

**TOWN OF YARMOUTH, MAINE
5-Year Capital Improvement Plan
Draft October 10, 2020**

**For the Period of
July 1, 2021 – June 30, 2026**

Town Council Members

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The Draft 5-Year Capital Improvement Plan
July 1, 2021 – June 30, 2026
Revised Draft 10-9-2020

In accordance with Article V.10 of the Yarmouth Town Charter, I am pleased to present to the Town Council a draft report on the Capital Improvement and Investment needs for the Town of Yarmouth's municipal (non-school) affairs for the five-year period beginning July 1, 2021.

Yarmouth Town Charter, Article V. Sec. 10. Capital Program. The planning board, in consultation with the town manager and designated member(s) of the town council, shall prepare and submit to the town council, annually, a five-year capital program at least 120 days prior to the beginning of each budget year. The capital program shall contain such information as the town council may, from time to time, designate by order.

This report is organized into three major sections:

Part I: Summary Foundation for budget planning purposes.

This will be presented in tabulation form showing the prior year, proposed FY 22, and the forecast FY 23-26 appropriations or funding sources and levels for Capital Reserves and Debt Service Schedules. This summary includes a tabulation of "routine" on-going (re)investment in Yarmouth's infrastructure and capital assets (i.e. roads, sewer, sidewalks, parks and playgrounds, buildings and grounds, trucks, vehicles and equipment, etc.) as well as the assumed debt schedules. It also lists contributions to non-lapsing reserve funds that are important obligations but not investments in "capital" assets (e.g. unemployment payments reserves, tax revaluation reserve, Housing Assistance Fund.)

Appendices for Part I are included in the report and include the funding requests from Department Heads and Committees for the various capital reserves.

Appendices are presented at the end of the report.

Part II: Current, Planned and Forecast Debt authorizations for capital projects.

The Town and School Department each have outstanding bonded indebtedness which must be covered in the annual budgeting process. In addition, in November 2018, the voters authorized \$52,000,000 in school construction bonds and \$8,500,000 in bonds for a new public safety building. There also remained

\$1,000,000 in authorized but unissued road improvement bonds. Work is well underway on all projects, and the Town has relied on a series of temporary financing instruments to fund the projects so far. A long-term bond sale was conducted September 15, 2020 (with closing to be Sept. 30). Use of excess bond premium was used to resize the bond total to \$57,890,000 {plus \$3,200,000 in premium, plus \$310,000 budgeted by the School Committee in FY 21 and \$100,000 in TIF transfer for the Public Safety Building for the total capital funding of \$61,500,000}.

Part III: Itemization of identified or requested capital funding needs and ideas not substantially carried in Part I or Part II.

Tax rate burdens and differing views on the appropriate functions of local government are legitimate and healthy considerations. As a consequence, not all that is identified as a need can or will be addressed within a five-year funding plan horizon. Moreover, there are many issues for which thoughtful and aspirational consideration may be needed to plan and invest for the future life, sustainability, cost efficiency and health of the community- but for which no specific strategy or conceptual investment plan has established. For example, the Town has long identified affordable housing as a public concern but has not yet established a plan of action against for which funding commitments might be considered.

It is not only important for the community to plan its solutions, but also to take a step back and look to see if the all the needs and priorities are being considered. Community leadership and capital planning must be constantly open to ideas, and perspectives, asking the residents about what they see as needs and values (and actively listening to their replies), and assessing new opportunities, and emerging needs. Part III is an attempt to provide such openness.

Process Notes on the CIP

- 1) The Capital Improvement Plan is a “planning document” only and not a funding authorization. The Town leans heavily on the recommendations of the CIP to build 1-year budget plan each year, and to position the Town to realize the aspirations of the CIP. But the CIP itself does not commit or confer any funding or authorizations.
- 2) As a matter of practicality, the CIP for the Town does not encompass the School Department (the School Committee does engage in its own capital planning work.)
- 3) The CIP does not directly seek to program TIF revenues, although there is an attempt to coordinate the financial and project plans.

Part I: Summary Foundation for budget planning purposes.

Five-year Funding Strategies have been developed for the following Reserves.

Primary Funding Source: Annual Budget Appropriations

- Dam Inspections and Repairs
- Road Improvements and Paving/Subset: Roadway Stripes Painting
- Sidewalk Improvements and Extensions
- Historic Building(s) Capital Maintenance (Old Meeting House)
- Town Trucks and Equipment Reserve (Excluding Schools and Fire-Rescue)
- Tax Revaluation Reserve
- Parks and Playgrounds
- Property Acquisitions
- Harbor and Waterfront Facilities
- Future Dredging
- Unemployment Reserve
- Merrill Memorial Library Building Reserve
- All other Town Buildings Reserves/Subset: Town Bridges and Boardwalks
- Matching Fund for MDOT and PACTS road projects
- Solid Waste Facility/ Subset: Stump grinding contract
- Police Equipment Reserve
- STAY Program
- Brown Tail Moth (Environmental Hazards) Reserve

Primary Funding Source: Dedicated Revenues (non-property tax sources)

- Fire-Rescue Equipment and Apparatus (EMS Fees)
- Sewer System (Sewer User Fees)
- Cousins Island Dock (80% Town of Chebeague, 20% Town of Yarmouth)
- Future Landfill Closure Liability (Punch Cards for Bulky Waste)
- Technology Reserve- (Cable TV Franchise Fee)
- Housing Assistance Fund (Cell Phone Tower fee at North Road Fire-Rescue)
- Economic Development Activities and projects- (TIF Funds)
- Impact Fees on Development- Proposed, not yet considered
- PAYT Trash Disposal Fees- Not yet implemented

MATTERS OF NOTE REGARDING THE DRAFT FY22-FY26 CIP:

Reserve Fund Deficits are forecast in the next few years in some reserve fund accounts in the following years, absent corrective strategies to be determined:

- a. **Fire Rescue Equipment-** While we limit our planning horizon to 5 years, we can sometimes look out over that horizon to anticipate large fire apparatus purchases that will be needed. The Town is using Lease-Purchase financing options for now to meet current fire and rescue equipment needs. EMS billing revenues provide the funding to meet those lease payment obligations but leave us short on capacity for the large apparatus replacements for 20- and 25- year fire truck schedules. We will be aggressively seeking grant opportunities to try to cover this capacity gap.
- b. **Wastewater-** Under the current sewer fee revenue allocation formula, about 2/3rds of revenues collected (\$600,000) are credited for property tax offsets and approx. 1/3rd (\$300,000) is dedicated to the Wastewater Capital Reserve. But capital planning efforts reveal that costs for replacement of the Rowe School and Harbor Pump Stations in the coming years will overwhelm the Reserve balances by more than \$10 million. In addition, the two overflow aeration ditches at the treatment plan need concrete rehabilitation at an estimated cost of \$340,000. The Town Council may consider increasing the sewer user rates and/or increasing dedicated share of sewer fee revenues to the wastewater reserve in order to address these future capital project needs.
- c. **Parks and Playgrounds (including Conservation/Open Space Lands)-** Maintenance and replacement expenses for Parks and Playgrounds buildings and infrastructure could also exceed the available resource capabilities in the upcoming 5-year period. In response, a gradual increase in annual appropriations to that capital reserve was initiated in FY 20 and needs to continue. Additionally, the Town Council has received a report (September 2020) from a Latchstring Park Task Force suggesting a \$350,000 improvement plan that is NOT yet included in proposed or available funding plans.
- d. In the **Town Buildings Maintenance Reserve**, the Town Council added (in 2017) the duty to identify capital maintenance and repair needs for pedestrian and roadway bridges of less than 25 ft spans. A major expense

threat for repair or replacement of the pedestrian bridge over the Royal River sluiceway (East Elm St) would have put this effort in a deficit condition but for the use of TIF funds in FY 20. The bridge funding should be segregated from the Building Maintenance Reserve and funding allocations increased. The **Davis Landing Bridge** is a highway bridge over East Main Street in structurally deficient condition. A preliminary estimated cost of replacement is \$650,000 is pegged but the funding challenge needs to be taken on. The highway bridge on East Elm over the same sluiceway is showing signs of deterioration and may also need to be programmed for work in the coming years.

- e. **Radio equipment-** The CIP calls for a major replacement and upgrade to the Town's two-way radio communications for Public Safety and public works radios (including a switch to digital equipment). A cost over \$220,000 is identified but not funded. It was originally hoped this cost might be covered by the Public Safety Building Bond, but a roughly 25% increase in construction costs in 2019 nixed that hope.
- f. **Cold Storage-** The Town is now constructing a new public safety building on North Road to be ready in the spring of 2021. A cold storage building (i.e. a garage) was planned to be part of the project did not fit within budget scope- so this CIP call for new cold storage building near the new police station to be built in FY 23 or FY 24 at an estimated cost of \$70,000. Cold storage for public works and transfer station needs (at the landfill) is another identified but unfunded need. However, the Town Council is looking at major investments at the Transfer Station which may open up the current baling/process building to provide storage capacity.
- g. **Technology-** The Town's technology equipment and platforms have been funded through the Cable TV franchise fees which have been dedicated to that purpose for a number of years. Recent and pending FCC rule changes suggest that the Town may experience a significant loss of revenue. A partial shift to annual appropriations started in FY 20 to cover desired costs associated with tv and streaming equipment for meetings and the Log Cabin. The Town's needs, costs, and reliance on technology funding will increase over time but revenue sources are expected to diminish.
- h. **Landfill closure-** The Town has intended to fund a Landfill Closure Liability Reserve for years by dedicating punch card revenue receipts to that fund.

Unfortunately, other immediate capital needs for the transfer station have consistently called for those dedications to be used up. A partial shift to annual appropriations started in FY 20 to cover desired costs associated with future landfill closure and post closure monitoring obligations was started. Additional funding is included in the Solid Waste Reserve to pay for annual stump grinding. Like Bridges/Municipal Building Reserve, the Town should consider segregating the stump grinding funds from the long-term closure funds. If the Town Council implements a PAYT trash management system, pricing for the official trash bags might consider including a strategy to cover future capital needs.

