



## Board of Selectmen Board of Selectmen Meeting Minutes March 29, 2022

*The regular meeting was called to order at approximately 6:00 p.m. by Chairman Mark Forest. Selectmen present: Mark Forest, Michael Stone, Tracy Post, Dan Horgan, and Peter Smith. Also attending: Town Administrator Robert Whritenour and Assistant Town Administrator William Scott.*

Chairman Forest read the advisory as required by Massachusetts General Laws, Chapter 30A, Section 18-25, and pursuant to Chapter 20 of the Acts of 2021, an Act Relative to Extending Certain COVID-19 Measures adopted during the State of Emergency, signed into law on June 16, 2021, that the public was welcome to attend the meeting either in person or via the alternative public access. The Chairman then led everyone in the Pledge of Allegiance.

### 1. Public Comments

Michel Meehan, President of the Bass River Golf League, wanted to thank the Golf Enterprise Committee on the great job they were doing, and said that she looked forward to working with them in the future.

Vida Morris wanted to take the opportunity to comment on the petitioned Warrant article about the Styrofoam container ban. She said that she was distressed to learn that the article was submitted by the Town's Recycling and Solid Waste Advisory Committee. She believed that businesses, especially restaurants, had suffered due to the pandemic, and this bylaw would add to their problems. It would also add to the Board of Health's job by having to enforce it, and they were already short with staff. She hoped that the Board of Selectmen would vote not to recommend the article.

Norm Holcomb came before the Board to talk about the Golf Enterprise Budget. He said that \$135,000 in capital expenses was included in the budget in Article 3 and was also included in another capital article further in the Warrant. He believed it was a duplication and was to be changed but was not. He said after he did some calculations, he believed the Golf Revenue from resident fees was also not correct. He stated that Article 3 included a substantial increase of approximately half a million dollars in expenses, and that \$200,000 of that was debt. The remainder was salaries and wages, and new hiring. He said the enterprise budget projected a loss of \$200,000 in the next year, so he recommended that there be a freeze in hiring until they could get a handle on what the actual projection would be.

Donna McGovern spoke on the Golf question. She said that she was in favor of a 5% golf fee increase and noted that would total \$60 for her. She said that inflation was affecting everyone's budgets, and if the increase would help, then it was needed in order to fix buildings, etc. She acknowledged that the Golf Enterprise Committee worked hard and deserved a lot of applause.

Kristen Seymour, a Town golf member, came before the Board to speak on behalf of the Golf Enterprise Committee. She had been a former member and chairperson. She supported the fee increases. She wanted the audience to realize that the Golf Division was fully funded by fees, and that a 5% increase was a rational amount, considering inflation in the United States was 7.9% right

now. She supported the Golf Enterprise Committee and all of their hard work in ensuring that golf would remain a viable asset for the Town and its members going forward.

A woman named Janet, via Zoom, said that she was a full-time member of Yarmouth Golf, and wanted to add her support for the 5% increase on the member fees. She said that she lived in Florida for part of the year, and that the Yarmouth fees were small in comparison to what she paid in Florida. She also supported the new “twilight membership” category. She said some of the part-time Links members with whom she golfed would love to upgrade to the “twilight” category so that they could play on the other Yarmouth golf courses.

Joyce Flynn from the Energy Committee, invited everyone to join the Committee’s Zoom meeting to take place on Tuesday, April 5 at 4:45 p.m. She said there would be a presentation by Dan Shell, an energy analyst from the Cape Light Compact, on energy storage and strategies to save energy. On Wednesday, April 20 at 6:00 p.m., there would be another Zoom meeting that the Cape Light Compact and the Energy Committee were co-sponsoring. It would be about air source heat pumps as a source for heating and cooling homes. Incentives were increased at the State level after January 1, so if someone could not afford it last year, perhaps they could afford it this year. The final date Ms. Flynn wanted to let people know about was April 30. That would be the date when Solarize Plus Yarmouth would no longer be in existence to provide residents with discounts on pumps, storage batteries, etc.

Jim Seymour came before the Board to speak on Golf fees, and the capital expenditures and deferred maintenance costs that were challenging for the Golf Enterprise Committee to deal with. He noted that golf generated tax revenue for the Town and brought in business to motels and restaurants. The golf courses needed to be considered a Town asset. He said the 5% increase should take place every year to keep up with costs. He said that the longer the Town deferred capital, the more challenges the Town would face, and it would get prohibitively more expensive. Selectman Post announce that Mr. Seymour was the Executive Director of the Veterans Outreach facility, and that it was National Vietnam Veterans Awareness Day. She asked him to pass on thanks to the Veterans for their service.

Michael Barry, long-time resident member, said he had been on the Tournament Committee for quite a while, and was president of the Forty Thieves League in Yarmouth Golf. He believed that the fees rate should be raised to “continually feed this asset.” Our municipal courses did not have the facilities to accommodate the type of golf like at Pine Hills, with its exclusive driving range and deluxe clubhouse. However, the course properties were substantial and a big draw for Yarmouth. He said that he believed Golf Director Scott Gilmore had done a phenomenal job, and the “troops” were good to work with. The 5% increase would allow them to put a dent in what was needed to be done to maintain the properties. If they waited, they would need to go before the whole Town to request a much larger increase, so this fee increase was the best solution for everyone.

Jim Wolf went before the Board. He was the Sustainability Director at Cape Air and had been one of the volunteers helping with the Solarize Program. He encouraged people to take advantage of the program discounts before they ended on April 30. He said that, if it had not been for the Solarize Program, his solar system would have cost \$52,000, but instead it was about \$30,000. That was almost 40% off from what was being offered elsewhere on Cape Cod. He said he was not a salesman, but he was very happy with the program.

## 2. Public Hearing: Secondhand Dealer Application – Simply Vintage, 161 Route 6A, Yarmouth Port – Catherine Brosnihan, owner

Chairman Forest turned the meeting over to the Licensing Chair, Selectman Stone. Mr. Stone read the legal ad into the record.

“The Town of Yarmouth has received an application for a new Secondhand Dealer License from Simply Vintage, 161 Route 6A, Yarmouth Port, Catherine Brosnihan, owner. Hearing will be held on Tuesday, March 29<sup>th</sup>, 2022 in the hearing room at Town Hall, 1146 Route 28, South Yarmouth. The Board of Selectmen’s meeting begins at 6:00 p.m. Written comments will be accepted in the Town Administrator’s Office until 4:30 p.m. on Friday, March 25<sup>th</sup>. Verbal comments will be accepted at the hearing.”

Ms. Brosnihan told the Board that she had been selling vintage items and antiques for eleven years. Her business started in Cotuit, and then moved to Centerville. She said she did not sell any of the regulatory items that were of concern. She said her business was essentially a “home goods store,” specializing in vintage and antique dishes, furniture, linens, etc. Selectman Stone noted that handmade jewelry and cards were also on the application.

