

**ANNUAL TOWN MEETING WARRANT
COMMONWEALTH OF MASSACHUSETTS
MAY 22ND, 2021**

Barnstable, ss.

To the Constable of the Town of Yarmouth in the County of Barnstable, Greetings, In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of said Town qualified to vote in Town affairs to meet in the Mattacheese Middle School Ball Field in said Town, Saturday, the 22nd day of May 2021 at nine o'clock (9:00 a.m.) in the morning, then and there to act on the following articles.

ARTICLE #1: To see if the Town will vote to transfer and appropriate a sum of money to provide additional funds for the FY 2021 operating budget.

<u>Department</u>	<u>Request</u>	<u>Amount</u>	<u>Source</u>
DPW	Construction & Demolition	\$150,000	Free Cash
DPW	Snow and Ice	\$ 50,000	Free Cash

EXPLANATION: *The purpose of this article is to fund any budget shortages for the current year. The supplemental funding for Construction & Demolition materials (C&D) is needed to cover a higher than expected volume of waste material received at the Town Disposal Area. The C&D expense is covered by the revenues paid to dispose of these materials. The supplemental funding for Snow & Ice is needed to cover the costs associated with several long duration road-treating events.*

Board of Selectmen Recommends (5-0)

Finance Committee Recommends (7-0)

(Board of Selectmen)

MOTION: Made by Mark Forest, Chairman of the Board of Selectmen. Seconded from the floor.

I move Article 1 as printed in the warrant.

Board of Selectmen Recommends (Mark Forest, Chairman)

Finance Committee Recommends (Brian Gardiner, Chairman)

ACTION: The Motion Passes.

Time: 9:14am

ARTICLE #2: To see what sums of money the Town will vote to raise or transfer from available funds and appropriate such funds to defray the charges, expenses, salary, and payroll obligations of the Town, including debt and interest for the ensuing year, to provide for a reserve fund, and to fix the salaries and compensation for all elected officials of the Town or act on anything relative thereto.

Code		Actual FY20	Budget FY21	Request FY22	FinCom FY22
ELECTED/GENERAL GOVERNMENT					
E-1	MODERATOR	500	500	500	500
SELECTMEN					
E-2	Wages (5 PT)	15,000	15,000	15,000	15,000
E-3	Expense	2,684	1,000	1,000	1,000
TOWN ADMINISTRATOR					
GG-1	Wages (6 FTE + PT)	541,507	594,551	591,803	591,803
GG-2	Expense	22,736	48,800	48,800	48,800
GG-3	Employee increment	0	20,000	20,000	20,000
GG-4	Emergency management expense	4,043	5,000	5,000	5,000
GG-5	Unemployment compensation	7,784	27,500	50,000	50,000
GG-6	Energy	403,682	416,003	474,053	474,053
GG-7	Legal	98,339	140,000	130,000	130,000
GG-8	Bargaining legal	32,511	20,000	30,000	30,000
GG-9	Training	18,762	20,000	20,000	20,000
GG-10	Medicare	308,067	320,309	329,918	329,918
GG-11	Health insurance	2,492,504	2,648,174	2,580,000	2,580,000
GG-12	Pension	4,246,065	4,296,440	4,637,234	4,637,234
GG-13	General insurance	826,918	1,005,108	1,105,618	1,105,618

Code		Actual FY20	Budget FY21	Request FY22	FinCom FY22
FINANCE COMMITTEE					
GG-14	Wages	1,453	1,500	1,500	1,500
GG-15	Reserve	0	100,000	0	0
CENTRAL PURCHASING					
GG-16	Purchasing	86,815	94,845	95,400	95,400
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	TOTAL WAGES	558,460	631,551	628,803	628,803
	TOTAL EXPENSES	8,550,910	9,143,179	9,507,023	9,507,023
	TOTAL ELECTED / GEN. GOVT.	9,109,370	9,774,730	10,135,826	10,135,826
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MUNICIPAL FINANCE					
TOWN ACCOUNTANT					
MF-1	Wages (4.55 FTE)	248,194	353,877	356,351	356,351
MF-2	Expense	36,516	40,194	40,194	40,194
ASSESSORS					
MF-3	Wages (4.55 FTE + Seasonal)	283,059	292,389	297,586	297,586
MF-4	Expense	92,986	108,590	108,590	108,590
COLLECTOR/TREASURER					
MF-5	Wages (5 FTE)	353,136	361,261	370,394	370,394
MF-6	Expense	50,225	79,410	74,910	74,910

Code		Actual FY20	Budget FY21	Request FY22	FinCom FY22
TOWN CLERK					
MF-7	Wages (4.90 FTE)	265,145	278,589	278,687	278,687
MF-8	Expense	14,290	13,540	13,540	13,540
ELECTION & REGISTRATION					
MF-9	Wages (Seasonal)	1,959	5,100	37,600	37,600
MF-10	Expense	77,499	76,500	39,000	39,000
TOTAL WAGES		1,151,493	1,291,216	1,340,618	1,340,618
TOTAL EXPENSES		271,517	318,234	276,234	276,234
TOTAL MUNICIPAL FINANCE		1,423,010	1,609,450	1,616,852	1,616,852
COMMUNITY DEVELOPMENT					
CD-1	Wages (9 FTE)	419,206	453,454	467,789	467,789
CD-2	Expense	17,903	19,986	19,986	19,986
TOTAL WAGES		419,206	453,454	467,789	467,789
TOTAL EXPENSES		17,903	19,986	19,986	19,986
TOTAL COMMUNITY DEVELOPMENT		437,109	473,440	487,775	487,775

Code		Actual FY20	Budget FY21	Request FY22	FinCom FY22
COMMUNITY SERVICES					
GENERAL LIBRARY					
CS-1	Wages (10.87 FTE)	588,900	636,629	678,349	678,349
CS-2	Expenses	167,159	184,233	249,417	249,417
NATURAL RESOURCES					
CS-3	Wages (8 FTE + Seasonal)	581,950	639,981	646,312	646,312
CS-4	Expense	103,832	134,846	134,846	134,846
SENIOR SERVICES					
CS-5	Wages (7.73 FTE)	212,888	327,143	322,454	322,454
CS-6	Expense	74,783	95,871	95,871	95,871
RECREATION					
CS-7	Wages (3 FTE + Seasonal)	345,128	410,643	437,532	437,532
CS-8	Expense	27,926	36,167	37,500	37,500
CS-9	Recreation Offset Wages (2 FTE)	382,846	441,685	443,111	443,111
CS-10	Recreation Offset Expenses	107,893	150,900	151,400	151,400
TOTAL WAGES		2,111,712	2,456,081	2,527,757	2,527,757
TOTAL EXPENSES		481,593	602,017	669,034	669,034
TOTAL COMMUNITY SERVICES		2,593,305	3,058,098	3,196,791	3,196,791

Code		Actual FY20	Budget FY21	Request FY22	FinCom FY22
PUBLIC SAFETY					
POLICE					
	Overtime in wages line-item (PS-1)	(952,014)	(584,411)	(584,411)	(584,411)
PS-1	Wages (76 FTE + reserves + PT)	7,217,994	7,121,734	7,114,110	7,114,110
PS-2	Training (OT)	127,575	100,000	100,000	100,000
PS-3	Proactive anti-crime team (OT)	41,452	100,000	100,000	100,000
PS-4	Expense	229,618	258,404	237,904	237,904
FIRE					
	Overtime in wages line-item (PS-5)	(876,322)	(872,503)	(872,503)	(872,503)
PS-5	Wages (71 FTE + call FF)	6,463,840	7,149,986	7,382,534	7,382,534
PS-6	Training (OT)	51,909	100,000	100,000	100,000
PS-7	Expense	515,548	511,191	511,831	511,831
TOTAL WAGES		13,891,382	14,571,720	14,771,644	14,771,644
TOTAL EXPENSES		745,165	769,595	774,735	774,735
TOTAL PUBLIC SAFETY		14,636,547	15,341,315	15,546,379	15,546,379