- i. **Dams/Fish passage-** The Town is not planning any major capital work to the two dams on the Royal River or their related fishways- but there is interest locally, state-wide and at the federal level to improve fish migration. In FY 20 the Town Council set aside some funds for non-structural repairs to the Elm Street dam. In August 2020, the Town received two scoping reports from the Corps of Engineers to look at restoration efforts for fish passage and natural conditions of the River. Those two reports (known as Section 206 and Section 1135 programs) would require significant local matches if the Town Council requested that the Corps more fully develop and/or implement elements of either or both program plans. Private funding for the local match requirement is perhaps that only practical approach if the Town Council elects to proceed at all. There is no obligation to proceed at this point.
- j. **Property Acquisition Reserve-** The Town's interest in funding the Property Acquisition Reserve seldom survives the pressures to reduce the property tax burdens on citizens, and therefore remains at low balances which make even high priority strategic acquisitions very difficult. This plan repeats a prior year suggestion to establish an Impact Fee assessment on all new residential development with revenues to be dedicated to the Property Acquisition Reserve account.
- k. **Harbor and Channel Dredge-** Maintenance dredging of the Royal River is a federal responsibility but may not be a federal priority. A partial shift to annual appropriations was re-started in FY 20 to cover a possible local share associated with future dredging and dredge materials disposal for the navigability of the Royal River channel and mooring area. That

strategy was not carried into FY 21 (in part due to budget pressures arising out of COVID-19). This CIP generally continues the Town's practice in recent years of NOT funding (or only nominally funding) a reserve to help support a future maintenance dredge project for the Royal River. Rather, the Town relies (at some risk) on future funding and priority through the Army Corps of Engineers.

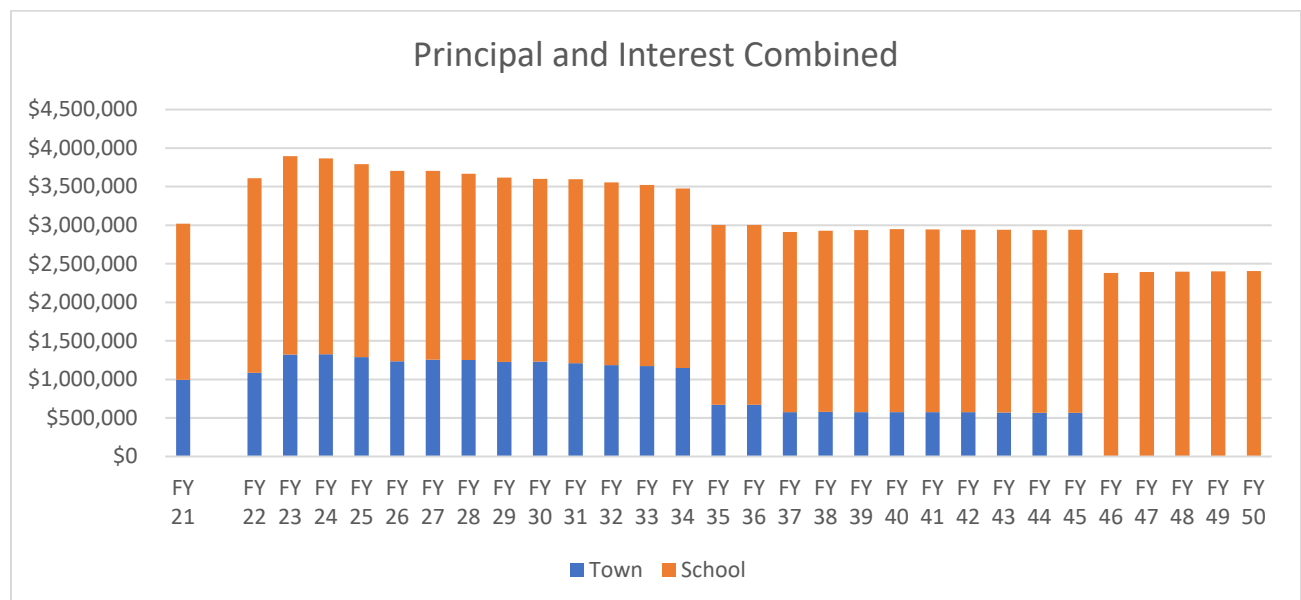
- l. **Athletic Fields-** The CIP recognizes but does not contribute funds for improvements to the Athletic Fields at Yarmouth High School (Bathrooms, concession, storage). That project started and continues to be a private fundraising intention. However, by prior agreement, the Yarmouth School Committee does annual fund a contribution to the Turf Field repair/replacement reserve.
- m. **Generators-** The Town has identified the need to install a much larger emergency generator to power the town hall during emergency power failures and to provide the citizens a warming shelter. This cost of roughly \$100,000 and has not been funded but will be included in the Town Engineer's proposal for the Buildings and Bridges Reserve. It's unlikely that the school construction budgets will be able to fund a large emergency generator to provide a community shelter. If not, that will remain an unmet but identified community need.
- n. **Community Center-** The Town leased (99-years) the Masonic Hall (20 Mill St) and sublet it to Yarmouth Community Center (a local non-profit) with the eye to building a new community center. With a CDBG grant in 2020, the current structure will get some much needed safety improvements and new finishes. Future plans for a large addition or separate but connected new community center is hoped to follow shortly thereafter. While it has not been established or agreed (or even requested) that the Town provide capital funding for these efforts- a reasonable person might nonetheless anticipate such a request to emerge. This CIP does not address that.
- o. Other potential community and capital projects covered but not fully "funded" or planned in Part II of this CIP may include:
 - i. Senior or affordable housing efforts
 - ii. Water Quality projects
 - iii. Climate Change/Infrastructure sustainability investments
 - iv. Cyber-Security threats

- v. Wyman Station succession planning
- vi. Off Leash Dog Park
- vii. Cemetery buildings and grounds
- viii. New or expanded floats at Madeleine Point and Wharf Rd
- ix. Future Rails-to-Trails or Rails-with-Trails projects
- x. Public Arts Installations
- xi. I-295 Overpass replacements Exit 15 and 17 (any local enhancements)
- xii. Cousins River Bridge replacement (local ped/bike enhancements)
- xiii. Election Polling location/Increased Parking at AMVETS
- xiv. Beth Condon Pathway Extensions
- xv. Main Street Master Plan Implementation
- xvi. Royal River Pump Station
- xvii. Harbor Pump Station
- xviii. Spear Farm Barn Replacement
- xix. West Side Trail Improvements/Extensions
- xx. Other projects and aspirations as may be identified in Part III.
- xxi. Tax Revaluation- every 7-10 years (last done 2016)

**SEE APPENDIX I FOR TABLES OF CAPITAL RESERVE FUNDING PROJECTIONS WITH
SUPPORTING MATERIALS AND REQUESTS FROM TOWN STAFF, BOARDS, AND
COMMITTEES**

Part II Debt Schedules

	2002	2009	2013	2013	2013	2018		2000	2020	2020	2020		TOTAL
	Town	Sewers	Turf	Town	Knaub	Hillside	Library	School	Roads	Pub. Safety	School		
	Hall	(SRF)	Field	Garage	(taxable)	\$3M/\$4M	Building	Projects	\$1M/\$4M	Bldg	Projects		
FY 21	\$89,375	\$123,592	\$184,475	\$147,663	\$51,697	\$122,500	\$121,850	\$1,164,375	\$20,908	\$130,505	\$865,025	FY 21	\$3,021,965
FY 22	\$88,150	\$129,925	\$168,125	\$146,363	\$50,403	\$122,500	\$120,350	\$1,029,100	\$33,452	\$227,194	\$1,494,354	FY 22	\$3,609,916
FY 23	\$0	\$120,259	\$187,238	\$204,150	\$48,894	\$368,750	\$123,600	\$0	\$42,685	\$226,903	\$2,572,862	FY 23	\$3,895,341
FY 24	\$0	\$118,593	\$187,800	\$215,838	\$52,169	\$361,250	\$121,600	\$0	\$42,223	\$225,979	\$2,540,998	FY 24	\$3,866,450
FY 25	\$0	\$0	\$187,775	\$211,988	\$50,444	\$353,750	\$124,325	\$0	\$41,728	\$317,217	\$2,503,255	FY 25	\$3,790,482
FY 26	\$0	\$0	\$0	\$207,788	\$48,719	\$343,750	\$126,700	\$0	\$105,853	\$403,875	\$2,467,722	FY 26	\$3,704,407
FY 27	\$0	\$0	\$0	\$237,844	\$46,778	\$331,250	\$133,725	\$0	\$102,211	\$403,106	\$2,451,132	FY 27	\$3,706,046
FY 28	\$0	\$0	\$0	\$256,800	\$44,622	\$318,750	\$130,350	\$0	\$98,313	\$401,131	\$2,418,381	FY 28	\$3,668,347
FY 29	\$0	\$0	\$0	\$249,000	\$42,250	\$306,250	\$141,300	\$0	\$99,249	\$390,073	\$2,387,628	FY 29	\$3,615,750
FY 30	\$0	\$0	\$0	\$265,500	\$44,663	\$295,000	\$136,700	\$0	\$96,321	\$391,178	\$2,373,100	FY 30	\$3,602,462
FY 31	\$0	\$0	\$0	\$256,500	\$41,859	\$285,000	\$132,100	\$0	\$99,533	\$396,206	\$2,383,612	FY 31	\$3,594,810
FY 32	\$0	\$0	\$0	\$247,500	\$38,841	\$275,000	\$127,500	\$0	\$96,864	\$397,780	\$2,373,605	FY 32	\$3,557,090
FY 33	\$0	\$0	\$0	\$238,500	\$40,606	\$265,000	\$132,700	\$0	\$98,228	\$397,222	\$2,351,300	FY 33	\$3,523,556
FY 34	\$0	\$0	\$0	\$229,500	\$36,941	\$255,000	\$132,600	\$0	\$94,964	\$396,938	\$2,331,272	FY 34	\$3,477,215
FY 35	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$92,819	\$578,213	\$2,330,217	FY 35	\$3,001,249
FY 36	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$90,921	\$577,804	\$2,332,775	FY 36	\$3,001,500
FY 37	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$577,200	\$2,334,550	FY 37	\$2,911,750
FY 38	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$577,603	\$2,349,247	FY 38	\$2,926,850
FY 39	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$576,729	\$2,359,070	FY 39	\$2,935,799
FY 40	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$576,739	\$2,371,861	FY 40	\$2,948,600
FY 41	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$575,373	\$2,369,977	FY 41	\$2,945,350
FY 42	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$574,222	\$2,368,821	FY 42	\$2,943,043
FY 43	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$571,248	\$2,370,264	FY 43	\$2,941,512
FY 44	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$567,074	\$2,370,670	FY 44	\$2,937,744
FY 45	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$565,740	\$2,373,941	FY 45	\$2,939,681
FY 46	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$2,380,625	FY 46	\$2,380,625
FY 47	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$2,391,575	FY 47	\$2,391,575
FY 48	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$2,396,231	FY 48	\$2,396,231
FY 49	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$2,399,650	FY 49	\$2,399,650
FY 50	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$2,406,775	FY 50	\$2,406,775
	\$88,150	\$368,777	\$730,938	\$2,967,271	\$587,189	\$3,881,250	\$1,683,550	\$1,029,100	\$1,235,364	\$10,892,747	\$68,555,470	\$0	\$92,019,806



The Town of Yarmouth and Yarmouth School Department have several outstanding bonded arrangements, each with its own amortization schedule and final maturities. Total outstanding principal (as of 1/1/21) will be: \$68,618,610 comprised of \$51,073,004 (74.4%) for educational facilities and \$17,545,606 (25.6%) for Town projects.