Selectman Stone then read emails received by abutters, both in support of the application.

“As an abutter to this property, I have no opposition to this application. Dona Baratta, Owner, Jack’s Outback II, March 18, 2022.”

“I endorse and what she’s done for the community, and she fits the profile of Yarmouth Port, as the shop is part of the new spirit. More businesses like this should be welcome. Hallet’s Store has no problem with this, and the village license should be granted. Thank you, Charles Clark.”

There was no other public comment.

Selectwoman Post confirmed that Ms. Brosnihan would not be dealing with coins or jewelry. If there was, then some kind of log of what was being brought in would need to be kept in the event there was stolen merchandise. She asked if there would be any consignment, or just resale. Ms. Brosnihan said occasionally there was consignment, but it was a very small part of the business. Ms. Post then asked about the jewelry. Ms. Brosnihan said that she had been selling a particular person’s jewelry for eleven years now. Ms. Post then asked if Ms. Brosnihan was familiar with the parking issues, and if she knew there was to be a meeting about it the next day. Ms. Brosnihan said that she was familiar with the situation. She owned two of the vacant condos in the building at 161 Route 6A, and there is a little more than half of the parking lot space available in the rear which she would share with Dona Baratta. The other Selectmen had no further questions and wished Ms. Brosnihan good luck with her business.

**MOTION: To close the public hearing.**

**Motion by: Tracy Post**

**Seconded by: Peter Smith**

**Vote: 5 ayes; 0 nays. The motion passed unanimously.**

**MOTION: To grant the above application as presented.**

**Motion by: Tracy Post**

**Seconded by: Peter Smith**

**Vote: 5 ayes; 0 nays. The motion passed unanimously.**

### 3. Public Hearing: Construction and Demolition Fees and Mattresses and Tires Fees (2<sup>nd</sup> Hearing)

The Chairman read the legal notice into the record.

“Notice is hereby given that two Public Hearings will be held at the Yarmouth Board of Selectmen meeting at 6:00 p.m. at Yarmouth Town Hall, in the Hearing Room, 1146 Route 28, South Yarmouth, MA on March 15, 2022 and March 29, 2022 concerning proposed fee increases for construction and demolition, mattress, and tires for the Waste Management Division. Written comments will be accepted by the Board of Selectmen via email at [selectmen@yarmouth.ma.us](mailto:selectmen@yarmouth.ma.us) until 4:30 p.m., Friday, March 11, 2022. Verbal comments will be accepted at the Public Hearing starting at 6:00 p.m. Persons interested in these changes are encouraged to attend.

Proposed date of Change: April 1, 2022

<u>Fee Category</u>	<u>Current</u>	<u>Proposed Fee</u>
Construction & Demolition	\$145.00/ton	\$165.00/ton
Construction & Demolition (mixed)	\$170.00/ton	\$190.00/ton
Bulky items: Matt/box, furniture etc.	\$15.00 each	\$25.00 each
Tires (no rim)	\$1.00 each	\$5.00 each
Tires (with rim)	\$2.00 each	\$10.00 each”

DPW Director Jeff Colby and Assistant Director Roby Whitehouse were before the Board. There were no additional comments made from the first hearing. Ms. Whitehouse then summarized the reasons behind the increase of fees. She said fee rates across the board in other towns were higher than in Yarmouth. The rate increases would only affect Construction and Demolition (C&D), bulky items, and tires disposal. She quickly reviewed the history of the C&D rates, and what the anticipated revenues with the increase would be. The increase would begin on April 1. The additional \$25 per ton fee was for mixed loads for C&D mixed with trash, since any metal or freon items needed to be separated out. There would be no increase to the residential disposal sticker fee.

Yarmouth Port resident Norm Holcomb had questions about the presentation. He asked if the \$360,000 free cash generated was a net profit or an additional revenue. Mr. Colby answered that it was more accurate to call it additional revenue generated. Mr. Holcomb then wanted clarification on what was meant by \$268,000 needed for the sanitation budget. Mr. Colby explained how the sanitation/disposal budget was self-supporting, and that the \$268,000 revenue was to cover the cost of the facility. The cost per ton was discussed, and then capital improvement cost projections. Mr. Colby said that they worked on the cost analysis with the Finance Director. Mr. Holcomb questioned the legality of the resident fees being maintained by C&D fees, since he believed fees were supposed to be set based on the cost of that particular service, and that they needed to be costed out separately and the rates set accordingly. Mr. Colby said that all the fees for the disposal area were combined, and they offset the cost of the total operation of the facility. The proposal was to keep the residential sticker fee the same and increase the C&D fee to match a neighboring community, not only to be competitive but to also bring in revenue.

Residents Joyce Flynn and Tom Nickinello both made statements to the Board supporting the DPW.

**MOTION: To close the public hearing.**

**Motion by: Tracy Post**

**Seconded by: Peter Smith**

**Vote: 5 ayes; 0 nays. The motion passed unanimously.**

The Board members then were invited to comment. Selectman Smith said that he believed the increases were reasonable and not overly burdensome, so supported the proposal.

Selectwoman Post stated that she appreciated the comments made by Mr. Holcomb. She noted that with the ending of the SEMass contract seven years ago, there had been a huge increase to the residential sticker. She said that she had assumed that the trajectory of increases would continue, however, the fees were kept affordable and competitive. She said that she appreciated the work on this proposal and supported it.

Selectman Stone said that, based on past occurrences, he was concerned that the increase in the tire disposal fee from \$1 to \$5, and rims \$3 to \$10, would encourage more people to dispose of the tires illegally, dumping them in environmentally sensitive areas within the Town. He wondered if that cost could be absorbed, perhaps by increasing the tonnage fee and holding the tire fees closer to what they were currently. Mr. Colby responded that the C&D fees were the primary focus, and that only a relatively low amount of revenue came from disposal of tires. He said that if the Board chose to vote the tire fee amounts to be kept at a more tolerable level, and to subsidize certain things to address any dumping issues, it could be worked into the mix. He said that the current recommendation was being made to ensure that costs would be covered. Ms. Whitehouse added that since Yarmouth's fees were the lowest around, and there were no residency requirements, they were receiving large quantities of tires and mattresses from great distances. Selectman Stone said that perhaps a residency requirement should be added. Ultimately, he was trying to protect the environment. Selectwoman Post said that she would be interested to see if an analysis was done on a place like Chatham, which charged more for disposal, to see what levels of dumping they had. She said that she thought it was more ignorance on the part of the person dumping, than the actual cost to dump.

Selectman Horgan said that he had watched the first hearing on Zoom. He said that he felt that Mr. Colby and Ms. Whitehouse had done a very good job of justifying the increases. In regard to the dumping, the Town could deal with it aggressively through the Police Department and fines. He supported the proposal.

