

YARMOUTH FINANCE COMMITTEE
February 9, 2009
Conference Room A

Members Present: Chairman Patrick Foran, Vice Chairman Robert Kaiser, Clerk Carol Serafino, Betty-Jane Burkhardt, John Henderson, Randall Stiffler, Carlene Veara and Dorothy Voelker

Absent: Peter Slovak

Staff: Town Administrator Robert Lawton

Chairman Foran called the meeting to order at 6:35 p.m. He advised that the agenda for the night was a review of the Police Department ATM articles and the Cape and Vineyard Electric Cooperative article.

Chief Almonte explained the rationale for the three articles:

Alarm Bylaw: The concern of the Department is the number of false alarms which require police action. The Article is modeled after a national bylaw and is user friendly. There are some differences in this new Bylaw ... there would be one free false alarm instead of three, the recommended fee is \$75.00 instead of \$50 (the fee to be set by the Board of Selectmen), the fine is set by State Law, a more user-friendly Appeals process. The Chief stressed that the intent of the Bylaw is to reduce police response to false alarms, particularly now due to the difficult financial situation and limited resources. The draft bylaw is being reviewed by the Alarm Companies, the Chamber of Commerce, and the Board of Selectmen in late March, at which time there will be a public meeting. Mr. Henderson suggested to ease the workload on the Police Department, that the Police charge the alarm companies who in turn would charge the user. The Fire Department false alarm bylaw is currently under review.

Door-to-Door Solicitation: Information regarding the proposed Bylaw was distributed. The Chief explained that many residents complain to the Police Department about door-to-door solicitation, and that the intent of this is to regulate door-to-door sales by licensing sales agents; establishing a No Solicitation List; and promulgating reasonable time and manner restrictions on door-to-door solicitation including enforcement. He further explained that each sales person would be required to apply individually and receive a government-issued photographic identification, as well as being subject to the provisions of CORI checks. The No Solicitation List shall be established and maintained by the Police Department, and residents may submit their property for inclusion on the list without charge. Upon issuance of a Permit, each sales person shall be provided with a copy of the No Solicitation List, and the Permit shall be carried by each sales person at all times while engaged in door-to-door sales. Violations of the Bylaw shall be punished by a fine not to exceed \$300.

Public Use of Marijuana: The Chief advised that it is still illegal to use marijuana, and there is a civil fine of \$100. This Bylaw is modeled after the liquor Bylaw. He explained that if the police sees someone smoking marijuana in a public place, like the beach, the person is fined. However, if that person is caught after being ordered to cease said violation by any police officer, town official, or public employee having authority over such area, the person may be arrested without a warrant. Any person violating this proposed Bylaw shall be punished by a fine not to exceed \$300, the unlawful substance seized and disposed of in accordance with the law, and any fines and fees collected will go towards the administration of this Bylaw, drug investigations, and training and education of the police and public. Chief Almonte also advised that the Attorney General's model bylaw was used as a reference in preparing this Bylaw.

Chairman Foran and the Committee members thanked Chief Almonte for his presentation.

Mark Zielinski, County Administrator, and Maggie Downey, Assistant County Administrator and Cape & Vineyard Cooperative Administrator, addressed the article regarding joining the Cape & Vineyard Electric Cooperative.

Information was distributed. Ms. Downey explained that the article required a Town Meeting vote. She advised that one of the objectives of joining the Cooperative was to develop electric generation projects or contracts over the next 10 years to stabilize electric rates for all Cape Light Company customers.

Some of the benefits of joining the Cape & Vineyard Electric Cooperative are: economy feasibility and affordability, financing large scale renewable energy projects will not burden a Town's debt capacity; Cooperative supported by the financial commitment of MTC's Community Wind financing package would have long term REC contracts at \$40/REC, and REC's will be sold to Cape Light Compact at \$40/REC to stabilize electricity prices for all consumers. It was explained that 90% of the energy generated goes to the Town, the other 10% goes to the other members of the Cooperative. The life of the agreement is 20 years. The cost to the Town would be a \$25 filing fee.

The next steps for joining the Cooperative are: (a) meeting with the Town Administrator and Town legal counsel to review Cooperative documents; (b) informational meetings with Selectmen and members of the public, (c) Town meeting vote, (d) Town adopts Articles of Incorporation and Bylaws for the Cape & Vineyard Electric Cooperative.

Chairman Foran thanked Mr. Zielinski and Ms. Downey for their presentation.

Town Administrator Items:

- ▶ Mr. Lawton announced that he has scheduled the CPC for February 11 at 7 p.m.; Planning Board has not been scheduled at this time.
- ▶ Mr. Lawton distributed and review the "February 5th" update of ATM articles.
- ▶ The Snow and Ice account is currently \$95,000 over budget.
- ▶ Fire Chief Walker has advised that the fuel tank of the Station 2 emergency generator needs to be repaired at an anticipated cost of \$9,400. Indications are there will be a request for a transfer from the Fincom Reserve Fund.

Chairman Foran led a discussion regarding the current status of the budgets and being over 2 ½ and the hardship caused by further decreases, with both Police and Fire Departments effected the most.

Minutes:

Ms. Serafino moved to accept the minutes of February 4, 2009; Mr. Stiffler seconded the motion.

Discussion followed regarding the content of the minutes, which had been prepared in accordance with direction from the Committee on February 4th.

Mr. Henderson moved that the numbers building up to the \$2.3M be incorporated into the minutes of February 4, 2009, so as to properly present the underlining message. Ms. Veara seconded the motion. The motion passed

Ms. Burkhardt was requested to include slide 16 of Supt. Woodbury's presentation and the final slide of Chairman Foran's presentation in the text of the minutes.

On motion of Mr. Kaiser, seconded by Chairman Foran, it was unanimously voted to adjourn at 8:45 p.m.

Respectfully Submitted,

Betty-Jane Burkhardt, Recorder

Carol Serafino, Clerk