TOTAL Existing and Authorized Debt:	\$68,618,610
Legal Debt Limit (15% of State Valuation):	\$245,385,500
Town is carrying about 28% of its legal limit.	

Attached in the Appendices are debt amortization schedules.

Parts I and II of the CIP constitute the bulk of our capital program. Additional work by EDAB using TIF funds can and should also be taken into consideration. The CIP does not include the work of the Yarmouth Schools on building and equipment needs. Nor are Capital Planning and investments by and through the Yarmouth Water District, ecomaine, Riverside Cemetery, Yarmouth Historical Society, MML Trustees, Yarmouth Community Center, Maine DOT, others included. But it would be wise to continue to see all of these (and Part III aspirations) as important elements in the mix of plans to recognize and coordinate.

Potential Future Debt Needs:

Various projects have been identified in Parts I, II, and III of this Capital Improvement Plan that may require debt instruments of some kind (bonds, leases, or other forms of debt). In addition, while this capital improvement planning process attempts to look out several years to allow for responsible fiscal planning and management--- it is an ever-evolving horizon. New demands, new ideas, new understandings, new state or federal mandates, changes in the economy, environment or community will sure occur and the plan is subject to constant update, revision, and reprioritization. Nonetheless, we are prudent to try to look out a few years to spot and make preparations for known challenges. Among those likely to require debt strategies are:

- Davis Landing Bridge replacement (East Main Street over Pratt's Brook)- preliminary construction cost estimate of \$650,000.

- Harbor Pump Station Replacement (and line capacity upgrade)- preliminary construction cost estimate of \$7,121,000.
- Public Safety Radio Equipment estimate of \$220,000
- Police cold storage (unheated garage): \$65,000
- Royal River Pump Station Replacement (and line capacity upgrade)- preliminary construction cost estimate of \$4,600,000
- Harbor and Channel Dredging (if not federally funded)- Cost not yet determined, \$2,000,000 used for discussion placeholder.
- Wastewater aeration ditches rehabilitation.
- Yarmouth Community Center (20 Mill Street): Not currently classified as a municipal project, but a private fundraising effort. Bookmark for reality check.
- Landfill closeout- Cost and dates not determined. Requires annual consideration.
- Formal Public Meeting Space/Council Chambers/Public Voting (polling station)- Not currently planned but increasingly a concern for public engagement and democratic participation practices. (perhaps 7500 sf with on-site parking for 120).
- Future Replacements of Fire Department Tower (Ladder) Truck and Engine 82- \$2.5M guesstimated total.
- Parks and Playgrounds maintenance and repair, and trails/bridges
- Spear Farm Barn demolition and replacement

<p>SEE APPENDIX II FOR DEBT AMORTIZATION SCHEDULES</p>

**PART III- Requested or Identified Capital Projects and Programs not
Significantly Addressed in Parts I and II.**

This Part is intended to capture ideas and concerns that have been identified by various committees, the Town Council, Planning Board, staff, State, federal and regional entities as the general public that ought to be acknowledged and, if deemed appropriate and timely, factored into the capital plans for the Town of Yarmouth. This is not intended as an empty “wish list”, but as a reminded of work and concerns not yet undertaken. We may discover, on reflection, that some of these need to be assigned higher priority and brought forward for public discussion and to strategize Yarmouth’s response to the challenges they present.

No order of priority is suggested by the order of listing below. (Not all suggest a capital expenditure response, and not listed in any priority order):

- Drainage and landscaping improvements at Memorial Green (Town Hall)
- Sea Level rise planning and response
- Climate Action Plan
- Municipal Solar project
- Emerald Ash Borer/Asian Long-horned Beetle invasion
- Future Dredging
- Fish Passage- Royal River
- Off Leash Dog Park
- Senior Housing
- Parks, Open Space, Water Access, Conservation land acquisitions
- Affordable/Workforce Housing
- Municipal TV Equipment/Chambers/Applications
- Periodic Tax Revaluation
- Riverside Cemetery Vault
- Historic Preservation Programs- Village and environs
- Opioid Abuse/Addictions
- Life Safety/Rental Housing Code
- Homelessness
- Rural Character Preservation

- Public Arts
- Comprehensive Plan Update
- Traffic Management/By-Pass for the Village and Main St
- Public Meeting space (post Log Cabin)
- Wyman Station Succession Planning
- Waterfront/Economic Development Master Plan
- Cyber Security- Technology Management
- Regionalization Opportunities
- Complete Streets including Bike/Ped and ADA accessibility
- Main Street Master Plan Implementation
- Athletic Fields (sufficiency of number and condition)
- Public Works Facility (Phase II)
- Rails to Trails/Rails with Trails
- Groundwater/Aquifer protection strategies (regional)
- State and Federal and local bridge replacements
- Deep water access for the public
- Cold Storage Building-

SEE APPENDIX III FOR PUBLIC COMMENTS, SOLICITATION MEMOS, PLANNING BOARD AND TOWN COUNCIL ACTIONS AND RELATED MATERIALS.

TOWN MANAGER'S CAUTIONARY NOTE REGARDING DEMANDS ON OPERATIONAL BUDGETS AND STAFFING.

Focus and planning for capital needs and investments is and has been a strength for Yarmouth for many years and should continue as it has served the Town incredibly well. The list of accomplishments and successful investments to strength the character, connection, and sustainability of Yarmouth is incredible and should be applauded and carried on indefinitely.

At the same time, the Town has not fully recognized the tremendous increase of pressures on operational and staffing capacities in the same time period. Investments of the 1950's thru the 1980's are running out their service lives and require maintenance, upkeep and updating. Hundreds of acres of new open space have been added. Huge investments have been made in Town buildings, the library, athletic fields, recycling facilities, harbor resources, Public Works Garage, the wastewater system, sidewalks and pathways, bridges and trails. Computer systems, fee systems, stormwater management and urban waters issues, and a host of social service issues as well as administrative burdens for accounting, finance, various dedicated revenue streams management, intergovernmental and regional service delivery and citizen expectations. Additionally, the town is increasingly called and required to address issues of access and affordability for residents who are seniors, or who have disabilities, differences, or face difficult financial circumstances. The combination of all these increased demands has accompanied the growth of Yarmouth and changes in both society and the roles of State and Federal governments. The Town has been both benefited and burdened by the capital investments along the way, but the resources and staffing to maintain all the capital infrastructure and address the citizen service needs has been outstripped by the cumulative growth of responsibilities.

In order to maintain and operate the capital assets of the Town, and to continue to deliver outstanding public services as we do, the Town will need to prioritize staffing and operational budgets along with capital plans. Some progress and budget increases have been made, of course, but the Town's capacity is stretched very thin in several areas including (not in any priority order):

- Human Resources and Accounting support
- Parks and Groundskeeping staff and equipment

- Highways maintenance especially winter maintenance of roads and sidewalks
- Library hours, staffing and parking
- Building Maintenance/Custodial and meetings support
- Paramedic coverage*
- TV Equipment/Camera Operations/Scheduling/Programming/Maintenance
- Police coverage/security, traffic details, speed enforcement
- Project Management/Engineering*
- Code Enforcement*
- Plan reviews and permit management
- IT Support and cyber security
- Senior/Social Services Coordination and programming*
- Town Council administrative support, communications, scheduling, record keeping*
- Solid Waste/Recycling system labor and public education support
- Insurance, Risk Management, Workplace Safety and Employee training compliance

*Small forward steps taken in last two years.

COVID IMPACTS MUST BE TAKEN INTO ACCOUNT

Planning the capital investment strategies and managing tax rate and other impacts on Yarmouth residents in the era of COVID-19 and the resultant economic crisis has taken on an extraordinary urgency and importance. It is highly unlikely that the actual funding commitments that follow in the FY 22 budget and beyond will be able to reflect the values and priorities of the CIP and community that would likely guide the town in more “normal” times. If fiscal, economic, political, and pragmatic pressures preclude funding of the CIP or its various elements in a way that is consistent with the plan, one should not read into that a repudiation or dismissal of the plan itself. Hard choices may well need to be made, but they can be made informed and guided by the Capital Improvement Planning process---not in disregard or contradiction to it.

And, as difficult choices are made for FY 22 (or future year budgets), the CIP provides a structure and opportunity to think through how the projects or needs can be met in a different way or time.

