



# TOWN OF YARMOUTH

1146 ROUTE 28, SOUTH YARMOUTH, MASSACHUSETTS 02664-4492  
Telephone (508) 398-2231 Ext. 1271. Fax (508) 398-2365

BOARD OF  
SELECTMEN

TOWN  
ADMINISTRATOR  
Daniel M. Knapik

## PUBLIC MEETING

Per Massachusetts General Law: All town and school boards, committee, 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. As required by Open Meeting Law and Mass. General Law, we are informing you that this meeting will be video and audio recorded, as well as rebroadcast. Anyone intending to video or audio tape this meeting is required to inform the Chair.

**Board of Selectmen Meeting**  
**September 29, 2020 ~ 6:00 PM**  
**Yarmouth Town Hall Hearing Room**  
**1146 Rt. 28, South Yarmouth, MA 02664**

YARMOUTH TOWN CLERK

'20SEP25AM10:02 REC

### Meeting Agenda *(all times are approximate)*

#### **6:00 PM Public Comments**

*The open meeting law discourages public bodies from discussing topics not listed on the agenda. The public should therefore not expect the Board to respond to questions or statements made during the Public Comment portion of the meeting.*

#### **6:15 PM Public Hearings:**

- 1. 1078 Yarmouth, Inc., dba Daggett's Liquors – Transfer of Package Store License**
- 2. 2021 Alcohol Fees (1<sup>st</sup> Reading)**

#### **7:00 PM CVEC Annual Presentation**

#### **7:30 PM Tax Classification Hearing**

#### **8:00 PM Budget Policy Directive**

#### **8:30 PM Review Special Town Meeting Articles**

#### **9:00 PM Board and Committee Actions**

- Approval of December 17, 2020 Minutes
- Upcoming Agenda Review
- Individual Items

#### **9:15 PM Town Administrator Items**

- Consent Agenda
- Town Administrator Updates
  - COVID-19 Update
  - The DYIMS Project
- Water Resources Planning

#### **9:30 PM Adjourn**

# CONSENT AGENDA

## BOARD OF SELECTMEN

September 29, 2020

**APPROVED:** \_\_\_\_\_

**Approval:**

**Donations:**

➤ **Recreation:**

The following donations will be used for the Gray's Beach Boardwalk:

1520	Nancy Carroll	\$150.00	1521	Katie Santos	\$150.00
1522	Samantha Perlman	\$150.00	1523	Roseanne Peterson	\$150.00
1524	Christine White	\$150.00	1525	Kathryn McCreedy	\$150.00
1526	Christine Jordan	\$150.00	1527	Angel Rodriquez	\$150.00
1528	Danielle O'Connor	\$150.00	1529	Stephen Moreau	\$150.00
1530	Warren Jones	\$150.00	1531	Gary Bates	\$150.00
1532	Elizabeth Green	\$150.00	1533	Wendy Meinhardt	\$150.00
1534	Bridget Borrelli	\$150.00	1535	Cindy Christian	\$150.00
1536	Kristin DiMatteo	\$150.00	1537	Cindy Miselis	\$150.00
1538	Cindy Miselis	\$150.00			

**Boardwalk Total**

**\$2,850.00**

**TOTAL: \$2,850.00**

**AGENDA PACKET**  
**Board of Selectmen**  
**September 29, 2020**

- Transfer of Package Store License Application Package for 1078 Yarmouth, Inc. dba Daggett's Liquors
- Liquor License Fee Hearing Package
- Cape & Vineyard Electric Cooperative Highlights FY20
- CVEC Net Metering: Commercial Year End Report
- CVEC Net Metering: FY 2020 Report
- Screenshot of Posted Yarmouth FY 2021 Classification Hearing Notice – Homepage of Town Website
- Tax Classification Hearing Notice and Proposed Board of Selection Motion
- Tax Classification Chart
- August 18, 2020 Letter from Andy Machado, Director of Assessing, regarding Fiscal Year 2021 Classification Hearing, Board of Assessors Recommendation
- Board of Selectmen Authorization for Finance Director to Sign FY 2021 Tax Rate Forms
- September 29, 2020 Memo from Daniel Knapik, Town Administrator, regarding FY2022 Budget Policy Statement
- FY2022 Budget Schedule
- Draft Proposed Special Town Meeting Articles
- Minutes of the December 17, 2020 Board of Selectmen Meeting
- Board of Selectmen Projected 2020 Agenda Items
- The Dennis-Yarmouth School Project

# **INFORMATION PACKET**

## **Board of Selectmen**

**September 29, 2020**

- Affordable Housing – The Ready Renters Program Flyer

**AGENDA**

**ITEMS**



# TOWN OF YARMOUTH

1146 Route 28 South Yarmouth MASSACHUSETTS 02664-4492  
Telephone (508) 398-2231, Ext. 1271, 1270 - Fax (508) 398-2365

BOARD OF  
SELECTMEN

TOWN  
ADMINISTRATOR  
Daniel M. Knapik

September 10, 2020

The Register

Please advertise the following as a Legal Ad in your newspaper on September 17, 2020.

## TOWN OF YARMOUTH BOARD OF SELECTMEN TRANSFER OF LIQUOR LICENSE HEARING

The Yarmouth Board of Selectmen, acting as the local licensing authority, has received an application for a transfer of an Annual All Alcohol Package Store License from 1078 Yarmouth, Inc. dba Daggett's Liquors, Navin Patel, manager. The License is being transferred from Sirron, Inc., dba Daggett's Liquors, Joseph Norris, manager.

The premises, located at 1078 Route 28, South Yarmouth, is retail store space in a shopping plaza. 6,850 sq. ft. comprised of 7 rooms with small upstairs office. Retail space is split into two areas: 2,898 sq. ft. for selling space and 1,100 sq. ft. for bottle and can redemption. The remaining 2,852 sq. ft. is split into 5 rooms for inventory storage. Hours of operation are Mon. - Sat. 8am - 11pm and Sun. 10am-11pm.

Hearing will be held on Tuesday, September 29, 2020 at Town Hall, 1146 Route 28, South Yarmouth. The Selectmen's meeting begins at 6:00pm.

Written comments will be accepted until 4:30 pm, Friday, September 25, 2020 in the Selectmen's office at Town Hall. Verbal comments will be accepted at the hearing.

Please bill the applicant for the ad:

Considine & Furey, LLP  
One Beacon Street, 22<sup>nd</sup> Floor  
Boston, Ma. 02108  
617-723-7200  
afurey@considinefurey.com

**TRANSFER LIQUOR LICENSE  
LEGAL NOTICE  
TOWN OF YARMOUTH  
BOARD OF SELECTMEN  
TRANSFER OF LIQUOR LICENSE  
HEARING**

The Yarmouth Board of Selectmen, acting as the local licensing authority, has received an application for a transfer of an Annual All Alcohol Package Store License from 1078 Yarmouth, Inc. dba Daggett's Liquors, Navin Patel, manager. The License is being transferred from Sirron, Inc., dba Daggett's Liquors, Joseph Norris, manager.

The premises, located at 1078 Route 28, South Yarmouth, is retail store space in a shopping plaza. 6,850 sq. ft. comprised of 7 rooms with small upstairs office. Retail space is split into two areas: 2,898 sq. ft. for selling space and 1,100 sq. ft. for bottle and can redemption. The remaining 2,852 sq. ft. is split into 5 rooms for inventory storage. Hours of operation are Mon. - Sat. 8am - 11pm and Sun. 10am-11pm.

Hearing will be held on Tuesday, September 29, 2020 at Town Hall, 1146 Route 28, South Yarmouth. The Selectmen's meeting begins at 6:00pm.

Written comments will be accepted until 4:30 pm, Friday, September 25, 2020 in the Selectmen's office at Town Hall. Verbal comments will be accepted at the hearing.

AD# 13912925  
Register 9/17/20



The Commonwealth of Massachusetts  
 Alcoholic Beverages Control Commission  
 95 Fourth Street, Suite 3, Chelsea, MA 02150-2358  
 www.mass.gov/abcc

RECEIVED

AUG 31 2020

LICENSES & PERMITS  
 TOWN OF YARMOUTH

APPLICATION FOR A TRANSFER OF LICENSE

Municipality

1. TRANSACTION INFORMATION

- Transfer of License
- Alteration of Premises
- Change of Location
- Management/Operating Agreement
- Pledge of Inventory
- Pledge of License
- Pledge of Stock
- Other
- Change of Class
- Change of Category
- Change of License Type (\$12 ONLY, e.g. "club" to "restaurant")

Please provide a narrative overview of the transaction(s) being applied for. On-premises applicants should also provide a description of the intended theme or concept of the business operation. Attach additional pages, if necessary.

2. LICENSE CLASSIFICATION INFORMATION

ON/OFF-PREMISES	TYPE	CATEGORY	CLASS
<input type="text" value="Off-Premises-15"/>	<input type="text" value="\$15 Package Store"/>	<input type="text" value="All Alcoholic Beverages"/>	<input type="text" value="Annual"/>

3. BUSINESS ENTITY INFORMATION

The entity that will be issued the license and have operational control of the premises.

Current or Seller's License Number  FEIN

Entity Name

DBA  Manager of Record

Street Address

Phone  Email

Add'l Phone  Website

4. DESCRIPTION OF PREMISES

Please provide a complete description of the premises to be licensed, including the number of floors, number of rooms on each floor, any outdoor areas to be included in the licensed area, and total square footage. If this application alters the current premises, provide the specific changes from the last approved description. You must also submit a floor plan.

Total Sq. Footage	<input type="text" value="6850"/>	Seating Capacity	<input type="text" value="N/A"/>	Occupancy Number	<input type="text" value="N/A"/>
Number of Entrances	<input type="text" value="4"/>	Number of Exits	<input type="text" value="4"/>	Number of Floors	<input type="text" value="2"/>

**APPLICATION FOR A TRANSFER OF LICENSE**

**5. CURRENT OFFICERS, STOCK OR OWNERSHIP INTEREST**

Transferor Entity Name	Siron Inc.	By what means is the license being transferred?	Purchase
------------------------	------------	---	----------

List the Individuals and entities of the current ownership. Attach additional pages if necessary utilizing the format below.

Name of Principal	Title/Position	Percentage of Ownership
Joseph Norris	President/Treasurer/Secretary/Director	100%

**6. PROPOSED OFFICERS, STOCK OR OWNERSHIP INTEREST**

List all individuals or entities that will have a direct or indirect, beneficial or financial interest in this license (E.g. Stockholders, Officers, Directors, LLC Managers, LLC Members, LLP Partners, Trustees etc.). Attach additional page(s) provided, if necessary, utilizing Addendum A.

- The individuals and titles listed in this section must be identical to those filed with the Massachusetts Secretary of State.
- The individuals identified in this section, as well as the proposed Manager of Record, must complete a CORI Release Form.
- Please note the following statutory requirements for Directors and LLC Managers:  
**On Premises (E.g. Restaurant/ Club/Hotel) Directors or LLC Managers** - At least 50% must be US citizens;  
**Off Premises (Liquor Store) Directors or LLC Managers** - All must be US citizens and a majority must be Massachusetts residents.
- If you are a Multi-Tiered Organization, please attach a flow chart identifying each corporate interest and the individual owners of each entity as well as the Articles of Organization for each corporate entity. Every individual must be identified in Addendum A.

Name of Principal	Residential Address	SSN	DOB
Navin R. Patel			

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
President/Treasurer/Secretary/Director	100%	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
		<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
		<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
		<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

**APPLICATION FOR A TRANSFER OF LICENSE**

**6. PROPOSED OFFICERS, STOCK OR OWNERSHIP INTEREST (Continued...)**

Name of Principal	Residential Address	SSN	DOB
<input style="width:100%;" type="text"/>	<input style="width:100%;" type="text"/>	<input style="width:100%;" type="text"/>	<input style="width:100%;" type="text"/>
Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen
<input style="width:100%;" type="text"/>	<input style="width:100%;" type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No
			MA Resident
			<input type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
<input style="width:100%;" type="text"/>	<input style="width:100%;" type="text"/>	<input style="width:100%;" type="text"/>	<input style="width:100%;" type="text"/>
Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen
<input style="width:100%;" type="text"/>	<input style="width:100%;" type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No
			MA Resident
			<input type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
<input style="width:100%;" type="text"/>	<input style="width:100%;" type="text"/>	<input style="width:100%;" type="text"/>	<input style="width:100%;" type="text"/>
Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen
<input style="width:100%;" type="text"/>	<input style="width:100%;" type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No
			MA Resident
			<input type="radio"/> Yes <input type="radio"/> No

Additional pages attached?  Yes  No

**CRIMINAL HISTORY**

Has any individual listed in question 6, and applicable attachments, ever been convicted of a State, Federal or Military Crime? If yes, attach an affidavit providing the details of any and all convictions.

Yes  No

**6A. INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE**

Does any individual or entity identified in question 6, and applicable attachments, have any direct or indirect, beneficial or financial interest in any other license to sell alcoholic beverages? Yes  No  If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Name	License Type	License Name	Municipality
See Attached			

**6B. PREVIOUSLY HELD INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE**

Has any individual or entity identified in question 6, and applicable attachments, ever held a direct or indirect, beneficial or financial interest in a license to sell alcoholic beverages, which is not presently held? Yes  No  If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Name	License Type	License Name	Municipality

## APPLICATION FOR A TRANSFER OF LICENSE

### 6C. DISCLOSURE OF LICENSE DISCIPLINARY ACTION

Have any of the disclosed licenses listed in question 6A or 6B ever been suspended, revoked or cancelled?

Yes  No  If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Date of Action	Name of License	City	Reason for suspension, revocation or cancellation

### 7. CORPORATE STRUCTURE

Entity Legal Structure

Corporation

Date of Incorporation

7/21/2020

State of Incorporation

Massachusetts

Is the Corporation publicly traded?

Yes

No

### 8. OCCUPANCY OF PREMISES

Please complete all fields in this section. Please provide proof of legal occupancy of the premises.

- If the applicant entity owns the premises, a deed is required.
- If leasing or renting the premises, a signed copy of the lease is required.
- If the lease is contingent on the approval of this license, and a signed lease is not available, a copy of the unsigned lease and a letter of intent to lease, signed by the applicant and the landlord, is required.
- If the real estate and business are owned by the same individuals listed in question 6, either individually or through separate business entities, a signed copy of a lease between the two entities is required.

Please indicate by what means the applicant will occupy the premises

Lease

Landlord Name

DeWitt P. Davenport, Trustee

Landlord Phone

508-398-2293

Landlord Email

info@davenportrealty.com

Landlord Address

20 North Main Street, South Yarmouth, MA 02664

Lease Beginning Date

6/1/2019

Rent per Month

3,500

Lease Ending Date

5/31/29

Rent per Year

42,00

Will the Landlord receive revenue based on percentage of alcohol sales?

Yes  No

### 9. APPLICATION CONTACT

The application contact is the person who the licensing authorities should contact regarding this application.

Name:

Alexander Furey

Phone:

617-723-7200

Title:

Attorney, Considine & Furey, LLP

Email:

afurey@considinefurey.com

**APPLICATION FOR A TRANSFER OF LICENSE**

**10. FINANCIAL DISCLOSURE**

A. Purchase Price for Real Estate	N/A
B. Purchase Price for Business Assets	790,000
C. Other* (Please specify)	
D. Total Cost	790,000

\*Other: (i.e. Costs associated with License Transaction including but not limited to: Property price, Business Assets, Renovations costs, Construction costs, Initial Start-up costs, Inventory costs, or specify other costs):"

**SOURCE OF CASH CONTRIBUTION**

Please provide documentation of available funds. (E.g. Bank or other Financial Institution Statements, Bank Letter, etc.)

Name of Contributor	Amount of Contribution
1078 Yarmouth Inc.	\$790,000 (plus unknown inventory costs)
<b>Total</b>	<b>\$790,000</b>

**SOURCE OF FINANCING**

Please provide signed financing documentation.

Name of Lender	Amount	Type of Financing	Is the lender a licensee pursuant to M.G.L. Ch. 138.
N/A			<input type="radio"/> Yes <input type="radio"/> No
			<input type="radio"/> Yes <input type="radio"/> No
			<input type="radio"/> Yes <input type="radio"/> No
			<input type="radio"/> Yes <input type="radio"/> No

**FINANCIAL INFORMATION**

Provide a detailed explanation of the form(s) and source(s) of funding for the cost identified above.

Self Funded

**11. PLEDGE INFORMATION**

Please provide signed pledge documentation.

Are you seeking approval for a pledge?  Yes  No

Please Indicate what you are seeking to pledge (check all that apply)  License  Stock  Inventory

To whom is the pledge being made?

## 12. MANAGER APPLICATION

### A. MANAGER INFORMATION

The individual that has been appointed to manage and control the licensed business and premises.

Proposed Manager Name  Date of Birth  SSN

Residential Address

Email  Phone

Please indicate how many hours per week you intend to be on the licensed premises

### B. CITIZENSHIP/BACKGROUND INFORMATION

Are you a U.S. Citizen?  Yes  No \*Manager must be a U.S. Citizen

If yes, attach one of the following as proof of citizenship US Passport, Voter's Certificate, Birth Certificate or Naturalization Papers.

Have you ever been convicted of a state, federal, or military crime?  Yes  No

If yes, fill out the table below and attach an affidavit providing the details of any and all convictions. Attach additional pages, if necessary, utilizing the format below.

Date	Municipality	Charge	Disposition

### C. EMPLOYMENT INFORMATION

Please provide your employment history. Attach additional pages, if necessary, utilizing the format below.

Start Date	End Date	Position	Employer	Supervisor Name
Jan. 2017	Present	Manager	Jamsan Hotel Management, Inc.	Hitesh Patel
Jan. 2014	Jan. 2017	Manager/Owner	Methuen Hospitality LLC	Self-employed

### D. PRIOR DISCIPLINARY ACTION

Have you held a beneficial or financial interest in, or been the manager of, a license to sell alcoholic beverages that was subject to disciplinary action?  Yes  No If yes, please fill out the table. Attach additional pages, if necessary,utilizing the format below.

Date of Action	Name of License	State	City	Reason for suspension, revocation or cancellation

I hereby swear under the pains and penalties of per jury that the information I have provided in this application is true and accurate:

Manager's Signature  Date

### 13. MANAGEMENT AGREEMENT

Are you requesting approval to utilize a management company through a management agreement?

