



Board of Selectmen **Pubic Meeting Minutes** **November 15, 2016**

The regular meeting was called to order at approximately 6:00 p.m. in the Town Hall Hearing Room by Chairman Jim Quirk. Selectmen present: Tracy Post, Mike Stone, and Norman Holcomb. Also attending: Interim Town Administrator, Robert Lawton.

1. Public Announcements & Comments

Police Chief Frederickson read the biography of Yarmouth's newest police officer, Patrol Officer Jeffrey Rivett. Deputy Chief Xiarhos administered the oath of office to Patrol Officer Rivett.

Ms. Andrea St. Germain, Yarmouth's Liaison to the D-Y School District, briefed the Board members on the recent activities with the schools. The D-Y High School Marching Band recently won its 5th consecutive award in a competition held in New Britain, CT. The high school math team took 2nd place at a recent competition among Cape Cod towns. She informed the Board that a former, long-time teacher in the District, Mary Nelson, recently passed away.

Ms. Vida Morris commented on the wastewater management project and the funds the town has either committed or plans to commit in the future given the probability that the regulatory powers of the EPA are likely to be greatly diminished. Ms. Morris asked about the contract the town currently has with the contractor. Chairman Quirk advised that we do have a contract to conduct the study only.

Ms. Suzanne McAuliffe, Yarmouth's Delegate to the Assembly of Delegates, commented on some of the items Mr. Niedzwiecki and County Administrator Jack Yunits will be discussing during their brief this evening, among them: the 208 wastewater plan; there may be an issue with the access road to the ARC conservation property in Dennis; and the County Commissioners have voted a budget policy for the first time.

Mr. Kevin Huck, President of the Firefighters Local, commented on remarks made by one of the Board members at the last Board of Selectmen meeting that the \$24M obligation the town faces for employee and retiree health benefits should be placed on the backs of town employees. Mr. Huck further stated his opinion that placing that burden on town employees is unfair given the significant increase in health care premiums and co-pays employees have endured over the past several years, and COLAs are not keeping pace with the rise of health care costs. He urged the Board and the new, incoming administration to look at alternatives to the current health care program and apply savings toward the unfunded liabilities the town faces.

Ms. Mary Everett-Patriquin, Yarmouth resident and volunteer coordinator at Housing Assistance Corporation, informed the Board of the 13th Annual Shelter Cape Cod Telethon which will be held on Thursday, December 8th, live on cable access channel 98 from 5 - 9 pm. She explained the services the organization provides to homeless individuals and efforts to prevent homelessness.

2. Library Board Update to Board of Selectmen

Sue Loveland, Chairman of the Library Board, briefed the Board members on the Library Board's mission and activities. She discussed a new project the Library Board will embark on called "Yarmouth Reads" in which interested residents participate by reading the same book. The Library will then hold meetings, discussion groups, or lectures on the book. The kick-off program will be on January 27, 2017 at the Cultural Center. Ms. Loveland outlined some of the items the Library Board and staff does which coincides with the Board of Selectmen goals, such as increasing the quality of life in Yarmouth, which the Library does by providing books, e-books, research material, and computers. Additionally, the Library presents a variety of programs for participants of all ages including 207 children's programs and 139 adult programs. The monthly newsletter has doubled in size to accommodate the increased number of programs.

Ms. Loveland then discussed another Selectmen goal of providing high-quality, affordable education. The Library staff works with the schools' staff to augment and compliment their programming, supporting their curriculum and encouraging the acquisition of library cards for all students.

Another Selectmen goal the Library tries to support is encouraging business. Ms. Loveland commented that Library activities help to create a lively and cultural environment which fosters and informs the public and the town's business employees. Lastly, in an effort to meet the Selectmen's goal of capital costs and budgets, the Library has established a study committee to review the Library's costs of maintaining or replacing our libraries and assessing their needs.

Ms. Linda Callahan is the Chairman of the Study Committee and briefed the Board on the progress of the study. Through resident participation and surveys, recommendations were received which will be used to form a long-range strategic plan for growing the libraries and the services to be provided.

Selectman Stone thanked the Library Board for their hard work and service to the community and commented that he agrees with the Board on the issues of livability and amenities within the town.

Selectman Post thanked the Board for their thorough presentation and outlining the many programs and opportunities the libraries offer given their limited funds.