**APPENDICES TO PART I
DEPARTMENTAL/PROGRAM SUBMITTALS AND REQUESTS**

Summary Tables for Budget Appropriation Requests

- A. Dam Inspections and Repairs
- B. Road Improvements and Paving
- C. Technology
- D. Historic Buildings
- E. Fire Rescue
- F. Town Trucks and Equipment
- G. Revaluation
- H. Wastewater
- I. Cousins Island Dock
- J. Parks and Playgrounds
- K. Property Acquisitions
- L. Harbor and Waterfront
- M. Unemployment Compensation
- N. Merrill Memorial Library
- O. Solid Waste/Recycling
 - a. Future Closure Liability
- P. Town Buildings and Bridges
- Q. MDOT/PACTS Matching Fund
- R. Harbor Dredging
- S. Police Equipment
- T. Housing Support
- U. Sidewalks
- V. STAY
- W. Environmental Health (BTM)
- X. Economic Development (TIF)
- Y. Cemeteries (no reserve fund)

Dams	Balance 7/1	GF (Budget) Approp	Other Source(s) \$	Other Sources	Expenditures	Balance 6/30
FY 21	\$62,374	\$2,000	\$0	NA	(\$35,000)	\$29,374
FY 22	\$29,374	\$5,000	\$0	NA	(\$5,000)	\$29,374
FY 23	\$29,374	\$5,000	\$0	NA	(\$5,000)	\$29,374
FY 24	\$29,374	\$5,000	\$0	NA	(\$10,000)	\$24,374
FY 25	\$24,374	\$5,000	\$0	NA	(\$6,000)	\$23,374
FY 26	\$23,374	\$5,000	\$0	NA	(\$5,000)	\$23,374
5 yr subtotal		\$25,000	\$0		(\$31,000)	

Roads	Balance 7/1	GF (Budget) Approp	Other Source(s) \$	Other Sources	Expenditures	Balance 6/30
FY 21	\$97,588	\$250,000	\$175,000	7kk MDOT + 350K	(\$425,000)	\$97,588
FY 22	\$97,588	\$725,000	\$75,000	MDOT	(\$800,000)	\$97,588
FY 23	\$97,588	\$725,000	\$75,000	MDOT	(\$800,000)	\$97,588
FY 24	\$97,588	\$730,000	\$75,000	MDOT	(\$800,000)	\$102,588
FY 25	\$102,588	\$740,000	\$75,000	MDOT	(\$800,000)	\$117,588
FY 26	\$117,588	\$750,000	\$75,000	MDOT	(\$800,000)	\$142,588
5 yr subtotal		\$3,670,000	\$375,000		(\$4,000,000)	

\$350,000

Technology	Balance 7/1	GF (Budget) Approp	Other Source(s) \$	Other Sources	Expenditures	Balance 6/30
FY 21	\$221,279	\$2,000	\$125,000	Charter + Admin	(\$188,500)	\$159,779
FY 22	\$159,779	\$32,000	\$130,000	Charter Cable	(\$166,840)	\$154,939
FY 23	\$154,939	\$32,000	\$130,000	Charter Cable	(\$212,675)	\$104,264
FY 24	\$104,264	\$32,000	\$130,000	Charter Cable	(\$178,558)	\$87,706
FY 25	\$87,706	\$40,000	\$130,000	Charter Cable	(\$186,746)	\$70,960
FY 26	\$70,960	\$40,000	\$130,000	Charter Cable	(\$180,000)	\$60,960
5 yr subtotal		\$176,000	\$650,000		(\$924,819)	

\$20,000

Historic Bldgs	Balance 7/1	GF (Budget) Approp	Other Source(s) \$	Other Sources	Expenditures	Balance 6/30
FY 21	\$40,926	\$5,000	\$0	NA	(\$3,500)	\$42,426
FY 22	\$42,426	\$5,000	\$0	NA	\$0	\$47,426
FY 23	\$47,426	\$5,000	\$0	NA	(\$40,000)	\$12,426
FY 24	\$12,426	\$5,000	\$0	NA	\$0	\$17,426
FY 25	\$17,426	\$5,000	\$0	NA	\$0	\$22,426
FY 26	\$22,426	\$5,000	\$0	NA	\$0	\$27,426
5 yr subtotal		\$25,000	\$0		(\$40,000)	

Fire-Rescue	Balance 7/1	GF (Budget) Approp	Other Source(s) \$	Other Sources	Expenditures	Balance 6/30
FY 21	\$355,249	\$0	\$70,000	Fees	(\$41,200)	\$384,049

FY 22	\$384,049	\$0	\$80,000	Fees	(\$41,200)	\$422,849
FY 23	\$422,849	\$0	\$90,000	Fees	(\$274,600)	\$238,249
FY 24	\$238,249	\$0	\$90,000	Fees	(\$46,500)	\$281,749
FY 25	\$281,749	\$0	\$90,000	Fees	(\$740,500)	(\$368,751)
FY 26	(\$368,751)	\$0	\$90,000	Fees	(\$307,000)	(\$585,751)
5 yr subtotal		\$0	\$440,000		(\$1,409,800)	

Lease capital not included yet

Equipment	Balance 7/1	GF (Budget) Approp	Other Source(s) \$	Other Sources	Expenditures	Balance 6/30	
FY 21	\$241,741	\$155,000	\$202,000	Transfers*	(\$295,000)	\$303,741	\$30,000
FY 22	\$303,741	\$200,000	\$177,000	Transfers	(\$468,000)	\$212,741	
FY 23	\$212,741	\$210,000	\$189,000	Transfers	(\$464,500)	\$147,241	
FY 24	\$147,241	\$210,000	\$189,000	Transfers	(\$316,500)	\$229,741	
FY 25	\$229,741	\$210,000	\$189,000	Transfers	(\$445,500)	\$183,241	
FY 26	\$183,241	\$210,000	\$189,000	Transfers	(\$393,000)	\$189,241	
5 yr subtotal		\$1,040,000	\$933,000		(\$2,087,500)		

*Wastewater- \$43,000, Parks-\$39,000, Police- \$62,000, ACO- \$0, Harbor-\$5,000, Landfill- \$28,000. PW - \$200,000

Revaluation	Balance 7/1	GF (Budget) Approp	Other Source(s) \$	Other Sources	Expenditures	Balance 6/30
FY 21	\$10,780	\$0	\$0	NA	(\$6,200)	\$4,580
FY 22	\$4,580	\$35,000	\$0	NA	(\$24,000)	\$15,580
FY 23	\$15,580	\$35,000	\$0	NA	(\$18,000)	\$32,580
FY 24	\$32,580	\$35,000	\$0	NA	(\$3,500)	\$64,080
FY 25	\$64,080	\$35,000	\$0	NA	(\$3,500)	\$95,580
FY 26	\$95,580	\$35,000	\$0	NA	(\$3,500)	\$127,080
5 yr subtotal		\$175,000	\$0		(\$52,500)	

Wastewater	Balance 7/1	GF (Budget) Approp	Other Source(s) \$	Other Sources	Expenditures	Balance 6/30
FY 21	\$722,683	\$0	\$300,000	\$12,000	(\$177,103)	\$857,580
FY 22	\$857,580	\$0	\$350,000	\$12,000	(\$587,103)	\$632,477
FY 23	\$632,477	\$0	\$350,000	\$12,000	(\$297,103)	\$697,374
FY 24	\$697,374	\$0	\$350,000	\$12,000	(\$477,103)	\$582,271
FY 25	\$582,271	\$0	\$350,000	\$12,000	(\$612,103)	\$332,168
FY 26	\$332,168	\$0	\$350,000	\$12,000	(\$307,103)	\$387,065
5 yr subtotal		\$0	\$1,750,000		(\$2,280,515)	

CI Dock	Balance 7/1	GF (Budget) Approp	Other Source(s) \$	Other Sources	Expenditures	Balance 6/30
FY 21	\$349,763	\$5,311	\$26,556	Chebeague	\$0	\$381,630
FY 22	\$381,630	\$5,523	\$27,618	Chebeague	\$0	\$414,772

FY 23	\$414,772	\$5,744	\$28,723	Chebeague	(\$12,000)	\$437,239
FY 24	\$437,239	\$5,974	\$29,872	Chebeague	(\$10,000)	\$463,085
FY 25	\$463,085	\$6,213	\$31,067	Chebeague	\$0	\$500,365
FY 26	\$500,365	\$6,462	\$32,309	Chebeague	\$0	\$539,136
5 yr subtotal		\$29,917	\$149,589		(\$22,000)	

Parks/Playgrounds	Balance 7/1	GF (Budget) Approp	Other Source(s) \$	Other Sources	Expenditures	Balance 6/30
FY 21	\$167,356	\$50,000	\$50,000	Cap Outlays	(\$145,000)	\$122,356
FY 22	\$122,356	\$130,000	\$95,000	LWCF	(\$346,000)	\$1,356
FY 23	\$1,356	\$130,000	\$0	\$0	(\$120,000)	\$11,356
FY 24	\$11,356	\$130,000	\$0	\$0	(\$96,000)	\$45,356
FY 25	\$45,356	\$130,000	\$0	\$0	(\$98,000)	\$77,356
FY 26	\$77,356	\$130,000	\$0	\$0	(\$113,000)	\$94,356
5 yr subtotal		\$650,000	\$95,000		(\$773,000)	

\$50,000

Property Acquisitions	Balance 7/1	GF (Budget) Approp	Other Source(s) \$	Other Sources	Expenditures	Balance 6/30
FY 21	\$34,709	\$0	\$0	NA	\$0	\$34,709
FY 22	\$34,709	\$0	\$0	NA	\$0	\$34,709
FY 23	\$34,709	\$0	\$0	NA	\$0	\$34,709
FY 24	\$34,709	\$0	\$0	NA	\$0	\$34,709
FY 25	\$34,709	\$0	\$0	NA	\$0	\$34,709
FY 26	\$34,709	\$0	\$0	NA	\$0	\$34,709
5 yr subtotal		\$0	\$0		\$0	

Harbor and Water	Balance 7/1	GF (Budget) Approp	Other Source(s) \$	Other Sources	Expenditures	Balance 6/30
FY 21	\$8,946	\$12,500	\$0	NA	(\$12,500)	\$8,946
FY 22	\$8,946	\$17,500	\$0	NA	(\$14,000)	\$12,446
FY 23	\$12,446	\$17,500	\$0	NA	(\$18,000)	\$11,946
FY 24	\$11,946	\$17,500	\$0	NA	(\$11,000)	\$18,446
FY 25	\$18,446	\$18,000	\$0	NA	(\$15,000)	\$21,446
FY 26	\$21,446	\$18,000	\$0	NA	(\$18,000)	\$21,446
5 yr subtotal		\$88,500	\$0		(\$76,000)	