Yes  No

If yes, please fill out section 13.

Please provide a narrative overview of the Management Agreement. Attach additional pages, if necessary.

**IMPORTANT NOTE:** A management agreement is where a licensee authorizes a third party to control the daily operations of the license premises, while retaining ultimate control over the license, through a written contract. *This does not pertain to a liquor license manager that is employed directly by the entity.*

### 13A. MANAGEMENT ENTITY

List all proposed individuals or entities that will have a direct or indirect, beneficial or financial interest in the management Entity (E.g. Stockholders, Officers, Directors, LLC Managers, LLP Partners, Trustees etc.).

Entity Name	Address	Phone
<div style="border: 1px solid black; height: 20px;"></div>	<div style="border: 1px solid black; height: 20px;"></div>	<div style="border: 1px solid black; height: 20px;"></div>

Name of Principal	Residential Address	SSN	DOB
<div style="border: 1px solid black; height: 20px;"></div>			

Title and or Position	Percentage of Ownership	Director	US Citizen	MA Resident
<div style="border: 1px solid black; height: 20px;"></div>	<div style="border: 1px solid black; height: 20px;"></div>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
<div style="border: 1px solid black; height: 20px;"></div>			

Title and or Position	Percentage of Ownership	Director	US Citizen	MA Resident
<div style="border: 1px solid black; height: 20px;"></div>	<div style="border: 1px solid black; height: 20px;"></div>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
<div style="border: 1px solid black; height: 20px;"></div>			

Title and or Position	Percentage of Ownership	Director	US Citizen	MA Resident
<div style="border: 1px solid black; height: 20px;"></div>	<div style="border: 1px solid black; height: 20px;"></div>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
<div style="border: 1px solid black; height: 20px;"></div>			

Title and or Position	Percentage of Ownership	Director	US Citizen	MA Resident
<div style="border: 1px solid black; height: 20px;"></div>	<div style="border: 1px solid black; height: 20px;"></div>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

#### CRIMINAL HISTORY

Has any individual identified above ever been convicted of a State, Federal or Military Crime?

Yes  No

If yes, attach an affidavit providing the details of any and all convictions.

### 13B. EXISTING MANAGEMENT AGREEMENTS AND INTEREST IN AN ALCOHOLIC BEVERAGES

#### LICENSE

Does any individual or entity identified in question 13A, and applicable attachments, have any direct or indirect, beneficial or financial interest in any other license to sell alcoholic beverages; and or have an active management agreement with any other licensees?

Yes  No  If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Name	License Type	License Name	Municipality

**13C. PREVIOUSLY HELD INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE**

Has any individual or entity identified in question 13A, and applicable attachments, ever held a direct or indirect, beneficial or financial interest in a license to sell alcoholic beverages, which is not presently held?

Yes  No  If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Name	License Type	License Name	Municipality

**13D. PREVIOUSLY HELD MANAGEMENT AGREEMENT**

Has any individual or entity identified in question 13A, and applicable attachments, ever held a management agreement with any other Massachusetts licensee?

Yes  No  If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Licensee Name	License Type	Municipality	Date(s) of Agreement

**13E. DISCLOSURE OF LICENSE DISCIPLINARY ACTION**

Have any of the disclosed licenses listed in question section 13B, 13C, 13D ever been suspended, revoked or cancelled?

Yes  No  If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Date of Action	Name of License	City	Reason for suspension, revocation or cancellation

**13F. TERMS OF AGREEMENT**

- a. Does the agreement provide for termination by the licensee? Yes  No
- b. Will the licensee retain control of the business finances? Yes  No
- c. Does the management entity handle the payroll for the business? Yes  No

d. Management Term Begin Date  e. Management Term End Date

f. How will the management company be compensated by the licensee? (check all that apply)

- \$ per month/year (indicate amount)
- % of alcohol sales (indicate percentage)
- % of overall sales (indicate percentage)
- other (please explain)

**ABCC Licensee Officer/LLC Manager**

Signature:   
 Title:   
 Date:

**Management Agreement Entity Officer/LLC Manager**

Signature:   
 Title:   
 Date:

## APPLICANT'S STATEMENT

I, NAVIN R. PATEL the:  sole proprietor;  partner;  corporate principal;  LLC/LLP manager  
Authorized Signatory

of 1078 YARMOUTH INC.  
Name of the Entity/Corporation

hereby submit this application (hereinafter the "Application"), to the local licensing authority (the "LLA") and the Alcoholic Beverages Control Commission (the "ABCC" and together with the LLA collectively the "Licensing Authorities") for approval.

I do hereby declare under the pains and penalties of perjury that I have personal knowledge of the information submitted in the Application, and as such affirm that all statements and representations therein are true to the best of my knowledge and belief. I further submit the following to be true and accurate:

- (1) I understand that each representation in this Application is material to the Licensing Authorities' decision on the Application and that the Licensing Authorities will rely on each and every answer in the Application and accompanying documents in reaching its decision;
- (2) I state that the location and description of the proposed licensed premises are in compliance with state and local laws and regulations;
- (3) I understand that while the Application is pending, I must notify the Licensing Authorities of any change in the information submitted therein. I understand that failure to give such notice to the Licensing Authorities may result in disapproval of the Application;
- (4) I understand that upon approval of the Application, I must notify the Licensing Authorities of any change in the ownership as approved by the Licensing Authorities. I understand that failure to give such notice to the Licensing Authorities may result in sanctions including revocation of any license for which this Application is submitted;
- (5) I understand that the licensee will be bound by the statements and representations made in the Application, including, but not limited to the identity of persons with an ownership or financial interest in the license;
- (6) I understand that all statements and representations made become conditions of the license;
- (7) I understand that any physical alterations to or changes to the size of the area used for the sale, delivery, storage, or consumption of alcoholic beverages, must be reported to the Licensing Authorities and may require the prior approval of the Licensing Authorities;
- (8) I understand that the licensee's failure to operate the licensed premises in accordance with the statements and representations made in the Application may result in sanctions, including the revocation of any license for which the Application was submitted; and
- (9) I understand that any false statement or misrepresentation will constitute cause for disapproval of the Application or sanctions including revocation of any license for which this Application is submitted.
- (10) I confirm that the applicant corporation and each individual listed in the ownership section of the application is in good standing with the Massachusetts Department of Revenue and has complied with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting of child support.

Signature:



Date: 08/11/2020

Title:

President/Treasurer/Secretary/Director

## CORPORATE VOTE

The Board of Directors or LLC Managers of 1078 YARMOUTH INC.  
Entity Name

duly voted to apply to the Licensing Authority of SOUTH YARMOUTH and the  
City/Town

Commonwealth of Massachusetts Alcoholic Beverages Control Commission on Aug 11, 2020  
Date of Meeting

For the following transactions (Check all that apply):

- |  |   |   |   |
|--|---|---|---|
| <input type="checkbox"/> New License                                   | <input type="checkbox"/> Change of Location   | <input type="checkbox"/> Change of Class (i.e. Annual / Seasonal)         | <input type="checkbox"/> Change Corporate Structure (i.e. Corp/LLC) |
| <input checked="" type="checkbox"/> Transfer of License                | <input type="checkbox"/> Alteration of Licensed Premises  | <input type="checkbox"/> Change of License Type (i.e. club / restaurant)  | <input type="checkbox"/> Pledge of Collateral (i.e. License/Stock)  |
| <input type="checkbox"/> Change of Manager                             | <input type="checkbox"/> Change Corporate Name  | <input type="checkbox"/> Change of Category (i.e. All Alcohol/Wine, Malt) | <input type="checkbox"/> Management/Operating Agreement             |
| <input type="checkbox"/> Change of Officers/<br>Directors/LLC Managers | <input type="checkbox"/> Change of Ownership Interest<br>(LLC Members/ LLP Partners,<br>Trustees) | <input type="checkbox"/> Issuance/Transfer of Stock/New Stockholder       | <input type="checkbox"/> Change of Hours                            |
|  | <input type="checkbox"/> Other <span style="border: 1px solid black; padding: 2px;"> </span>      |   | <input type="checkbox"/> Change of DBA                              |

"VOTED: To authorize NAVIN R. PATEL  
Name of Person

to sign the application submitted and to execute on the Entity's behalf, any necessary papers and do all things required to have the application granted."

"VOTED: To appoint Navin R. Patel  
Name of Liquor License Manager

as its manager of record, and hereby grant him or her with full authority and control of the premises described in the license and authority and control of the conduct of all business therein as the licensee itself could in any way have and exercise if it were a natural person residing in the Commonwealth of Massachusetts."

A true copy attest,

\_\_\_\_\_  
Corporate Officer /LLC Manager Signature

\_\_\_\_\_  
(Print Name)

For Corporations ONLY

A true copy attest,

  
\_\_\_\_\_  
Corporation Clerk's Signature

NAVIN PATEL  
(Print Name)

## ADDENDUM A

### 6. PROPOSED OFFICER, STOCK OR OWNERSHIP INTEREST (Continued...)

List all individuals or entities that will have a direct or indirect, beneficial or financial interest in this license (E.g. Stockholders, Officers, Directors, LLC Managers, LLP Partners, Trustees etc.).

Entity Name <input style="width: 95%; height: 25px;" type="text"/>	Percentage of Ownership in Entity being Licensed (Write "NA" if this is the entity being licensed) <input style="width: 95%; height: 25px;" type="text"/>
---	---

Name of Principal	Residential Address	SSN	DOB
<input style="width: 95%; height: 25px;" type="text"/>			

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
<input style="width: 95%; height: 25px;" type="text"/>	<input style="width: 95%; height: 25px;" type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
<input style="width: 95%; height: 25px;" type="text"/>			

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
<input style="width: 95%; height: 25px;" type="text"/>	<input style="width: 95%; height: 25px;" type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
<input style="width: 95%; height: 25px;" type="text"/>			

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
<input style="width: 95%; height: 25px;" type="text"/>	<input style="width: 95%; height: 25px;" type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
<input style="width: 95%; height: 25px;" type="text"/>			

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
<input style="width: 95%; height: 25px;" type="text"/>	<input style="width: 95%; height: 25px;" type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
<input style="width: 95%; height: 25px;" type="text"/>			

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
<input style="width: 95%; height: 25px;" type="text"/>	<input style="width: 95%; height: 25px;" type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
<input style="width: 95%; height: 25px;" type="text"/>			

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
<input style="width: 95%; height: 25px;" type="text"/>	<input style="width: 95%; height: 25px;" type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
<input style="width: 95%; height: 25px;" type="text"/>			

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
<input style="width: 95%; height: 25px;" type="text"/>	<input style="width: 95%; height: 25px;" type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

#### CRIMINAL HISTORY

Has any individual identified above ever been convicted of a State, Federal or Military Crime?  
 If yes, attach an affidavit providing the details of any and all convictions.

 Yes  No



*The Commonwealth of Massachusetts*  
**Alcoholic Beverages Control Commission**  
 95 Fourth Street, Suite 3, Chelsea, MA 02150-2358  
 www.mass.gov/abcc

**RETAIL ALCOHOLIC BEVERAGES LICENSE APPLICATION  
 MONETARY TRANSMITTAL FORM**

**APPLICATION FOR A TRANSFER OF LICENSE**

**APPLICATION SHOULD BE COMPLETED ON-LINE, PRINTED, SIGNED, AND SUBMITTED TO THE LOCAL LICENSING AUTHORITY.**

**ECRT CODE: RETA**

**Please make \$200.00 payment here: ABCC PAYMENT WEBSITE**

**PAYMENT MUST DENOTE THE NAME OF THE LICENSEE CORPORATION, LLC, PARTNERSHIP, OR INDIVIDUAL AND INCLUDE THE PAYMENT RECEIPT**

**ABCC LICENSE NUMBER (IF AN EXISTING LICENSEE, CAN BE OBTAINED FROM THE CITY)**

**ENTITY/ LICENSEE NAME**

**ADDRESS**

**CITY/TOWN**

**STATE**

**ZIP CODE**

**For the following transactions (Check all that apply):**

- |  |   |   |  |
|--|---|---|--|
| <input type="checkbox"/> New License                                   | <input type="checkbox"/> Change of Location   | <input type="checkbox"/> Change of Class (i.e. Annual / Seasonal)         | <input type="checkbox"/> Change Corporate Structure (i.e. Corp/ LLC) |
| <input checked="" type="checkbox"/> Transfer of License                | <input type="checkbox"/> Alteration of Licensed Premises  | <input type="checkbox"/> Change of License Type (i.e. club/ restaurant)   | <input type="checkbox"/> Pledge of Collateral (i.e. License/Stock)   |
| <input type="checkbox"/> Change of Manager                             | <input type="checkbox"/> Change Corporate Name  | <input type="checkbox"/> Change of Category (i.e. All Alcohol/Wine, Malt) | <input type="checkbox"/> Management/Operating Agreement              |
| <input type="checkbox"/> Change of Officers/<br>Directors/LLC Managers | <input type="checkbox"/> Change of Ownership Interest<br>(LLC Members/ LLP Partners,<br>Trustees) | <input type="checkbox"/> Issuance/Transfer of Stock/New Stockholder       | <input type="checkbox"/> Change of Hours                             |
|  | <input type="checkbox"/> Other <input type="text"/>   |   | <input type="checkbox"/> Change of DBA                               |

**THE LOCAL LICENSING AUTHORITY MUST MAIL THIS  
 TRANSMITTAL FORM ALONG WITH  
 COMPLETED APPLICATION, AND SUPPORTING DOCUMENTS TO:**

**Alcoholic Beverages Control Commission**  
**95 Fourth Street, Suite 3**  
**Chelsea, MA 02150-2358**

**6A. INTEREST IN OTHER ALCOHOLIC BEVERAGE LICENSES**

<b>NAME</b>	<b>LICENSE TYPE</b>	<b>LICENSE NAME</b>	<b>MUNICIPALITY</b>
Navin Patel	§ 15 Package Store	ANK Liquors, Inc.	Hyannis/Barnstable
Navin Patel	§ 12 Package Store	CY Westborough, LLC	Westborough
Navin Patel	§ 15 Package Store	Kaival Hanson, LLC	Hanson
Navin Patel	§ 15 Package Store	1051 Savin Hill, LLC	Boston

## NAVIN PATEL

---

Very creative, very active in culture and community activities

### EDUCATION:

**Northeastern University, Boston MA** **June 1998**  
BS Degree in Computer Engineering Technology with Minor in Business Administration

### HIGHLIGHTS:

- **Hardware:** DEC Station 5000, DECVAX(VMS 4.7), PC's 486/ Pentium 11 III System (MS-DOS 5.0, Windows 3.1 / 95 / 98/00)
- **Software:** Assembly language, Basic, Fortran, C, C++, Q-Basic and Installation of Software.
- **Summary:** Attended various classes and seminars in management and in other field. Successfully completed various Choice Hotels Internationals training and management seminars. Very creative and adapts quickly to new ideas and Concepts. Possesses positive attitude towards work and a team Player.

### BUSINESS EXPERIENCE:

**Jamsan Construction Management LLC, Lexington, MA** **Jan 2017 to Present**

Responsible for all renovations and construction related matters for hotels owned by family companies of Jamsan Hotel Management Inc. Responsible for ongoing product improvement plan, new construction, etc.

**Days Hotel, Methuen, MA** **May. 2014 to 2017**

General Manager of Days Hotel since May 2008. Responsible for managing the entire operation of a 128 room hotel. Property converted to Days Hotel & Conference Center. Responsible for Substantial amount of work done on renovation and operation of hotel. Also responsible for providing all phases of operation including: necessary up-grading, staffing, payroll, budget, advertising, purchasing, capital spending, security, marketing etc.

**Best Western, Nashua, NH** **Feb. 2000 to Apr. 2014**

General Manager of Best Western since February 2000. Responsible for managing the entire operation of a 100 room hotel. Eliminated loss making contracts and re negotiated new ones to replace them, Improved efficiency in all departments to increase bottom line. Implemented training and rules to promote guest satisfaction. Awarded contracts for renovation and completely renovated to include bathrooms, FF & E, wallpaper vanities in 50 Rooms. Also, Responsible for providing all phases of operation including: necessary up-grading, staffing, payroll, budget, advertising, purchasing, capital spending, security, marketing etc. Obtained two diamonds rating from AAA

**NAVIN PATEL**



**PROFESSIONAL EXPERIENCE:**

**SIMSIM, INC.** Natick, MA

July 98 to Sept.98

**Engineering Co-op**

- Design & Implemented web page
- Put new products on web page
- Write description and attached to products on web page
- Find out the good products and the prizes by searching on web
- Answered phone calls in absence of secretary

**Scitex America Corp.,** Bedford, MA

Jan.97 to March 97

- Technical Engineer
- Worked on jet 4012 and 3000 color inkjet printer
- Trouble shooting

## **TRANSFER OF LICENSE**

To apply for a transfer of alcoholic beverages retail license, you will need the following:

- **DOR Certificate of Good Standing** This must be obtained by the seller, not the buyer.
- **DUA Certificate of Compliance** This must be obtained by the seller, not the buyer.
- **Transfer Application**
- **Business Structure Documents**
  - If Sole Proprietor, **Business Certificate**
  - If partnership, **Partnership Agreement**
  - If corporation or LLC, **Articles of Organization** from the Secretary of the Commonwealth
- **CORI Authorization Form** Complete one for each individual with financial or beneficial interest in the entity that is applying AND one for the proposed manager of record. *This form must be notarized with a stamp or raised seal.*
- **Manager Application**
- **Purchase and Sales Agreement**
- **Proof of Citizenship** for the proposed Manager of Record.
- **Vote of the Corporate Board**
- **Supporting Financial Records** for all financing and or loans, including pledge documents, if applicable.
- **Legal Right to Occupy**, a lease or deed.
- **Floor Plan**
- **Advertisement**
- **Monetary Transmittal Form**
- **\$200 Fee** paid online through our online payment link: **ABCC PAYMENT WEBSITE**
- **Payment Receipt**
- **Additional information, if necessary, utilizing the formats provided and or any affidavits.**
- **Management Agreement**, if applicable, requires the following :
  - Management Agreement Application
  - Management Agreement
  - Vote of the Entity
  - CORI Forms for all listed in Section 13 and attachments

*Please Note: You may be requested to submit additional supporting documentation if necessary.*



**The Commonwealth of Massachusetts  
William Francis Galvin**

Minimum Fee: \$250.00

Secretary of the Commonwealth, Corporations Division  
One Ashburton Place, 17th floor  
Boston, MA 02108-1512  
Telephone: (617) 727-9640

**Articles of Organization**

(General Laws, Chapter 156D, Section 2.02; 950 CMR 113.16)

Identification Number: 001448904

**ARTICLE I**

The exact name of the corporation is:

1078 YARMOUTH, INC.

**ARTICLE II**

Unless the articles of organization otherwise provide, all corporations formed pursuant to G.L. C156D have the purpose of engaging in any lawful business. Please specify if you want a more limited purpose:

TO OWN AND OPERATE A RETAIL LIQUOR STORE AND SHALL BE PERMITTED TO CARRY ON ANY OTHER BUSINESS THAT MAY LAWFULLY BE CONDUCTED BY A CORPORATION ORGANIZED UNDER CHAPTER 156D OF THE GENERAL LAWS OF MASSACHUSETTS.