Code		Actual FY20	Budget FY21	Request FY22	FinCom FY22
MUNICIPAL INSPECTIONS					
BUILDING INSPECTOR					
MI-1	Wages (8 FTE + PT)	507,710	524,028	530,893	530,893
MI-2	Expense	33,602	28,780	29,155	29,155
BOARD OF HEALTH					
MI-3	Wages (7 FTE + PT)	441,368	471,970	469,728	469,728
MI-4	Expense	22,822	11,929	11,929	11,929
MI-5	Human Services	62,384	6,170	0	0
MI-6	Veterans – expenses	162,756	157,226	173,446	173,446
TOTAL WAGES		949,078	995,998	1,000,621	1,000,621
TOTAL EXPENSES		281,563	210,275	214,530	214,530
TOTAL MUNICIPAL INSPECTIONS		1,230,641	1,206,273	1,215,151	1,215,151

Code		Actual FY20	Budget FY21	Request FY22	FinCom FY22
MUNICIPAL OPERATIONS					
INFORMATION TECHNOLOGY					
MO-1	Wages (5.94 FTE + PT)	407,023	449,480	461,154	461,154
MO-2	Expense	420,318	486,592	531,592	531,592
TOTAL WAGES		407,023	449,480	461,154	461,154
TOTAL EXPENSES		420,318	486,592	531,592	531,592
TOTAL MUNICIPAL OPERATIONS		827,341	936,072	992,746	992,746

PUBLIC WORKS

ADMINISTRATION/ENGINEERING

PW-1	Wages (7 FTE)	244,359	352,374	456,166	456,166
PW-2	Expenses	242,018	450,303	450,303	450,303

HIGHWAY

PW-3	Wages (14 FTE)	727,782	823,764	818,969	818,969
PW-4	Expense	146,849	152,292	152,292	152,292
PW-5	Tree expense	9,363	10,000	0	0
PW-6	Greenhead fly	781	2,700	2,700	2,700

Code		Actual FY20	Budget FY21	Request FY22	FinCom FY22
SNOW & ICE					
PW-7	Wages (overtime)	18,315	41,000	41,000	41,000
PW-8	Expense	58,562	156,100	156,100	156,100
FACILITIES					
PW-9	Wages (3 FTE)	176,311	224,257	214,336	214,336
PW-10	Expense	109,395	118,786	124,693	124,693
SANITATION					
PW-11	Wages (10 FTE)	587,397	598,965	644,306	644,306
PW-12	Expense	2,784,958	2,955,744	2,955,744	2,955,744
PARKS					
PW-13	Wages (6 FTE + Seasonal)	471,119	512,573	535,902	535,902
PW-14	Expense	117,831	140,674	140,674	140,674
CEMETERY					
PW-15	Wages (1 FTE + Seasonal)	91,564	105,959	107,972	107,972
PW-16	Expense	32,729	37,574	37,574	37,574
TOTAL WAGES		2,316,847	2,658,889	2,818,651	2,818,651
TOTAL EXPENSES		3,502,486	4,024,173	4,020,080	4,020,080
TOTAL PUBLIC WORKS		5,819,333	6,683,062	6,838,731	6,838,731

Code		Actual FY20	Budget FY21	Request FY22	FinCom FY22
DEBT SERVICE					
DS-1	Regular Debt	219,823	237,493	220,793	220,793
DS-2	Exempt Debt 700,552	622,728	1,267,095	1,267,095	1,267,095
TOTAL		920,375	860,221	1,487,888	1,487,888

	Town Actual	Budget FY21	Request FY22	FinComm FY22
GRAND TOTAL WAGES (all Depts.)	21,805,200	23,508,389	24,017,037	24,017,037
GRAND TOTAL EXPENSES (all Depts.)	15,191,828	16,434,272	17,501,103	17,501,103
GRAND TOTAL Article 2	36,997,028	39,942,661	41,518,140	41,518,140

EXPLANATION: *This article funds the Town's operating budget, which covers employee salaries, benefits, and other Town operating expenses. At the direction of the Board of Selectmen, this budget is balanced, affordable, within the parameters of proposition 2 ½, and provides the best possible services and facilities to the Town. The Finance Committee has reviewed this budget in detail.*

Board of Selectmen Recommends (5-0)

Finance Committee Recommends (7-0)

(Board of Selectmen)

MOTION: Made by Mark Forest, Chairman, Board of Selectmen. Seconded from the floor.

I move the various sums under the column headed "FinCom FY 2022" be appropriated for their respective purposes, and to fund such articles along with funding from taxation, local receipts, along with following appropriations and transfers.

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Transfer the sum of \$15,000 from Polling Hours State Reimbursement Fund for MF-10 Election Expenses.
Transfer the sum of \$7,000 from Wetlands Protection Fund for CD-1 Community Development Wages.
Transfer the sum of \$7,500 from Waterways Improvement funds for CS-3 Natural Resources Wages.
Transfer the sum of \$75,000 from Ferry Tax for CS-3 Natural Resources Wages.
Raise the sum of \$594,511 from Recreation Offset Receipts for CS-9 & 10 Recreation Division Offset Wages and Expenses Account.
Transfer the sum of \$1,500,000 from Ambulance Reserve for Appropriation for PS-5 Fire Department Wages.
Transfer the sum of \$15,000 from Gifford Cemetery Fund for PW-15 Cemetery Wages.
Transfer the sum of \$25,000 from Cemetery Perpetual Care Fund for PW-15 Cemetery Expenses.
Transfer the sum of \$10,000 from Cemetery Sale of Lots funds for PW-15 Cemetery Expenses.
Total Amount \$2,249,011

Board of Selectmen Recommends (Mark Forest, Chairman)

Finance Committee Recommends (Brian Gardiner, Chairman)

ACTION: The motion passes.

Time: 9:26am

ARTICLE #3: To see what sums of money the Town will vote to raise, appropriate, or transfer from available funds to fund the operating budget of the Golf Enterprise, or take any action thereon:

	Actual FY 2020	Budget FY 2021	Request FY 2022
GOLF			
Wages (14 FTE + Seasonal)	1,170,628	1,573,535	1,573,066
Expense	2,112,238	2,262,785	2,418,934
Costs Appropriated in the General Fund	0	0	200,000
Total Golf Enterprise Operating Budget	3,282,866	3,836,320	4,192,000
Funded from Golf Enterprise Revenues	3,605,399	3,611,320	3,992,000
Funded from General Fund – Free Cash			
Funded from Retained Earnings*		225,000	200,000
Total Golf Enterprise Funding	3,605,399	3,836,320	4,192,000

* *Golf Enterprise reserves/retained earnings is \$422,906 as of 11/17/2020*

EXPLANATION: *This article is the operating budget for the golf division and funds employee salaries, benefits, and other golf operating expenses. This year’s budget is funded entirely by golf fees and other revenue generated by the golf division.*

Board of Selectmen Recommends (5-0)

Finance Committee Recommends (7-0)

(Board of Selectmen)

MOTION: Made by Mark Forest, Chairman, Board of Selectmen. Seconded from the floor.

I move Article 3 as printed in the warrant, and to fund such article with a transfer of \$3,992,000 from the Golf Enterprise Revenue and to transfer \$200,000 from Golf Retained Earnings.