Unemployment	Balance 7/1	GF (Budget) Approp	Other Source(s) \$	Other Sources	Expenditures	Balance 6/30
FY 21	\$6,254	\$8,000	\$0	NA	(\$30,000)	(\$15,746)
FY 22	(\$15,746)	\$24,000	\$0	NA	(\$16,000)	(\$7,746)
FY 23	(\$7,746)	\$20,000	\$0	NA	(\$11,000)	\$1,254
FY 24	\$1,254	\$18,000	\$0	NA	(\$11,000)	\$8,254
FY 25	\$8,254	\$18,000	\$0	NA	(\$11,000)	\$15,254

FY 26	\$15,254	\$12,000	\$0	NA	(\$11,000)	\$16,254
5 yr subtotal		\$92,000	\$0		(\$60,000)	

Library	Balance 7/1	GF (Budget) Approp	Other Source(s) \$	Other Sources	Expenditures	Balance 6/30	
FY 21	\$54,885	\$0	\$20,000	Cap outlays	(\$11,900)	\$62,985	\$20,000
FY 22	\$62,985	\$25,000	\$0	NA	(\$16,900)	\$71,085	
FY 23	\$71,085	\$25,000	\$0	NA	(\$27,500)	\$68,585	
FY 24	\$68,585	\$30,000	\$0	NA	(\$38,000)	\$60,585	
FY 25	\$60,585	\$30,000	\$0	NA	(\$42,000)	\$48,585	
FY 26	\$48,585	\$30,000	\$0	NA	(\$45,000)	\$33,585	
5 yr subtotal		\$140,000	\$0		(\$169,400)		

Solid Waste	Balance 7/1	GF (Budget) Approp	Other Source(s)	Other Sources	Expenditures	Balance 6/30
FY 21	\$87,671	\$51,000	\$16,000	Fees	(\$51,000)	\$103,671
FY 22	\$103,671	\$51,000	\$16,001	Fees	(\$70,000)	\$100,672
FY 23	\$100,672	\$51,000	\$16,002	Fees	(\$70,000)	\$97,674
FY 24	\$97,674	\$51,000	\$16,003	Fees	(\$52,000)	\$112,677
FY 25	\$112,677	\$51,000	\$16,004	Fees	(\$54,000)	\$125,681
FY 26	\$125,681	\$51,000	\$16,005	Fees	(\$54,000)	\$138,686
5 yr subtotal		\$255,000	\$80,015		(\$300,000)	

Town Bldgs & Bridges	Balance 7/1	GF (Budget) Approp	Other Source(s) \$	Other Sources	Expenditures	Balance 6/30	
FY 21	\$179,505	\$53,000	\$50,000	Rent & Ops	(\$117,500)	\$165,005	\$20,000
FY 22	\$165,005	\$73,000	\$28,000	Rent and TIF	(\$66,000)	\$200,005	
FY 23	\$200,005	\$75,000	\$80,000	Rent and TIF	(\$107,000)	\$248,005	
FY 24	\$248,005	\$95,000	\$20,000	\$650K TBD \$20K rent	(\$201,300)	\$161,705	
FY 25	\$161,705	\$95,000	\$20,000	Rent	(\$208,300)	\$68,405	
FY 26	\$68,405	\$95,000	\$20,000	Rent	(\$105,300)	\$78,105	
5 yr subtotal		\$433,000	\$168,000		(\$687,900)		

MDOT Match	Balance 7/1	GF (Budget) Approp	Other Source(s) \$	Other Sources	Expenditures	Balance 6/30
FY 21	\$693,991	\$100,000	various MDOT/PACTS/TIF	varies	(\$372,500)	\$421,491
FY 22	\$421,491	\$120,000	various MDOT/PACTS/TIF	varies	(\$120,000)	\$421,491
FY 23	\$421,491	\$120,000	various MDOT/PACTS/TIF	varies	(\$120,000)	\$421,491
FY 24	\$421,491	\$120,000	various MDOT/PACTS/TIF	varies	(\$120,000)	\$421,491
FY 25	\$421,491	\$120,000	various MDOT/PACTS/TIF	varies	(\$120,000)	\$421,491
FY 26	\$421,491	\$120,000	various MDOT/PACTS/TIF	varies	(\$120,000)	\$421,491
5 yr subtotal		\$600,000	\$0		(\$600,000)	

Dredging	Balance 7/1	GF (Budget) Approp	Other Source(s)	Other Sources	Expenditures	Balance 6/30
FY 21	\$122,122	\$0	\$0	NA	\$0	\$122,122
FY 22	\$122,122	\$0	\$0	NA	\$0	\$122,122
FY 23	\$122,122	\$0	\$0	NA	\$0	\$122,122
FY 24	\$122,122	\$0	\$0	NA	\$0	\$122,122
FY 25	\$122,122	\$0	\$0	NA	\$0	\$122,122
FY 26	\$122,122	\$0	\$0	NA	\$0	\$122,122
5 yr subtotal		\$0	\$0		\$0	

Police Equipment	Balance 7/1	GF (Budget) Approp	Other Source(s) \$	Other Sources	Expenditures	Balance 6/30
FY 21	\$29,603	\$82,900	\$0	NA	(\$82,000)	\$30,503
FY 22	\$30,503	\$90,000	\$0	NA	(\$86,000)	\$34,503
FY 23	\$34,503	\$160,000	\$0	NA	(\$156,000)	\$38,503
FY 24	\$38,503	\$90,000	\$0	NA	(\$85,000)	\$43,503
FY 25	\$43,503	\$90,000	\$0	NA	(\$85,000)	\$48,503
FY 26	\$48,503	\$90,000	\$0	NA	(\$85,000)	\$53,503
5 yr subtotal		\$520,000	\$0		(\$497,000)	

Housing Support	Balance 7/1	GF (Budget) Approp	Other Source(s) \$	Other Sources	Expenditures	Balance 6/30
FY 21	\$84,381	\$0	\$32,000	US Cellular	(\$30,000)	\$86,381
FY 22	\$86,381	\$0	\$32,960	US Cellular	(\$32,000)	\$87,341
FY 23	\$87,341	\$0	\$33,949	US Cellular	(\$35,000)	\$86,290
FY 24	\$86,290	\$0	\$34,967	US Cellular	(\$37,000)	\$84,257
FY 25	\$84,257	\$0	\$36,016	US Cellular	(\$37,000)	\$83,273
FY 26	\$83,273	\$0	\$37,097	US Cellular	(\$24,000)	\$96,370
5 yr subtotal		\$0	\$174,989		(\$165,000)	

Sidewalks	Balance 7/1	GF (Budget) Approp	Other Source(s) \$	Other Sources	Expenditures	Balance 6/30
FY 21	\$142,590	\$2,500	\$0	NA	(\$142,500)	\$2,590
FY 22	\$2,590	\$30,000	\$1	NA	(\$15,000)	\$17,591
FY 23	\$17,591	\$30,000	\$2	NA	(\$15,000)	\$32,593
FY 24	\$32,593	\$30,000	\$3	NA	(\$15,000)	\$47,596
FY 25	\$47,596	\$30,000	\$4	NA	(\$55,000)	\$22,600
FY 26	\$22,600	\$30,000	\$5	NA	(\$30,000)	\$22,605
5 yr subtotal		\$150,000	\$15		(\$130,000)	

STAY	Balance 7/1	GF (Budget) Approp	Other Source(s) \$	Other Sources	Expenditures	Balance 6/30
FY 21	\$47,177	\$120,000	\$0	NA	(\$90,000)	\$77,177
FY 22	\$77,177	\$100,000	\$1	NA	(\$100,000)	\$77,178

FY 23	\$77,178	\$100,000	\$2	NA	(\$110,000)	\$67,180
FY 24	\$67,180	\$100,000	\$3	NA	(\$115,000)	\$52,183
FY 25	\$52,183	\$100,000	\$4	NA	(\$115,000)	\$37,187
FY 26	\$37,187	\$100,000	\$5	NA	(\$120,000)	\$17,192
5 yr subtotal		\$500,000	\$15		(\$560,000)	

Env Health (BTM)	Balance 7/1	GF (Budget) Approp	Other Source(s) \$	Other Sources	Expenditures	Balance 6/30
FY 21	\$200,605	(\$100,000)	\$0	NA	\$0	\$100,605
FY 22	\$100,605	(\$50,000)	\$0	NA	\$0	\$50,605
FY 23	\$50,605	\$0	\$0	NA	\$0	\$50,605
FY 24	\$50,605	\$0	\$0	NA	\$0	\$50,605
FY 25	\$50,605	\$0	\$0	NA	\$0	\$50,605
FY 26	\$50,605	\$0	\$0	NA	\$0	\$50,605
5 yr subtotal		(\$50,000)	\$0		\$0	

FY 22- FY 26 Total	\$8,519,417	\$4,815,623	(\$14,866,434)
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Budget Impacts

FY 21	\$1,289,211	Includes \$490,000 budgeted Capital Outlays in departmental budgets in FY 21	\$490,000
FY 22	\$1,618,023		
FY 23	\$1,746,244		
FY 24	\$1,704,474		
FY 25	\$1,723,213		
FY 26	\$1,727,462		