**MOTION: To support the fee increases.**

**Motion by: Dan Horgan**

**Seconded by: Tracy Post**

**Discussion:** Selectwoman Post said that she appreciated Selectman Stone's comments, and that everyone on the Board was concerned about dumping. She said that if dumping became an issue, that the tire fees should be brought back to the Board for reconsideration.

**Vote: 4 ayes; 1 nay (Mike Stone). The motion passed.**

#### **4. Golf Fee Hearing and Update**

Golf Director Scott Gilmore, Ellen Chapman, Chairwoman of the Golf Enterprise Committee, and Assistant Town Administrator William Scott came before the Board.

The Chairman read the legal notice into the record.

"A final fee hearing will be held by the Board of Selectmen on Tuesday, March 29 at 6:00 p.m. at Yarmouth Town Hall, 1146 Route 28, South Yarmouth, MA 02664 for 2022 Proposed Annual Golf Fees. Written comments will be accepted at [Selectmen@yarmouth.ma.us](mailto:Selectmen@yarmouth.ma.us) until March 28. Verbal comments will be accepted at the hearing. The Board Meeting will begin at 6:00 p.m."

Department/Division	Type of Fee	Existing Fee	Proposed Fee
<b>Community Services</b>			
<b>Golf</b>	<b>Annual Fees:</b>		
	Annual Pass	\$1,200.00	\$1,260.00
	Senior Annual Pass	\$760.00	\$790.00
	Links Annual Pass	\$330.00	\$345.00
	Under 35 Annual Pass (under 35 years of age)	\$760.00	\$790.00
	Young Adult Annual Pass (under 23 years of age)	\$325.00	\$340.00
	Junior Annual Pass (under 19 years of age)	\$110.00	\$115.00
	Annual Twilight Pass (after 2:00 p.m.)* *new pass addition		\$790.00
	<b>Daily Fees:</b>		
	(The Director of Golf Operations will have authority to adjust these Daily Fees downward as market conditions dictate, or there is intent to offer certain "specials" to increase facility/service utilization.)		
	Greens Fee	\$105.84	\$111.13
	Golf Car (18 holes, pp) Pass Holder	\$15.44	\$16.21
	Golf Car (9 holes, pp) Pass Holder	\$9.38	\$9.85
	Golf Car (18 holes, pp) Non-Pass Holder	\$24.25	\$25.46
	Golf Car (9 holes, pp) Non-Pass Holder	\$16.00	\$16.80
	Range Fees: Small	\$7.71	\$8.10
	Medium	\$11.00	\$11.55
	Large	\$13.23	\$13.89
	Club Rental: Nine Holes	\$30.29	\$31.80
	Eighteen Holes	\$48.51	\$50.94
Premium Set	\$74.97	\$78.72	
Handicap Maintenance	\$55.00	\$57.75	

Selectman Stone posed a procedural question regarding the Golf Legal Notice. In the notice it said that this was a final fee hearing. New fees were to have two hearings, so he believed this should be the first of two hearings, and not a final hearing. Selectwoman Post asked if the previous hearings were continued, to which Mr. Stone said they were not. Town Administrator Whritenour believed there should be a second hearing. He said that there already had been two hearings but the second had been closed. Since the Golf Enterprise Committee had been asked to come back with a revised proposal, this hearing essentially was the first hearing on the new fee proposal.

Selectman Stone asked when these proposed fees were to take effect, and Mr. Gilmore replied, April 1. Mr. Stone noted that the Golf Division had already begun collecting fees from members for the new season, so he wondered how Mr. Gilmore planned to handle the new fees. Mr. Gilmore said that, if the new fees were to be approved, the new rates would take effect immediately, but the Division would not back charge anyone who already had paid.

Selectwoman Post asked how the budget projections were based. Mr. Gilmore stated that the Golf Division budget projections were always based on what was known, and at that time the 5% increase was not proposed. Ms. Post wanted to confirm that the budget was based on the fees in place now, and Mr. Gilmore said that she was correct. Selectman Stone wanted to confirm that, if this proposal passed, that for the same season there would be some members who paid the old rate and there would be some others paying the new rate. Ms. Chapman said it would be like an "early

bird special.” Mr. Gilmore added that they ran a special back in December as well, so that people could buy the passes for Christmas gifts. Mr. Gilmore said that they offered the members the old rate of \$1,200 as the special. There were approximately 900 members, and sufficient time was needed to ensure the processing of the fees. The season was to start April 1, which was only two days away. Mr. Scott added that the increase in fees was being proposed in anticipation of rapid inflation associated with golf course operations’ fuel and fertilization costs, calling it “an inflationary hedge fee increase.”

Selectman Stone asked if there would be two hearings, and if so, when the second hearing would be. Chairman Forest asked if it would be taken up at the next meeting. The Town Administrator said that the hearing needed to be advertised, so the second hearing would be held during the April 12 meeting.

Assistant Town Administrator Scott then began the presentation. He stated that this was really a transitional process, with the Golf Division moving forward from the success they had experienced with the condition of the courses and with what the Golf team had accomplished. The immediate priority required the business to focus on its core mission of playability and condition of the courses, and then it could move forward, creating opportunities for improved services. Mr. Scott reported that revenues a few years ago had been down, but now they were going up. The Division was prepared to use those revenues wisely and expand the capabilities of the operation. They wanted a formal process to build the Capital Plan, and do the necessary analysis, and tie it all to the fee increases.

Mr. Gilmore then reviewed slides regarding the Division’s core mission and described what they did to improve the courses. They leased new hybrid mowers, which used less fuel and had less down time. They also monitored the irrigation system, took down many diseased and dead trees, and tried to do strategic purchasing to mitigate the risk of supply chain disruptions.

Mr. Scott said that one topic of discussion had been deferred capital. He said Mr. Gilmore’s team and the Golf Enterprise Committee had done studies/reports, the Links Course Master Plan being one of them. There was good detail on what needed to be done, and it needed to be put in a project management model to develop more finite cost estimates. Mr. Scott said it was important to observe the following basic principles: safety being the primary issue; accessibility to the course; playability; reducing costs; revenue; expansion of the facilities toward addressing the other issues; and coordination and sequencing with other capital projects.

Mr. Scott said that the Golf Division was going to make a concerted effort to develop two webpages on the Town’s website. One would be more public facing and deal with retail. The other would be more about capital, budget, and operations of the Golf Division. The webpage would be a place for people to get more information, such as hearing postings.

In regard to equitable play, Mr. Scott said that the goal was to create a process that was data driven, transparent, and collaborative. Communication should take place with a broad range of participants. Policies could be set in the offseason based on the process. The Golf Division was both a municipal department as well as a business, so there were difficulties such as with procurement requirements, which other courses did not have to deal with. Mr. Scott said that they would be working with the Collins Center to establish policies and protocols, meeting the needs of the municipality requirements, but not losing what was favorable in terms of lead times and costs. An enhanced webpage also would aid in the transparency in operations.