**ARTICLE III**

State the total number of shares and par value, if any, of each class of stock that the corporation is authorized to issue. All corporations must authorize stock. If only one class or series is authorized, it is not necessary to specify any particular designation.

Class of Stock	Par Value Per Share Enter 0 if no Par	Total Authorized by Articles of Organization or Amendments		Total Issued and Outstanding Num of Shares
		Num of Shares	Total Par Value	
CNP	\$0.00000	275,000	\$0.00	275,000

G.L. C156D eliminates the concept of par value, however a corporation may specify par value in Article III. See G.L. C156D Section 6.21 and the comments thereto.

**ARTICLE IV**

If more than one class of stock is authorized, state a distinguishing designation for each class. Prior to the issuance of any shares of a class, if shares of another class are outstanding, the Business Entity must provide a description of the preferences, voting powers, qualifications, and special or relative rights or privileges of that class and of each other class of which shares are outstanding and of each series then established within any class.

**ARTICLE VI**

Other lawful provisions, and if there are no provisions, this article may be left blank.

NONE

**Note: The preceding six (6) articles are considered to be permanent and may be changed only by filing appropriate articles of amendment.**

**ARTICLE VII**

The effective date of organization and time the articles were received for filing if the articles are not rejected within the time prescribed by law. If a *later* effective date is desired, specify such date, which may not be later than the *90th day* after the articles are received for filing.

**Later Effective Date: Time:**

**ARTICLE VIII**

The information contained in Article VIII is not a permanent part of the Articles of Organization.

**a,b. The street address of the initial registered office of the corporation in the commonwealth and the name of the initial registered agent at the registered office:**

Name: NAVIN PATEL  
No. and Street: 1078 MA 28  
City or Town: SOUTH YARMOUTH State: MA Zip: 02664 Country: USA

**c. The names and street addresses of the individuals who will serve as the initial directors, president, treasurer and secretary of the corporation (an address need not be specified if the business address of the officer or director is the same as the principal office location):**

<b>Title</b>	<b>Individual Name</b> First, Middle, Last, Suffix	<b>Address</b> (no PO Box) Address, City or Town, State, Zip Code
PRESIDENT	NAVIN PATEL	1078 MA 28 SOUTH YARMOUTH, MA 02664 USA
TREASURER	NAVIN PATEL	1078 MA 28 SOUTH YARMOUTH, MA 02664 USA
SECRETARY	NAVIN PATEL	1078 MA 28 SOUTH YARMOUTH, MA 02664 USA
DIRECTOR	NAVIN PATEL	1078 MA 28 SOUTH YARMOUTH, MA 02664 USA

**d. The fiscal year end (i.e., tax year) of the corporation:**  
December

**e. A brief description of the type of business in which the corporation intends to engage:**

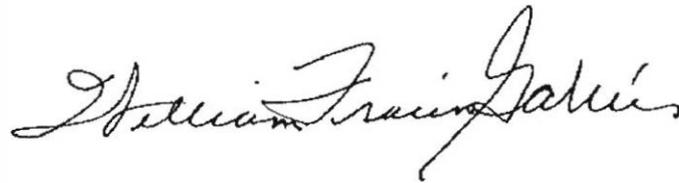


THE COMMONWEALTH OF MASSACHUSETTS

I hereby certify that, upon examination of this document, duly submitted to me, it appears that the provisions of the General Laws relative to corporations have been complied with, and I hereby approve said articles; and the filing fee having been paid, said articles are

deemed to have been filed with me on:

July 21, 2020 02:06 PM

A handwritten signature in black ink, reading "William Francis Galvin". The signature is written in a cursive style with a large, prominent initial "W".

WILLIAM FRANCIS GALVIN

*Secretary of the Commonwealth*



## WAIVER OF CORPORATE EXCISE TAX LIEN



SIRON INC  
1078 ROUTE 28  
SOUTH YARMOUTH MA 02664-4138

### ***Why did you receive this notice?***

In accordance with the provision of Chapter 62C, section 52, of the Massachusetts General Laws, the Commissioner of Revenue hereby waives the lien on the following assets of the following transferor corporation that may arise under section 51, immediately prior to the following proposed sale or transfer of such assets:

### ***Summary Information***

Taxpayer Name	SIRON INC
Transferor	SIRON INC
Transferee	1078 YARMOUTH INC
Date of Transfer	09/01/2020

### ***Description of Assets to be Sold or Transferred***

Sale of liquor store, inventory, furniture and fixtures, liquor license and goodwill.

Edward W. Coyle, Jr., Chief  
Collections Bureau



THE COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT  
DEPARTMENT OF UNEMPLOYMENT ASSISTANCE

Charles D. Baker  
GOVERNOR

Karyn E. Polito  
LT. GOVERNOR



247876491

Rosalin Acosta  
SECRETARY

Richard A. Jeffers  
DIRECTOR

SIRON INC  
1078 Route 28  
South Yarmouth, MA 02664-4138

EAN: 43232502  
August 05, 2020

Certificate Id:39924

The Department of Unemployment Assistance certifies that as of 8/5/2020 ,SIRON INC is current in all its obligations relating to contributions, payments in lieu of contributions, and the employer medical assistance contribution established in G.L.c.149,§189.

This certificate expires in 30 days from the date of issuance.

Richard A. Jeffers, Director

Department of Unemployment Assistance

## ASSIGNMENT AND CONSENT TO ASSIGNMENT

THIS INSTRUMENT, dated as of August \_\_, 2020 is an assignment and consent to assignment (the "Agreement") by and between **SIRON, INC.**, a Massachusetts corporation doing business as Daggett's Liquors, having a mailing address of 28 Greenteal Way, Yarmouthport, MA 02675 (the "Assignor"), **1078 YARMOUTH, INC.**, a Massachusetts corporation, having a mailing address of 3 Allied Drive, Suite 303, Dedham, MA 02026 (the "Assignee"), and **ROUTE 28 REALTY TRUST**, having a mailing address of 20 North Main Street, South Yarmouth, MA 02644 (the "Landlord").

Reference is made to the following facts:

- A. Landlord, as "Landlord", and Assignor, as "Tenant", entered into a certain Lease for Multi-Tenant Properties dated as of April 3, 2019 (the "Lease"), for approximately 5900 square feet for the store and approximately 950 square feet for the redemption center (the "Premises") in the Yarmouth Crossing Subdivision located at 1078 and 1080 Route 28, South Yarmouth, Mass.;
- B. Assignor is selling its business to Assignee pursuant to that certain Asset Purchase Agreement dated as of July 24, 2020 between Assignor and Assignee (the "APA");
- C. It is a condition to the sale of the business that Assignor assign all of its right, title and interest in, to and under the Lease to Assignee, and Assignee is willing to assume the same; and
- D. Landlord agrees to consent to such assignment, subject to the terms and conditions set forth below;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

- 1. Effective Date. The terms of this Agreement shall be effective as of the dated of the closing contemplated by the APA (the "Effective Date").
- 2. Assignment and Assumption. Assignor assigns to Assignee, and Assignee accepts from Assignor, all of Assignor's rights and obligations in, to and under the Lease. Assignee further agrees with Landlord to perform all of the obligations of the Tenant under the Lease, including, without limitation, the obligations to pay minimum rent and all other additional rent and other charges payable by the Tenant under the Lease, and the covenant against further assignment, except as otherwise provided in Section 10.2 of the Lease. Any references hereinafter to the "Tenant" shall be deemed to refer to the Assignee.

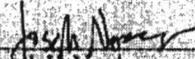
3. Consent. Landlord hereby consents to the assignment of Assignor's interest in the Lease effected by this Agreement for the purpose of securing the agreement of Assignee to perform all of the obligations of the Tenant under the Lease.
4. Release. Landlord hereby releases Assignor and Joseph H. Norris as guarantor from any further obligations under the Lease as of the Effective Date.
5. Notice Address. The notice address of Assignee shall be as abovewritten, unless otherwise furnished in writing by Assignee to Landlord.
6. No Brokerage. Assignor and Assignee each warrants and represents that neither of them has dealt with a broker in connection with the consummation of this Agreement, and in the event of any brokerage claims against the Landlord predicated upon prior dealings with the Assignor or Assignee named herein, the Assignor and Assignee each agrees to defend the same and indemnify the Landlord against any such claim.
7. In Full Force. The parties agree that the Lease shall remain in full force and effect, except as expressly modified hereby.

[remainder of page intentionally left blank]

IN WITNESS WHEREOF, the parties have caused this instrument to be executed under seal as of the date first above written.

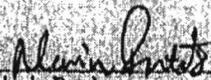
**ASSIGNOR:**

**SIRON INC.**

By:   
Joseph H. Norris  
President and Treasurer

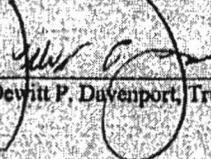
**ASSIGNEE:**

**1078 YARMOUTH INC.**

By:   
Navin Patel  
President and Treasurer

**LANDLORD:**

**ROUTE 28 REALTY TRUST**

By:   
Dewitt P. Davenport, Trustee



**THE COMMONWEALTH OF MASSACHUSETTS  
TOWN OF YARMOUTH  
BUSINESS CERTIFICATE**

Date Filed:	<u>August 25, 2020</u>	Certificate Type:	<u>New</u>
Expiration Date:	<u>August 24, 2024</u>	Certificate Fee:	<u>\$30.00</u>
Certificate Number:	<u>2020-114</u>	Original Filing Date:	<u>August 25, 2020</u>

In conformity with the provisions of Chapter One Hundred and Ten (110), Section Five (5) of the Massachusetts General Laws, as amended, the undersigned hereby declare that a business is conducted under the title of:

Business Title: 1078 Yarmouth, Inc.  
 Business Address: 1078 Route 28 South Yarmouth, MA 02664  
 Business Type: Section 15 Package Store

Business Owners:	Owner(s) Address:
<u>Navin Patel</u>	<u>10 Jordyn Lane, Andover, MA 01810</u>
_____	_____
_____	_____

SS Tax ID#: 85-2165907

Signatures: *Navin Patel*  
 \_\_\_\_\_  
 \_\_\_\_\_

In accordance with the provisions of Chapter 337 of the Acts of 1985 and Chapter 110, Section 5, of Mass. General Laws, business certificates shall be in effect for four (4) years from the date of issue and shall be renewed each four (4) years thereafter. A statement under oath must be filed with the town clerk upon discontinuing, retiring, or withdrawing from such business or partnership.

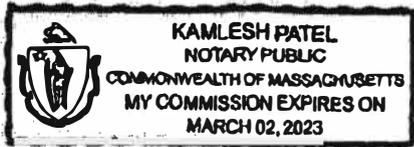
Copies of such certificates shall be available at the address at which such business is conducted and shall be furnished on request during regular business hours to any person who has purchased goods or services from such business.

Violations are subject to a fine of not more than three hundred (\$300.00) dollars and no/100 dollars for each month during which such violation occurs.

On August 12, 2020 the above named person(s) personally appeared before me and made and oath the foregoing statement is true.

Clerk: Stephanie J. Cappello

Notary Public: *Kamlesh Patel*  
 Commission Expiration Date: 03/02/2023



**Hill, Linda**

---

**From:** Magnuson, Philip  
**Sent:** Tuesday, September 22, 2020 3:39 PM  
**To:** Hill, Linda; Stone, Mike  
**Subject:** Navin Patel Transfer of Daggett's Liquors License

Hi Linda and Mike-

This afternoon I met with Navin Patel, prospective manager of Daggett's Liquors after transfer of the license.

Mr Patel has 4 years' experience as assistant manager of City Liquors in Cambridge.

We reviewed applicable state law and the Yarmouth Alcohol Rules and Regulations in detail.

Phil Magnuson

Liquor Liaison



# TOWN OF YARMOUTH

1146 Route 28 South Yarmouth MASSACHUSETTS 02664-4492  
Telephone (508) 398-2231, Ext. 268 - Fax (508) 398-0836

RECEIVED  
SEP 21 2020  
LICENSES & PERMITS  
TOWN OF YARMOUTH

## PACKAGE STORE LICENSE TRANSFER

August 27, 2020

APPLICATION FOR: 1078 Yarmouth, Inc. dba Daggett's Liquors

NAME OF APPLICANT: Navin Patel, manager

Contact person: same [REDACTED]

ADDRESS: 1078 Route 28, South Yarmouth

Application is for a transfer of license (ownership) from Sirron, Inc. dba Daggett's Liquors.

NAME OF PROPERTY OWNER: Dewitt Davenport

Date of Selectmen Hearing Tuesday, September 29, 2020.

---

### Health Department Comments:

Submit letter that you have purchased Daggett's current tobacco license to the Health Department. Town of Yarmouth Board of Health Tobacco Regulation (section Q. 3.) Applicants who purchase a valid Tobacco Product Sales Permit must apply within 60 days of such sale for the permit to activate for sale of tobacco product or permits becomes void and the tobacco cap is reduced.

Submit 2020 Retail Food and Tobacco licenses to the Health Department.

Inspection needed prior to opening.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

9/18/2020

NEED COMPLETED FORM BY TUESDAY, SEPTEMBER 15, 2020.



# TOWN OF YARMOUTH

1146 Route 28 South Yarmouth MASSACHUSETTS 02664-4492  
Telephone (508) 398-2231, Ext. 268 - Fax (508) 398-0836

## PACKAGE STORE LICENSE TRANSFER

RECEIVED  
SEP 21 2020  
LICENSES & PERMITS  
TOWN OF YARMOUTH

August 27, 2020

APPLICATION FOR: 1078 Yarmouth, Inc. dba Daggett's Liquors

NAME OF APPLICANT: Navin Patel, manager

Contact person: same [REDACTED]

ADDRESS: 1078 Route 28, South Yarmouth

Application is for a transfer of license (ownership) from Sirron, Inc. dba Daggett's Liquors.

NAME OF PROPERTY OWNER: Dewitt Davenport

Date of Selectmen Hearing Tuesday, September 29, 2020.

---

Building Department Comments:

Certificate of Inspection and Certificate of Occupancy as well as associated inspections required.

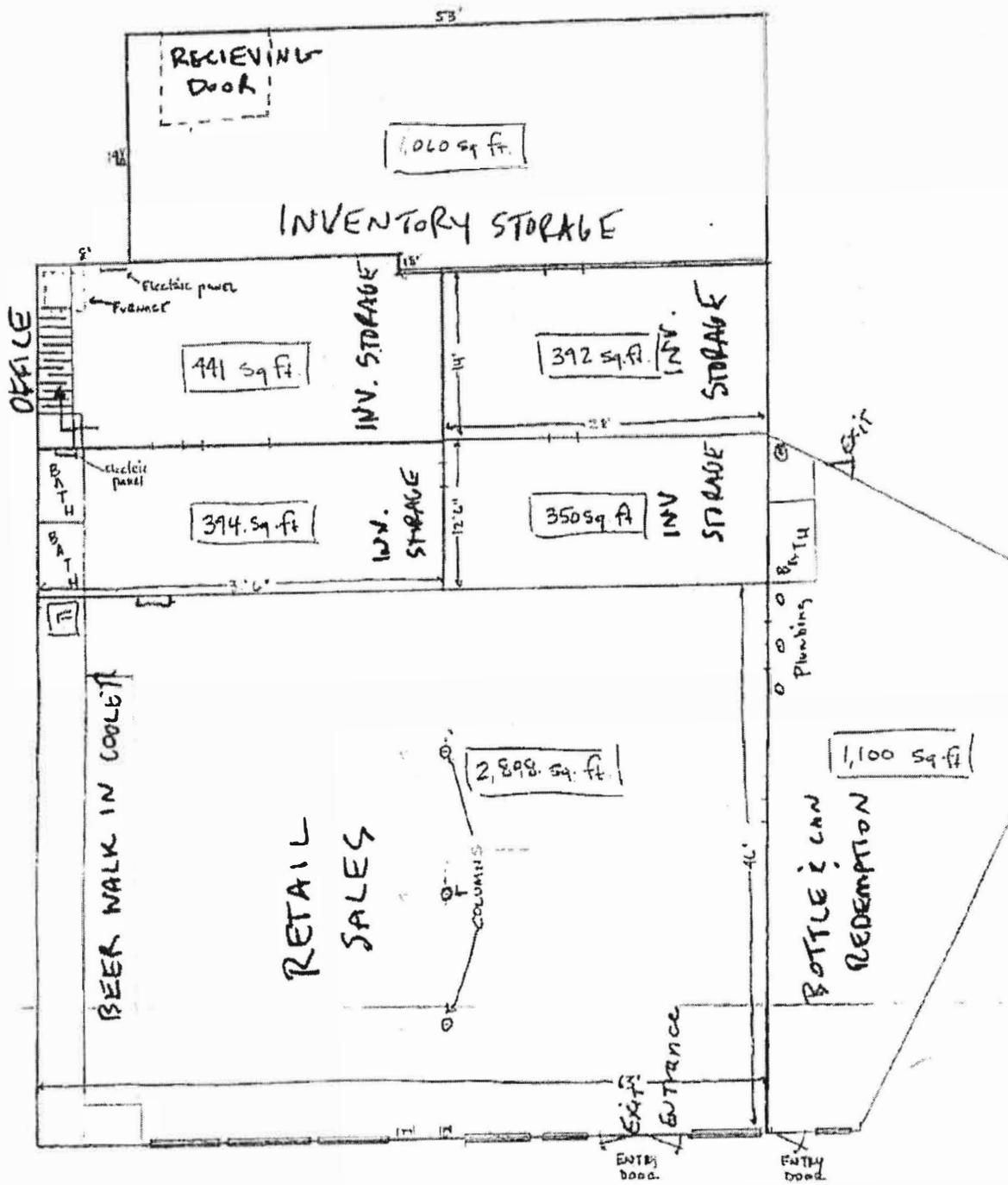
Signature: 

Date: 9/21/2020

Accessibility: Front door ramp:  Yes  No Alternate door ramp  Yes  No

Wheelchair accessible bathroom Male:  Yes  No Female  Yes  No

**NEED COMPLETED FORM BY TUESDAY, SEPTEMBER 15, 2020.**



DAVENPORT REALTY  
 20 North Main Street  
 SOUTH YARMOUTH, MA 02864

1078 RT 28

**YARMOUTH  
 SHOPPING PLAZA**

All information deemed reliable but not guaranteed. All properties are subject to prior sale or rental change or withdrawal. Listing broker(s) and information provider(s) shall not be responsible for any typographical errors, misinformation, or misprints and shall be held totally harmless.