Board of Selectmen Recommends (Mark Forest, Chairman)

Finance Committee Recommends (Brian Gardiner, Chairman)

ACTION: The Motion passes.

Time: 9:31am

ARTICLE #4: To see what sums of money the Town will vote to raise, appropriate or transfer from available funds to fund the operating budget of the Water Department for the purpose set forth in the Acts of 1928, Chapter 146, or under Massachusetts General Laws, Chapter 41, Section 69B, or to take any other action thereon:

	Actual FY 2020	Budget FY 2021	Request FY 2022
WATER			
Wages (21 FTE)	1,295,464	1,482,268	1,642,201
Expense	1,854,719	2,402,743	2,402,000
Costs Appropriated in the General Fund	353,000	618,188	618,188
Total Water Department Operating Budget	3,503,183	4,503,199	4,662,389
Funded from Water Department Revenues	4,762,944	4,379,561	4,662,389
Funded from Water Surplus		123,638	
Total Water Department Funding	4,762,944	4,503,199	4,662,389

* *Water Special Revenue Fund reserves is \$2,379,993 as of 11/17/2020.*

EXPLANATION: *This article is the operating budget for the water division, which funds employee salaries, benefits, and other water operating expenses. The water division operates as a distinct special revenue fund, much like the golf and septage operations, and is fully funded by water fees.*

Board of Selectmen Recommends (5-0)

Finance Committee Recommends (7-0)

(Board of Selectmen)

MOTION: Made by Mark Forest, Chairman, Board of Selectmen. Seconded from the floor.

I move Article 4 as printed in the Warrant, and to fund such article with a transfer from Water Division revenues in the sum of \$4,662,389.

Board of Selectmen Recommends (Mark Forest, Chairman)

Finance Committee Recommends (Brian Gardiner, Chairman)

ACTION: The Motion carries.

Time: 9:34am

ARTICLE #5: To see what sums of money the Town will vote to raise, appropriate or transfer from available funds to fund the operating budget of the Septage Enterprise, or take any other action thereon:

	Actual FY 2020	Budget FY 2021	Request FY 2022
SEPTAGE ENTERPRISE			
Wages	58,232	0	0
Expense	1,970,607	2,284,503	2,312,859
Costs Appropriated in the General Fund	114,101	190,300	190,300
Total Septage Enterprise Operating Budget	2,142,940	2,474,803	2,503,159
Funded from Septage Enterprise Revenues	2,984,567	2,474,803	2,503,159
Funded from Septage Retained Earnings*			
Total Septage Enterprise Funding	2,984,567	2,474,803	2,503,159

*Septage Enterprise retained earnings is \$4,148,002 at 06/30/2020.

EXPLANATION: This is the operating budget for the Septage Treatment Plant which is treated as an enterprise fund. The costs are fully covered by fees charged to contractors that dispose of septic waste at the plant. This enterprise fund, like golf and water, is fully supported by fee revenue.

Board of Selectmen Recommends (5-0)

Finance Committee Recommends (7-0)

(Board of Selectmen)

MOTION: Made by Mark Forest, Chairman, Board of Selectmen. Seconded from the floor.

I move Article 5 as printed in the warrant, and to fund such article with a transfer of \$2,503,159 from Septage Enterprise Revenues.

Board of Selectmen Recommends (Mark Forest, Chairman)

Finance Committee Recommends (Brian Gardiner, Chairman)

ACTION: The Motion carries.

Time: 9:35am

ARTICLE #6: To see if the Town will vote to raise or transfer from available funds and appropriate a sum of money to fund the Dennis-Yarmouth Regional School District budget for FY 2022, and to see whether such sum shall be raised by taxation, transferred from available funds, and/or be subject to an override of Proposition 2½ under M.G.L. c. 59, s. 21C(g).

Actual FY 2020	Actual FY 2021	Operating Budget FY 2022	Capital Budget FY 2022	Certified FY 2022
\$35,295,971.63	\$35,874,218.28	\$37,376,507	\$652,803	\$38,029,310

EXPLANATION: *This article funds the Town’s share of the Dennis-Yarmouth Regional School District. The FY 2022 Assessment is based upon the revised regional agreement. This assessment represents a 5.18% year-over-year increase to the Town of Yarmouth.*

Board of Selectmen Recommends (5-0)
 Finance Committee Recommends (7-0) (Dennis-Yarmouth Regional School District)

MOTION: Made by Mark Forest, Chairman, Board of Selectmen. Seconded from the floor.

I move Article 6 as printed in the Warrant, and to fund the amount under “Certified FY 2022” by raising and appropriating \$38,029,310.

Board of Selectmen Recommends (Mark Forest, Chairman)
 Finance Committee Recommends (Brian Gardiner, Chairman)

ACTION: The motion passes. Time: 9:37am

ARTICLE #7: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate a sum of money to fund the Town of Yarmouth’s share of the Cape Cod Regional Technical High School District budget for FY 2022, or take any other action thereon.

Actual FY 2020	Actual FY 2021	Operating Budget FY 2022	Capital Budget FY 2022	Certified FY 2022
\$3,760,618	\$4,018,186	\$3,059,908	\$1,588,876	\$4,648,784

EXPLANATION: *This article funds the Town’s share of the Cape Cod Regional Technical High School District. The debt for the new school is now included in the assessment.*

Board of Selectmen Recommends (5-0)
 Finance Committee Recommends (7-0) (Cape Cod Regional Technical High School)

MOTION: Made by Mark Forest, Chairman, Board of Selectmen. Seconded from the floor.

I move Article 7 as printed in the warrant, and to fund the amount under “Certified FY 2022” by raising and appropriating \$4,648,784.

Board of Selectmen Recommends (Mark Forest, Chairman)
 Finance Committee Recommends (Brian Gardiner, Chairman)

ACTION: The motion carries. Time: 9:42am

ARTICLE #8: To see what sums of money the Town will vote to raise, or transfer from available funds, and appropriate to purchase and equip the following goods and services, or take any other action thereon:

Division/Department	Item/Project	Amount Recommended
<u>Capital Request</u>		Amount
	Dive Equipment (R)	13,000
	Pumper (R)	750,000
	4WD Pick-up w/cap for EMS Training Supervisor (R)	65,000
	Ford Escape (R)	65,000
	Breathing Apparatus (R)	96,000
Total Appropriation Requests		989,000

EXPLANATION: *Fire Department vehicles and life safety equipment funded by ambulance revenue. In addition to these amounts, supplemental funding for needed maintenance projects from other available town funds (Overlay Reserves) have also been consolidated into this article for consideration.*

Board of Selectmen Recommends (5-0)
 Finance Committee Recommends (7-0) (Board of Selectmen)

MOTION: Made by Mark Forest, Chairman, Board of Selectmen. Seconded from the floor.

I move Article 8 as printed in the warrant, and to fund such article, transfer of \$500,000 from the Fire Department Ambulance Revenue Fund, and to transfer \$489,000 from Overlay Reserves.

Board of Selectmen Recommends (Mark Forest, Chairman)
 Finance Committee Recommends (Brian Gardiner, Chairman)

ACTION: The motion carries. Time: 9:43am

ARTICLE #9: To see if the Town will vote to raise, appropriate, and transfer from available funds in the DPW Water Division Water Fund balance, a sum of funds for capital expenses of the Water Division, pursuant to the Acts of 1928, Chapter 146, or under Mass. General Laws, Chapter 41, Section 69B, as follows:

<u>Capital Request</u>	Amount
Well Redevelopment (M)	205,000
Water Meters (R)	50,000
Route 28 Water Main design (R)	350,000
Vehicle Replacement (R)	50,000
Total Appropriation Requests	655,000

EXPLANATION: *This article includes capital funding for the Water Division to maintain the Water Division plant, wellfield and equipment required to deliver safe clean drinking water. Funds for these capital items come from the water reserve account which are funds derived from water fees.*

Board of Selectmen Recommends (5-0)

Finance Committee Recommends (5-0) (Board of Selectmen)

MOTION: Made by Mark Forest, Chairman, Board of Selectmen. Seconded from the floor.