Mr. Gilmore reviewed the slide on big ticket items, which included fertilizer, chemicals, seed, fuel, and some other related rising costs. He noted that it was unfortunate that they had to rely on so many petroleum-based products in golf. Mr. Scott added that the Russian/Ukraine situation was affecting the costs more rapidly than before.

Mr. Gilmore then spoke on the proposed fee increases. They were asking for a 5% increase across all the fees, as well as adding the new Twilight Pass. He stated that there were many people waiting to see if the Twilight Pass would go through, because they were interested in possibly switching or upgrading. Ms. Chapman said that she had spoken with several merchants in Yarmouth who would like to play golf after working all day. They were going to other towns which offered twilight leagues, since Yarmouth currently did not. She said if this proposal passed, then those merchants would be able to play in their own town.

Mr. Scott stated that if you took anticipated revenue from the increased fees, and used about \$80,000 from reserve, less the estimated increases, then you would come up with a balance or contingency of about \$18,000. If the increases turned out to be higher than estimated, such as with the cost of fertilizer, than they would dip more into reserves. The goal was to avoid going into Town Meeting and asking for more revenue. Ms. Chapman agreed, saying that they did not want to find themselves in the position they were in four years ago when they did not have enough fees to cover expenses. She said they wanted to make sure to move forward very carefully. They would be monitoring their large list of capital improvements, staying within their feasibility for accomplishing these things, yet continuing to provide good golfing for Yarmouth.

Wrapping up the presentation, Mr. Scott reiterated some of the key points. The first was Core Turf Management improvements and becoming more innovative. Another was establishing a comprehensive multi-year capital plan while establishing a parallel financing plan. They also planned to establish an assessment method and public process for equitable play and create a center for that on the Golf webpage. In regard to operations and finances, they would work with the Collins Center, as well as the Finance Department, to establish procedures and policies for consistent management of the operations and transparency and create a center for financial information on the Golf webpage.

When the discussion opened up for public comment, Norm Holcomb posed some questions. The first was about how the number of members versus non-members was determined. Mr. Gilmore said that the numbers were based on Club Prophet, which was their new POS (point of sale) system. Mr. Holcomb then noted a discrepancy between what was presented to the Board in the packet, and what was shown in the presentation report. The two totals for number of rounds played by members differed by 6,750 rounds. Mr. Scott said that the chart in the presentation was more of a representation, but the Golf Division would be working with Club Prophet to ensure that data was accurate.

Mr. Holcomb said that he had respect for Mr. Gilmore on the work he accomplished, and that the quality of the courses had significantly improved. He noted that this had impacted the members both favorably and less favorably.

Mr. Holcomb said that he felt the estimated \$140,000 in expenses was valid, however it was not shown in Article 3. The increase in expenses in Article 3 totaled \$3,000. Mr. Scott noted that the budget was done prior to the Ukrainian war, so the inflationary increases associated with that were not determined at the time. He indicated that Russia was a large supplier of some of the materials needed for the courses. Mr. Gilmore added that there would be some changes made item to item to make sure all the needs of the courses were covered.

Mr. Holcomb said that he had gone through the member counts and priced out the revenue amount based on the fees that were charged the previous year. He said that the total revenue should be \$1,026,000, but in looking at the details of the budget, the revenues for members did not reach \$1 million. He said some of the revenue was not being reflected, whether mis-recorded or put into another category. Mr. Gilmore pointed out that there was a resident fee and a non-resident fee withing the revenue budget, so it was all there. He told Mr. Holcomb that the amounts had to be added together. Mr. Gilmore said that Covid had changed the game, but they would not be projecting \$1 million going forward. He was aware there might be a decrease in revenues.

Mr. Holcomb said that he was not disputing the request for a rate increase but wanted to encourage discipline in putting together financial forecasts and budgets in a credible manner. He did not believe that it had been done. He stated it was the Board's responsibility to ensure the budgets were being scrutinized by the Finance Committee and that hard questions were being asked regarding why there were expense increases, and where was the money from the revenues.

Selectman Horgan said he generally supported the idea of increasing fees. He also felt that steps were being taken to deal with capital costs, however, he believed that some of the capital expenses would not be able to be carried by the golfers alone. He requested that Mr. Gilmore bring documentation to show that the fees were remaining competitive and that the Golf courses were not pricing themselves out of the market. He said that he was supportive of the Twilight trial and would like to see if the golf courses would be busy in the afternoons.

Selectman Stone said that he was not a golfer so appreciated Mr. Holcomb's and Ms. Seymour's input. In regard to the equitable plan, he believed that the golf community should be engaged in the process, providing input. He said expenses should be scrutinized and projections should be based on facts. Evidentiary materials should validate or invalidate projections.

Selectwoman Post said that she was not a golfer either, and believed the presentation was great for the future, but she wanted to see projected income and where they were at with the budget. The new fees needed to be justified, and she wanted to see how they would fit into the capital plan. She said that she did not know what the reserves balance was, and that there was a lot of information missing that needed to be part of the overall financial plan. Ms. Post then had questions regarding the Warrant article and retained earning numbers. The Town Administrator gave a detailed explanation of what the numbers represented and stated that the Finance Department worked with them to determine the numbers. Ms. Post asked if the Collins Center costs were reflected in the budget. Mr. Gilmore said that it would be budgeted for FY2023.

Selectman Smith acknowledged that comparative numbers between the courses on the Cape had been submitted to the Board earlier, however, he said it would have been good to have it included as part of this presentation. He noted that Bass River Golf Course was specified as a site for wastewater and said it would be important to know when that would happen as it would have a large effect on revenues. In regard to the fee increase, Mr. Smith said he spoke to some other golfers, and they did not seem to have any problem with it. He said that 5% may be underestimating the actual inflation costs, especially in light of Russia's attack on Ukraine.

Selectwoman Post noted that fertilizers seemed to be counterproductive to the work the Town was doing in relation to nitrogen management and protecting the sole source aquifer. She acknowledged that all-natural fertilizers were more expensive but wondered if any analysis was done to see if there could be any cost savings if they used the all-natural fertilizers. Mr. Gilmore stated there was not much cost savings, and that they already used the all-natural fertilizers on the fairways,

greens, and tees. Other areas, such as the rough areas, needed more nitrogen and micronutrients, so the non-organic fertilizers were used.

The Chairman thanked Mr. Gilmore and the Golf Enterprise Committee and acknowledged their hard work. The second hearing for the Golf fee increases would be April 12.

## 5. Non-Binding Ballot Question Discussion / Vote

The Chairman invited Irene Paine and her husband Jim Wolf to come before the Board. He noted that the Board shared her concerns on the issue.

Ms. Paine read the non-binding ballot question into the record.