**TOWN OF YARMOUTH  
TRANSFER OF LICENSE CHECKLIST**

**FILING FEE: \$105.00**  
Payable to Town of Yarmouth

Hearing required: Yes X No \_\_\_  
Legal Ad in newspaper  
10 days prior Yes X No \_\_\_

Notify Abutters: Yes \_\_\_ No X

**FILL OUT AN APPLICATION (AND ALL OTHER REQUIRED DOCUMENTS)  
FOR A TRANSFER OF LICENSE ONLINE AT: [www.mass.gov/abcc](http://www.mass.gov/abcc)**

**LOCAL LICENSING AUTHORITY REQUIREMENTS:**

- N/A* • Copy of variance or special permit granted by the Board of Appeals (if applicable)
- N/A* • Copy of Site Plan Review meeting notes (if applicable)
- ✓ • Copy of Business Certificate issued by the Town Clerk's office
- ✓ • Copy of legal right to occupy, lease agreement or deed
- ✓ • Copy of purchase and sale agreement
- ✓ • Proof that all water bills, real estate and personal property taxes for the premises are current
- N/A* • Copy of insurance certificate supporting minimum amount of **legal liquor liability insurance** coverage. (Chapter 116 of the Acts of 2010) **APPLIES TO SECTION 12 LICENSES ONLY**
- i ✓ • Copy of workers compensation insurance certificate
- ✓ • Copy of vote of the corporate board appointing a manager of record on the license
- ✓ • Resume of manager of record
- ✓ • List of assistant managers or persons who will be in charge of the premise in the manager's absence
- Copy of TIPS, TAMS, SERVE SAFE OR AIM training certificate for the manager of record
- Contact made with Yarmouth Police licensing agent to review licensee Rules & Regulations
- N/A* • Copy of menu (if applicable)
- ✓ • Days and hours of alcohol service on the premises *Mon.-Sat. 8AM-11PM SUN. 10AM-11PM*
- ✓ • Detailed floor and seating plan(s) showing dimensions of all rooms, entrance(s), exit(s), liquor storage, service bar and location of entertainment (if applicable). Show tables and chairs in dining area(s) and a total number of seats. Also show outdoor service area with seating (if applicable)
- ✓ • A legal notice advertising the hearing to be published at least ten (10) days prior to the hearing

*Atty. Furey sending TIPS certificate 9/23/20*

**NOTE:** If you wish to secure an entertainment license, it is to your advantage to have these two hearings at the same time to avoid an additional \$65.00 hearing fee.

The legal advertisement fee will be billed to the applicant. This fee has to be paid before issuance of the license(s).



# TOWN OF YARMOUTH

1146 Route 28 South Yarmouth MASSACHUSETTS 02664-4492  
Telephone (508) 398-2231, Ext. 271, 270 - Fax (508) 398-2365

BOARD OF  
SELECTMEN

TOWN  
ADMINISTRATOR  
Daniel Knapik

September 16, 2020

The Cape Cod Times

Will you please advertise the following as a Legal Ad in your newspaper on September 19, 2020.

## TOWN OF YARMOUTH BOARD OF SELECTMEN FEE HEARING

A Public hearing will be held by the Board of Selectmen on Tuesday, September 29 and Tuesday, October 6, 2020 in the hearing room at the Town Offices, 1146 Route 28, South Yarmouth, MA for a proposed 25% fee reduction of the 2021 Annual and Seasonal Section 12 Alcohol licenses. The Board meeting begins at 6:00pm.

Written comments will be accepted at Yarmouth Town Hall until 4:30pm on Friday, September 25, 2020 or at [Selectmen@yarmouth.ma.us](mailto:Selectmen@yarmouth.ma.us). Verbal comments will be accepted at the hearing.

<u>License Type</u>	<u>Current Fee</u>	<u>Proposed 2021 Fee</u>
Annual/Seasonal Restaurant	2,350.00	1,762.50
Annual/Seasonal Innholder	2,350.00	1,762.50
Annual/Seasonal Wine & Malt	1,700.00	1,275.00
General on Premise	2,950.00	2,212.50
Club	1,050.00	787.50
Non-Profit	635.00	476.25

Please bill the applicant for the ad:

Town of Yarmouth  
Town Administrator's Office  
1146 Route 28  
South Yarmouth, Ma 02664  
(508) 398-2231

License Type	Current Fee	Proposed 2021 Fee
Annual/Seasonal Restaurant	2,350.00	1,762.50
Annual/Seasonal Innholder	2,350.00	1,762.50
Annual/Seasonal Wine & Malt	1,700.00	1,275.00
General on Premise	2,950.00	2,212.50
Club	1,050.00	787.50
Non-Profit	635.00	476.25

09/18/2020

COMMONWEALTH OF MASSACHUSETTS  
BARNSTABLE SS. 8A20E0073PP  
PROBATE COURT

To Tara Vivenzio of Eastham, MA, Kate Vivenzio of St. Augustine, FL and Carrie Coulo of Durham, NC and to all other persons interested.

A petition has been presented to said Court by Mary Pajer Powers as Personal Representative of the Estate of Patricia A. Vivenzio of West Springfield, MA representing that she holds as tenants in common undivided part or share of certain land lying in Eastham in said County, and briefly described as follows.

**2020 - 2021 SECTION 12 ALCOHOL LICENSE REVENUE REPORT**

<b>LICENSE TYPE</b>	<b>ANNUAL FEES</b>	<b># LICENSES</b>	<b>REVENUE</b>	<b>25% OF FEE</b>	<b>TOTAL FEE REDUCTION</b>
Annual Restaurant	2,350.00	29	68,150.00	587.50	17,037.50
Annual Innholder	2,350.00	6	14,100.00	587.50	3,525.00
Annual Wine & Malt	1,700.00	5	8,500.00	425.00	2,125.00
General on Premise	2,950.00	1	2,950.00	737.50	737.50
Club	1,050.00	1	1,050.00	262.50	262.50
Non-Profit Club	635.00	1	<u>635.00</u>	158.75	<u>158.75</u>
			95,385.00		<b>23,846.25</b>
Seasonal Restaurant	2,350.00	7	16,450.00	587.50	4,112.50
Seasonal Innholder	2,350.00	4	9,400.00	587.50	2,350.00
Seasonal Wine & Malt	1,700.00	2	<u>3,400.00</u>	425.00	<u>850.00</u>
			29,250.00		<b>7,312.50</b>
<b>TOTALS</b>			<b>124,635.00</b>		<b>31,158.75</b>

## 5 CVEC PV (& Storage) Initiatives: ~ **57MW at end 2023**

- CVEC-7 Initial Round = 750kW on roofs
- Round 1 = 16MW, mostly on landfills
- Round 2 = 12MW, on roofs & municipal lands
- Round 3 = 1MW, on 7 roofs
- Round 4 = 13MW, canopies, roofs, lands
- Round 5 ~ 15MW, canopies, roofs, lands
- Round 6 = Projects being collected from gov. entities

## CVEC EV Cars & Stations Initiative:

- Electric Cars delivered: 7
- Charging Stations installed: 6

## CVEC Net Metering Credit Sales:

- 3 PV Power Sales Agreement = 7MW
- Wind Power Sales Agreement = 3MW

## CVEC NMC Consultancy Management Services:

- Sandwich, Provincetown, Dennis, Yarmouth, Eastham

## Legislative and Regulatory Work:

- Working with Senator Cyr to get municipality opt out of taxation of towns' solar projects
- Intervenor in case to halt Eversource devaluation of Net Metering Credits

- **Savings of over \$16,900,000 to members & participants**
- **Equivalent reduction of greenhouse gases**

# CVEC Net Metering: Commercial Year-End Report

## Round 1 Systems

June 15, 2020

System Name	System Year	Start Date	End Date	Est. Ann. Output (kWh)	Guar. Ann. Output (kWh)	Actual Output (kWh)	Actual vs Est. (%)	Actual vs Guar. (%)
Barnstable Landfill 1	1	9/15/2014	9/20/2015	2,663,718	2,131,016	3,039,360	114%	143%
	2	9/20/2015	9/20/2016	2,650,399	2,120,361	3,077,160	116%	145%
	3	9/20/2016	9/20/2017	2,637,147	2,109,759	2,948,760	112%	140%
	4	9/20/2017	9/19/2018	2,623,962	2,099,210	2,776,200	106%	132%
	5	9/19/2018	9/19/2019	2,610,842	2,088,714	2,730,120	105%	131%
Barnstable Landfill 2	1	9/2/2014	9/20/2015	2,453,682	1,962,984	2,393,040	98%	122%
	2	9/20/2015	9/20/2016	2,441,414	1,953,169	2,004,960	82%	103%
	3	9/20/2016	9/20/2017	2,429,207	1,943,403	2,064,480	85%	106%
	4	9/20/2017	9/19/2018	2,417,060	1,933,686	2,061,600	85%	107%
	5	9/19/2018	9/19/2019	2,404,975	1,924,018	2,142,480	89%	111%
Brewster Landfill	1	9/11/2014	9/4/2015	1,496,387	1,197,110	1,439,640	96%	120%
	2	9/4/2015	9/7/2016	1,488,905	1,191,124	1,567,980	105%	132%
	3	9/7/2016	9/7/2017	1,481,461	1,185,169	1,511,100	102%	128%
	4	9/7/2017	9/6/2018	1,474,053	1,179,243	1,374,780	93%	117%
	5	9/6/2018	9/6/2019	1,466,683	1,173,347	1,460,280	100%	124%
Chatham Landfill	1	9/29/2014	10/5/2015	2,179,700	1,743,700	2,438,880	112%	140%
	2	10/5/2015	10/5/2016	2,168,802	1,734,982	2,383,200	110%	137%
	3	10/5/2016	10/5/2017	2,157,957	1,726,307	2,308,680	107%	134%
	4	10/5/2017	10/4/2018	2,147,168	1,717,675	1,741,800	81%	101%
	5	10/4/2018	10/4/2019	2,136,432	1,709,087	2,323,320	109%	136%
Eastham Landfill	1	4/14/2014	5/4/2015	498,600	398,400	785,460	158%	197%
	2	5/4/2015	5/3/2016	496,107	396,408	755,280	152%	191%
	3	5/3/2016	5/3/2017	493,626	394,426	689,040	140%	175%
	4	5/3/2017	5/3/2018	491,158	392,454	556,860	113%	142%
	5	5/3/2018	5/3/2019	488,703	390,492	715,260	146%	183%

# CVEC Net Metering: Commercial Year-End Report

## Round 1 Systems

System Name	System Year	Start Date	End Date	Est. Ann. Output (kWh)	Guar. Ann. Output (kWh)	Actual Output (kWh)	Actual vs Est. (%)	Actual vs Guar. (%)
Harwich Landfill	1	7/10/2014	8/9/2015	4,888,500	3,910,000	5,388,120	110%	138%
	2	8/9/2015	8/8/2016	4,864,058	3,890,450	5,642,640	116%	145%
	3	8/8/2016	8/8/2017	4,839,737	3,870,998	5,770,980	119%	149%
	4	8/8/2017	8/8/2018	4,815,539	3,851,643	5,335,740	111%	139%
	5	8/8/2018	8/8/2019	4,791,461	3,832,385	5,755,500	120%	150%
Katama Farm	1	6/9/2014	5/31/2015	1,239,622	991,697	1,373,740	111%	139%
	2	5/31/2015	5/30/2016	1,233,424	986,739	1,555,560	126%	158%
	3	5/30/2016	5/30/2017	1,227,257	981,805	1,415,580	115%	144%
	4	5/30/2017	5/30/2018	1,221,120	976,896	915,900	75%	94%
	5	5/30/2018	5/30/2019	1,215,015	972,011	1,447,560	119%	149%
Nunnepog Well	1	6/9/2014	5/21/2015	1,686,186	1,348,949	1,186,380	70%	88%
	2	5/21/2015	5/22/2016	1,677,755	1,342,204	1,817,340	108%	135%
	3	5/22/2016	5/22/2017	1,669,366	1,335,493	1,500,000	90%	112%
	4	5/22/2017	5/22/2018	1,661,019	1,328,816	1,447,140	87%	109%
	5	5/22/2018	5/22/2019	1,652,714	1,322,172	1,442,040	87%	109%
Tisbury Landfill	1	7/25/2014	8/6/2015	1,244,077	995,231	1,406,160	113%	141%
	2	8/6/2015	8/5/2016	1,237,857	990,255	1,598,400	129%	161%
	3	8/5/2016	8/7/2017	1,231,667	985,304	1,475,760	120%	150%
	4	8/7/2017	8/7/2018	1,225,509	980,377	1,226,640	100%	125%
	5	8/7/2018	8/7/2019	1,219,381	975,475	1,400,940	115%	144%

# CVEC Net Metering: Commercial Year-End Report

## Round 2 Systems

System Name	System Year	Start Date	End Date	Est. Ann. Output (kWh)	Guar. Ann. Output (kWh)	Actual Output (kWh)	Actual vs Est. (%)	Actual vs Guar. (%)
Airport - Section 2	1	4/15/2015	3/17/2016	6,748,131	5,398,504	6,788,640	101%	126%
	2	3/17/2016	3/17/2017	6,714,390	5,371,511	7,181,760	107%	134%
	3	3/17/2017	3/19/2018	6,680,818	5,344,654	6,885,840	103%	129%
	4	3/19/2018	3/19/2019	6,647,414	5,317,931	7,261,200	109%	137%
	5	3/19/2019	3/18/2020	6,614,177	5,291,341	6,920,160	105%	131%
Barnstable Fire District	1	4/21/2015	4/18/2016	997,164	797,731	1,179,000	118%	148%
	2	4/18/2016	4/18/2017	992,178	793,742	1,147,800	116%	145%
	3	4/18/2017	4/18/2018	987,217	789,774	1,068,600	108%	135%
	4	4/18/2018	4/18/2019	982,281	785,825	1,135,800	116%	145%
	5	4/18/2019	4/16/2020	977,370	781,896	968,880	99%	124%
DYHS Ground Mount	1	4/14/2015	4/12/2016	817,392	653,914	871,440	107%	133%
	2	4/12/2016	4/12/2017	813,305	650,644	851,360	105%	131%
	3	4/12/2017	4/12/2018	809,239	647,391	829,860	103%	128%
	4	4/12/2018	4/12/2019	805,192	644,154	825,300	102%	128%
	5	4/12/2019	4/13/2020	801,166	640,933	825,900	103%	129%
Marguerite Small School	1	2/27/2015	3/15/2016	997,196	797,757	1,074,060	108%	135%
	2	3/15/2016	3/15/2017	992,210	793,768	1,108,860	112%	140%
	3	3/15/2017	3/13/2018	987,249	789,799	984,240	100%	125%
	4	3/13/2018	3/15/2019	982,313	785,850	1,091,280	111%	139%
	5	3/15/2019	3/16/2020	977,401	781,921	1,026,960	105%	131%

# CVEC Net Metering: Commercial Year-End Report

## Round 2 Systems

System Name	System Year	Start Date	End Date	Est. Ann. Output (kWh)	Guar. Ann. Output (kWh)	Actual Output (kWh)	Actual vs Est. (%)	Actual vs Guar. (%)
Orleans Landfill	1	5/5/2015	5/4/2016	678,876	543,101	667,272	98%	123%
	2	5/4/2016	5/4/2017	675,482	540,385	743,784	110%	138%
	3	5/4/2017	5/4/2018	672,104	537,684	692,640	103%	129%
	4	5/4/2018	5/6/2019	668,744	534,995	566,832	85%	106%
	5	5/6/2019	5/5/2020	665,400	532,320	616,440	93%	116%
West Tisbury Landfill	1	1/5/2015	1/11/2016	801,442	641,154	869,760	109%	136%
	2	1/11/2016	1/10/2017	797,435	637,948	915,540	115%	144%
	3	1/10/2017	1/10/2018	793,448	634,758	857,100	108%	135%
	4	1/10/2018	1/10/2019	789,480	631,585	880,800	112%	139%
	5	1/10/2019	1/10/2020	785,533	628,427	614,880	78%	98%

# CVEC Net Metering: FY 2020 Report

## Totals by Year

	kWh	Avg NMC Rate	NMC / BTM credit	Developer Cost	CVEC Admin Cost	Net Benefit
FY 2017	38,621,219	\$0.15	\$5,902,115	(\$2,972,222)	(\$188,134)	\$2,741,759
FY 2018	37,226,654	\$0.17	\$6,213,182	(\$2,905,677)	(\$280,157)	\$3,026,954
FY 2019	39,586,723	\$0.17	\$6,796,549	(\$3,103,004)	(\$306,105)	\$3,387,441
FY 2020	39,583,274	\$0.16	\$6,456,440	(\$3,093,060)	(\$263,293)	\$3,099,143

## FY 2020 by Participant

Participant	kWh	NMC / BTM credit	Developer Cost	CVEC Admin Cost	Revenue Sharing	Net Benefit
Airport	1,364,243	\$219,415	(\$85,197)	(\$14,488)	\$251,931	\$371,661
Barnstable	11,373,120	\$1,853,708	(\$778,084)	(\$78,991)	(\$251,931)	\$744,703
Barnstable County	1,176,817	\$188,351	(\$102,616)	(\$5,764)	(\$32,648)	\$47,323
Barnstable Fire Dist..	359,876	\$57,737	(\$21,977)	(\$5,733)	\$26,923	\$56,950
Bourne	232,900	\$46,580	(\$28,486)	(\$469)	\$0	\$17,625
Brewster	2,493,854	\$410,532	(\$228,457)	(\$7,402)	(\$19,953)	\$154,720
Chatham	2,735,846	\$443,909	(\$202,908)	(\$8,905)	(\$8,613)	\$222,538
Chilmark	62,427	\$10,005	(\$5,161)	(\$422)	(\$1,721)	\$2,702
COMM FD	2,253,689	\$361,958	(\$225,369)	(\$22,537)	\$0	\$114,052
Cotuit	403,963	\$64,879	(\$40,396)	(\$4,040)	\$0	\$20,443
Dukes County	71,821	\$11,516	(\$5,374)	(\$369)	(\$2,887)	\$2,887
DYRSD	1,324,236	\$239,007	(\$92,733)	(\$20,772)	\$82,424	\$207,925
Eastham	634,636	\$110,823	(\$58,766)	(\$1,191)	\$5,481	\$56,348
Edgartown	1,998,077	\$318,609	(\$185,493)	(\$4,995)	\$20,792	\$148,912
Harwich	3,523,373	\$567,633	(\$250,160)	(\$8,808)	\$95,518	\$404,183
Monomoy Schools	1,479,827	\$241,539	(\$156,587)	(\$9,025)	(\$13,065)	\$62,862
Oak Bluffs	456,643	\$75,716	(\$39,431)	(\$2,402)	(\$9,943)	\$23,941
Orleans	646,224	\$102,794	(\$43,691)	(\$6,863)	\$0	\$52,240
Provincetown	1,383,171	\$230,646	(\$118,720)	(\$8,436)	(\$25,965)	\$77,524
Tisbury	1,148,585	\$184,172	(\$104,866)	(\$2,871)	\$5,330	\$81,765
West Tisbury	696,525	\$110,369	(\$45,086)	(\$7,397)	\$4,436	\$62,322
Yarmouth	3,763,421	\$606,542	(\$273,500)	(\$41,413)	(\$126,111)	\$165,518
<b>Grand Total</b>	<b>39,583,274</b>	<b>\$6,456,440</b>	<b>(\$3,093,060)</b>	<b>(\$263,293)</b>		<b>\$3,099,143</b>

Participants include hosts of solar projects and offtakers of net metering credits from solar projects hosted by others.