3. Historical Commission Update to Board of Selectmen

Ms. Julie Mockabee, Chairman of the Historical Commission, and Ms. Sarah Horne, Vice-chairman, briefed the Board on the Commission's mission and ongoing efforts. Ms. Horne discussed the operation of the Judah Baker Windmill and her responsibility for overseeing the docents who provide tours; the number of docents has increased from 6 to 13 which has made it possible to keep the mill open on more Sundays during the summer season, which has resulted in a significant increase in visitors from all over the world.

Ms. Mockabee discussed the Taylor-Bray Farm and the Commission's responsibilities for working with the Farm Preservation Association to support activities at the Farm. Among the events held throughout the year were the Annual Sheep Festival held in June and the Fall Festival in October which brought in thousands of visitors and raised over \$13,000 for the farm. The Farm was also host to five birthday parties, nine school group tours, and two weddings. A grant was received to replace the pasture fencing which will be completed this winter. The goal for the 2017

season is to plan a program for events at the Farm; and archaeological projects are ongoing at the Farm, for the 8th year.

Ms. Mockabee briefed the Board on the Baxter Grist Mill site. The Community Development Department, the Department of Public Works, and the Community Preservation Committee have been involved in finalizing plans to reconstruct the dam, fish ladder and other sections of the Mill. Finalization of reconstruction and other projects at the Mill will lead to reopening the Mill to the public.

Selectman Holcomb thanked the Commission for the report and the work they do. He asked if the Commission was involved in other areas besides these three properties. Ms. Mockabee stated the Commission assists residents with renovation projects if their home is 75 years old or older by reviewing plans, making site visits, and determining if the property is historically significant. Mr. Holcomb commented that some signage would be helpful to identify areas of historical significance to visitors and residents.

Selectman Stone thanked the Commission for all the work they do on behalf of the town. He commented on the amazing work done at the Farm, the restoration efforts, the archaeological collection that has been assembled, and believes it is a tremendous asset to the town.

Selectman Post stated she agrees with Mr. Holcomb's suggestion that some signage would be beneficial for residents and visitors alike who visit Yarmouth and would be a nice amenity to have. Ms. Post thanked the Commission for all their work and the volunteers who dedicate their time to these historical sites.

Chairman Quirk commented that he appreciates the work the Commission does for the town and noted it does make a difference and asked the Commission to keep up the great work.

4. Old King's Highway (OKH) Regional District Committee Update to Board of Selectmen

Richard Gegenwarth, Chairman of the OKH Regional District Committee, provided the annual update to the Board. He described the OKH region as everything north of Route 6 from Sandwich through Barnstable, Yarmouth, Dennis, Brewster, and down to Orleans. In 1973, the state established OKH as a historical district and that each town would have a committee to preserve the historic buildings and provide architectural guidance for new construction, additions, or modifications to homes and businesses. The Committee works with town departments to review plans for any modifications within the district and if approved by the Committee, applicants receive a certificate of appropriateness. Items or modifications that are not within view, such as decks or windows in the back of a structure, may receive a certificate of exemption.

Mr. Gegenwarth commented on the number of homes wanting to add solar panels which is a concern in keeping the historical significance of the district. The Committee will generally approve solar panels if they are being installed in the rear of a home. Some exceptions may be made if the home is not readily visible to the public.

Mr. Gegenwarth mentioned that the Committee is in need of membership as it can be difficult to establish a quorum for their meetings.

Selectman Stone asked the OKH District's guidelines are published online. Mr. Gegenwarth stated they were. Selectman Holcomb commented on the growing use of a solar shingle

technology and encouraged the Committee to think about how they would be handled by the Committee.

The Board members thanked the Committee for all the work they do.

5. Chamber of Commerce Update to Board of Selectmen

Jim Sabin, President of the Yarmouth Chamber of Commerce, and Mary Vilbon, Executive Director of the Chamber of Commerce, were present for the update. Ms. Vilbon briefed the Board on the activities the Chamber has been doing for the last year. The Chamber coordinates and oversees events and programs which provide educational support for our businesses, some are fundraisers for the Chamber, and some are to support events within the town. Mr. Sabin informed the Board that the Chamber's next "business after hours" event is December 8th at Thirwood Place from 5:30 - 7:00 pm.

The next SCORE Workshop will be hosted by the Chamber at Bridgewater State University. These workshops are designed to provide finance, marketing, and succession planning for businesses. The 3rd annual Trolley Tour Taste of Yarmouth was held on Saturday and was sold out again with 230 attendees.