“Non-Binding Public Advisory Question for the 2022 Spring Town Ballot Calling upon Holtec Pilgrim, LLC, which is now the owner of the closed Pilgrim Nuclear Power Station, and Holtec Decommissioning International, LLC, which is their separate company which is decommissioning it, to immediately withdraw any plans from now into perpetuity to discharge any radioactive water into Cape Cod Bay. Whereas, Cape Cod Bay is a Federal and State protected area and habitat for the endangered right Whale; and whereas, Cape Cod Bay provides a vital livelihood for fishermen and the tourist industry; and whereas, the National Academies of Science has determined there is no safe dose of ionizing radiation; and whereas, one radioactive element in Holtec Pilgrim water is Tritium, which concentrates up the food chain from sediment to sea grasses to the fish we eat and shellfish; and whereas, Holtec Pilgrim, LLC, can discharge radioactive water anytime without approval of the Nuclear Regulatory Commission (the NRC); and whereas, the Attorney General of New Mexico has filed a lawsuit against the NRC for unlawful proceedings and illegal activities involving Holtec; and whereas, the Commonwealth has the authority to stop the dumping; therefore, shall the people of the Town of Yarmouth express the strongest of opposition to any plans to discharge radioactive water into Cape Cod Bay and direct the local government to initiate ongoing communications with the Governor, the Attorney General, and the State Legislature to employ all means available to ensure that Holtec Pilgrim, LLC commits to immediately withdraw any plans whether now and in the future to dump any radioactive water into Cape Cod Bay?”

Ms. Paine said that it was going to be a “Yes/No” question on the ballot. The Chairman asked if the language that was read was in the original petition, or if it was the language that was worked on with the Town Administrator. Ms. Paine replied that it was the new language. Originally the names of the Governor and Attorney General were included, but with the coming election, they may not be in those positions. She said they wanted the communications to be ongoing. Although the owner could basically do what they wanted, the top of the State had the right and the authority to say no, and the Citizens Advisory Panel that was put together several years ago wanted the top of the State to keep saying no. The Chairman wanted the public to be aware that the Board of Selectmen had previously weighed in on this topic, and he liked this resolution because it promoted “sustained engagement.”

All members of the Board were very supportive of the ballot question. Selectman Smith recommended clarifying what a “yes” or a “no” vote would mean. Selectwoman Post wanted it on the record that she felt it was ludicrous that the NRC would even allow the discharge as an option. She asked why Ms. Paine chose to have it a ballot question for Yarmouth instead of to have it in the warrant, because it could be discussed at the Town Meeting if on the warrant. Ms. Paine said that it was due to timing. Selectman Stone suggested using the language, “should the people of the Town of Yarmouth oppose in the strongest terms any discharge,” because that would be very clear. He also said they should add after Holtec Pilgrim Inc., in that same paragraph, “its successors or assigns”

so that if they assigned a corporation or if there was a successor corporation, it would be covered. Selectman Horgan said that he believed the moderator had the option anytime to do a “sense of the meeting,” so it could be both in the warrant and as a ballot question. It could be discussed at Town Meeting and then lead nicely into the ballot vote.

**MOTION: To endorse the ballot question now with the proposed edits.**

**Motion by: Tracy Post**

**Seconded by: Michael Stone**

**Vote: 5 ayes; 0 nays. The motion passed unanimously.**

Selectwoman Post mentioned that there had been some legislation filed which would include a fine. Ms. Paine said that the fine was so low, it was almost laughable, and that Holtec would not mind paying it. She said there was also something proposed about the payment of damages, however, she thought that would be very hard to determine and prove in court. It would also take a very long time.

Mr. Wolf thanked the Board and acknowledged that this was “democracy in action.” He said that he and his brother had gone to many of the Citizens Advisory Committee meetings, and that it had been a very frustrating process. It seemed like the legislature was allowing the citizens to have no ability to change what was being done. He said the NRC was populated by the industry in such a way, that they were not taking the process seriously. He then recommended solar power.

## **6. Recommendation for Wastewater Treatment Plant Designer**

DPW Director Jeff Colby and Lou Ragozzino from Wright-Pierce came before the Board. Mr. Ragozzino was the OPM (Owner’s Project Manager) that was selected by the Board.

Mr. Colby stated that the qualifications for the wastewater treatment plant designer were advertised, and the required postings made. He said they only received two responses, unlike the OPM solicitation where they had nine responses. The two firms were AECOM and CDM Smith. Both were qualified and known for high quality work in the design of wastewater treatment facilities. The Design Selection Committee and two members of Wright-Pierce (Mr. Ragozzino and Mike Giggey) performed the review and conducted interviews with the two firms. After this process, the Committee’s recommendation to the Board was for CDM Smith to do the design. Mr. Colby said the Committee felt CDM Smith’s proposal was stronger, they had a very good understanding of what was needed, and they presented visualization tools which would be helpful in going forward with the facility’s detail design.

Mr. Ragozzino said that Wright-Pierce supported the Committee’s recommendation. He stated that CDM Smith expressed a better understanding of the project, both in their technical proposal and in the interview. He said that they excelled in comparison to the other respondent. CDM Smith had a more detailed explanation of their scope of work and how they would move forward with the project.

Selectmen Horgan, Stone and Smith did not have questions. Selectwoman Post wanted to confirm whether the vote was unanimous, and Mr. Colby replied that it was. She then asked about reference checks. Mr. Colby said that they had followed up on the references the firm had put forward, as well as with other communities who had done projects with them. CDM Smith came highly recommended. Mr. Colby said that everyone they spoke with was happy with the firm’s work.

The Chairman stated that he had watched Wright-Pierce's interview during the OPM process and was very impressed with how Mr. Ragozzino handled himself. He also said that Mr. Giggey had worked in Yarmouth in the past and had done an outstanding job then. Chairman Forest said that he supported their recommendations.

**MOTION: To endorse the Committee's recommendation in selecting CDM Smith.**

**Motion by: Peter Smith**

**Seconded by: Dan Horgan**

**Vote: 5 ayes; 0 nays. The motion passed unanimously.**

Mr. Ragozzino thanked the Board for their confidence in Wright-Pierce and looked forward to supporting and assisting the Town through the design process. He said it was an important project for the Town and the environment.

## **7. Final Recommendations on Warrant Articles and Execution of Annual Town Meeting Warrant**

The Town Administrator said that the Board should refer to the March 29, 2022 version of the Warrant. He said they were able to include Town Counsel's comments, the Moderator's comments, as well as the comments of some others. Mr. Whritenour said there were no substantive changes made. He noted that the time and place of Town Meeting could be determined by the Board, so wondered if they wanted to start it earlier than 7:00 p.m. Selectman Horgan said that the challenge with having the earlier time was that the people tended to filter in a little late after their dinners, however, if they started the Town Meeting at 7:00 p.m., they were almost guaranteeing that the meeting would continue into a second night. Selectwoman Post said that the goal was to include as many people as possible in the Town Meeting. If they started at 7:00 p.m., it would be darker and more difficult for the elderly citizens to make it. With the earlier time, there could be parents trying to situate their children or finish dinner. Since the meeting probably would not go into a second night, she said she was not opposed to the 6:00 p.m. start time.