I move Article 9 as printed in the warrant, and to fund such article with a transfer of \$655,000 from the DPW Water Division Water Fund balance.

Board of Selectmen Recommends (Mark Forest, Chairman)

Finance Committee Recommends (Brian Gardiner, Chairman)

ACTION: The motion carries.

Time: 9:44am

ARTICLE #10: To see if the Town will vote to transfer \$3,099,838 from Free Cash, and appropriate this sum for the following amounts and purposes indicated, or act on anything relative thereto:

Request		Department	Amount
10-1	Tasers (R)	Police	33,600
10-2	Cruisers – 2 (R)	Police	90,000

10-3	Vehicle & Body Cameras (N)	Police	50,616
10-4	Police Radio System (R)	Police	81,000
10-5	Town-wide Telephone System (R)	Town Wide	130,000
10-6	Town Hall Front and Side Doors (R)	Facilities	30,000
10-7	Patrol Boat Engine (R)	Natural Resources	36,000
10-8	Network and Infrastructure (R)	Information Technology	50,500
10-9	40,000 GVW Dump Truck (R)	DPW/Highway	195,000
10-10	Work Barge Motor (R)	Natural Resources	12,000
10-11	4x4 1500 Crew Cab Pickup (R)	Natural Resources	52,000
10-12	Portable Safety Radios and Two-ways (R)	Recreation	22,110
10-13	Cellebrite Technology – Cell Phone Encryption (R)	Police	25,000
10-14	Security Cameras at Flax Pond (N)	Facilities	15,500
10-15	Roadway Improvements (M)	DPW	1,340,245
10-16	Drinking Fountain (N)	Recreation	20,000
10-17	Peter Homer Park Softball Infield Renovation (M)	Recreation	20,000
10-18	Bunker & Field Rake	Parks	13,500
10-19	Information Technology Transition/Outsource Server Hosting (N)	Information Technology	207,745
10-20	Electric Vehicle Lease Purchase (2) (R)	Inspections	23,338
10-21	Green Communities Coordinator (N)	Town Administration	34,000
10-22	Intern / Part Time Staffing	Town Administration	39,000
10-23	Other Post-Employment Benefits (OPEB)	Town Administration	71,800
10-24	Route 28 Wastewater Project Short Term Debt	DPW	53,000
10-25	Wastewater Outreach and Design	DPW	200,000
10-26	Police HVAC Short Term Debt (R)	Facilities	53,000
10-27	C3TV Payment	Information Technology	200,000
Total Appropriation Requests			3,098,954

2/3 Vote Required (edit. – on certain items only)

Board of Selectmen Recommends (4-0-1 absent)

Finance Committee Recommends (7-0)

(Board of Selectmen)

MOTION: Made by Mark Forest, Chairman, Board of Selectmen. Seconded from the floor.

I move Article 10 as printed in the warrant, and to fund such article with a transfer of \$3,098,954 from free cash.

Board of Selectmen Recommends (Mark Forest, Chairman)

Finance Committee Recommends (Brian Gardiner, Chairman)

ACTION: Moderator called for a vote on:

10-20	Electric Vehicle Lease Purchase (2) (R)	Inspections	23,338
10-24	Route 28 Wastewater Project Short Term Debt	DPW	53,000
10-26	Police HVAC Short Term Debt (R)	Facilities	53,000

Moderator declared a 2/3rds vote. The motion carried. Time: 9:47am

Moderator then called for a vote on the remaining items in the article.

The motion carries.

Time: 9:54am

ARTICLE #11: Police Building HVAC System

To see if the Town will vote to raise and appropriate, borrow and/or transfer from available funds the sum of Three Million Dollars (\$3,000,000), for the purpose of design, engineering, permitting and construction related to replacing the Police building HVAC system, including all expenses incidental and related thereto; provided that in accordance with Chapter 44, Section 20 of the General Laws, the premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bond or notes, may be applied to pay project costs and the amount authorized to be borrowed for each such project shall be reduced by the amount of any such premium so applied; and that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow up to this amount under G.L. c.44 or any other enabling authority; or take any other action relative thereto.

EXPLANATION: *This article allows the Town to proceed with the design, engineering and permitting and construction for the replacement of the existing Police Department HVAC system which will include altering the design to allow for the appropriate flow of air in the building to mitigate the impacts of COVID-19 in the building. If borrowing, will require a 2/3 vote.*

2/3 Vote Required

Board of Selectmen Recommends (5-0)

Finance Committee Recommends (7-0)

(Board of Selectmen)

MOTION: Made by Michael Stone, Board of Selectmen. Seconded from the floor.

I move that the Town appropriate the sum of Three Million Dollars (\$3,000,000) for the purpose of design, engineering, permitting and construction related to replacing the Police building HVAC system, including all expenses incidental and related thereto; and that to meet this appropriation, the Treasurer with the approval of the Board of Selectmen is authorized to borrow up to this amount under G.L. c.44 or any other enabling authority; provided, that in accordance with Chapter 44, Section 20 of the General Laws, the premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bond or notes, may be applied to pay project costs and the amount authorized to be borrowed for the project shall be reduced by the amount of any such premium so applied; and that the Board of Selectmen is authorized to take any other action necessary to carry out this project.

2/3 Vote Required

Board of Selectmen Recommends (Michael Stone, Selectman)
Finance Committee Recommends (Brian Gardiner, Selectman)

ACTION: Moderator recognized that the motion carried. Time: 9:57am

ARTICLE #12: To see if the Town will vote to raise and appropriate a sum of money to pay for salary and wage adjustments for FY 2022 as a result of the settlement of collective bargaining agreements and for non-union personnel.

EXPLANATION: *This article provides funding for settled or to be settled collective bargaining agreements. The Town strives to settle contracts that are fair to the employees and allows the Town to stay within the constraints of proposition 2 ½.*

Board of Selectmen Recommends (5-0)
Finance Committee Recommends (7-0) (Board of Selectmen)

MOTION: Made by Michael Stone, Board of Selectmen. Seconded from the floor.

I move Article 12 as printed in the warrant, and to raise and appropriate a sum of \$250,000.

Board of Selectmen Recommends (Michael Stone, Selectman)
Finance Committee Recommends (Brian Gardiner, Chairman)

ACTION: The motion carries. Time: 10:00am

ARTICLE #13: To see if the Town will vote to raise and appropriate \$446,295 to fund the Tourism Revenue Preservation Fund as authorized by Chapter 338 of the Acts of 2006, or take any other action relative thereto.

EXPLANATION: *The Tourism Revenue Preservation Fund was established by Special Legislation in 2006 and is funded by Rooms and Meals Tax receipts. Funding is overseen by the Community and Economic Development Committee and is used to stimulate the local tourism*

economy through physical improvements, marketing and special events.

Board of Selectmen Recommends (5-0)

Finance Committee Recommends (7-0)

(Board of Selectmen)

MOTION: Made by Michael Stone, Board of Selectmen.

I move Article 13 as printed in the warrant.