The Chamber has taken on more responsibility for the Yarmouth Port Christmas Stroll which will be held on December 4th from 1-4 p.m. The trolley, carolers, magicians, and more flavor are planned for this year's stroll. Other events the Chamber is involved with include: the Cape Cod St. Patrick's Parade; the Patriot's Day Golf Tournament in the spring; the 2016 Seaside Auction which was held at the Cultural Center of Cape Cod; the Yarmouth Summer Celebration; the Sand Sculpture Tour, which has become a huge draw to the town; the Summer Concert Series; the 7th Annual Restoring Sight International, and the Seaside Festival.

Mr. Sabin discussed the Chamber's Annual Meeting & Awards Dinner. This year, the Chamber honored Mr. Stan Kaczynski as Citizen of the Year and Davenport Companies as Business of the Year. Ms. Vilbon briefed the Board members on the new staff with new ideas the Chamber has brought on. The Chamber also participates in the Big E (Eastern States Expo) which is the largest agricultural fair in New England which sees over 1M visitors a year, and allows the Chamber to get Yarmouth identified as a vacation destination. Ms. Vilbon briefly discussed the visitor centers upgrades and the status of keeping the Route 6 center open. Mr. Sabin outlined some of the other events the Chamber participates in such as the Annual Community Cleanup Day; Candidate's Night; Cape Environmental Action on their plastic bag reduction efforts; Beach Cleanup with CARE for the Cape and Islands; and seasonal decorations.

Mr. Sabin concluded the presentation by informing the Board that moving forward, the Chamber will continue to work with the Community Economic Development Committee to promote new business in Yarmouth, will be participating in the Hyannis Rotary Club's annual home and garden show to promote Yarmouth as a place to do business, developing a cultural center with the town, and working closely with Mass DOT to improve conditions on Routes 28 and 6A. Mr. Sabin also informed the Board that the Chamber would like to assist the town with finding volunteers to fill some of the vacancies on some of the town's committees, boards and commissions.

Selectman Post thanked the Chamber for all their work and commented that the town's relationship with the Chamber of Commerce is one of the most important relationships the town can have and asked what the Board of Selectmen can do to help the Chamber in their efforts. Mr. Sabin commented on a survey the town placed on its website in the past to try to identify what is

working and what is not within the town that did not yield a great deal of input. The Chamber wants to put together a questionnaire to help better identify what they can do to help the town grow.

Selectman Stone thanked Mr. Sabin and Ms. Vilbon for their comprehensive presentation and for the work they do to promote Yarmouth. He asked Ms. Vilbon to explain what the Chamber does at the Big E. She explained that they are given shifts within the Massachusetts building where they can promote Yarmouth and everything it has to offer. Mr. Stone also asked Ms. Vilbon about how a cultural district could be created. She explained that once the Board of Selectmen sign a resolution to proceed with establishing a cultural district, the area will need to be defined and be a walkable district. Once that is accomplished, the town would submit an application to the Massachusetts Cultural Council. Once the district is approved, the state cultural council helps promote the district and grants are available.

Selectman Holcomb asked if there is any way to track the materials that are handed out at the Big E. Ms. Vilbon stated there really is no way to track printed materials. Mr. Holcomb asked Mr. Sabin to discuss repairs and efforts to improve Routes 28 and 6A. Mr. Sabin explained the efforts Chamber has made to work with Mass DOT, elected officials, and town departments to affect improved conditions.

The Board suggested some ideas the Chamber might be interested in pursuing in terms of better utilizing our golf courses for attracting tourists.

6. Cape Cod Commission Update

Paul Niedzwiecki, Executive Director of the Cape Cod Commission, and Jack Yunits, County Administrator, were present for the update. Mr. Niedzwiecki briefed the Board on the Wastewater 208 Plan from the County level and that much discussion has occurred over the past three years. They have completed updates and implementation plans for this year, which include watershed reports which are baseline information for watershed planning. He also mentioned the County is in the process of rewriting their Regional Policy Plan which is a County ordinance that outlines minimum performance standards so that any project that triggers County review will be measured against those performance standards. He stated it is important for the towns to be part of that discussion.

Mr. Niedzwiecki discussed the studies the County has done in terms of housing, affordability and the economy on the Cape and that the metrics indicate the Cape is fairing much better than other areas in Massachusetts. The one area of concern is the year-round affordability of living and working on the Cape, and looking at housing in general rather than strictly affordable housing levels on the Cape. Mr. Yunits also discussed the housing issue on Cape Cod and the efforts the County is making working with the Cape Cod Commission to address affordable housing. Mr. Yunits also discussed the Route 6 Welcome Center that the County assisted in keeping open but the long-term strategy for the tourist center is to get the private sector engaged in building, owning, and operating the center.