**MOTION: To change the starting time to 6:00 p.m.**

**Motion by: Mark Forest**

**Seconded by: Dan Horgan**

**Vote: 5 ayes; 0 nays. The motion passed unanimously.**

Town Administrator Whritenour brought the Board's attention to a March 29 memo from Stefanie Coxe, Acting Chair of the Finance Committee. A couple of budget adjustments were noted, and the Finance Committee recommendations for all of the Warrant articles were included. Assistant Town Administrator Scott said that the March 29 Warrant had already been updated with the recommendations.

The Chairman asked the Board if they had any comments on Article 1 – Budget Adjustments.

**MOTION: To recommend Article 1.**

**Motion by: Tracy Post**

**Seconded by: Mike Stone**

**Vote: 5 ayes; 0 nays. The motion passed unanimously.**

The Chairman asked the Town Administrator to summarize the changes that were mentioned in the memo for Article 2 – Municipal Budget. Mr. Whritenour said that he was in support of the proposed changes. Police and Fire Departments used to include a negative number to designate overtime not included in the totals, which would cause confusion. Those numbers were eliminated.

There was also a small error in the Fire Department overtime, where an amount was in the wrong line, but it did not affect the total. That was adjusted.

**MOTION: To recommend Article 2.**

**Motion by:** Dan Horgan

**Seconded by:** Peter Smith

**Vote:** 5 ayes; 0 nays. The motion passed unanimously.

The Chairman said that Article 3 was for the Golf Enterprise Budget, and both the Finance Committee and the Town Administrator recommended the article.

**MOTION: To recommend Article 3.**

**Motion by:** Dan Horgan

**Seconded by:** Peter Smith

**Discussion:** Selectwoman Post had some questions regarding the content of the article. Mr. Whritenour said that it was the exact same language that was used every year. The motion reflects the “raise and appropriate” part, as well as the transfer of retained earnings as well. Ms. Post was concerned that it would be difficult for the people to understand.

**Vote:** 5 ayes; 0 nays. The motion passed unanimously.

The Chairman said that Article 4 was for the Water Division Budget, which was recommended by the Finance Committee.

**MOTION: To recommend Article 4.**

**Motion by:** Tracy Post

**Seconded by:** Dan Horgan

**Vote:** 5 ayes; 0 nays. The motion passed unanimously.

The Chairman said that Article 5 was for the Septage Enterprise Fund, which was recommended by the Finance Committee.

**MOTION: To recommend Article 5.**

**Motion by:** Peter Smith

**Seconded by:** Dan Horgan

**Vote:** 5 ayes; 0 nays. The motion passed unanimously.

The Chairman said that Article 6 was for the Dennis-Yarmouth Regional School District Budget, which was recommended by the Finance Committee.

**MOTION: To recommend Article 6.**

**Motion by:** Dan Horgan

**Seconded by:** Mike Stone

**Vote:** 5 ayes; 0 nays. The motion passed unanimously.

Selectwoman Post noted that the part of the article that said Cape Cod Regional Technical School should not be there. The Town Administrator said that it would be changed to Dennis-Yarmouth Regional School District.

The Chairman said that Article 7 was for the Cape Cod Regional Technical School Budget.

**MOTION: To recommend Article 7.**

**Motion by:** Tracy Post

**Seconded by:** Dan Horgan

**Vote:** 5 ayes; 0 nays. The motion passed unanimously.

The Chairman said that Article 8 was for Golf Capital Expense.

**MOTION: To recommend Article 8.****Motion by: Dan Horgan****Seconded by: Peter Smith**

**Discussion:** Selectman Stone asked about the issue which Norm Holcomb had raised about there being a duplication. The Town Administrator said that initially there was a duplication, and they had gone back to analyze the Golf budget. Since the original submission of the budget in December, inflation had increased by a large amount. There was always \$135,000 in the capital account, and there was going to be an additional \$135,000 in the expense account which were traced back to the capital items. It was left in as a “cushion” for the inflationary items., and the fees should be sufficient to cover that. He said the appropriation would be there so the Golf Division could actually buy the gas and the fertilizer. Selectwoman Post asked why the wording of the motion was changed to “what sums of money the Town will vote to raise.” The Town Administrator said that it was the same language as was used the previous year and had basically the same meaning as the wording from 2019.

**Vote: 5 ayes; 0 nays. The motion passed unanimously.**

The Chairman said that Article 9 was for the Water Division Capital Expense.

**MOTION: To recommend Article 9.****Motion by: Dan Horgan****Seconded by: Peter Smith**

**Discussion:** Selectman Smith did not believe a 4x4 pickup truck with a plow could be bought for \$50,000, and that some other items were underlisted in terms of costs as well.

**Vote: 4 ayes; 1 nay. The motion passed.**

The Chairman said that Article 10 was for the water mains on Route 6A. The Finance Committee was unanimously in favor.

**MOTION: To recommend Article 10.****Motion by: Peter Smith****Seconded by: Dan Horgan****Vote: 5 ayes; 0 nays. The motion passed unanimously.**

The Chairman said that Article 11 was for the Fire Department Capital Expense, which was recommended unanimously by the Finance Committee. Selectwoman Post asked if this was a type of revolving loan. Selectman Smith asked about the mobile and portable radios grant. Assistant Town Administrator Scott said that the explanation explained the additional grant money that was associated with each on the items. Town Administrator Whritenour said that the amount requested supplemented the grant funding.

**MOTION: To recommend Article 11.****Motion by: Tracy Post****Seconded by: Mike Stone****Vote: 5 ayes; 0 nays. The motion passed unanimously.**

The Chairman said that Article 12 was for Capital Expenses for various departments and was recommended by the Finance Committee.

**MOTION: To recommend Article 12.****Motion by: Dan Horgan****Seconded by: Peter Smith**

**Discussion:** Selectman Horgan wanted clarification on the Town’s obligation with the shooting range. Selectwoman Post had concerns about those School items listed of which Dennis was to

share the cost. Selectman Smith asked about the Long Pond study item. Selectman Horgan asked about the Library Feasibility Study item.

**Vote: 5 ayes; 0 nays. The motion passed unanimously.**

Chairman Forest then jumped ahead to Articles 27, 288 and 30. Kathy Williams, Town Planner, said that a memo had been provided to the Board members summarizing each article, providing results from the public hearing, and giving the recommendations of the Planning Board. Article 27 was the Zoning Article on Short-Term Rentals. Joanne Crowley, Chair of the Planning Board, said that due to timing, a sunset provision was included in order for the Planning Board to make changes or adjustments later if necessary.

**MOTION: To recommend Article 27.**

**Motion by: Tracy Post**

**Seconded by: Dan Horgan**

**Discussion:** Selectman Smith asked Ms. Crowley and Ms. Williams provide some clarification on how the parking spaces were determined.