Board of Selectmen Recommends (Michael Stone, Selectman)

Finance Committee Recommends (Brian Gardiner, Chairman)

ACTION:

Joe Goldstein proposed an amendment, and moved to reduce this budget by \$50,000 and to add \$50,000 to the DPW to be used for street cleanup. Seconded by Tom Sullivan.

Town Counsel declared the amendment not appropriate or within the scope of this article.

Joe Goldstein offered a second amendment to reduce this budget by \$50,000.

Town Counsel declared the amendment not permissible.

Moderator called for a vote on the motion.

Moderator recognized the motion passes.

Time: 10:07am

ARTICLE #14: CPA FY 2022 Estimated Revenue

To see if the Town will vote to appropriate the following sums of money from the FY 2022 estimated annual revenues of the Yarmouth Community Preservation Act Fund as required by G.L. c.149, §298 of the Acts of 2004:

Appropriation	FY 2022
Community Housing Reserve	\$175,768
Historic Preservation Reserve	\$175,768
Open Space Reserve	\$175,768
Operating Expenses	\$ 87,884

EXPLANATION: *This article is a required housekeeping article that appears at every annual town meeting. As required under the Community Preservation Act, a minimum of 10% of CPA revenues must be set aside for each of the following purposes: community housing, historic preservation, and open space. Additionally, 5% of the total revenue is set aside for operating*

expenses.

FY 2022 CPA Revenues are estimated at \$1.7 million and are based on an estimated property tax levy of \$64 million. Figures include an estimated 20% match of \$293,000 including supplemental match distributions made for Communities that have adopted the 3% surcharge.

Board of Selectmen Recommends (5-0)

Finance Committee Recommends (7-0)

(Community Preservation Committee)

MOTION: Made by Gary Ellis, Chairman Community Preservation Committee. Seconded from the floor.

I move Article 14 as printed in the warrant.

Board of Selectmen Recommends (Michael Stone, Selectman)

Finance Committee Recommends (Brian Gardiner, Chairman)

ACTION: The motion carries.

Time: 10:10am

ARTICLE 15: CPA Affordable Housing Projects

To see if the Town will vote to transfer and appropriate the following sums of money from the Community Preservation Act Fund for community housing purposes:

Item	Appropriate To	Purpose	Amount and CPA Funding Source	Total
A	Yarmouth Municipal Affordable Housing Trust	To create, preserve, and support affordable housing at or below 80% of the Area Median Income.	\$200,000 from the Housing Reserve	\$200,000
B	Yarmouth Municipal Affordable Housing Trust Buy-Down Program	To support the acquisition, rehabilitation, and resale of single-family affordable homes to income-eligible homeowners.	\$375,000 from the Undesignated Reserve	\$375,000
C	Hands of Hope	To provide financial assistance for low-income residents to afford rent so that they can avoid eviction and stay in their homes in Yarmouth.	\$34,000 Housing Reserve	\$34,000

D	Cape and Islands Veterans Outreach Center	To fund Veterans Housing located at 1341 Route 134, East Dennis	\$20,000 Housing Reserve	\$20,000
TOTAL				\$629,000

EXPLANATION: *This article appropriates CPA funds for affordable housing projects with each item appropriated as a separate project.*

Project A would appropriate CPA funds to the Yarmouth Municipal Affordable Housing Trust created under G.L. c.44, §55C to create, preserve, and support affordable housing at or below 80% of the Area Median Income. The Affordable Housing Trust uses these funds to support various homeownership and rental housing efforts including acquisition and rehabilitation, as well as supporting efforts of private developers of affordable housing.

Project B would appropriate \$375,000 in CPA funds for the Yarmouth Municipal Affordable Housing Trust to buy down single-family, market-rate homes and resell them at an affordable rate to income-eligible applicants.

Project C would provide Hands of Hope, a non-profit organization, with the resources to assist Yarmouth residents with up to \$2,000 to pay overdue rent to prevent eviction OR to pay first, last and security when relocating within Yarmouth.

Project D would provide funding to the Cape and Islands Veterans Outreach Center (CIVOC) to offset site work and landscaping at the new, supportive housing for five (5) Veterans located at 1341 Route 134 in East Dennis. This home, with meeting space for on-site support and case management, will serve as a model for Veterans housing in other locations. This project is widely supported across the Cape with several Towns moving forward with CPA funding at their spring Town Meetings.

Board of Selectmen Will Recommend from the Floor

Finance Committee Recommends Items A-C (6-0)

(Community Preservation Committee)

Finance Committee Recommends Item D (5-1)

MOTION: Made by Elizabeth Hartsgrove, Member Community Preservation Committee.

Seconded from the floor.

I move Article 15 as printed in the warrant, amending Item D, “Cape and Islands Veterans Outreach Center” to be funded with \$40,022 from the Housing Reserve and \$47,378 from the Undesignated Reserve for a Total of \$87,400.

Board of Selectmen Recommends (Michael Stone, Selectman)

Finance Committee Recommends (Brian Gardiner, Chairman)

ACTION: The motion carries.

Time: 10:25am

ARTICLE 16: CPA Historic Resource Projects

To see if the Town will vote to transfer and appropriate for historic preservation purposes the following sums of money from the Community Preservation Act Historic Reserve Fund:

Item	Appropriate To	Purpose	Amount and CPA Funding Source	Total
A	Cultural Center	To help preserve the building with roof and baluster rehabilitation and replacement of three exterior doors.	\$92,467 Historic Reserve	\$92,467
B	Baxter Grist Mill	To conduct Phase 1 structural repairs of the Baxter Grist Mill building.	\$75,000 Historic Reserve	\$75,000
C	Taylor Bray Farm Barn	To conduct Phase 1 structural rehabilitation of the Taylor Bray Farm Barn.	\$37,326 Historic Reserve \$262, 674 Undesignated Reserve	\$300,000
D	Records Preservation and Management	Records Preservation, Retention and Management	\$150,000 Historic Reserve	\$150,000
E	Community Services	To produce and install signs at Pine Grove and Georgetown Cemeteries	\$10,000 Historic Reserve	\$10,000
F	Cape Playhouse	Preservation of the northern façade of the Cape Playhouse building, including re-shingling and replacement of windows, trim, gutters, downspouts, and dry wells.	\$65,000 Historic Reserve	\$65,000
TOTAL				\$692,467

EXPLANATION: *This article appropriates CPA funds for historic preservation projects with each item appropriated as a separate project.*

Project A would provide \$92,467 to the Cultural Center of Cape Cod to help preserve the building with roof and baluster replacement and by the replacement of three exterior doors.

Project B would provide \$75,000 to repair the west side of the Baxter Gristmill building, including sill, crossbeam, door frame, trim, shingles, and side board. These structural repairs will be permanent and will improve safety and public access to the structure. This work will be overseen by the Department of Public Works.

Project C would provide \$300,000 for structural repairs to the barn at the Taylor Bray Farm. These structural repairs will be permanent and will improve safety and public access to the structure. This work will be overseen by the Department of Public Works.

Project D would provide funding to improve access to historic public records and compliance with Public Records Division Standards. Funding will help to identify and classify all stored documents, establish guidelines and procedures for record-keeping, and preserve records through scanning, re-filing and permanent storage.

Project E would provide funding for the creation and installation of Cemetery signage for Pine Grove and Georgetown Cemeteries. These signs will be the same design and materials used for the signage at Woodside and Ancient Cemeteries (both funded through a prior appropriation of CPA funding).

Project F would provide funding for preservation efforts at the Cape Playhouse in Dennis. One of several communities funding this project, Yarmouth funds will be used for the preservation of the northern façade of the Playhouse building. Work items will include re-shingling and replacement of windows, trim, gutters, downspouts and dry wells.