Capital Improvements- General Fund (Budget) Amounts

		FY 20	Reserves FY 21	Outlays FY 21	Total FY 21	FY 22	FY 23	FY 24	FY 25	FY 26	5 yr total
4001	Dam Maintenance	\$44,000	\$2,000	\$0	\$2,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$25,000
4002	Road Improvements	\$689,000	\$250,000	\$450,000	\$700,000	\$725,000	\$725,000	\$730,000	\$740,000	\$750,000	\$3,670,000
4003	Technology	\$50,000	\$2,000	\$20,000	\$22,000	\$32,000	\$32,000	\$32,000	\$40,000	\$40,000	\$176,000
4005	Historic Buildings	\$5,000	\$5,000	\$0	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$25,000
4006	Fire-Rescue Equipment	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
4007	Equipment Fund	\$160,000	\$155,000	\$30,000	\$185,000	\$200,000	\$210,000	\$210,000	\$210,000	\$210,000	\$1,040,000
4008	Revaluation	\$5,000	\$0	\$0	\$0	\$35,000	\$35,000	\$35,000	\$35,000	\$35,000	\$175,000
4009	Wastewater	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
4010	Cousins Island Dock	\$5,107	\$5,311	\$0	\$5,311	\$5,523	\$5,744	\$5,974	\$6,213	\$6,462	\$29,917
4011	Parks and Playgrounds	\$110,000	\$50,000	\$50,000	\$100,000	\$130,000	\$130,000	\$130,000	\$130,000	\$130,000	\$650,000
4012	Property Acquisitions	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
4013	Harbor and Waterfront	\$11,500	\$12,500	\$0	\$12,500	\$17,500	\$17,500	\$17,500	\$18,000	\$18,000	\$88,500
4014	Unemployment Reserve	\$6,000	\$8,000	\$0	\$8,000	\$24,000	\$20,000	\$18,000	\$18,000	\$12,000	\$92,000
4015	Merrill Memorial Library	\$20,000	\$0	\$20,000	\$20,000	\$25,000	\$25,000	\$30,000	\$30,000	\$30,000	\$140,000
4016	Solid Waste	\$51,000	\$51,000	\$0	\$51,000	\$51,000	\$51,000	\$51,000	\$51,000	\$51,000	\$255,000
4017	Municipal Bldgs and Bridges	\$73,000	\$53,000	\$20,000	\$73,000	\$73,000	\$75,000	\$95,000	\$95,000	\$95,000	\$433,000
4018	MDOT/PACTS project matches	\$120,000	\$100,000	\$0	\$100,000	\$120,000	\$120,000	\$120,000	\$120,000	\$120,000	\$600,000
4019	Dredging	\$20,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
4023	Police Equipment	\$68,000	\$82,900	\$0	\$82,900	\$90,000	\$160,000	\$90,000	\$90,000	\$90,000	\$520,000
4024	Housing Support	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
4027	Sidewalk Improvements	\$5,000	\$2,500	\$0	\$2,500	\$30,000	\$30,000	\$30,000	\$30,000	\$30,000	\$150,000
4029	STAY Program	\$90,000	\$120,000	\$0	\$120,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$500,000
4030	Environmental Health (BTM)	\$200,000	\$0	(\$100,000)	(\$100,000)	(\$50,000)	\$0	\$0	\$0	\$0	(\$50,000)
		\$1,732,607	\$899,211	\$490,000	\$1,389,211	\$1,618,023	\$1,746,244	\$1,704,474	\$1,723,213	\$1,727,462	\$8,519,417
Change from prior year					(\$343,396)	\$228,812	\$128,221	(\$41,770)	\$18,739	\$4,249	

Appendix I-A Dams

The Town owns and is responsible to maintain two dams in the Royal River, one near Bridge St and the other just upstream of East Elm Street. Both of these dams have been subject to controversial consideration for removal or alteration, including their associated fish ladders during the last 10 years. In August 2020, the US Army Corps of Engineers released two preliminary assessments to identify what, if any, federal role may be appropriate (subject to funding). These Federal Interest Determination (FID) studies were conducted under two different sections of the federal Water Resources Development Act (WRDA). One study under Section 1135 considered whether there existed a federal interest and benefit to removing the old dredge materials containment dikes on the northerly shoreline of the Royal River near the harbor mooring field. Another study under Section 206 looked to see what federal interests and alternatives may exist in restoring more natural river flow and/or fish passage structures at the two dams. Summary reports of both those FID findings are included here as part of this appendix. To date (Sept 25, 2020) the Town Council has not taken up the consideration of the matters or set direction for the town on if/how to proceed with any public discussion on the matter.

Although the Federal programs present some significant possibilities, concerns, costs, and opportunities that may or may not color future decisions of the Town Council on dam maintenance, this CIP has traditionally assumed that there will be on-going and indefinite maintenance responsibilities for the dams. To that degree, a small capital reserve was established to provide for periodic engineering inspections, maintenance repairs, and related costs of dam ownership (and where practical to the state-owned fish ladders). We propose continuation of this low effort monitor and repair approach until such time as broader public policy direction is settled. Thereafter, it may be necessary to increase funding for major structural work and or project work arising out of the 206 program decisions.

Annual General Fund (Budget) Support

	FY 21	FY 22	FY 23	FY 24	FY25	FY 26
Dept. Request:	\$2,000	\$5000	\$5000	\$5000	\$5000	\$5000
Manager Proposal:	\$2,000	\$5000	\$5000	\$5000	\$5000	\$5000

Steve's report/request and USACOE 206 and 1135 reports to follow



TOWN OF YARMOUTH
INTERNAL MEMORANDUM

TO: Nat Tupper, Town Manager
FROM: Steven Johnson, P.E., Town Engineer
DATE: September 22, 2020
RE: FY 2022 Dam Capital Reserve Program

As you know, Yarmouth owns and operates two (2) masonry dams on the Royal River, the East Elm Street dam and the Bridge Street dam. Both dams feature fish ladders of various efficiencies and the Bridge Street Dam also provides elevation and flow to the Sparhawk Mill power generation facility, (now abandoned).

Over the past several years spring runoff carried several large trees downstream that lodged on the weir of the East Elm Street dam and just downstream of the Bridge Street Dam. The potential for these trees to be transported further downstream in high river flows and become a hazard to maritime navigation was significant. Please note that I have included funding in future CIP years for debris removal on the dams as required.

Additionally, it is critical that the dam infrastructure be inspected on a periodic basis. I recommend that the Elm Street dam be inspected by a third-party engineer and will request in FY'23 funding to inspect the Bridge Street dam.

- FY '22: Elm Street dam Engineering Inspection (\$5,000)
- FY '23: Bridge Street dam Engineering Inspection (\$5,000)

If you have any questions, please do not hesitate to call me.

Reserve Fund-(4001) Yarmouth Dam Maintenance

Revised: September 22, 2020

	<u>FY 22</u>	<u>FY 23</u>	<u>FY 24</u>	<u>FY 25</u>	<u>FY 26</u>
Available Balance from June 30	\$10,160	\$10,160	\$10,160	\$5,160	\$4,160
Funds added in Annual Budget	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000
Fees or other revenues added					
Total Funds Available for FY	\$15,160	\$15,160	\$15,160	\$10,160	\$9,160
Planned Expenditures					
East Elm Street Dam					
Dam Repair					
Inspection				\$6,000	
Log Removal					
(re-allocate					
per Council)			\$10,000		
Bridge Street Dam					
Inspection	\$5,000	\$5,000			\$5,000
TOTAL Expenses	\$5,000	\$5,000	\$10,000	\$6,000	\$5,000
Projected Balance Fwd	\$10,160	\$10,160	\$5,160	\$4,160	\$4,160
(total funds avail less expenses)					

Narrative:

Dam Repair: Reset dam crest stones toppled as a result of ice action (\$25,000) replace fish ladder baffles (\$10,000)
 Inspection: stagger and inspect each dam every four (4) years

Nat Tupper

From: Nat Tupper
Sent: Monday, August 10, 2020 5:13 PM
To: Alan Dugas; Alan Stearns; Ann Thayer; Antonio Bentivogli; Art; Bill Gregory; Deborah Delp; Deborah Landry; Landis Hudson; Matt Craig; Matt Stevens; Steve Arnold; William Owen; April Humphrey; megan casey; Michelle Cromarty; Randy Bates; Rob Waeldner; Tim Shannon
Cc: Alex; Ben Thompson; Dan Gallant; Dawn Madden; Erik Street; Heidi Grimm; Jen Van Allen ; Jennifer Doten; Karyn MacNeill; Mike Robitaille; Nick Ciarimboli; Scott LaFlamme; Steve Johnson; Tom Connolly
Subject: Federal Interest Determinations
Attachments: Final_206FID_RoyalRiver.pdf; Final_FID_RoyalRiver1135.pdf

Hello everyone- The long awaited Federal Interest Determination (FID) reports from the Army Corps of Engineers were released today (attached). I received a call this afternoon from Dr. Kristine Reed at the Corps to let me know she was sending the reports as pdf files to me, and that I was clear to share them.

At the risk of misstating or oversimplifying the matter- I offer the following quick summary. But the reports are only 12-15 pages each, so I encourage you to read them through for your own assessments. These are public documents and may be forwarded and shared with others if you wish. I am sure I have not included everyone who has an interest in these studies, so I trust you will forward to others who you think may be interested as well.

The Corps looked at two projects under two separate funding sources- These FID studies are intended only to be a overview of the issues to determine if there is a federal interest in the matters that would qualify them for further investigation and possible construction of some kind of improvement or change. Projects with a projected construction cost over \$10,000,000 are not eligible under either program. There is no local cost or obligation associated with generating these high level federal interest determinations--- but there would be a local cost share obligation (50%) if the Town requests the Corps to undertake a much more detailed and intensive feasibility study and engineering analysis. And, if the results of such a detail engineering study leads the Town to then request the Corps make constructed improvements, there would be a local construction cost share of 25%.

The "1135" program study looked at the restoration of the old dredge disposal areas along the shore at the end of Harborview Drive. There was a positive determination of a federal interest, and the identified action alternatives included (a) full removal of the spoils and containment dikes, or (b)partial removal, or (c) no action. The suggested cost of the next phase of a study (should the town request it) is \$665,000---of which the local share would be 50% of the study or \$332,500.

The very preliminary estimate to remove the dredge materials within the containment dikes (and the dikes themselves) and to restore the marsh is \$3,600,000. The local share would be 25% of construction or \$900,000. However, if there is buried contamination in the dredge spoils area or dikes that needs to be properly removed and landfilled- that addition cost would an additional 100% local cost burden.

The "206" program looked at the dams and fish ladders with an eye toward restoring natural fish passage. It looked at both dams and both ladders. There are a number of mix and match alternative actions possible including removal or 1 or more dam, replacing or repairing fish ladder(s), building a fish bypass channel or others. As a consequence of the possible range of options, the estimated cost of construction has a very wide range from \$2,000,000 upwards of \$3,000,000. The next phase of study (again if Yarmouth requests it) is estimated at \$600,000 with the local 50% share at \$300,000. Construction phase (if selected) would be 25%---plus the cost of disposal of any contaminated materials removed.