Selectman Holcomb discussed another aspect of affordable housing as better paying jobs on the Cape and asked Mr. Niedzwiecki what his thoughts were on that. Mr. Niedzwiecki stated that several factors impede attracting better paying, traditional jobs to the Cape, among them the Cape Cod Canal and bridge traffic in summer months. However, other assets exist on the Cape for more of the workforce working from home such as the investment in broadband. What the County has heard from the four major employers on the Cape is the issue of affordable housing for their employees. The County has worked with a couple of developers to understand what their costs are

for building affordable housing. Additionally, the County is working with the medical community to better coordinate and attract more talent and less expensive medical personnel and facilities to the Cape. Mr. Holcomb expressed his concern that we still import low-paying, foreign workers which only further drives down the wages for full-time Cape Cod residents. Mr. Niedzwiecki explained that business decisions by the private sector are not something the County can control so they are trying to focus on areas of the Cape and development that they can control.

Selectman Post commented that Yarmouth has tried many different things to develop business in Yarmouth and nothing seems to have been very effective. She asked Mr. Niedzwiecki if he had any suggestions for the Board members on how to identify an area they can all agree on and try something different. Mr. Niedzwiecki commented that Yarmouth does have a growth incentive zone but it is limited to housing and spread across our commercial district - that needs to be revisited. That plan is not comprehensive enough to encourage the type of investment the town is looking for. Part of the problem is there is only one major road (Route 28) with many curb-cuts and small lots that are not deep enough, which is not conducive to incentivizing investment.

Ms. Post asked what specific process exists to get a project through the Commission. Mr. Niedzwiecki stated that the County has looked at industrial service and trade areas for raising thresholds and in some towns that worked and in other towns it did not help redevelopment. He suggested a map-based graphic to help identify areas that would be best utilized for development.

Chairman Quirk commented that one of the Board's concerns is that 51% of the U.S. population is receiving either direct or indirect aid from the government; on top of that we have people receiving money from the government and working under the table that no one can control and therefore no taxes are being collected on that income. He also mentioned that Yarmouth has plenty of houses that are empty all the time because they are seasonal houses and the owners are not going to rent them out seasonally due to the investment they have made in their homes.

In terms of the infrastructure, the last figures Mr. Quirk saw on costs to build roads for a subdivision were between \$350 - \$450 per foot. If you add the land costs, the utilities cost, and the road surface costs, it is nearly impossible for someone to see a return on their investment.

7. Board of Selectmen

a. Board and Committee Actions

1) Chairman Quirk asked the Board to appoint Ms. Elizabeth Bassett and Mr. Michael Duffy to the Energy Committee for Alternate, one-year terms to run through December 2017.

MOTION: To move that the Board of Selectmen appoint Ms. Elizabeth Bassett and Mr. Michael Duffy to the Energy Committee for Alternate, one-year terms to run through December 2017.

Motion by: Norm Holcomb Seconded by: Mike Stone Yea 4 Nay 0

2) Chairman Quirk asked the Board to reappoint Mr. Robert C. Lawton, Jr. as the Town of Yarmouth's Representative to the Cape Cod Veterans Services Board for a three-year term to run through November 2019.

MOTION: To move that the Board of Selectmen reappoint Mr. Robert C. Lawton, Jr. as the Town of Yarmouth's Representative to the Cape Cod Veterans Services Board for a three-year term to run through November 2019.

Motion by: Tracy Post Seconded by: Norm Holcomb Yea 4 Nay 0

3) Chairman Quirk asked the Board to reappoint Mr. Richard Carroll as the Town of Yarmouth's Representative to the Barnstable County HOME Consortium for a three-year term to run through January 2020.

MOTION: To move that the Board of Selectmen reappoint Mr. Richard Carroll as the Town of Yarmouth's Representative to the Barnstable County HOME Consortium for a three-year term to run through January 2020.

Motion by: Norm Holcomb

Seconded by: Mike Stone

Yea 4

Nay 0

4) Chairman Quirk asked the Board to reappoint Mr. Robert C. Lawton, Jr. as the Town of Yarmouth's Representative to the Cape Cod Regional Transit Authority for a three-year term to run through November 2019.

MOTION: To move that the Board of Selectmen reappoint Mr. Robert C. Lawton, Jr. as the Town of Yarmouth's Representative to the Cape Cod Regional Transit Authority for a three-year term to run through November 2019.

Motion by: Tracy Post

Seconded by: Mike Stone

Yea 4

Nay 0

5) Chairman Quirk asked the Board to reappoint Mr. Robert C. Lawton, Jr. and Mr. Tom Roche to the Affordable Housing Trust for regular, two-year terms to run through December 2018.