Board of Selectmen Recommends (5-0)

Finance Committee Recommends Items A-F (5-1) (Community Preservation Committee)

MOTION: Made by George Slama, Community Preservation Committee.

I move Article 16 as printed in the warrant amending Item C, “Taylor Bray Farm Barn” to be funded with \$37,326 from the Historic Reserve and \$381,971 from the Undesignated Reserve for a Total of \$419,297.

Board of Selectmen Recommends (Michael Stone, Selectman)

Finance Committee Recommends (Brian Gardiner, Chairman)

ACTION: The motion carries.

Time: 10:27am

ARTICLE 17: CPA Open Space Acquisition

To see if the Town will vote, pursuant to the Community Preservation Act, G.L. c. 44B and other applicable authority: to purchase or take by eminent domain, certain parcels of property located on Higgins Crowell Road at Assessors Map 54, Parcels 30, 31, 32, 33, 34 and 35 and Assessors Map 74, Parcels 1, 2, 3, and 4; said property to be managed by the Yarmouth Board of Water Commissioners and used exclusively for water supply protection and land conservation purposes under M.G.L. c. 40, §39B and 41, and Article 97 of the Amendments to the Massachusetts Constitution; and, to fund such purchase: transfer a sum of money from available Community Preservation funds and transfer a sum of funds from the DPW Water Division Water Fund balance; and further to authorize the Select Board or any other Town entity to accept and expend grants, including funding under the Drinking Water Supply Protection grant (Chapter 312 of the Acts of 2008, § 2A, 2200-7017 and Chapter 209 of the Acts of 2018, § 2A, 2000-7072), to assist in the purchase of said property; and further to authorize the Select Board to negotiate any and all agreements and instruments associated with such purchase; and further to authorize the Select Board to grant or accept perpetual restrictions limiting the use of the property as aforesaid.

EXPLANATION: *This article would provide funding necessary to move forward with the acquisition of almost 10 acres of vacant, undeveloped land, located on Higgins-Crowell Road. This land has been approved for 10 units of single family housing.*

This acquisition is in keeping with goals of the Town's Open Space and Recreation Plan as well as the Water Master Plan which recommends the Town consider acquiring properties within 1000' of existing wells. Acquisition of this property will help to protect our drinking water.

2/3 Vote Required

Board of Selectmen Will Recommend from the Floor

Finance Committee Recommends (6-0)

(Community Preservation Committee)

MOTION: Made by Gary Ellis, Chairman, Community Preservation Committee.

I move to indefinitely postpone Article 17.

Board of Selectmen supports the motion to indefinitely postpone. (Michael Stone, Selectman)

Finance Committee defers to the Board of Selectmen (Brian Gardiner, Chairman)

ACTION: The motion carries. The article is indefinitely postponed. Time: 10:28am

[Ed. Note –Moderator suggested a short recess due to weather (rain). Moderator asked Town Meeting attendees if they wanted to keep going. Town Meeting voted to keep going without a recess.]

ARTICLE 18: CPA Recreation Project

To see if the Town will vote to transfer and appropriate \$1,500,000 from Community Preservation Act funds by transferring \$1,500,000 from the Undesignated Reserve for the partial construction of the Riverwalk Park and Boardwalk Loop at the former Drive-In Site at 669 Rt. 28, and the Town owned land to the south of the former Drive-In site in West Yarmouth.

EXPLANATION: *This appropriation will provide additional funds toward the construction of the Riverwalk Park and Boardwalk Loop. This project will revitalize the long vacant former drive-in property at 669 Route 28 through the creation of a Riverwalk Park, woodland trails, boardwalk loop and event space on the property and along the northern boundary of the adjacent marshlands. This funding will also provide additional matching funds to pursue other grant opportunities and supplements a previous appropriation of CPA funds and grant funds awarded by the Seaport Economic Council and the Land and Water Conservation Fund (LWCF).*

Board of Selectmen Recommends (5-0)

Finance Committee Recommends (6-0)

(Community Preservation Committee)

MOTION: Made by Elizabeth Hartsgrove, Community Preservation Committee. Seconded from the floor.

I move Article 18 as printed in the warrant.

Board of Selectmen Recommends (Michael Stone, Selectmen)
Finance Committee Recommends (Brian Gardiner, Chairman)

ACTION: The motion carries.

Time: 10:31am

ARTICLE 19: CPA Open Space Projects

To see if the Town will vote to transfer and appropriate the following sums of money from the Community Preservation Act Fund for Open Space purposes:

Item	Appropriate To	Purpose	Amount and CPA Funding Source	Total
A	Friends of Bass River – Upper Bass River Watershed Preservation	Conduct data-gathering and modeling, develop engineering plans to reduce nitrogen loads.	Open Space Reserve	\$94,616
B	Historical Society of Old Yarmouth – Culvert Replacement	Repair stone culvert to allow safe access to Historical Society Property and Grounds.	Open Space Reserve	\$24,000
TOTAL				\$118,616

EXPLANATION: *This article appropriates CPA funds for open space projects with each item appropriated as a separate project.*

Project A would provide \$94,616 to the Friends of Bass River for an Upper Bass River Watershed Restoration project which ultimately seeks to improve the water quality in Bass River by improved flushing. \$253,000 in matching funds have been provided through a Southeast New England Program (SNEP) Watershed Grant. Data collected will be used to help design culverts at North Dennis Road and Weir Road.

Project B would provide funding to the Historical Society of Old Yarmouth for culvert reconstruction at their property in Yarmouth Port. The reconstructed culvert will improve wetland functions and provide safe access for the public and emergency vehicles to the HSOY buildings and grounds.

Board of Selectmen Recommends (5-0)
Finance Committee Recommends (6-0)

(Board of Selectmen)

MOTION: Made by Paul Huggins, Community Preservation Committee. Seconded from the floor.

I move Article 19 as printed in the warrant.

Board of Selectmen Recommends (Michael Stone, Selectman)
Finance Committee Recommends (Brian Gardiner, Chairman)

ACTION: The motion carries.

Time: 10:34am

ARTICLE 20: 74 Town Brook Road Easement Eversource

To see if the Town will vote to authorize the Selectmen to convey an electrical service easement over across and upon a certain parcel of land located at 74 Town Brook Road; said easement to allow the installation and maintenance of electrical lines and related equipment necessary for the transmission of electricity.

EXPLANATION: This article will authorize Eversource to install and maintain electrical service lines and related electrical equipment necessary to provide electrical service for the new DPW Building that is currently under construction. The address of the new DPW Building will be 74 Town Brook Road.

2/3 Vote Required

Board of Selectmen Recommends (5-0)
Finance Committee Defers to Board of Selectmen

(Board of Selectmen)

MOTION: Made by Michael Stone, Selectman.

I move Article 20 as printed in the warrant.

Board of Selectmen Recommends (Michael Stone, Selectman)
Finance Committee Defers to Board of Selectmen (Brian Gardiner, Chairman)

ACTION: The motion carries unanimously.

Time: 10:37am

ARTICLE 21: DHY Clean Waters Community Partnership

To see if the Town will vote pursuant to Chapter 88 of the Acts of 2019 to approve an Agreement among the Towns of Dennis, Harwich, and Yarmouth for the establishment of a three town wastewater district to be known as the DHY Clean Waters Community Partnership, a copy of said agreement is on file in the office of the Town Clerk; it being understood that by approving said agreement the Town will be responsible for its apportioned share of the costs for permitting, design, and construction of a wastewater treatment facility, effluent recharge facilities and related infrastructure as well as the Town’s apportioned share of the annual operation and maintenance cost of said facilities.

