoint Brief
- Memo to BOS from Director of Community Development dated July 7, 2016 re: Economic Development Update
- Fire Department Overtime Presentation
- Town Administrator Recruiting Services Quotation Report Sheet
- Request for Quotations
- Letter to Interim Town Administrator from GovHR USA dated July 7, 2016 re: Quotation for Town Administrator Recruiting Services
- Letter to BOS from Edward J. Collins Jr. Center for Public Management
- Email to BOS from Administrative Assistant to the Town Administrator dated July 5, 2016 re: TA Selection Committee
- Letter to BOS from W. Leslie Peat dated June 13, 2016 re: Resignation from Old King's Highway Historic District Committee
- Memo to BOS from Appointments Chairman dated June 29, 2016 re: CEDC Appointment
- BOS Projected 2016 Agenda Items
- Board of Selectmen Meeting Minutes of June 7, 2016
- Memo to BOS from YPD dated June 27, 2016 re: Donation Request
- Memo to BOS from Administrative Assistant to the Town Administrator dated June 27, 2016 re: Donation
- Memo to Interim Town Administrator from Libraries dated June 30, 2016 re: Donations to the Yarmouth Town Libraries
- Finance Committee Minutes for May 7, 2016
- Finance Committee Minutes for June 22, 2016
- Board of Health Agenda for June 27, 2016