MOTION: To move that the Board of Selectmen reappoint Mr. Robert C. Lawton, Jr. and Mr. Tom Roche to the Affordable Housing Trust for regular, two-year terms to run through December 2018.

Motion by: Tracy Post

Seconded by: Norm Holcomb

Yea 4

Nay 0

b. Upcoming Agenda Review. Mr. Lawton briefed the Board members on the future agenda schedule. There is no meeting scheduled for November 22, 2016 but there is a meeting on Saturday, November 19, 2016 to conduct interviews with the town administrator candidates. The next regular Board of Selectmen meeting is on November 29, 2016; among the agenda items is a proposed model Yarmouth alcohol policy. Selectman Stone mentioned that this proposed model is an alcohol policy for individual establishments to use as a guideline to develop their own policies for their employees.

c. Individual Items

1) Selectman Stone mentioned he attended the Veteran's Day Service that was held on November 11, 2016. Mr. David Akin took it upon himself to organize this service which was an excellent service.

2) Selectman Post asked, in light of the approval of the marijuana law, what are the steps for Yarmouth to opt out of the law. Interim Town Administrator Lawton stated that he looked to MMA for some information but did not find much guidance from them. He mentioned the confusion that exists within ballot question #4. We may be able to propose an article at town meeting to establish a bylaw which would limit the number of establishments in Yarmouth. Another suggestion Mr. Lawton made is that we make sure we adopt the tax on marijuana sales. He is adding a series of placeholder articles on the warrant to address the topic at town meeting.

8. Town Administrator's Items

a. Consent Agenda

- Proposed Charge for the Age-Friendly Community Team
- Memo to Interim Town Administrator from YFD dated October 21, 2016 re: Gift
- Memo to Interim Town Administrator from Libraries dated November 14, 2016 re: donations to the Yarmouth Town Libraries

Donations:

- YFD		
o South Sea Village Condominium Association		\$ 100.00
o Ann Aghababian		\$ 18,000.00
- Libraries		
o Kathryn Surrette		\$ 26.00
o Julie Hathaway		\$ 3.99
o P. M. Koch		\$ 19.95
o Nancy Villareal-Dimas		\$ <u>6.99</u>
TOTAL		\$ 18,156.93

MOTION: To move that the Board of Selectmen approve the consent agenda, with great thanks.
Motion by: Tracy Post Seconded by: Mike Stone Yea 4 Nay 0

b. Town Administrator Updates. Mr. Lawton thanked Town Clerk Phil Gaudet, his staff, and the poll workers for the work they did on Election Day. Additionally, Yarmouth was chosen to be one of 66 communities in the state to be audited for the election. The audit went very well and there were no problems.

Mr. Lawton apologized that all town offices were without email today. Email services are expected to back online tomorrow.

9. 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

- Library Board Report dated November 2016
- Library Study Committee Report
- Yarmouth Chamber of Commerce PowerPoint Presentation
- Historical Commission Update
- Old King's Highway Regional District Committee Update
- Memo to BOS from Appointments Chairman dated November 7, 2016 re: Energy Committee Appointments
- Memo to BOS from Appointments Chairman dated November 7, 2016 re: Affordable Housing Trust Reappointments
- Memo to BOS from Appointments Chairman dated November 7, 2016 re: Cape Cod Veterans Services Board Reappointment
- Memo to BOS from Appointments Chairman dated November 7, 2016 re: Cape Cod Regional Transit Authority Reappointment
- Memo to BOS from Appointments Chairman dated November 7, 2016 re: Barnstable County HOME Consortium Advisory Council Reappointment
- Proposed Charge for the Age-Friendly Community Team
- Memo to Interim Town Administrator from YFD dated October 21, 2016 re: Gift
- Memo to Interim Town Administrator from Libraries dated November 14, 2016 re: donations to the Yarmouth Town Libraries
- Letter to Yarmouth Police Department from Office of the Governor dated November 1, 2016 re: Grant from the Edward Byrne Memorial Justice Assistance Grant Program
- Letter to Town of Yarmouth from Clarion Inn dated November 1, 2016 re: Winter Closing
- Letter to Town of Yarmouth from Doyle's Restaurant dated November 9, 2016 re: Restaurant Closing
- Taylor-Bray Farm Preservation Association Press Release for Holiday Festival
- Board of Health Meeting Agenda for October 24, 2016
- Memo to Interim Town Administrator, Board of Selectmen, Finance Committee, and Capital Budget Committee dated October 20, 2016 re: FY17 Community Preservation Applications