EXPLANATION: The Towns of Dennis, Harwich, and Yarmouth are in the process of implementing a comprehensive wastewater management program to remove nitrogen

predominantly coming from on-site Title 5 septic systems in order to restore and protect their valuable water resources. The towns have evaluated the creation of a wastewater district that would construct one wastewater treatment plant located in the Town of Dennis (instead of each community constructing their own treatment facility) and utilizing multiple effluent recharge facilities located in each town. Special Legislation previously approved by Town Meeting was approved and enacted on October 15, 2019 (Chapter 88 of the Acts of 2019) that allows for the creation of this district to be known as the DHY Clean Waters Community Partnership subject to Town Meeting approval of the agreement.

Board of Selectmen Recommends Indefinite Postponement (5-0)

Finance Committee Recommends (4-1)

(Board of Selectmen)

MOTION: Made by Tracy Post, Selectwoman.

I move to indefinitely postpone Article 21.

Board of Selectmen Recommends to Indefinitely Postpone (Tracy Post, Selectwoman)

Finance Committee defers to the Board of Selectmen (Brian Gardiner, Chairman)

ACTION: Recognize the motion carries to postpone. Article 21 is indefinitely postponed.

Time: 10:39am

ARTICLE 22: Gold Star Article

To see if the Town will vote to accept the provisions of General Laws Chapter 59, §5, Clause Twenty-Second H, as amended by Section 15 of Chapter 218 of the Acts of 2018, which authorizes the real estate tax exemptions available to certain surviving parents or guardians of veterans.

Explanation: *This article would establish a full real estate tax exemption for qualifying Gold Star parents or guardians of soldiers and sailors, members of the National Guard and veterans who were active in the military and killed in the line of duty or suffered an injury or illness that was a proximate cause of their death or are missing in action with a presumptive finding of death as a result of active duty service; provided that the real estate is occupied as the domicile of the surviving parents or guardians; and provided further, that the surviving parents or guardians shall have been domiciled in the commonwealth for the 5 consecutive years immediately before the date of filing for an exemption pursuant to this clause or the soldier or sailor, member of the National Guard or veteran was domiciled in the commonwealth for not less than 6 months before entering service.*

Submitted by the Board of Assessors

Board of Selectmen Recommends (5-0)

Finance Committee Does Not Recommend (4-2)

(Board of Selectmen)

MOTION: Made by Tracy Post, Selectwoman. Seconded from the floor.

I move Article 22 as printed in the warrant.

Board of Selectmen Recommends (Tracy Post, Selectwoman)
Finance Committee Does Not Recommend (Brian Gardiner, Chairman)

ACTION: Moderator recognized the motion is a majority. The motion passes.
Time: 10:40am

ARTICLE 23: Commercial Sale of Single-Use Plastic Water Bottles

To see if the Town will vote to adopt this as Chapter____, Section ____ of the Town of Yarmouth Bylaws:

Section 1. Sale of Single-use Plastic Water Bottles

Effective on December 31, 2021, it shall be unlawful to sell non-carbonated, unflavored drinking water in single-use plastic bottles of less than one gallon in the Town of Yarmouth. Enforcement of this regulation will begin December 31, 2021.

Section 2. Definitions

A single-use plastic bottle is a beverage container made from any type of plastic resin.

Section 3. Exemptions

Sales or distribution of non-carbonated, unflavored drinking water in single-use plastic bottles occurring subsequent to a declaration of emergency (by the Emergency Management Director or other duly authorized Town, County, Commonwealth or Federal official) affecting the availability and/or quality of drinking water to residents of the Town shall be exempt from this bylaw until seven days after the declaration has ended.

Section 4. Enforcement

Enforcement of this article shall be the responsibility of the Town Administrator or his/her designee. The Town Administrator shall determine the inspection process to be followed, incorporating the process into other Town duties as appropriate.

Any establishment conducting sales in violation of this article shall be subject to a non-criminal disposition fine as specified in G. L. c. 40 § 21D. The following penalties apply:

- First violation: Written warning
- Second violation: \$150 fine
- Third and subsequent violations: \$300

Each day a violation continues constitutes a separate violation, incurring additional fines. Any such fines collected shall be payable to the Town of Yarmouth. All businesses will be routinely inspected until the Town Administrator deems the inspection to no longer be required.

EXPLANATION: *Single-use plastic bottles impact environmental health, and the health and longevity of other species, who may ingest plastic as food. Ultimately, plastic re-enters the human food chain where the adverse consequences are both known and emerging. Plastics pollute and impact our environment across their lifecycle from production to use to disposal. The holistic cost of single-use plastic far exceeds its consumption value. Over 1,500 single-use plastic water bottles*

are used and discarded in the U.S. per second. Elimination of the use of single-use plastic water bottles will have a significant impact on future plastic-based pollution including the nation's greenhouse gas footprint, and is consistent with protection of the natural environment in Yarmouth, Barnstable County, our nation and our earth, which we have a common responsibility to protect and steward.

Board of Selectmen Does Not Recommend (4-0-1)

Finance Committee Does Not Recommend (3-2)

(Petitioner)

MOTION: Made by Barbara Hill. Seconded from the floor.

I move the Town adopt Article 23 as printed in the warrant.

Board of Selectmen Does Not Recommend (Tracy Post, Selectwoman)

Finance Committee Does Not Recommend (Brian Gardiner, Chairman)

ACTION:

Bill Weston made an amended motion to indefinitely postpone Article 23. Amended motion was seconded from the floor. Amended motion does not carry.

Moderator called for a standing count on the original motion to adopt Article 23 as printed in the warrant. Tellers were sworn in.

Yes- 58 No- 67. The motion did not carry.

Time: 11:30am

ARTICLE 24: Feasibility of Conversion Repurposing The Links to Solar Farm

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

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

Board of Selectmen Does Not Recommend (5-0)
Finance Committee Does Not Recommend (5-0)

(Petitioner)

MOTION: Made by Tom Baron, Petitioner.

I move Article 24 as printed in the warrant.

Board of Selectmen Does Not Recommend (Tracy Post, Selectwoman)
Finance Committee Does Not Recommend (Brian Gardiner, Chairman)

ACTION: The Article does not carry.

Time: 11:52am

ARTICLE 25: Resolution Endorsing Solarize Yarmouth Plus

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

Be it resolved that:

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

NOW, THEREFORE, the Town:

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

Board of Selectmen Recommends (5-0)
Finance Committee Recommends (5-0)

(Petitioner)

MOTION: Made by Michael Duffy, Energy Committee.

I move that Article 25 be accepted as printed in the warrant.

Board of Selectmen Recommends (Tracy Post, Selectwoman)

Finance Committee Recommends (Brian Gardiner, Chairman)

ACTION: The motion carries unanimously.

Time: 11:57am

[Ed. Note: Action on Articles 26 and 27 was taken together.]

ARTICLE 26: Enact Bylaw – Energy Efficiency in Town Procurement of Motor Vehicles

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

Energy efficiency in Town procurement of motor vehicles.