## FY 2020 by System

Round	System Name	kWh	NMC / BTM credit	Developer Cost	CVEC Admin Cost	Net Benefit
1	Barnstable Landfill 1	3,005,400	\$482,499	(\$219,094)	(\$7,514)	\$255,892
	Barnstable Landfill 2	1,900,680	\$302,670	(\$138,560)	(\$4,752)	\$159,358
	Brewster Landfill	1,455,000	\$233,416	(\$123,675)	(\$3,638)	\$106,104
	Chatham Landfill	2,218,200	\$356,654	(\$159,045)	(\$5,546)	\$192,064
	Eastham Landfill	497,340	\$77,507	(\$35,162)	(\$1,243)	\$41,102
	Harwich Landfill	5,704,017	\$918,946	(\$404,985)	(\$14,260)	\$499,701
	Katama Farm	1,404,540	\$224,359	(\$126,970)	(\$3,511)	\$93,877
	Nunnepog Well	1,314,298	\$208,702	(\$129,590)	(\$3,286)	\$75,827
	Tisbury Landfill	1,308,773	\$209,859	(\$119,492)	(\$3,272)	\$87,096
2	Airport - Section 2	7,105,440	\$1,142,786	(\$443,735)	(\$75,460)	\$623,591
	Barnstable Fire District	1,005,246	\$161,276	(\$61,390)	(\$16,013)	\$83,874
	Barnstable HS	400,658	\$80,132	(\$29,328)	(\$4,187)	\$46,617
	Barnstable Senior Ctr	113,785	\$22,757	(\$6,349)	(\$1,189)	\$15,219
	Bourne Community Ctr	44,925	\$8,985	(\$3,203)	(\$469)	\$5,312
	Chatham Annex	29,386	\$5,877	(\$2,095)	(\$307)	\$3,475
	Chatham Police Station	29,012	\$5,802	(\$2,069)	(\$303)	\$3,431
	DY High Roof Mount	643,000	\$104,893	(\$47,068)	(\$10,082)	\$47,743
	DYHS Ground Mount	835,860	\$133,239	(\$56,128)	(\$13,315)	\$63,796
	Ezra Baker School	75,818	\$15,163	(\$5,406)	(\$1,189)	\$8,569
	Marguerite Small School	1,104,600	\$176,393	(\$64,741)	(\$17,596)	\$94,056
	Mattacheese School	222,413	\$44,483	(\$16,281)	(\$3,487)	\$24,715
	Orleans Landfill	646,224	\$102,794	(\$43,691)	(\$6,863)	\$52,240
	Provincetown Transfer ..	183,237	\$36,647	(\$10,633)	(\$1,915)	\$24,099
	West Tisbury Landfill	803,277	\$127,285	(\$51,996)	(\$8,531)	\$66,758
	West Villages School	36,171	\$7,234	(\$2,648)	(\$378)	\$4,209
	Wixon School	465,744	\$87,992	(\$29,193)	(\$7,328)	\$51,471
3	Chatham Fire Station	52,069	\$10,414	(\$2,955)	(\$260)	\$6,253
	Eastham Library	55,787	\$11,157	(\$4,178)	(\$279)	\$6,700
	Oak Bluffs Fire Station	65,932	\$13,186	(\$4,938)	(\$330)	\$7,918
	Provincetown Water Tr..	50,883	\$10,177	(\$3,811)	(\$254)	\$6,111
	Yarmouth Fire Station 1	38,691	\$7,738	(\$2,898)	(\$193)	\$4,647
	Yarmouth Fire Station 3	83,709	\$16,742	(\$6,270)	(\$419)	\$10,053
CVEC..	Barnstable HS (CVEC-7)	175,229	\$35,046	(\$23,568)		\$11,478
	Bourne MS (CVEC-7)	187,975	\$37,595	(\$25,282)		\$12,312
	Eastham DPW (CVEC-7)	92,083	\$18,417	(\$12,385)		\$6,032
	Eastham ES (CVEC-7)	122,066	\$24,413	(\$16,418)		\$7,995
	Eddy School (CVEC-7)	137,895	\$27,579	(\$18,547)		\$9,032
	Harwich ES (CVEC-7)	138,221	\$27,644	(\$18,591)		\$9,053
	Stoney Brook School (C..	134,563	\$26,913	(\$18,099)		\$8,814
Other	First Generation Wind	2,205,357	\$351,117	(\$253,616)	(\$11,027)	\$86,474
	Nexamp	832,118	\$133,114	(\$83,212)	(\$8,321)	\$41,581
	Syncarpha	2,657,652	\$426,837	(\$265,765)	(\$26,577)	\$134,495
<b>Grand Total</b>		<b>39,583,274</b>	<b>\$6,456,440</b>	<b>(\$3,093,060)</b>	<b>(\$263,293)</b>	<b>\$3,099,143</b>

# Annual Comparisons

## Net Benefits By Participant

Participant	FY 2017	FY 2018	FY 2019	FY 2020
Airport	\$322,440	\$376,342	\$408,893	\$371,661
Barnstable	\$672,852	\$747,552	\$806,055	\$744,703
Barnstable County	\$40,539	\$51,741	\$58,090	\$47,323
Barnstable Fire District	\$54,047	\$64,775	\$69,599	\$56,950
Bourne	\$12,409	\$12,942	\$16,700	\$17,625
Brewster	\$133,771	\$143,548	\$172,380	\$154,720
Chatham	\$199,212	\$167,690	\$236,037	\$222,538
Chilmark	\$1,625	\$2,341	\$3,114	\$2,702
COMM FD	\$41,418	\$113,607	\$128,400	\$114,052
Cotuit	\$7,418	\$20,348	\$23,015	\$20,443
Dukes County	\$2,739	\$2,954	\$3,293	\$2,887
DYRSD	\$194,002	\$184,388	\$221,347	\$207,925
Eastham	\$50,359	\$52,282	\$71,201	\$56,348
Edgartown	\$129,399	\$131,963	\$172,359	\$148,912
Harwich	\$364,921	\$371,925	\$441,216	\$404,183
Monomoy Schools	\$38,808	\$65,942	\$80,439	\$62,862
Oak Bluffs	\$12,359	\$16,749	\$19,607	\$23,941
Orleans	\$50,524	\$57,879	\$48,907	\$52,240
Provincetown	\$59,346	\$72,577	\$81,063	\$77,524
Tisbury	\$177,684	\$151,665	\$98,231	\$81,765
West Tisbury	\$58,327	\$72,867	\$60,817	\$62,322
Yarmouth	\$117,561	\$144,878	\$166,677	\$165,518
<b>Grand Total</b>	<b>\$2,741,759</b>	<b>\$3,026,954</b>	<b>\$3,387,441</b>	<b>\$3,099,143</b>

There was a modest decline in net benefits in FY 2020 compared to FY 2019 due to a slight decline in kWh production (for most systems) and a decline in the average net metering rate from \$0.17 to \$0.16 per kWh.

# Annual Comparisons

## Net Benefits By System

Round	System Name	FY 2017	FY 2018	FY 2019	FY 2020
1	Barnstable Landfill 1	\$225,650	\$242,036	\$244,589	\$255,892
	Barnstable Landfill 2	\$156,955	\$175,911	\$196,612	\$159,358
	Brewster Landfill	\$97,612	\$97,469	\$117,366	\$106,104
	Chatham Landfill	\$183,613	\$145,561	\$208,398	\$192,064
	Eastham Landfill	\$43,694	\$48,518	\$66,588	\$41,102
	Harwich Landfill	\$451,160	\$459,819	\$545,486	\$499,701
	Katama Farm	\$73,385	\$69,101	\$105,585	\$93,877
	Nunnepeg Well	\$77,176	\$86,611	\$92,002	\$75,827
	Tisbury Landfill	\$189,267	\$161,552	\$104,634	\$87,096
2	Airport - Section 2	\$541,007	\$631,446	\$686,062	\$623,591
	Barnstable Fire District	\$79,598	\$95,397	\$102,502	\$83,874
	Barnstable HS	\$39,901	\$42,450	\$51,454	\$46,617
	Barnstable Senior Ctr	\$19,447	\$19,428	\$22,028	\$15,219
	Bourne Community Ctr	\$4,203	\$4,217	\$5,035	\$5,312
	Chatham Annex	\$2,173	\$2,853	\$3,570	\$3,475
	Chatham Police Station	\$2,726	\$2,702	\$3,031	\$3,431
	DY High Roof Mount	\$59,026	\$39,401	\$53,268	\$47,743
	DYHS Ground Mount	\$53,760	\$64,854	\$68,957	\$63,796
	Ezra Baker School	\$7,039	\$6,761	\$8,285	\$8,569
	Marguerite Small School	\$81,318	\$88,508	\$94,767	\$94,056
	Mattacheese School	\$21,872	\$21,950	\$25,081	\$24,715
	Orleans Landfill	\$50,524	\$57,879	\$48,907	\$52,240
	Provincetown Transfer ..	\$24,744	\$23,175	\$22,510	\$24,099
	West Tisbury Landfill	\$62,479	\$78,054	\$65,146	\$66,758
	West Villages School	\$3,695	\$4,527	\$3,620	\$4,209
	Wixon School	\$40,510	\$41,217	\$55,448	\$51,471
3	Chatham Fire Station				\$6,253
	Eastham Library				\$6,700
	Oak Bluffs Fire Station				\$7,918
	Provincetown Water Tr..				\$6,111
	Yarmouth Fire Station 1				\$4,647
	Yarmouth Fire Station 3				\$10,053
CVEC-7	Barnstable HS (CVEC-7)	\$8,637	\$8,097	\$10,582	\$11,478
	Bourne MS (CVEC-7)	\$8,206	\$8,724	\$11,664	\$12,312
	Eastham DPW (CVEC-7)	\$4,193	\$4,473	\$5,942	\$6,032
	Eastham ES (CVEC-7)	\$5,333	\$5,760	\$7,551	\$7,995
	Eddy School (CVEC-7)	\$5,514	\$5,846	\$8,587	\$9,032
	Harwich ES (CVEC-7)	\$6,101	\$6,346	\$8,750	\$9,053
	Stoney Brook School (C..	\$4,638	\$6,243	\$8,267	\$8,814
Other	First Generation Wind	\$57,768	\$110,960	\$124,569	\$86,474
	Nexamp		\$25,151	\$49,180	\$41,581
	Syncarpha	\$48,837	\$133,955	\$151,415	\$134,495
<b>Grand Total</b>		<b>\$2,741,759</b>	<b>\$3,026,954</b>	<b>\$3,387,441</b>	<b>\$3,099,143</b>

## Yarmouth FY 2021 Classification Hearing Notice-Homepage of Town Website

[Home](#) › [Town News](#)

### Town-Wide News

---

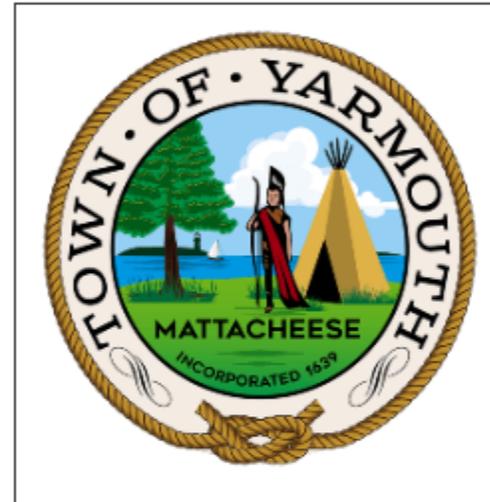
Posted on: [September 16, 2020](#)

### **Town of Yarmouth Annual Tax Classification Hearing**

Under Chapter 40, Section 56 as amended by Chapter 369 of the Acts of 1982 and Chapter 79 of the acts of 1983, the **Town of Yarmouth Board of Selectmen** will conduct a public hearing on whether the Town of Yarmouth should implement the Classification Act.

Said hearing will be conducted on **Tuesday, September 29, 2020, 6:00pm** at **Yarmouth Town Hall Hearing Room, 1146 Route 28 South Yarmouth, MA 02664** .

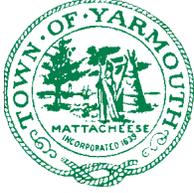
At the hearing the **Board of Selectmen** will hear testimony as to what will be the residential factor which will determine the share of taxes each classification of property will pay, what will be open space factor and whether to adopt a residential or small commercial exemption.



Per order of

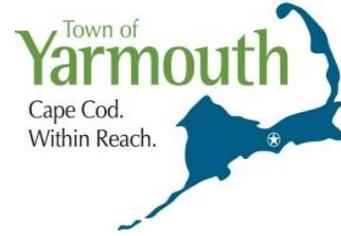
***Town of Yarmouth***

***Board of Selectmen***



# TOWN OF YARMOUTH

## Board of Assessors



---

1146 Route 28, South Yarmouth, MA, 02664  
Phone: (508) 398-2231 ext. 1222 Fax: (508) 398-2365  
Email: assessors@yarmouth.ma.us

**Director of Assessing**  
Andy Machado

**Board of Assessors**  
John Serijan  
Joseph Sullivan

## TAX CLASSIFICATION HEARING

September 29, 2020

### Classification

Cities and towns that are certified by the Commissioner as assessing at full and fair cash value may elect to shift the tax burden among the major property classes within certain limits established by MGL Chapter 40, Section 56.

Once properties are classified and certified there must be a public classification hearing at which Assessors present information to the Board of Selectmen or City Council and Mayor, who must then vote whether to establish different rates among classes of property or to **continue to tax all classes at the same rate by adopting a factor of "1"**.

The adoption of different rates does not change the total property tax levy; rather, it determines the share of total levy to be borne by each class.

The share of the levy to be borne by the commercial, industrial and personal property (CIP) classes may be raised by as much as 50% as long as the residential and open space classes raise at least 65% of what they would have raised without the shift.

## **Other Options**

A residential exemption [59:5C], an open space deduction [59:2A] and a small commercial exemption [59:5I] are choices also available to the community.

The residential exemption and open space exemption will cause a shift within the residential property classes only and do not affect the other classes' share of the levy.

The small business exemption affects only the commercial and industrial classes and does not affect the share of other classes.

## **Board of Assessors Action**

Considering the **analysis** and the **fiscal impact**, the Board of Assessors voted on August 18, 2020, to recommend to the Board of Selectmen a Factor of "1" and to reject the Residential and Small Commercial Exemption clauses.