The Corps does not need an immediate decision from the Town. And the Corps is willing to provide a public meeting (remote video format during the pandemic) to answer questions, but obviously most of the substantive questions cannot be answered until/unless the feasibility study is done. The Town can choose to request that one or the other, both, or none of the next step studies to be done. But if the Town were to ask for a detailed feasibility study for any of the projects, the Town would need to be prepared to commit its local cost share. The Army Corps would use that request from the Town (if made) to request a release of federal funding from the Department of Defense budgets. If the Town does elect to proceed with any feasibility study, the town is NOT then obligated to also proceed with the construction contract.

Thank you for your patience.

Nat Tupper, Town Manager
Town of Yarmouth, ME
200 Main St
Yarmouth, ME 04096
(ph) 207 846-9036
(Cell) 207 712-1937



US Army Corps
of Engineers
New England District

Federal Interest Determination

Royal River, Yarmouth, Maine §206 Aquatic Ecosystem Restoration



April 2020

696 Virginia Road, Concord Massachusetts, 01742-2751

1. Project Authority and Purpose

The New England District of the U.S. Army Corps of Engineers (USACE) received a request for assistance from the Town of Yarmouth, Maine to investigate opportunities for ecosystem restoration in the Royal River Watershed.

Section 206 Aquatic Ecosystem Restoration, of the Water Resources Development (WRDA) of 1996, as amended, authorizes USACE to carry out aquatic ecosystem restoration projects that will improve the quality of the environment, are in the public interest, and are cost-effective. USACE conducted an initial appraisal and determined there is a Federal interest for an Aquatic Ecosystem Restoration project at this location along the Royal River. This report summarizes the determination process.

The purpose of the proposed project is to assess the first two dams above the head of tide on the Royal River owned by the Town of Yarmouth: the Bridge Street Dam and the East Elm Street Dam. Both dams have nonfunctioning fishways.

The project has the potential to restore access to about 71 miles of river habitat for federally listed fish species and non-listed anadromous fish species, providing the fish with upstream access to historic reproductive habitat for adults and nursery habitat for the development of eggs and juvenile life stages. With Yarmouth's fish passage barriers addressed in the watershed, up to 135 miles of reproductive and nursery habitat may also be made accessible to migratory fish species, including blueback herring (*Alosa aestivalis*), alewives (*Alosa pseudoharengus*), American shad (*Alosa sapidissima*) American eel (*Anguilla rostrata*), sea run brook trout (*Salvelinus fontinalis*), brown trout (*Salmo trutta*), and sea lamprey (*Petromyzon marinus*). Restoring fish passage on the Royal River will also benefit mammals and avian predators that prey upon fish species that include bears, foxes, eagles, ospreys and loons. Likewise, water quality conditions may be expected to improve due the resumption of historic flushing patterns.

The federally listed threatened Atlantic Sturgeon (*Acipenser oxyrinchus*), the endangered Shortnose Sturgeon (*Acipenser brevirostrum*) and the endangered Atlantic salmon (*Salmo salar*) are recorded to occur within the Royal River. Restoring the Royal River will likely support the federally listed threatened Atlantic Sturgeon and endangered Shortnose Sturgeon overwintering habitat for adults, reproductive and nursery habitat for egg and juvenile life stages. The Shortnose Sturgeon was originally listed as an endangered species by the U.S. Department of Interior in March, 1967 (32 FR 4001)

(NMFS, 1996). The Shortnose Sturgeon remained on the Federal Endangered Species List with enactment of the ESA in 1973. On February 6, 2012, the Gulf of Maine Distinct Population Segment (DPS) of Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*) was listed threatened under the Endangered Species Act (ESA) (78 FR 69310) and on August 17, 2017, the National Marine Fisheries Service designated critical habitat (82 FR 39160). On November 17, 2000, the Gulf of Maine Distinct Population Segment of Atlantic salmon was listed as endangered by the National Marine Fisheries Service and the U.S. Fish and Wildlife Service (65 FR 65459). On December 20, 2005, the National Marine Fisheries Service and the United States Fish and Wildlife Service announced the availability of the final recovery plan for the Gulf of Maine distinct population segment of Atlantic salmon (*Salmo salar*). On June 19, 2009, the National Marine Fisheries Service issued a final rule designating critical habitat for the Atlantic salmon (*Salmo salar*) Gulf of Maine Distinct Population Segment (74 FR 293000).

The proposed Royal River feasibility study will develop an array of alternatives to restore essential fish habitat for federally listed and non-listed species. Two dams that occur within the lower reach of the Royal River, the Bridge Street Dam and East Elm Street Dam, restrict the upriver migration of listed and non-listed migratory fish species. The existing fish passage structures (e.g., ladders) do not efficiently pass species up river towards the headwaters of the Royal River. The Denil fish ladders were originally installed in the 1970s to support the commercial alewife and blueback herring fisheries. Removal of the dams and dilapidated fish ladders or reconstruction of the fish passage structures would restore fish passage in the Royal River and make available access to reproductive and nursery habitat for these and other species of native fish, plants and invertebrates.

2. Location of the Project

The headwaters of the Royal River originates in Sabbathday Lake, New Gloucester and flows downstream for about 39 nine miles and empties into Casco Bay, Yarmouth, Maine. The Royal River is a freshwater environment that transitions into an estuarine, tidally influenced aquatic environment in Yarmouth. The head of tide is located approximately at the East Main St. /Route 88 Bridge in Yarmouth as shown on Figure 1a. The two project locations (1) E Street Dam and (2) Bridge Street Dam are shown on Figures 1a, 1b, and 1c. Both project locations are in the vicinity of private properties, and may require real estate coordination for construction operations.

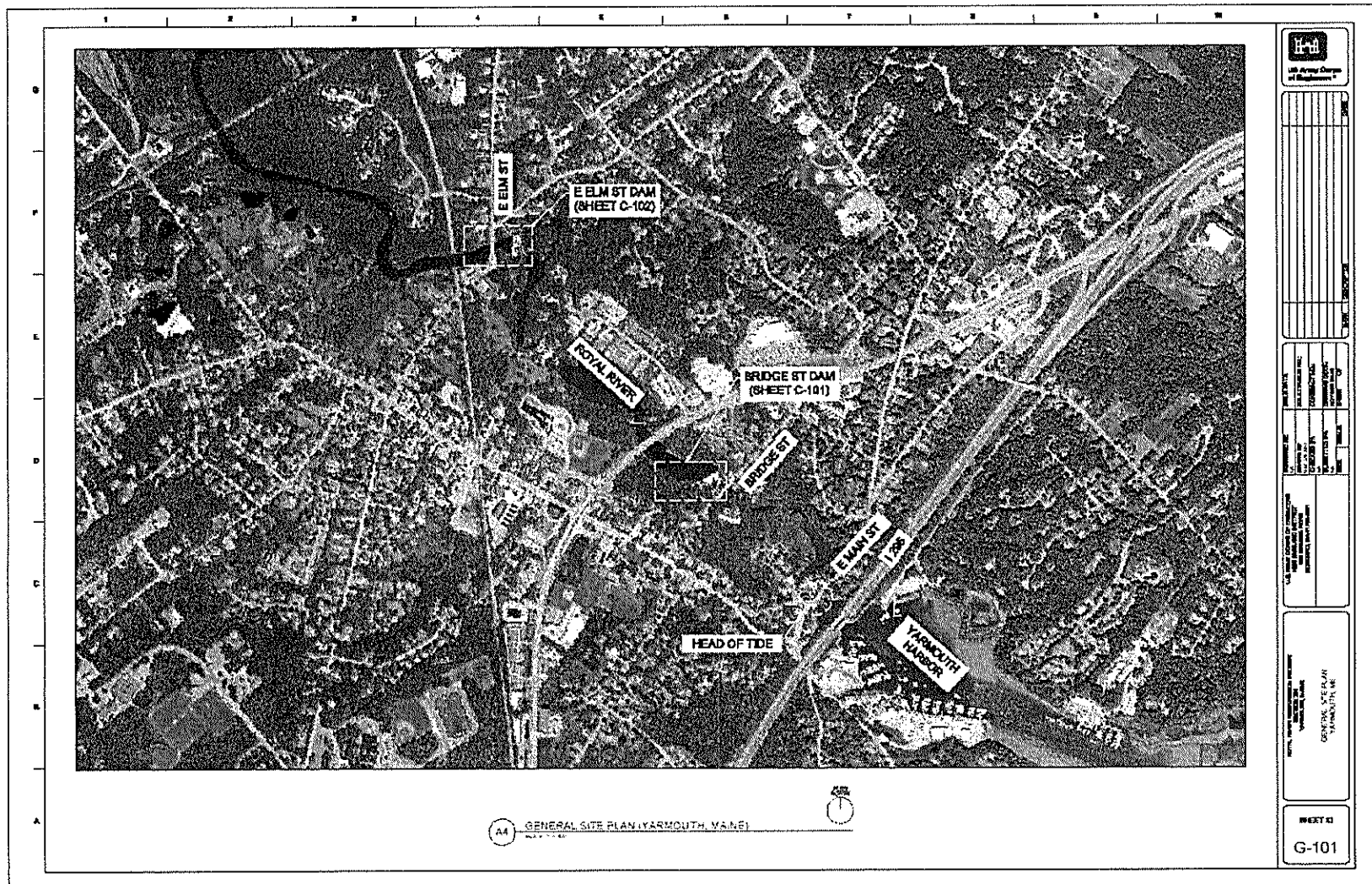


FIGURE 1a. Royal River, Yarmouth, State of Maine.