1. Purpose. The purpose of this bylaw is to mitigate the threat of climate change by reducing greenhouse gas emissions from the Town's motor vehicles by transitioning the Town motor vehicle fleet to zero emission vehicles at the earliest feasible time as Town vehicles are replaced or added.
2. Definitions.
 - a) Battery electric vehicle: a battery electric vehicle that draws propulsion energy solely from an on-board electric storage device during operation that is charged from an external source of electricity, as defined in Section 16(a) of Chapter 25A of Massachusetts General Laws.
 - b) Conventional motor vehicle: any motor vehicle which is not an electric vehicle or fuel cell vehicle.
 - c) Electric vehicle: any battery electric vehicle or plug-in hybrid electric vehicle, as defined in Section 16(a) of Chapter 25A of Massachusetts General Laws.
 - d) Fuel cell vehicle: a new qualified fuel cell motor vehicle as defined in sub-section (b)(3) of Section 30B of Title 26 of the United States Code.
 - e) Listed vehicle: an electric vehicle or fuel cell vehicle which the Cape Cod Commission has determined (i) is capable of serving particular functions required by a category of municipal user in the normal usage of such motor vehicle and (ii) the total lifetime cost of such electric vehicle or fuel cell vehicle is not likely to materially exceed the total lifetime cost of a conventional motor vehicle.
 - f) Materially exceeds: exceeds by more than the greater of five per cent or five thousand dollars.
 - g) Motor vehicle: Any vehicle included in the definition of motor vehicles, as defined in Section 1 of Chapter 90 of Massachusetts General Laws.
 - h) Plug-in hybrid electric vehicle: a plug-in hybrid electric vehicle with an on-board electric energy storage device that can be recharged from an external source of electricity which also has the capability to run on another fuel, as defined in Section 16(a) of Chapter 25A of Massachusetts General Laws.

- i) Total lifetime cost: the total net cost to the Town of a motor vehicle over its expected useful life including the price for purchase or leasing plus the total net cost to the Town of purchasing fuel or other energy and replacement parts, and performance of repairs and maintenance, over the expected useful life of the vehicle.
 - j) Zero emission vehicle: a battery electric vehicle or a fuel cell vehicle.
3. Energy efficiency standards for procurement of motor vehicles by Town departments.
- a) Priority for procurement of zero emission vehicles: Any instrumentality of the Town which intends to procure a motor vehicle by purchase or lease shall select a zero emission vehicle if there is such a listed vehicle and otherwise unless the head of such instrumentality documents in writing that there is no commercially available zero emission vehicle capable of serving the functions required the Town in the normal usage of such motor vehicle or that it is likely that the total lifetime cost of such zero emission vehicle would materially exceed the total lifetime cost of a conventional motor vehicle.
 - b) Preference for procurement of plug-in hybrid electric vehicles: In the event that there is no commercially available zero emission vehicle would meet the requirements of sub-section (a), the instrumentality shall procure a plug-in hybrid electric vehicle for such purposes if there is such a list vehicle and otherwise unless the head of such instrumentality documents in writing that there is no commercially available zero emission vehicle capable of serving the functions required by the Town in the normal usage of such motor vehicle or that it is likely that the total lifetime cost of such zero emission vehicle would materially exceed the total lifetime cost of a conventional motor vehicle.
 - c) Exception for emergency procurement of motor vehicles: The Town Administrator may authorize the purchase of a conventional motor vehicle by an instrumentality of the Town if he or she determines that an emergency exists which requires the immediate purchase of a motor vehicle by the Town and that it is not feasible to complete the procurement of a zero emission vehicle within the time frame required by such emergency.
 - d) Effective date: This bylaw shall apply to any procurement which will be completed on or after January 1, 2022.

Board of Selectmen Does Not Recommend (5-0)

Finance Committee Does Not Recommend (5-0)

(Petitioner)

MOTION: Made by Tracy Post, Selectwoman. Seconded from the floor.

I move to indefinitely postpone Article 26 and Article 27.

Finance Committee defers to the Board of Selectmen. (Brian Gardiner, Chairman)

ACTION: The motion carries. Article 26 is indefinitely postponed.

Time: 11:59pm

ARTICLE 27: Enact Bylaw – Energy Efficiency in Town Procurement of Design Services for Capital Facility Projects

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

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

1. Purpose. The purpose of this bylaw is to mitigate the threat of climate change by reducing greenhouse gas emissions from the Town's public buildings by evaluating design options for reduced emissions from the first stage of the design process for new public buildings, providing for thorough analysis of the feasibility, cost and impacts of net zero emission designs, and analysis of each element of design which could facilitate reduction in emissions where net zero design is not yet feasible.
2. Definitions.
 - a) Alternative Design Recommendation: any Design Recommendation other than a Compliant Design Recommendation.
 - b) Capital Facility Project: any Capital Facility Project as defined in Section 1 of Chapter 7C of Massachusetts General Laws.
 - c) Compliant Design Recommendation: A Design Recommendation which is fully compliant with both the Efficiency Code and the Zero Code.
 - d) Design recommendation: any master plans, studies, cost estimates, programs, drawings, plans or specifications prepared for a Capital Facility Project as part of Design Services as defined herein.
 - e) Design Services: any Design Services as defined in Section 44 of Chapter 7C of Massachusetts General Laws, and which not exempted from the jurisdiction of the State designer selection board pursuant to Section 46(e) of Chapter 7C of Massachusetts General Laws.
 - f) Economic Impact: the estimated long term financial costs and benefits including costs of initial development of the Capital Facility Project and the present value of projected future operating expenses for the Capital Facility Project.
 - g) Efficiency Code: the 2021 International Energy Efficiency Code applicable to non-residential buildings as promulgated and most recently updated by the International Code Council.
 - h) Emissions Impact: the estimated long term impact on total emissions of greenhouse gases resulting from development and operation of the Capital Facility Project.
 - i) Greenhouse Gases: Gases that trap heat in the atmosphere as defined by the United States Environmental Protection Agency including carbon dioxide, methane, nitrous oxide and fluorinated gases.
 - j) Zero Code: the Zero Code Renewable Energy Appendix to the Efficiency Code as incorporated in Code Change Proposal CE264-19 submitted by the American Institute of Architects or as subsequently adopted and incorporated in the Efficiency Code by the International Code Council.
3. Provisions of requests for proposals for Design Services.
 - a) Economic Impact Evaluation of Design Recommendations: The purpose of this Bylaw is solely to assure that the decision of the Town regarding any future Capital Facility Project is fully informed by the thorough evaluation of alternatives and nothing in this bylaw shall be construed to require the Town to select a Compliant Design Recommendation for any Capital Facility Project. Every request for proposals for Design Services for any Capital Facility Project which is issued by any instrumentality of the Town shall require at least one

Compliant Design Recommendation, and may at the discretion of the issuing authority request evaluation of an Alternative Design Recommendation, in which case the Design Recommendations shall evaluate the comparative Economic Impacts of the Compliant Design Recommendation and the Alternative Design Recommendation.

- b) Emissions Impact Evaluation of Alternative Design Recommendation: In the event that the Design Services include an Alternative Design Recommendation, the Design Recommendations shall evaluate the comparative Emissions Impacts of the Alternative Design Recommendation and the Compliant Design Recommendation together with the relative Economic Impacts and relative Emissions Impacts of each major design element related to energy generation and usage to facilitate assessment of lower-emission alternatives to the Alternative Design Recommendation.
- c) Effective date: This bylaw shall apply to any request for proposals issued on or after January 1, 2022.

Board of Selectmen Does Not Recommend (5-0)

Finance Committee Does Not Recommend (5-0)

(Petitioner)

MOTION: Made by Tracy Post, Selectwoman. Seconded from the floor.

I move to indefinitely postpone Article 26 and Article 27.

Finance Committee defers to the Board of Selectmen. (Brian Gardiner, Chairman)

ACTION: The motion carries. Article 27 is indefinitely postponed.

Time: 11:59pm

MOTION TO ADJOURN:

MOTION: Made by Tracy Post, Selectwoman, Seconded from the floor.

I make a motion to adjourn.

ACTION: Motion carried.

Time: 12:00pm