**Vote: 4 ayes; 0 nays; 1 abstention (Mike Stone). The motion passed.**

Chairman Forest said that Article 28 was about seasonal employee housing at motels, and that the Planning Board had recommended it. Selectman Post noted that 15% was not sufficient to handle the need, however, Chairwoman Crowley said that it was suggested by the business community, and it was a starting point.

**MOTION: To recommend Article 28.**

**Motion by: Dan Horgan**

**Seconded by: Peter Smith**

**Vote: 5 ayes; 0 nays. The motion passed unanimously.**

Chairman Forest said that Article 30 was a petitioned article regarding spot zoning. Chairwoman Crowley said that the Planning Board was not recommending the article.

**MOTION: To not recommend Article 30.**

**Motion by: Dan Horgan**

**Seconded by: Peter Smith**

**Vote: 5 ayes; 0 nays. The motion passed unanimously.**

Noting that there were no more planning articles, Chairman Forest thanked Ms. Williams and Ms. Crowley and excused them. He then went to Article 13 which was Police Cruiser Financing.

**MOTION: To recommend Article 13.**

**Motion by: Dan Horgan**

**Seconded by: Peter Smith**

**Discussion:** The Town Administrator explained the municipal lease provisions and stated that future years were subject to appropriation. Selectwoman Post said that she felt it was a risk due to having to make investments up front to make the cars roadworthy, in addition to possibly having to return the cars if future appropriations were not approved.

**Vote: 5 ayes; 0 nays. The motion passed unanimously.**

**MOTION: To recommend Article 14.**

**Motion by: Peter Smith**

**Seconded by: Dan Horgan**

**Vote: 5 ayes; 0 nays. The motion passed unanimously.**

Chairman Forest said Article 15 was for the Transfer Station Capital Expense and was recommended by the Finance Committee.

**MOTION: To recommend Article 15.**

**Motion by: Dan Horgan**

**Seconded by: Peter Smith**

**Vote: 5 ayes; 0 nays. The motion passed unanimously.**

Chairman Forest said Article 16 was on the Recreation Revolving Fund.

**MOTION: To recommend Article 16.**

**Motion by: Mike Stone**

**Seconded by: Peter Smith**

**Vote: 5 ayes; 0 nays. The motion passed unanimously.**

Chairman Forest said that Article 17 was on Collective Bargaining Wage Adjustments and was recommended by the Finance Committee.

**MOTION: To recommend Article 17.**

**Motion by: Peter Smith**

**Seconded by: Mike Stone**

**Discussion:** Selectwoman Post asked if a placeholder number should be inserted. The Town Administrator said that the recommended number from the Finance Director was \$310,000. At the time the Warrant was drafted, the number was not available. It was decided to put the number in the article.

**MOTION: To recommend Article 17, and amend “sum of money” to read “sum of \$310,000.”**

**Motion by: Peter Smith**

**Seconded by: Mike Stone**

**Vote: 5 ayes; 0 nays. The motion passed unanimously.**

Chairman Forest said that Article 18 was for the Wastewater Infrastructure Stabilization Fund.

**MOTION: To recommend Article 18.**

**Motion by: Mike Stone**

**Seconded by: Tracy Post**

**Vote: 5 ayes; 0 nays. The motion passed unanimously.**

Chairman Forest said that Article 19 was for Amending the Tourism Revenue Preservation Fund.

**MOTION: To recommend Article 19.**

**Motion by: Peter Smith**

**Seconded by: Mike Stone**

**Vote: 5 ayes; 0 nays. The motion passed unanimously.**

Chairman Forest said that Article 20 was to Appropriate the Tourism Revenue Preservation Fund.

**MOTION: To recommend Article 20.**

**Motion by: Mike Stone**

**Seconded by: Peter Smith**

**Vote: 5 ayes; 0 nays. The motion passed unanimously.**

Chairman Forest said that Article 21 was for the District Improvement Financing Phase 1.

**MOTION: To recommend Article 21.**

**Motion by: Mike Stone**

**Seconded by: Dan Horgan**

**Vote: 5 ayes; 0 nays. The motion passed unanimously.**

Chairman Forest said that Article 22 was on the Town Seal Committee.

**MOTION: To recommend Article 22.**

**Motion by: Peter Smith**

**Seconded by:**

**Discussion:** The Town Administrator told the Board that the Town Charter, Section 5.4, reads that the Town Moderator should appoint members to special committees as designated by Town Meeting vote. Originally, he had listed the Board of Selectman in the article. The Board members then discussed how the article could be amended, stating whether the Board should appoint or be in consultation with the Yarmouth Historic Commission. The Chairman said that he did not feel the need to be represented on the committee. Selectman Smith said that he believed the Board did not have to take part until the final recommendations came out.

**MOTION: To recommend Article 22 as amended, as “The Town Moderator in consultation with the Yarmouth Historic Commission.”**

**Motion by: Dan Horgan**

**Seconded by: Peter Smith**

**Vote: 4 ayes; 0 nays; 1 abstention (Mike Stone). The motion passed.**

Chairman Forest said that Article 23 was on Estimated Revenue.

**MOTION: To recommend Article 23.**

**Motion by: Peter Smith**

**Seconded by: Tracy Post**

**Discussion:** Selectman Horgan asked if the \$184,000 amount was 10%, because the amount for the Community Housing Reserve was so much more. The Town Administrator explained that they had additional money they wanted to devote to housing, so it was above the 10%. Ten percent would equal \$184,000.

**Vote: 5 ayes; 0 nays. The motion passed unanimously.**

Chairman Forest said that Article 24 was for the Community Preservation Act Affordable Housing Project.

**MOTION: To recommend Article 24.**

**Motion by: Peter Smith**

**Seconded by: Tracy Post**

**Discussion:** Selectman Horgan asked if it was an additional \$240,000. The Town Administrator explained that Article 23 set aside the reserved, then in Article 24, allows the money to be spent.

**Vote: 5 ayes; 0 nays. The motion passed unanimously.**

Chairman Forest said that Article 25 was for CPA Historic Resource Projects.

**MOTION: To recommend Article 25.**

**Motion by: Dan Horgan**

**Seconded by: Peter Smith**

**Vote: 5 ayes; 0 nays. The motion passed unanimously.**

**MOTION: To recommend Article 26.**

**Motion by: Peter Smith**

**Seconded by: Dan Horgan**

**Vote: 5 ayes; 0 nays. The motion passed unanimously.**

Chairman Forest said that Article 29 was on the Polystyrene Reduction Bylaw and was a petitioned article. Selectwoman Post asked if the Finance Committee did not recommend the article due to a financial impact. The Assistant Town Administrator said that the Finance Committee was concerned with the turnaround date being listed as June 1, 2023, that there would not be sufficient

time to make the necessary adjustments. Due to not being able to amend the date since it was a petitioned article, the Board decided to recommend from the Town Meeting floor so that someone could amend it from the floor.