If the Board of Selectmen decide to have a single tax rate, they may wish to make the following motions:

**"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."**

**"Move to authorize use of signature stamp for Tax Rate forms and authorize the Director of Finance to sign for the BOS electronically."**

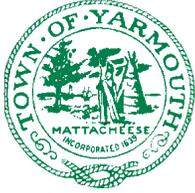
*Example Based on FY 2021 Values*

**EFFECT OF SHIFT AT 150%**

Class	% of Total	Value	Factor of 1	Shift	Tax Rate	Levy by Class
Commercial	5.90%	407,716,607	9.56 X	150%	14.34	\$5,846,656.14
Industrial	0.48%	32,964,300	9.56 X	150%	14.34	\$472,708.06
Personal Property	2.63%	182,235,700	9.56 X	150%	14.34	\$2,613,259.94
Residential	90.99%	6,290,125,868	9.56 X	100%	9.56	<u>\$57,156,061.92</u>
<b>TOTAL</b>	<b>100.00%</b>	<b>6,913,042,475</b>				<u><u>\$66,088,686.06</u></u>
Total at factor of 1		6,913,042,475	9.56			\$66,088,686.06

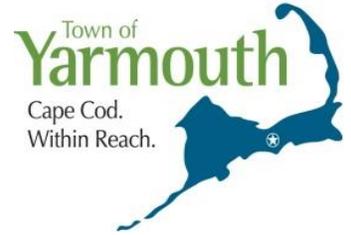
**EFFECT OF SHIFT AT 150% ON TAXPAYER WITH \$412,000 PROPERTY VALUE**

CIP Classes		Tax at Single Rate	Rate	Classified	Change
412,000	9.56	3,939	14.34	5,908	<b>\$1,969</b>
Residential		Tax at Single Rate	Rate	Classified	Change
412,000	9.56	3,939	9.32	3,840	<b>-\$99</b>



# TOWN OF YARMOUTH

## Board of Assessors



---

1146 Route 28, South Yarmouth, MA, 02664  
Phone: (508) 398-2231 ext. 1222 Fax: (508) 568-9380  
Email: assessors@yarmouth.ma.us

**Director of Assessing**  
Andy Machado

**Board of Assessors**  
John Serijan  
Joseph Sullivan

August 18, 2020

Town of Yarmouth  
Board of Selectmen  
1146 Route 28  
S. Yarmouth, MA 02664

Re: Fiscal Year 2021 Classification Hearing

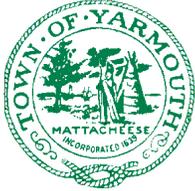
Dear Select Board Members:

The Board of Assessors, at its meeting on Tuesday, August 18, 2020, expressed their recommendation that the Town of Yarmouth continue to tax all classes of property at a single tax rate and to reject the residential and small commercial exemptions.

Respectfully,

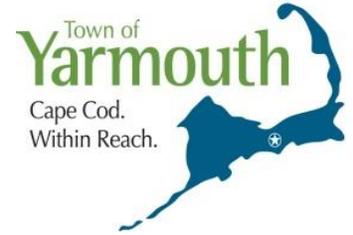
*Andy Machado*

Andy Machado  
Director of Assessing



# TOWN OF YARMOUTH

## Board of Assessors



---

1146 Route 28, South Yarmouth, MA, 02664  
Phone: (508) 398-2231 ext. 1222 Fax: (508) 568-9380  
Email: assessors@yarmouth.ma.us

**Director of Assessing**  
Andy Machado

**Board of Assessors**  
John Serijan  
Joseph Sullivan

September 29, 2020

To Whom It May Concern:

We, the undersigned Board of Selectman, do hereby authorize the Finance Director, Ed Senteio, to electronically sign all Fiscal Year 2021 Tax Rate Forms on our behalf.

---

Mark Forest, Chairman

---

Michael Stone, Vice Chairman

---

Tracy Post, Selectman

---

Erik Tolley, Selectman

---

Daniel Horgan, Selectman

YARMOUTH BOARD OF SELECTMEN



# TOWN OF YARMOUTH

1146 ROUTE 28, SOUTH YARMOUTH, MASSACHUSETTS 02664-4492  
Telephone (508) 398-2231 Ext. 1271, Fax (508) 398-2365

BOARD OF  
SELECTMEN

TOWN  
ADMINISTRATOR  
Daniel M. Knapik

## MEMORANDUM

**TO:** Board of Selectmen

**FROM:** Daniel Knapik, Town Administrator

**DATE:** September 29, 2020

**SUBJECT:** FY2022 Budget Policy Statement

**CC:** Ed Senteio, Finance Director  
Mary Alice Florio, Executive Assistant to the Town Administrator

Each year the Board of Selectmen adopts a budget policy statement as required by the Town Charter. We offer the following for the Board's consideration. Once approved, with or without amendment, it will be sent to Town staff and to the Finance Committee, the Capital Budget Committee and the Dennis-Yarmouth and Cape Cod Technical School Committees.

### SELECTMEN POLICY STATEMENT

The budget goals and this budget directive for FY2022 will continue to follow a conservative course which will also include financial considerations as a result of the Covid-19 national emergency. This approach will ensure that the Town's basic operations are fully funded, our future capital needs have a secure funding source, and our reserves continue to be restored to acceptable levels.

To that end, the Board directs its Town Administrator and its department managers to begin to assemble the FY2022 budget with the following guidelines:

1. The budget will be shaped by Board of Selectmen goals and the Financial Management Policies adopted by the Board;
2. Town Administration will use the same revenue projections for local receipts as the FY 2021 budget;
3. The budget will provide for essential Town services and may include an increase of up to 2.5% for the Dennis-Yarmouth and Cape Cod Technical Regional Schools within the limits of Proposition 2 ½;
4. Fully fund contractual obligations as required by collective bargaining employment agreements;
5. Fully fund FY2022 utilities, pension, health and general insurance obligations;
6. The annual cost of retiree health insurance will be fully funded within the tax levy, and additional amounts from a combination of recurring and one-time funding sources will be allocated to the Other Post-Employment Benefits Trust for future OPEB liability (OPEB) consistent with the Board's Financial Management Policies;
7. Plan to include \$1.5M in routine capital spending within the tax levy. Where savings are

made to the expenditures related to the \$1.5 million dollars, those dollars will be put in a capital stabilization fund;

8. Plan to include \$1.2M for road maintenance funds within the levy;
9. Preserve “debt drop-off” for future capital borrowing or capital reserve fund contributions;
10. Based on free cash certification, commit up to \$1M to unrestricted stabilization;
11. Create additional, recurring funding sources to meet future borrowing needs based on several potential capital projects on the horizon;
12. Add no new staff positions unless they can be funded with corresponding budget reductions or a secure, recurring funding source and only after the above obligations have been met.

Implementation of the above guidelines will result in a budget that is structurally balanced and positions the Town to maintain service levels while minimizing tax increases and creating safeguards to limit the impact of fluctuations in local receipts revenue.

Thank you for your attention to these directives. Attached you will find the proposed FY2022 budget calendar.

Enclosure

# FY2022 Budget Schedule

9/29/2020	Selectmen Issue Budget Policy Statement Town Administrator issues Budget Calendar
10/5/2020	Town Administrator Issues Budget Guidelines to Department Heads
10/19/2020	Department Capital request due to Town Administration
10/28/2020	Department Budget & Mission Statements due to Town Administrator
10/30/2020	Town Administrator submits Capital Improvement Plan to Capital Budget Committee and Finance Committee
12/1/2020	Capital Budget Committee Submits Recommendations to Fin Com and Selectmen
12/15/2020	Town Administrator submits Budget to Selectmen and Fin Com
1/5/2021	Last day for Petitioned Articles submission
1/5/2021	Department & Committee Warrant Articles due
1/12/2021	Annual Reports due
1/26/2021	Selectmen Close ATM Warrant
2/9/2021	Fin Com submits Budget and ATM Warrant Recommendations to Selectmen
2/23/2021	Public Hearing on Budget and Capital Improvement Plan
3/16/2021	Final Selectmen recommendations on Warrant Articles
3/17/2021	Send ATM Warrant published in The Register and send to the printer

3/23/2021 BOS Vote/Sign Election Warrant

4/7/2021 Last day to register to vote for ATM

4/28/2021 Last day to register to vote for ATE

**4/27/2021 Annual Town Meeting**

**5/18/2021 Annual Town Election**

## **Charter & Bylaw Requirements**

10/15	Town Administrator issues Budget calendar
11/15	Selectmen budget policy statement
12/1	Dept. Budget requests due to Town Administrator
1/5	Petitioned article deadline
1/31	ATM warrant closed (i.e. last day for new articles)
12/31	Town Administrator submits budget to Selectmen & Fin com
2/28	Fincom submits recommended budget to Selectmen
Date unspecified	Public hearing held prior to ATM

Art. #	Title	Article Prep & Presentation	Slides	BOS DEPT MTG	ATM Assignment	Selectmen Rec.	FINCOM Rec.
1	FY 21 Supplemental Appropriations						
2	FY 21 Free Cash and Available Funds Request						
3	Water Capital Budget						
4	Capital Budget						
5	Golf Membership Fee: Links Course						
6	Adopt Water Resources Enterprise Fund						
7	Wastewater Reserve Funding						
8	Adopt Municipal Water Infrastructure Investment Fund						
9	CPA Surcharge Exemption						
10	Eversource Easement						
11	50 Workshop Road Land Disposition						
12	CPA #1						
13	CPA #2						
14	CPA #3						
15	CPA #4						
16	Petitioned Article: Commercial Sale of Single-Use Plastic Water Bottles						
17	Support for Solarize Yarmouth Program						
18	Petitioned Article: Evaluation of Net Zero Emissions Designs - Bylaw Adoption						
19	Petitioned Article: Feasibility of Conversion Repurposing The Links Course to Solar Farm						

**APPROVAL**  
**OF**  
**MINUTES**



**Board of Selectmen  
Board of Selectmen Meeting Minutes  
December 17, 2019**

*The regular meeting was called to order at approximately 6:00 p.m. in the Town Hall Hearing Room by Chairman Stone. Selectmen present: Erik Tolley, Tracy Post, Michael Stone, Mark Forest, and Norm Holcomb. Also attending: Yarmouth Town Administrator Daniel Knapik, and Assistant Town Administrator Rich Bienvenue.*

## **1. Public Announcements and Comments**

Vida Morris, resident, recommended that the auditorium, the turf, and the second principal's office of the new school be removed from the proposed plans, as they are non-reimbursable items. By doing so it would lower the amount for which each town is assessed. She also discussed a MSBA letter to Superintendent Carol Woodbury in the School Committee packet involving the M.E. Small Elementary School. Ms. Morris also asked D.P.W. Director Jeff Colby if the water meter replacement project was for the whole town.

Selectman Holcomb asked if the Dennis-Yarmouth School District had a school lease for the M.E. Small School. The Town Administrator said all school leases had expired. Selectman Holcomb asked if the school district had a legal right to make modifications to a building when there is no lease. Mr. Knapik said that the building modifications would be a local jurisdictional issue. Under a regional school district, the school committee makes the decision to advance the SOI. Typically only one SOI is issued at a time for projects, so money for the M.E. Small project would not be issued until the Mattacheese Building Project is done. The hope was that it would be in line for funding three to five years from now, however the School Committee may decide on another plan by then. Mr. Knapik said he would continue to work with the school administration regarding a long term plan. Another issue for 2020 will be to get the lease agreements in order.

Curt Sears, resident, wanted to clarify that it was not the school building budget being cut, but the project being cut to meet the existing budget. Selectman Stone said it was similar to what happened when planning the park on Old Townhouse Road, with alternative bid items. If proposals fit within the budget they can be kept. Otherwise they are dropped. Mr. Sears said that he believed the committee felt the auditorium benefited the community more than it did the school.

Other issues brought up by Mr. Sears included how some Town employees were spending extended time at the coffee shop on a daily basis, how it has been reported that the water underneath the bog on White Rock Road and Union Street was polluted, and how people from the Mayflower Terrace area were requesting access to the Town way to water, but Town staff were telling them it would be too much work to accomplish.

## **2. New School Ballot Placement**

Town Clerk Phil Gaudet distributed a one page memo to the Board regarding ballot question placement and deadlines. Chairman Stone summarized the letter for the benefit of the public. Local ballot questions can only be placed on ballots for the Annual Town Election, a Special Town Election, or the Presidential Election, which is November 3, but not on ballots for the March primary or September primary elections. The Board of Selectmen must give the Clerk's Office 35 days'

notice to print the ballots, as required by Massachusetts General Law, Chapter 54, section 24C. Tuesday, April 14, 2020, is the last day the Board of Selectmen may sign the Annual Town Meeting election warrant and place a ballot question on the ballot. To place the local ballot question, Prop. 2 1/2, the Secretary of the Commonwealth Elections Division must be notified by the first Wednesday in August. The Town must send notice before August 5, 2020 of the Board of Selectmen vote to place the ballot question on the November 3 State Election ballot. Only one local ballot question may be placed on the ballot.

In anticipation of multiple questions being submitted to be placed on the Annual Town Election ballot, Mr. Gaudet wanted to let the Board know there would be a submission deadline for the Annual Town Election, which is April 14, 2020. Mr. Gaudet said there may be another option, with towns being allowed to put the Proposition 2 ½ question on the Presidential Election ballot. That has a deadline to notify the Elections Division by August 5, 2020. Chairman Stone clarified with Mr. Gaudet that there could be only one local question on the State ballot, but multiple questions may be placed on the other Town election ballots. When Selectman Forest asked whether the question must be Proposition 2 ½ related, Mr. Gaudet said a question on debt exclusion would be eligible as well.

### **3. Water Department Update**

D.P.W. Director Jeff Colby began his update on the Water Department, referring to his Memo, which was included in the Selectmen packets. Mr. Colby stated that the memo was very similar to the last couple of updates he had presented to the Board.

Referencing the memo, Mr. Colby said that the proposed FY21 Water Department budget, which is under \$4 million, shows a slight reduction from the FY20 budget. Revenue has slightly exceeded the amount received this time last year. He then provided some statistics for the amount of water pumped, stating that the four summer months (June to September) were heavy usage months totaling over 895,000 gallons of water. He said this may explain the higher revenue. As for water quality, Mr. Colby stated that this summer the department tested for lead and copper levels, as well as emerging contaminants, and the results came back remarkably good. The tests were done not only in wells, but also within some individual homes, and within schools. Mr. Colby then gave an update on Well 9, which has been offline for several years due to high levels of PCE contaminants. A monitoring well network was placed around the well to identify the plume, and the monitoring wells have been tested quarterly. Only one monitoring well had slight levels of PCEs, which he felt was a good sign. Testing may go from quarterly to annually. Well 9 will not be brought online again until there are no PCEs detected. Mr. Colby indicated that since the well is south of an industrial area, the department plans to test for PFAS contamination also. He will update the Board when the results are back.

Mr. Colby then reviewed department projects. The Master Plan is in its final stages of being developed. A rough draft will be submitted to the Town Administrator and the Board for review within the next couple of weeks. Mr. Colby said that appropriate steps will be taken based on what the experts recommend for the water system and water quality. The results of the Water Rate Study with Tighe & Bond should be available within the next couple of months. It should be helpful in determining what to do for recovering potential costs from various capital projects. Hydrant maintenance and painting continues. Mr. Colby reported that approximately 20% of the hydrants are maintained each year. Within a couple of years, the goal is to have all of the hydrants addressed. Regarding valve exercising and flushing, Mr. Colby reported that low pressure flushing in critical areas was completed this year. They are also embarking on a new innovative process

called ice pigging, which scours the water mains in certain areas to thoroughly clean them. This process will be ongoing during this winter when water usage is down. By doing the work in-house, savings should result.

Mr. Colby then described a capital project involving pump station improvements. The Town has an older network of 24 pump stations, with a number of them having confined spaces below the floor surface, where various valves needing to be accessed are located. This project will look to mitigate these confined spaces by putting in bulkheads on the exteriors, so there will be no need to do a confined space entry within the building. There are also some door replacements, trim replacements and roof replacements that are part of the project. The project is a three phased project, and the first phase will go out to bid in March of this upcoming year. It is a \$4.5 million project. Funding has been requested in the FY21 Capital Plan for Phase 2.

Mr. Colby began to explain the Meter Pit Safety Upgrades Project referenced in the agenda. There are approximately 60 residential water meters located in the crawl spaces of the homes. They are very difficult to get to. The goal is to engineer the meters out and put meter pits on the exteriors of the homes. This project is also being done in-house with Town staff, which should save significant dollars. Five meter pits have been done so far, and over the next year or two, the others should be completed.

Mr. Colby reported that the SKADA upgrade has been completed for Pump Stations 21 and 22. The department is now developing a scope of services and a budget to update the remaining pump stations. The SKADA computer system is used by the operators to manage pump levels, water levels and chemical feeds. It is a 12 year old system so upgrades are necessary. For the Sandy Pond tank, the Water Department is preparing plans and bid specifications for exterior cleaning and touch up painting. The project should be completed in 2020. Mr. Colby said the leak detection and documentation project is finishing up. The general manager from Weston & Sampson has been updating policies and safety plans. Fence and security upgrades are being done around some of the Water Department facilities as well. Mr. Colby also highlighted the well redevelopment project. It is proactive preventive maintenance, to ensure good quality and productivity from the wells, and extend the life of those wells. This year the department plans on working on Wells 1, 2, 3, 10 and 11. Mr. Colby then discussed the Cummaquid Heights Water Service. The Town is looking at providing Yarmouth water to that location. It is a component of the Master Plan. Mr. Colby stated that the IT Department is working with Water Staff to get the Utility Cloud Information system implemented.

Mr. Colby then highlighted projects that were completed this year. Meter reprogramming of approximately 9,000 water meters was accomplished this past year by staff in order to prepare for a software upgrade, and it was done at a significant savings. The CIP plan was submitted. It states in the memo that it was a 5 year plan, but there were also some items that exceeded \$1 million which were projected out as a 10 year plan. In the well redevelopment plan, Wells 15, 19, 22, and 23 were redeveloped in this current year. Also the Sandy Pond tank had a vent repaired on the top of the tank this year.

Mr. Colby said that other updates in the department included customer service improvements. There has been significant turnover in Water staff, especially at the administrative level. They are currently in the process of interviewing for a customer service supervisor. In outsourcing and management, the General Manager contract has been extended out until March 31, 2020. They decided to extend it for six months instead of a year, due to the anticipated filling of the Water and Wastewater Superintendent position. Two job descriptions for Water Technicians 2 and

3 have been modified slightly to reflect DEEP licensing requirements, and are scheduled to go before the Personnel Board on January 15, 2020.

Mr. Colby wanted to put a recommendation before the Board, in their capacity as Water Commissioners and Selectmen, to consider modifying the Water Superintendent position and make it into a Water and Wastewater Superintendent. Considering the current wastewater needs of the community, Mr. Colby felt it was an appropriate time to bring someone with that type of experience with both water and wastewater on board. Some communities such as Harwich and Foxboro have already done so. If approved, the person could bring some operational expertise to the team in regards to wastewater.

Selectman Post inquired about how it would affect the budget in terms of the current contract, and how difficult would it be to find someone with that level of expertise. Mr. Colby said he is aware of a fair number of people in the Cape community who have both water and wastewater licenses. They would not have to have the highest licenses in each category. Finding someone with those high level of licenses would not necessarily be the way to go, but experience in both would be helpful. A professional engineer with experience in both water and wastewater is possible. Selectman Post then asked how the division and the position's supervisory role would be structured. Mr. Colby said the Town currently has an Assistant Water Superintendent, acting as Interim Superintendent, and he would continue to operate in his role of being responsible for the day to day water operations. The new position's overall responsibility would be in regards to the Town's wastewater planning. If the Town decides to go with contract operations for wastewater, the Superintendent would then manage that contract. Selectman Post said that the Weston & Sampson contract had a lot of deliverables. Without the extension, she asked if the Town would get all the documents which had been requested in the contract. Mr. Colby said yes. He added, there are some issues relating to personnel review that the General Manager is not able to address, whereas the Superintendent could. Selectman Post stated she supported the recommendation.

Selectman Tolley stated that he was not sure whether combining Water and Wastewater into one staff position would be helpful or not in their search for creative funding sources, but he also supported the recommendation.

Selectman Holcomb had questions on the budget. He was aware of the vacancies, and asked if that was driving the large overtime amount. Mr. Colby said that Water is a seven day per week operation, requiring physical inspections. With the infrastructure being older, there are also a number of water main breaks occurring, which could happen at any time. There are currently six vacancies, and Mr. Colby believed the Superintendent could help fill the positions, which would help reduce the overtime. Since some of the overtime is driven by union agreements, Selectman Holcomb asked if any of the current call back agreements could be renegotiated. Mr. Colby said that that several proposals to restructure in order to minimize overtime have been put on the table, but have been unsuccessful in getting approved. Chairman Holcomb asked if the consultants have ever looked at the overtime compared to what is occurring in other communities. Mr. Colby replied that he was not aware if there were any comparisons to other communities made. Selectman Holcomb said it was important to see how overtime costs compared to the cost of hiring another person with benefits, and how overtime occurs.

Selectman Holcomb then stated that he noticed a substantial increase in the transfer out to the general fund. He asked what the amount represents. Mr. Colby deferred to Assistant Town Administrator Bienvenue, who said the specific reason would be discussed in the budget presentation later in the meeting.

Selectman Forest asked if the 11% increase in water consumption was something to be concerned about. Mr. Colby said that he believed a bulk of that was a result of water sales to Barnstable, and it was expected to taper off later next year. Selectman Forest then asked about how customer complaints were tracked. Mr. Colby said it is tracked using their MUNIS system, and the trend is improving in both water quality and customer service. Selectman Forest indicated he was very interested in the Master Plan and the Water Rate Study. With an aging water system, improvements and maintenance are a high priority, and he wanted it on record that productivity from the Water Department needs to be improved. He supported Mr. Colby's management recommendations, and was glad Mr. Colby was staying on top of PFAS tracking, as the issue is growing in significance.

Chairman Stone asked about the daily pumping capacity and what it meant by "the largest source offline." Mr. Colby said DEP requires that, when towns do an analysis of their production capabilities, the biggest producing well be taken out of the equation, so that they can better see what the production would look like in the event of an emergency. Mr. Colby affirmed that even with the upward trend of water consumption, there was no present problems to our water supply. Chairman Stone asked about the monitoring of Well 9. Mr. Colby replied that there were also other options. One such option included blending the well water with other water to reduce levels of PCE, but Mr. Colby said monitoring was preferred to see if the contaminants are eliminated over time, and then the well could be brought online. Chairman Stone also asked questions regarding the innovative ice cleaning treatment, and Mr. Colby said they hoped the process would be a safe way to thoroughly clean the pipes, reducing the need to excavate and replace the pipes. When asked about the 60 water main pits and the safety issues, Mr. Colby said the 60 were the most critical to be addressed. Once taken care of, the department can make safety improvements to others. Chairman Stone also asked questions about the redeveloping process of wells, about the Cummaquid Heights water connection plan, and about the proposed Water and Wastewater position.

**MOTION:** To move that the Board support the recommendation by Jeff Colby to authorize the creation of a Wastewater and Water Superintendent position. This would replace the current Water Superintendent position.

**Motion by:** Tracy Post

**Seconded by:** Erik Tolly

**Yea 5 Nay 0**

#### **4. 2020 Annual Town Meeting Articles Review**

Town Administrator Knapik discussed the updated sheet of proposed articles which was included in the packets. The final decision on the articles would have to be made by January 28 before it gets moved for Annual Town Meeting. Selectman Post asked what the petitioned article was. Town Administrator Knapik believed it had to do with the solar project planned for the landfill site. Selectman Post asked why the polystyrene foam article was not listed. Roby Whitehouse from DPW replied that the article was postponed until the fall town meeting. For petitioned articles to be added for the Annual Town Meeting, they must be submitted to the Town Clerk with the appropriate amount of signatures by January 3, and then the Board has up to January 28 to generate other articles.

Selectman Holcomb had questions about an article regarding a CPA surcharge or exemption. He wanted to make sure the Board had options.

The other members of the Board also weighed in on whether to use the exemption, a percentage or both, taking into consideration State matching opportunities or other calculations. Mr. Bienvenue said the rate was proposed to be approximately \$6 per an average \$300 thousand house. A surcharge reduction would offset the net increase in exemptions, although it would not be a perfect dollar to dollar equivalent. There were many variables to consider. All numbers were projections right now.

Selectman Tolley noted that they could always recommend something else in the future. He did not want to overwhelm the people at Town Meeting, especially if they were also considering the new school ballot question. They could start with the exemption and see how it goes.

Selectman Forest asked if some of the articles would require ballot questions, because he was concerned that there would be too many options on the ballot. Town Administrator Knapik said that the Board could vote to place it on a ballot in the future.

Town Administrator Knapik said there was supposed to be a DHY vote on Friday. He did not know what the costs could end up looking like. Potential Article 20 would address the Route 28 Reconstruction Project, which would involve the laying of pipes for the project. Yarmouth could end up on its own for the whole project cost, for just the plant, or it could be a full DHY project. The DHY exemption would be a ballot question.

Mr. Bienvenue said that there potentially could be a total of four ballot questions. Selectman Post said the Board had to be sensitive to the tax rate. It may be too much to have a school debt exemption and a DHY exemption. Mr. Bienvenue said there may be other funding sources in the future. They would need a Town Meeting vote but may not need a ballot vote.

Town Administrator Knapik stated that they will look into the possibilities more and give an update at the January 7 meeting.

## **5. Town Administrator FY21 Budget Presentation**

Town Administrator Knapik gave an overview of both revenues and expenses. He stated that the economy was in pretty good condition right now, so the revenues appeared to be sufficient to take care of some of the proposed adjustments. He and Mr. Bienvenue went over each slide of the presentation, explaining how the numbers were calculated. Some of the values were yet to be determined, so the tax rate was an estimate and would be changing. Town Administrator Knapik said there was significant devaluation of property during 2007 and 2008. Selectman Holcomb commented that residential property values came back more than commercial properties. Impacts of school assessments and health insurance costs still had to be determined.

Assistant Town Administrator Bienvenue said the Town was successful in obtaining many grant awards. Good health insurance claims experience proved to be beneficial as well. Some expenses were recurring, such as ammunition training, so would be now included in the operating budgets.

Fire Chief Phil Simonian was called upon to explain the Sheriff's Office assessment for patching calls. He was asked if there were any other options. He replied that there were not. The Sheriff's Office controls patching of all calls to the hospital right now. It currently costs over \$22,000 to pay for the service, and the cost is constantly going up. These patching costs were not required in the past. Chief Simonian said they were hoping to obtain new software in the future to do some

electronic transfers individually and alleviate some of the patching costs. When the Fire Department only responds to a call, there are no additional charges. Actually transporting a person to the hospital is what causes the additional patching costs.

They also discussed the additional cost for survival and dive suits. The cost was not originally allocated. Since the revenue forecast appears to be favorable, they may consider the item to be added to the budget at a later date. The Town Administrator said that PPE equipment in general is costly, because the items have a shelf life and must be replaced. Chief Simonian stated that some of the dive suits were over twenty years old and cannot be repaired if damaged. The suits are carried on the various fire apparatus because they never know when the suits will be needed. The replacement of suits was a capital budget request which had not been funded.

Town Administrator Knapik then reviewed budget additions for items previously funded by non-recurring sources. These included an intern program, wetland funds for administrative support, a transportation fund for Senior Services, a tree program for costs of maintaining trees on town-owned property, and a Human Services program which was very popular. He also discussed some salaries which had been previously allocated to other funds in years past, to be returned to the general fund budget.

Under new programs to be added to the budget, Town Administrator Knapik stated that the Town had great camera operators, but the equipment they used was lacking in quality. The Town was hoping to wean off television operation use, and instead use more livestreaming services. A new position was created so that the Town could develop an ability to control communication to the public via social media instead of through Channel 18 programming. Selectman Post asked how the salary number was determined, because it seemed very high. She recommended considering a contract for services instead, and Selectman Holcomb agreed. Selectman Forest said our Town had to try to catch up to what other towns were doing, and even if other options were good, the Town should not exclude hiring someone. Selectman Post said that they should obtain a contract to start, and then determine if the need to hire a new person is warranted. Money could be put in the budget to be used for such services, but they should be careful. Town Administrator Knapik said that Falmouth has recently stopped using Comcast and is livestreaming instead. Off Cape there are many robust programs in place. He said that they will revisit this topic later, but would like to get the process moving.

With the large number of new rentals, due to the new State law, the burden of keeping track of the rentals has fallen to the Health Division staff, so he was proposing a new part-time position. Selectman Holcomb asked if there would be additional fees charged for inspections. Town Administrator Knapik said he instructed the Health Director to work out possible numbers.

In regards to wastewater funding, all items would be going into a wastewater reserve. All of the enterprise funds were to be consolidated in this reserve. If the Town goes forward with the Workshop Road Project, they project additional savings.

In discussing ongoing funding of OPEB obligations, Finance Director Ed Senteio stated that there have been a number of retirements and replacements of positions in Town. The net positions are up from previous years. Health plan costs went down due to plan design changes. There would be an increase contribution from fees in the future.

Town Administrator Knapik said that, in regards to the expenditure budget summary, he would have the big departments come before the Board to discuss their numbers at a later date.

For local excise receipts, he said that halfway through the fiscal year, the Town generally seems to be on target. Assistant Town Administrator Bienvenue explained that the local receipts summary showed investment income, due to the efforts of the Finance and Treasurer's Offices. Mr. Bienvenue also gave an explanation of the other available funds summary slide. The last slide showed preliminary/potential free case uses.

Town Administrator Knapik said they made an effort with the budget to try to address long term sustainability. Many of the items have gone through the Capital Budget Committee. He said that the committee hoped to have the cap expanded, because so many departments were asking for items, they could not keep pace with it all. The budget tried to accomplish what has been discussed over the years, and the Board can make refinements as they see fit.

Selectman Forest commended Administration and Finance for all the time put in to create the budget and said it was a strong presentation. He believed Yarmouth was in a very good position to make a run for an AAA bond rating. Selectman Holcombe agreed that they made a strong presentation, but he still would like to have a tax reduction. He was concerned about the financial pressures on the community from the additional tax burden. With people more mobile now, they could consider moving to other locations with less taxes. Selectman Tolley said it was nice to see the Town was in good shape, considering what was coming up with future expenditures, such as the new school building project. He said he remembers the elimination of positions during the last recession, so he gets nervous with adding so many positions. He is sensitive to the need of the proposed positions, but he would still like to be cautious. Chairman Stone said they have to complete the budget for now. There are many variables still to be seen, but he felt optimistic.

## **6. Board and Committee Actions**

There were no appointments to consider, so the Board discussed their individual items. Selectman Tolley began by announcing that at the Rotary Breakfast, they honored a high school senior based on academics and work based achievements. The student was his son, Caleb Tolley, so wanted to share his "proud dad" moment with the Board. Selectman Post said that she attended the School Committee Meeting the previous night. They will be reconvening the School Building Committee, and moving forward with capital planning and hiring a consultant. She told the School Committee they need to do their due diligence in overall school planning, as the Capital Budget Committee is very detailed oriented, so money must be invested properly. Selectmen Post then wished everyone a happy, safe holiday season. Selectmen Holcomb and Forest also wished everyone a happy holiday season. Chairman Stone stated that this meeting was the last meeting of the year, and hoped the New Year was happy and safe for everyone.

## **8. Town Administrator Items**

Town Administrator Knapik announced the good news from Public Works that they planned to have the groundbreaking for the new DPW building in early February. Roby Whitehouse, the Superintendent of Sanitation, obtained a grant for OSHA related topics. Assistant Town Administrator Bienvenue was able to arrange up to \$400,000 worth of energy conservation work to be done in Town, with a big bulk of the work to be done to the Town Hall. The Town will benefit from the measure, including reducing its energy footprint. Selectman Post requested that a formal letter be sent out to thank them for their work on those efforts. The Town Administrator said that reimbursement money will be coming for tornado damage. He was very thankful no lives were lost due to the tornados. He then thanked the Board of Selectmen for their work over the year, and said

he looked forward to a robust 2020. Selectman Post wanted to thank all the staff for their work. She said they are remarkable in terms of what they accomplish over the year. Town Administrator Knapik agreed, and said the staff was top notch.

## 9. Adjourn

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

**Motion by:** Tracy Post

**Seconded by:** Eric Tolley

Yea 5 Nay 0

**Meeting adjourned at approximately 9:00 pm.**

Respectfully submitted,



Mary Alice Florio



# TOWN OF YARMOUTH BOARD OF SELECTMEN PROJECTED 2020 AGENDA ITEMS

MEETING DATE		BUDGET SCHEDULE DUE DATES	REGULAR BOS AGENDA ITEMS
SEPTEMBER 29			<ul style="list-style-type: none"> <li>• PUBLIC HEARING: 1078 YARMOUTH, INC., DBA DAGGETT'S LIQUORS – TRANSFER OF PACKAGE STORE LICENSE</li> <li>• PUBLIC HEARING: 2021 ALCOHOL FEES (1<sup>ST</sup> READING)</li> <li>• TAX CLASSIFICATION HEARING</li> <li>• BOS BUDGET POLICY DIRECTIVE</li> <li>• CVEC ANNUAL PRESENTATION</li> <li>• REVIEW SPECIAL TOWN MEETING ARTICLES</li> </ul>
OCTOBER 6			<ul style="list-style-type: none"> <li>• EXTENSION OF OUTDOOR DINING PER GOVERNOR'S ORDER</li> <li>• 2021 ALCOHOL FEE HEARING (2<sup>ND</sup> READING)</li> <li>• ELECTION WARRANT</li> <li>• END OF YEAR FINANCIAL UPDATE</li> <li>• WASTEWATER ARTICLE UPDATE</li> <li>• RECRUITMENT REVIEW REGARDING MINORITY HIRING</li> <li>• WATER RATE OPERATION PRESENTATION</li> <li>• FY2020 AND SUMMER 2020 GOLF WRAP UP</li> <li>• YARMOUTH GARDENS AFFORDABLE HOUSING REDEVELOPMENT PROJECT</li> </ul>
OCTOBER 20			<ul style="list-style-type: none"> <li>• COMCAST CONTRACT NEGOTIATION UPDATE</li> <li>• SPECIAL TOWN MEETING ARTICLE APPROVAL (FINAL VOTE)</li> <li>• STM PETITIONED ARTICLES</li> </ul>
NOVEMBER 3	<b>ELECTION</b>		<ul style="list-style-type: none"> <li>•</li> </ul>
NOVEMBER 17	<b>SPECIAL TOWN MEETING</b>		<ul style="list-style-type: none"> <li>•</li> </ul>
DECEMBER 1			<ul style="list-style-type: none"> <li>• CAPITAL BUDGET COMMITTEE RECOMMENDATIONS FOR FY 2022</li> <li>• RASWAC UPDATE REGARDING POLYSTYRENE BYLAW</li> </ul>
DECEMBER 15			<ul style="list-style-type: none"> <li>• TOWN ADMINISTRATOR FY2022 BUDGET PRESENTATION</li> </ul>
DECEMBER 29	NO MEETING		

CHARTER & BYLAW REQUIREMENT: NOVEMBER 15, 2020    SELECTMEN BUDGET POLICY STATEMENT

Updated 9/25/2020

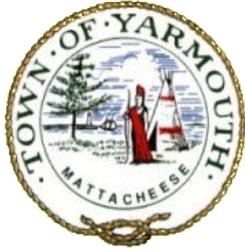


**TOWN OF YARMOUTH**  
**BOARD OF SELECTMEN**  
**PROJECTED 2020 AGENDA ITEMS**

<b>MEETING DATE</b>		<b>BUDGET SCHEDULE DUE DATES</b>	<b>REGULAR BOS AGENDA ITEMS</b>
---------------------	--	----------------------------------	---------------------------------

- **BEACH ISSUES**
- **RENAMING POLICY**
- **COMMITTEE REPORTS**
- **DHY AGREEMENT**
- **CLEAN WATER TRUST**
- **FINANCE UPDATE ON INTERNAL CONTROLS**
- **CAPE LIGHT COMPACT PRESENTATION - SEPTEMBER**
- **CEDC GOALS AND SUPPORT OF WASTEWATER; AND SPECIAL EVENTS**
- **LEGAL SERVICES REVIEW**
- **CAPE COD COMMISSION UPDATE - SEPTEMBER**
- **BARNSTABLE MUNICIPAL AIRPORT – AIRPORT MASTER PLAN – SEPTEMBER**

**CONSENT  
AGENDA  
ITEMS**



## TOWN OF YARMOUTH RECREATION DIVISION

424 Route 28

West Yarmouth, MA. 02673

Telephone (508) 398-2231 x-1520

Fax (508) 790-9152

Email: [recreation@yarmouth.ma.us](mailto:recreation@yarmouth.ma.us)

Aimee Howell  
Recreation Director  
[ahowell@yarmouth.ma.us](mailto:ahowell@yarmouth.ma.us)

Ruth D. Nee  
Administrative Assistant  
[rnee@yarmouth.ma.us](mailto:rnee@yarmouth.ma.us)

### MEMORANDUM

TO: The Honorable Board of Selectmen  
FROM: Ruth D. Nee, Administrative Assistant  
DATE: September 11, 2020  
RE: Donations – Recreation Department

Please accept the following donations to the Town of Yarmouth Recreation Division.