**MOTION: To recommend Article 29 from the floor at Town Meeting.**

**Motion by:** Dan Horgan

**Seconded by:** *(did not hear a second)*

**Vote:** 5 ayes; 0 nays. The motion passed unanimously.

**MOTION: To approve and execute the Annual Town Meeting Warrant.**

**Motion by:** Tracy Post

**Seconded by:** Mike Stone

**Vote:** 5 ayes; 0 nays. The motion passed unanimously.

## 8. Board and Committee Actions

### 1. Committee Appointments

Selectman Smith said the first appointment was to the Planning Board. Mr. Saben had been recommended by the Chair of the Planning Board, as well as by several of their members.

**MOTION: To appoint James Saben as a regular member to the Planning Board, to fill an unexpired three-year term, to run through July 2024.**

**Motion by:** Mike Stone

**Seconded by:** Tracy Post

**Vote:** 5 ayes; 0 nays. The motion passed unanimously.

Selectman Smith said that the next item was to have three regular positions of staggered terms be reappointed to the Disability Commission.

**MOTION: To reappoint Mr. David Botting to be a regular member to the Disability Commission for a one-year term, which will run through January 2023. To reappoint Ms. Gail Charette and Mr. George Warner as regular members on the Disability Commission. Their appointments are to be two-year terms which will run through June 2024.**

**Motion by:** Mike Stone

**Seconded by:** Tracy Post

**Vote:** 5 ayes; 0 nays. The motion passed unanimously.

### 2. Approval of Minutes

**MOTION: To approve and release the Executive Session Minutes of September 24, 2020.**

**Motion by:** Tracy Post

**Seconded by:** Dan Horgan

**Vote:** 3 ayes; 0 nays; 1 abstention (Peter Smith). The motion passed.

### 3. Upcoming Agenda Review

Town Administrator Whritenour gave an overview of what was scheduled for the next two meetings. There was potentially going to be an executive session scheduled to discuss collective bargaining. The Chairman discussed the possibility of moving some dates for the updates on park and solar projects. Mr. Whritenour said he tried to move the dates up, but they may end up going to the May 3 meeting. The members discussed the possibility of have a meeting prior to Town Meeting

to do a run through. Selectman Stone asked if the notices had gone out for the Show Cause Hearing on April 12. Mr. Whritenour said they were already sent out. There were a large number of individual violations involved.

#### **4. Individual Items**

Selectman Horgan requested a Water Division update on PFAS and the shut down water wells. He also asked for an update on the Fire Chief search. Mr. Whritenour said there was a small delay with the assessment center team, so there was a proposed July date for them to come.

Chairman Forest suggested putting out various informational media/videos or holding meetings regarding the upcoming Town Meeting which would be helpful for the residents. Mr. Whritenour suggested doing a DIF presentation during the April 5 meeting.

Selectman Stone stated that the last time the Board did a Charter Review was in 2018. The recommendations were brought forward. Mr. Stone said he just found out that they were approved by the legislature in January 2020, but with the pandemic, the Charter on the website had never been updated. He noted that other rules and regulations on the website were often difficult to find. Selectwoman Post added that the Town Meeting dates on the website needed to be updated as well.

Selectman Smith said would like to have an update in a future meeting on the Route 6A parking situation.

## **9. Town Administrator Items**

### **1. Consent Agenda**

Town Administrator Whritenour reviewed the items for approval, which included the 2021 Seasonal Alcohol and Entertainment Licenses, a request from the Pastor of South Yarmouth United Methodist Church to hold their Easter Service on the Bass River Beach pier, the change of officers/directors and change of stock interest for Old Yarmouth Inn, and an application for the Massachusetts Emergency Management Agency Hazard Mitigation Grant Program funding.

**MOTION: To approve the Consent Agenda as presented.**

**Motion by: Tracy Post**

**Seconded by: Dan Horgan**

**Vote: 5 ayes; 0 nays. The motion passed unanimously.**

### **2. Town Administrator Updates**

Town Administrator Whritenour announced that there would be a Route 6A Public Meeting the next evening held at the Yarmouth Port Fire Station at 5:30 p.m. The Town's team had pulled together a lot of information regarding the various issues and complaints. As Route 6A is a State road, recommendations would be sent to the State. The meeting was posted for the Board of Selectmen, so the Chairman encouraged as many Board members to attend as possible. Selectwoman Post said that the Town had to consider offside parking for Route 6A as well, since parking was not allowed along Route 6A.

Chairman Forest said that streetscape projects were lining up along Route 28, where wastewater was going. He hoped that the Town team had started to engage the Department of Transportation before it was too late.

## 9. Adjournment

**MOTION:** To adjourn.

**Motion by:** Peter Smith

**Seconded by:** Dan Horgan

**Vote:** 5 ayes; 0 nays. The motion passed unanimously.

The meeting adjourned at approximately 10:20 p.m.

Respectfully Submitted,



Mary Alice Florio

**AGENDA PACKET**  
**Board of Selectmen**  
**March 29, 2022**

- Hearing Packet: Second Hand Dealer Application – Simply Vintage, 161 Route 6A, Yarmouth Port, Catherine Brosnihan, Owner
- Hearing Packet: Construction and Demolition Fee Increase Hearing
- 2022 Annual Golf Fees Public Hearing Legal Ad
- March 25, 2022 Report from Scott Gilmore, Director of Golf Operations, and Ellen Chapman, Chair, Golf Committee: Golf Division Moving Forward, The Core Mission to Continued Success
- March 1, 2022 Letter from Mary A. Maslowski, Town Clerk, regarding Potential Non-Binding Ballot Question Regarding the Discharge of Radioactive Water into Cape Cod Bay, with attachment
- Proposed Revised Language for Non-Binding Public Advisory Question for the 2022 Spring Town Ballot
- March 3, 2022 AECOM Presentation: Town of Yarmouth Designer/Engineer Services for Construction of Wastewater Treatment Facility
- March 3, 2022 CDM Smith Presentation: Town of Yarmouth Designer/Engineer Services for Construction of Wastewater Treatment Facility
- 2022 Annual Town Meeting Warrant – Final Draft, dated March 25, 2022
- March 24, 2022 Memorandum from Joanne Cowley, Planning Board Chair, regarding Zoning Articles for 2022 Annual Town Meeting, with attachments
- March 25, 2022 Memorandum from William Scott, Assistant Town Administrator, regarding Updated Capital Improvement Program Report
- Capital Improvement Program 2023 to 2032, Program Recommendations December 2021, Updated with School Department Capital March 2, 2022, Updated for March 29, 2022
- Committee Appointment – Planning Board (1 regular position)
- Committee Reappointments – Disability Commission (3 regular positions, staggered terms)
- Amended Board of Selectmen Executive Session Meeting Minutes – September 24, 2020 (*sent to Selectmen under separate cover*)
- Board of Selectmen Projected 2022 Agenda Items