The following donations will be used for the Gray's Beach Boardwalk:

1520	Nancy Carroll	\$150.00	1521	Katie Santos	\$150.00
1522	Samantha Perlman	\$150.00	1523	Roseanne Peterson	\$150.00
1524	Christine White	\$150.00	1525	Kathryn McCreedy	\$150.00
1526	Christine Jordan	\$150.00	1527	Angel Rodriquez	\$150.00
1528	Danielle O'Connor	\$150.00	1529	Stephen Moreau	\$150.00
1530	Warren Jones	\$150.00	1531	Gary Bates	\$150.00
1532	Elizabeth Green	\$150.00	1533	Wendy Meinhardt	\$150.00
1534	Bridget Borrelli	\$150.00	1535	Cindy Christian	\$150.00
1536	Kristin DiMatteo	\$150.00	1537	Cindy Miselis	\$150.00
1538	Cindy Miselis	\$150.00			

**Boardwalk Total** **\$2,850.00**

**TOTAL DONATIONS:** **\$2,850.00**



**PERKINS —  
EASTMAN**

Photo courtesy of TripAdvisor



# **DENNIS-YARMOUTH SCHOOL PROJECT**

**THE DYIMS SCHOOL BUILDING  
COMMITTEE**

September 17, 2020



**PMA Consultants**



# AGENDA

## Meeting Minutes

### Overview of Meeting Agenda

#### Old Business

- a) 60% Design
  - Estimate Reconciliation Overview
  - Value Management Process (“Live” Exercise)
  - Authorization to Submit 60% CD to MSBA (VOTE)
- b) Key Dates/Next Steps
  - 90% Construction Document Workplan
  - Structural Peer Review Proposals
- c) Cashflow Update
- d) Master Project Schedule Update

#### New Business

Public Comment Period

# DYIMS Project - 60% CD Estimate Reconciliation

				RECONCILED		
Division #	Description of Work		PM&C 60% Estimate	AMF 60% Estimate	Estimate VAR	
A	<b>Substructure</b>					
A10		Foundations	\$ 5,665,025	\$ 5,608,724	-1.00%	
B	<b>Shell</b>					
B10		Superstructure	\$ 5,560,706	\$ 5,815,401	4.38%	
B20		Exterior Enclosure				
B2010		Exterior Walls	\$ 8,604,894	\$ 8,584,694	-0.24%	
B2020		Exterior Windows	\$ 3,417,525	\$ 3,264,328	-4.69%	
B2030		Exterior Doors	\$ 458,160	\$ 462,557	0.95%	
B30		Roofing	\$ 3,478,433	\$ 3,543,890	1.85%	
C	<b>Interiors</b>					
C10		Interior Construction	\$ 8,140,573	\$ 8,175,383	0.43%	
C20		Stairs	\$ 450,783	\$ 434,598	-3.72%	
C30		Interior Finishes	\$ 6,754,944	\$ 6,738,221	-0.25%	
D	<b>Services</b>					
D10		Conveying (Elevator)	\$ 267,000	\$ 275,720	3.16%	
D20		Plumbing	\$ 3,182,535	\$ 3,139,934	-1.36%	
D30		HVAC	\$ 9,396,025	\$ 9,487,395	0.96%	
D40		Fire Protection	\$ 1,119,705	\$ 1,110,174	-0.86%	
D50		Electrical	\$ 6,815,380	\$ 7,072,724	3.64%	
E	<b>Furnishings &amp; Fixed Equipment</b>					
		Commercial Equipment	\$ 1,356,080	\$ 1,311,446	-3.40%	
		Fixed Furnishings	\$ 1,872,912	\$ 1,836,511	-1.98%	
<b>Building Subtotal</b>			<b>\$66,540,680</b>	<b>\$66,861,700</b>	<b>0.48%</b>	
G	<b>Building Sitework</b>					
G10		Site Preparation	\$ 2,947,682	\$ 2,818,398	-4.59%	
G20		Site Improvements	\$ 5,872,625	\$ 5,852,441	-0.34%	
G30		Site Civil/Mechanical	\$ 2,405,382	\$ 2,394,227	-0.47%	
G40		Site Electrical Utilities	\$ 682,070	\$ 704,642	3.20%	
<b>Direct Costs Subtotal</b>			<b>\$78,448,439</b>	<b>\$78,631,408</b>	<b>0.23%</b>	
Z	<b>Mark-Ups</b>					
		Contingencies (Design and Pricing)	\$ 2,353,453	\$ 2,358,942		
		D/B/B Sub-Contractor Bonds	\$ 827,631	\$ 813,754		
		D/B/B Insurance	\$ 1,034,539	\$ 1,072,140		
		D/B/B General Conditions	\$ 5,793,417	\$ 6,329,902		
		D/B/B Overhead & Profit	\$ 2,717,661	\$ 2,285,023		
		Escalation to Mid-Point of Construction	\$ 1,961,211	\$ 2,024,759		
		Trade Permit Fees	\$ 170,000	\$ 170,000		
<b>Construction Subtotal</b>			<b>\$93,306,351</b>	<b>\$93,685,928</b>	<b>0.41%</b>	
<b>Total Construction Cost</b>			<b>\$93,306,351</b>	<b>\$93,685,928</b>	<b>0.41%</b>	

# ESTIMATE RECONCILIATION OVERVIEW

MSBA Authorized Construction Budget at PFA: \$93,744,492

Estimate of Record (PM&C Pre VM): \$93,306,351

Delta: (\$438,141)

Check Estimate (AMF): \$93,685,928

Delta: (\$58,564)

# VALUE MANAGEMENT PROCESS

**“Live” Exercise**

# **AUTHORIZATION TO SUBMIT**

**Vote to Approve 60% CD Package to  
MSBA**

# KEY DATES/NEXT STEPS

- 05May20:** Design Development Submission to MSBA
- 22Sep20:** 60% Design Submission to MSBA
- 20Nov20:** 90% Design Submission to MSBA
- 13Jan21:** 100% Construction Documents Complete
- 14Jan21 -> 17Feb21:** Bidding (added one week to durations due to holiday)
- 22Feb21 -> 05Mar21:** Contracts executed & construction permitting (SWPPP, NOI, CGP permitting, etc)
- TBD:** **New Building Substantially Complete**
- TBD:** Punchlist & Commissioning
- TBD:** Furnishings, Equipment, Technology Installation
- TBD:** Ready for Occupancy

# 90% CONSTRUCTION DOCUMENT WORKPLAN

# STRUCTURAL PEER REVIEW PROPOSALS

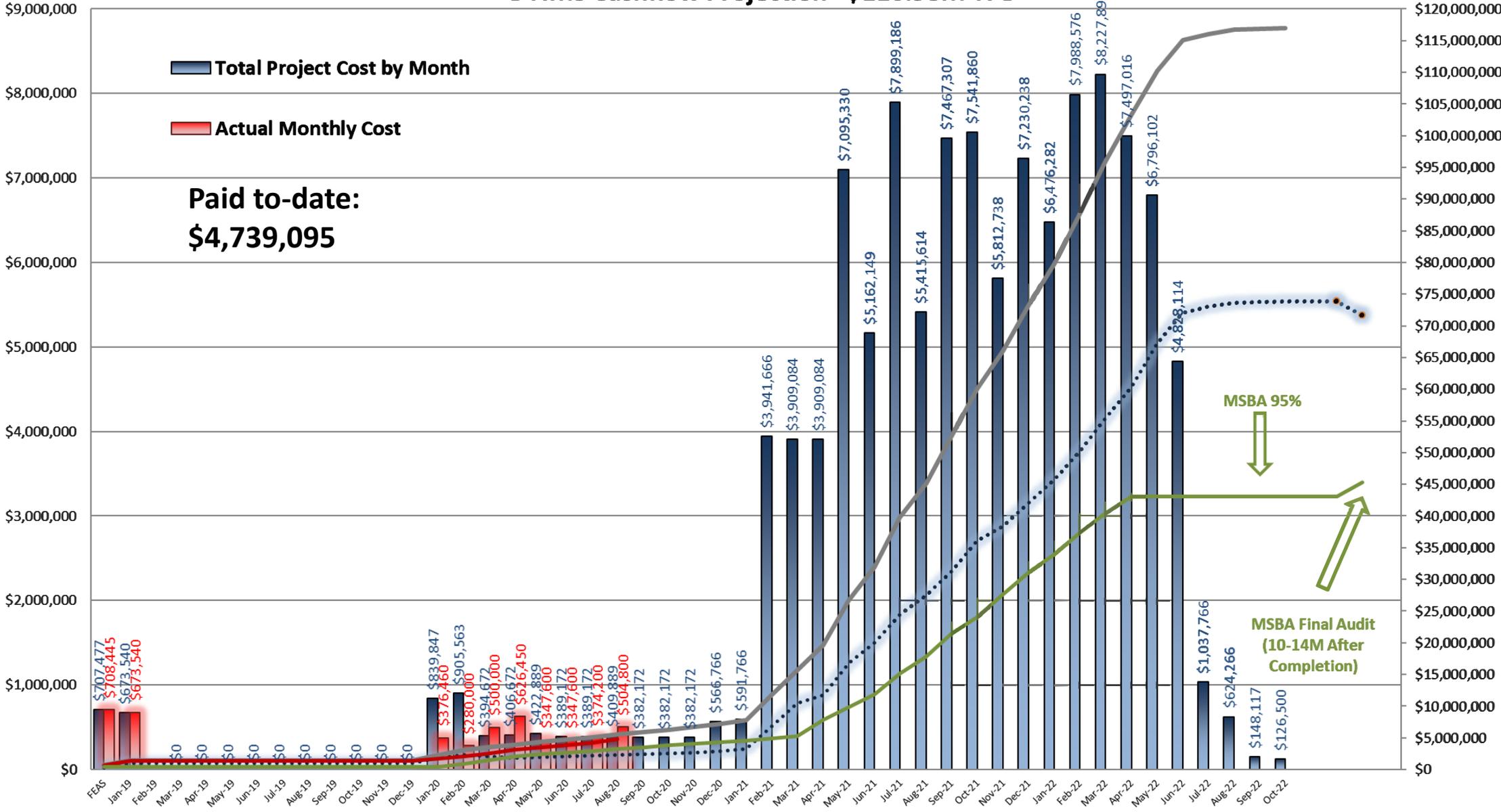
**5 Proposals Received:**

- LeMessurier
- RSV
- ST&P
- MacSal
- **DM Berg**

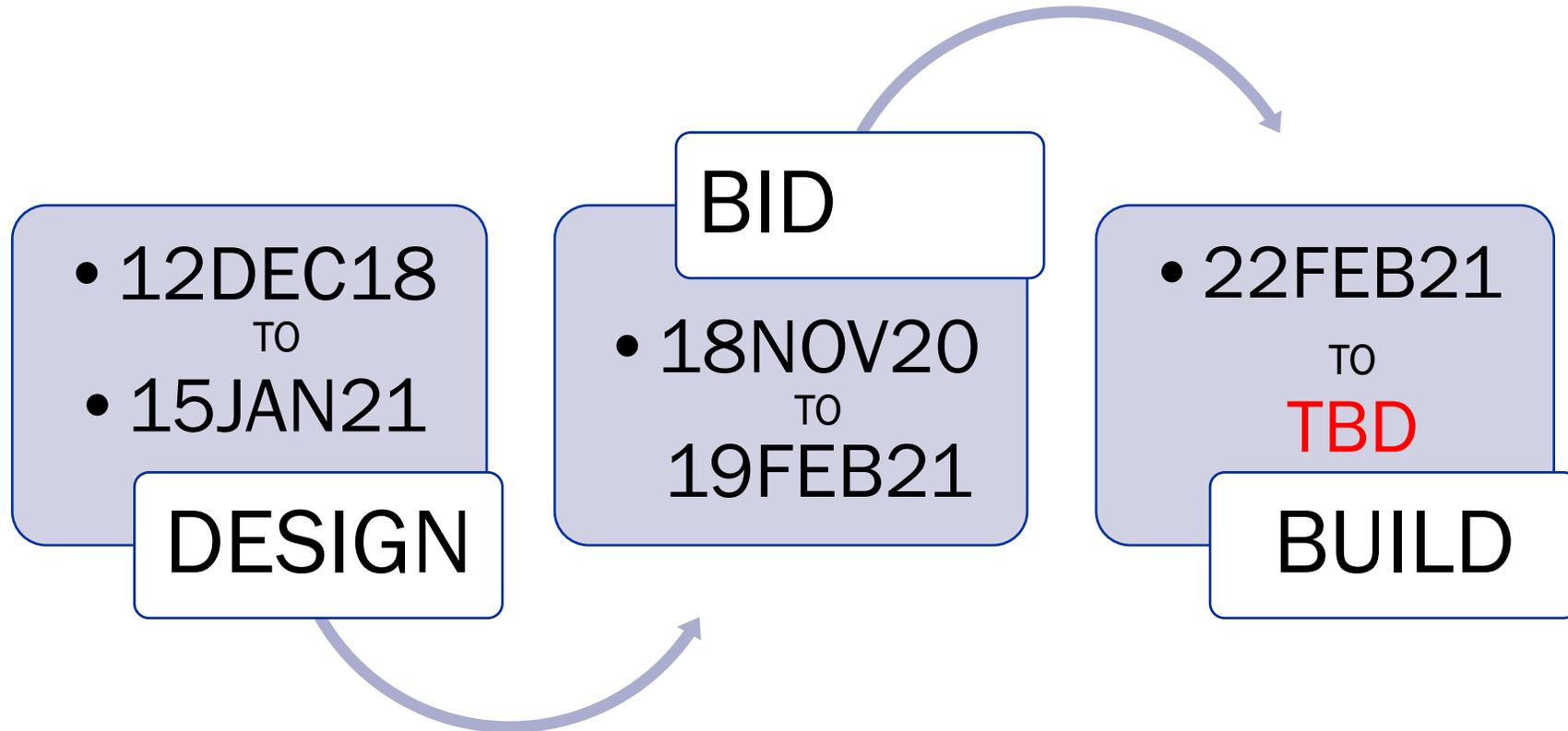
	SF	% of Total	Project Amount
Dennis Yarmouth MS	186,500	26.80%	\$ 2,573.17
Easton ES	148,422	21.33%	\$ 2,047.79
Rockland ES	120,672	17.34%	\$ 1,664.92
Sharon HS	240,204	34.52%	\$ 3,314.12
DM Berg Contract Value		100.00%	\$ 9,600.00

# PROJECT CASHFLOW

## DYIMS Cashflow Projection - \$116.98M TPB



# MASTER PROJECT SCHEDULE UPDATE



# PROJECT SCHEDULE UPDATE

DD

- Mar 30, 2020 – Estimate Set Due
- Apr 26, 2020 – Estimate Reconciliation Meeting
- Apr 30, 2020 – SBC VM Meeting and Vote to Submit
- May 07, 2020 – DD Submission to MSBA

60%

- Aug 18, 2020 – Estimate Set Due
- Sept 10, 2020 – Estimate Reconciliation Meeting
- Sept 17, 2020\* – SBC VM Meeting and Vote to Submit (\*tentative date to be confirmed)
- Sept 22, 2020 – 60% Submission to MSBA

90%

- Oct 20, 2020 – Estimate Set Due
- Nov 10, 2020 – Estimate Reconciliation Meeting
- Nov 19, 2020\* – SBC VM Meeting and Vote to Submit (\*tentative date to be confirmed)
- Nov 24, 2020 – 90% Submission to MSBA

- New Business
- Public Comment Period
- Motion to Adjourn

**THANK YOU**



**PERKINS —  
EASTMAN**

Photo courtesy of TripAdvisor



# **DENNIS-YARMOUTH SCHOOL PROJECT**

**THE DYIMS SCHOOL BUILDING  
COMMITTEE**



**PMA Consultants**

# **INFORMATION ITEMS**

**APPLY NOW FOR  
AFFORDABLE HOUSING**

**THE READY RENTERS PROGRAM  
IS CURRENTLY ACCEPTING APPLICATIONS on a ROLLING BASIS  
FOR UNITS in DENNIS, YARMOUTH and FALMOUTH  
NOW THRU NOVEMBER 20, 2020**

**Apply now to be considered for  
DENNIS AFFORDABLE HOUSING TRUST UNIT  
72 SWAN RIVER ROAD, WEST DENNIS, MA**

2 BEDROOM APARTMENT. Rent is set at 27% of actual household income, but not lower than \$979. The current rent range is \$1,566 to \$979. To qualify, your household income must not exceed the FY2020 Income Limits: \$83,500 for a household of 5, \$77,300 for a household of 4, 69,600 for a household of 3, \$61,850 for household of 2, \$54,150 for household of 1. Other requirements apply. Households with rental vouchers are encouraged to apply. **Qualified applicants will be considered on a first come, first served basis.**

**Apply now to be considered for  
BRICK KILN APARTMENTS, 123 BRICK KILN ROAD, EAST FALMOUTH, MA**  
2 BEDROOM: \$1,350 a month utilities not included; 3 BEDROOM: \$1,525 a month utilities not included. To qualify, household income must not exceed the FY2019 Income Limits: \$65,900 for a household of 3; \$58,600 for a household of 2, \$51,250 for household of 1. Other requirements apply. Households with rental vouchers are encouraged to apply. **Qualified applicants will be placed at the end of the current list in the order received.**

**Apply now to be considered for  
NEPTUNE PLACE APARTMENTS, 20 NEPTUNE LANE, SOUTH YARMOUTH**  
STUDIO: \$798 a month utilities included; 1 BEDROOM: \$934 a month utilities included  
To qualify, your household income must not exceed the FY2020 Income Limits: \$69,600 for a household of 3, \$61,850 for household of 2, \$54,150 for household of 1. Other requirements apply. Households with rental vouchers are encouraged to apply. **Qualified applicants will be considered on a first come, first served basis.**

**TO REQUEST AN APPLICATION CONTACT:  
Plymouth Redevelopment (508)747-1620 Ext 10147  
[redvelopmentDir@townhall.plymouth.ma.us](mailto:redvelopmentDir@townhall.plymouth.ma.us)**

**RETURN COMPLETED APPLICATIONS TO:  
Plymouth Redevelopment Authority,  
26 Court St, Plymouth 02360  
No later than November 20, 2020**

All qualified applicants not placed in a Dennis, Brick Kiln or Neptune Lane unit will be added to the Ready Renter Wait List in the order received for consideration of other Ready Renter units in Yarmouth, Barnstable, Dennis, Barnstable, Falmouth, and Orleans.