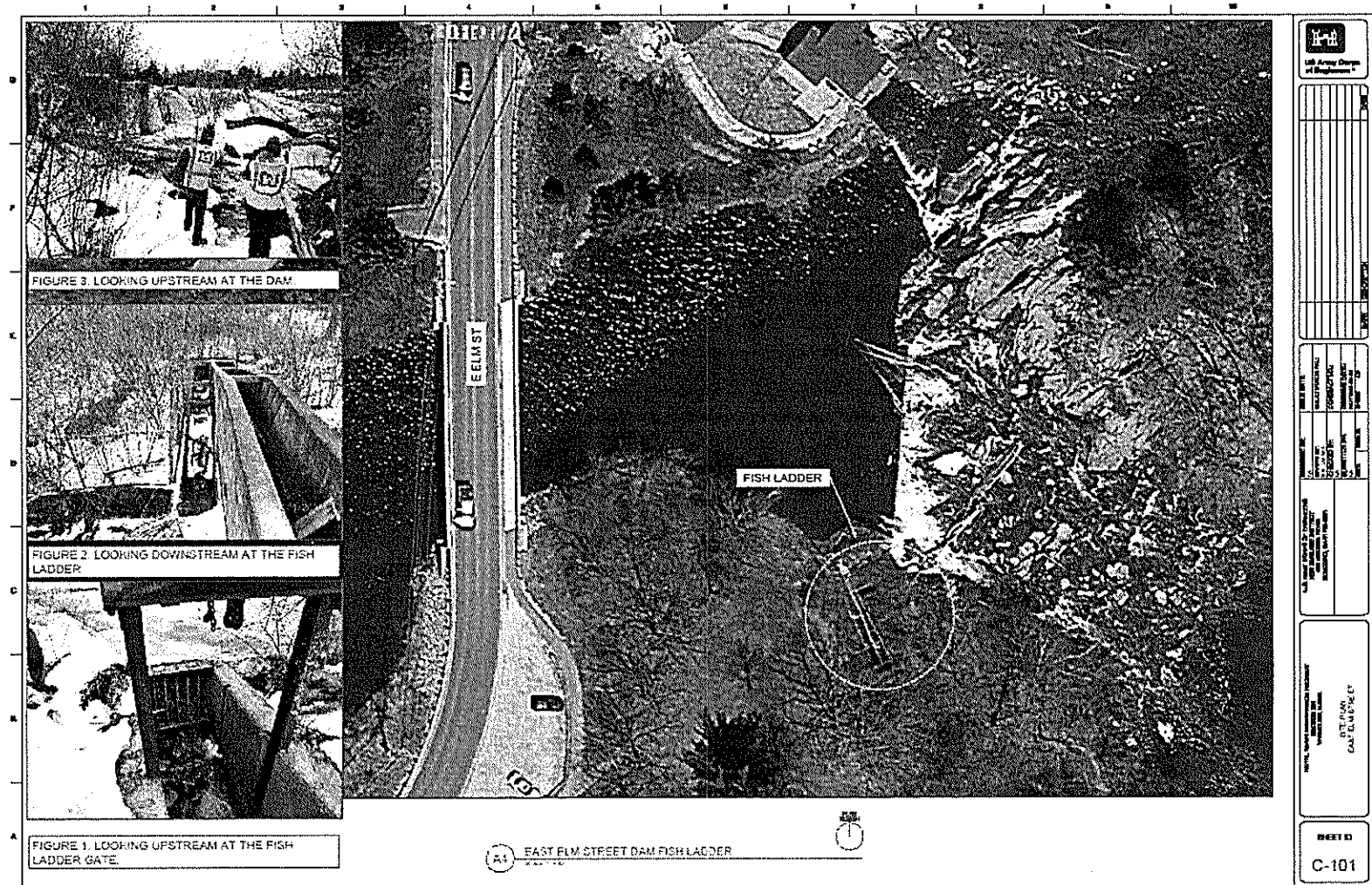


FIGURE 1b. East Elm Street Dam/Fish Passage, Royal River, Yarmouth, State of Maine.

3. Project Description

The East Elm Street Dam was originally constructed in 1857 and the current non-functioning fish passage was built in 1979. The Bridge Street Dam was originally constructed in 1894 and the current non-functioning fish passage structure was built in 1973. Two potential alternatives have been identified: (1) Complete removal of the dams, or (2) Reconstruction of fish passage structures. Removal of one dam with improvement of fish passage at the other would also be considered. Dam removal must address natural downstream transport of associated sediments or removal and onsite reuse of materials that have accumulated on the upriver side of both dams. Sediment sampling will be necessary to understand the level of risk and spatial extent of contaminants of concern that may persist in sediments on the upriver side of the dams. Characterizing contaminants that may exist at both dams will allow NAE to determine appropriate options for disposal, reuse, or release of sediments associated with the existing dam structure. These data will also allow NAE to effectively evaluate the potential risks and exposure pathways to ecological receptors and humans. Concern with impounded sediments extends to any impacts on maintenance of the Federal Navigation Project which ends below East Main Street and I-295, as well as the marinas and town landing facilities.

4. Resource Significance

To determine Federal interest in a potential restoration project, the Corps must first determine that the project will restore significant resources. Significant environmental resources are defined as those that are institutionally, publicly, or technically recognized as important.

4.1 Institutional Recognition: Institutional recognition is demonstrated through the establishment of laws, restrictions, plans and policy statements by public agencies, tribes or private groups that acknowledge the importance of the environmental resource. Institutional recognition is supported by the following:

- The Anadromous Fish Conservation Act of 1965 was enacted to conserve, enhance and manage anadromous fishery resources. All species that return to rivers to spawn from the ocean are included. Anadromous species known to ascend the Royal River include Atlantic salmon, river herring (alewife and blueback herring), American shad, rainbow smelt, sea run brook trout and sea lamprey.
- Restoring the Royal River will likely support the federally listed threatened Atlantic Sturgeon and endangered Shortnose Sturgeon overwintering habitat for adults, reproductive and nursery habitat for egg and juvenile life stages.
- The Royal River is not part of the endangered Atlantic salmon Gulf of Maine Distinct Population Segment under the Federal Endangered Species Act (ESA) of 1973, as amended, but improved fish passage in the Royal River may support salmon populations in the region as a whole.

- The Maine Department of Environmental Protection, NOAA, USFWS and USACE Regulatory Division work together to enforce the ban of use of non-North American strains of Atlantic salmon to protect the native population.
- The Northeast Fishery Management Council was established and prepared a Fishery Management Plan for Atlantic Salmon originally implemented in 1988
- The North Atlantic Salmon Conservation Organization (NASCO) is an international organization, established in 1982 for the purpose of managing, protecting, conserving and enhancing North Atlantic salmon stocks. Establishment of this organization demonstrates international recognition of species significance. Countries participating include United States, Canada, the European Union, Denmark, Norway, and the Russian Federation.
- Corps of Engineers Ecosystem Restoration Policy (Engineering Pamphlet 1165-2-502, 30 September 1999) specifically identifies anadromous fish as significant.
- American shad are managed under Amendment 3 to the Interstate Fishery Management Plan (FMP), while river herring are managed under Amendment 2 to the FMP
- Maine DMR regulations 13 188 Chapter 30 regulate the take of river herring in Maine waters
- Both the National Oceanic and Atmospheric Administration (NOAA) and Maine DMR actively manage river herring in the Gulf of Maine in order to sustain the fisheries.

4.2 Public Recognition: Public significance is demonstrated when the general public recognizes the importance of an environmental resource. In a letter dated April 8, 2013, the Town of Yarmouth requested the assistance of the Corps in improving fish passage at the East Elm Street Dam and Bridge Street Dam under the Section 206 program.

- The Town of Yarmouth produced the Royal River Corridor Master Plan in 2008, which recommends that a comprehensive study be completed to understand the advantages and disadvantages of removing the dams and conducting other fish passage improvements.

4.3 Technical Recognition: Technical significance is demonstrated by scientific or technical knowledge or judgment concerning the importance of the environmental resources or attributes in the study area. Technical recognition is demonstrated by numerous studies, research and programs focusing on anadromous fish species:

- Restoration of fish passage in the Royal River will support recovery goals for both the Atlantic Sturgeon and Shortnose Sturgeon and are consistent with the NOAA 2017 designation of critical habitat for Atlantic Sturgeon and NOAA 1998 recovery plan for Shortnose Sturgeon.

- The River Herring Technical Expert Working Group is comprised of scientists, industry representatives, conservation groups, tribal leaders, and government officials, and released a River Herring Conservation Plan in 2015.
- Maine Rivers, a non-profit environmental organization, maintains an interest in restoring migratory fish habitat in the Royal River and occasionally conducts restoration activities such as clearing debris from blocked channels
- The establishment of the United States Atlantic Salmon Assessment Committee which produces data rich technical reports summarizing returns to select rivers in Maine
- The establishment of the Atlantic Salmon Biological Review Team, which includes members of tribal natural resources specialists, United States Fish & Wildlife Service (USFWS), National Marine Fisheries Service (NMFS), and the Atlantic Salmon Commission (ASC).
- Research conducted by the United States Geological Survey at various labs and centers such as the Conte Anadromous Fish Research Facility in Massachusetts; research includes topics such as Atlantic salmon growth modeling
- Research funding by the USFWS and related state fish and wildlife agencies throughout New England; research includes topics such as modeling the timing of downstream migration of Atlantic salmon smolts and impacts associated with climate change
- Preparation of the Maine Atlantic Salmon Commission's 10-Year Strategic Plan
- Federal Marine Fish Habitat Restoration and Creation Program administered by the U.S. Army Corps of Engineers and the National Oceanic & Atmospheric Administration (NOAA) research habitat restoration and creation opportunities. These opportunities include anadromous, estuarine, and marine fish habitats.
- The Federally managed Craig Brook National Fish Hatchery established in 1889 to raise and stock juvenile Atlantic salmon for Maine waters, Maine DMR has also run river herring re-stocking programs on the Royal River in the past.
- Federal Watershed Protection Approach an initiative developed by the U.S. Environmental Protection Agency (EPA), is to maintain and improve the health and integrity of aquatic ecosystems using comprehensive approaches that focus resources on the major problems facing these systems within the watershed context.

Evidence of technical significance is also often grouped into categories to allow for comparing resource significance among competing restoration projects for Federal funding support. The support for this project within each criterion is provided below:

Scarcity, Status and Trends – Dam construction is a major cause in population declines for diadromous fishes in Maine (ASMFC 2020). The significance of Atlantic salmon is demonstrated by the species scarcity (rareness) and trend toward further population decline. Atlantic salmon were bountiful and naturally

reproducing in rivers and streams draining along the east coast from the Hudson River in New York to the Canadian border. The Committee on Atlantic salmon in Maine reports a minimum of 1,050 adult salmon returned to U.S. Rivers in 2001, a drastic decline from a half million in the 1800's (NRC 2003). Even fewer returns in 2002, with the majority (90%) of adult salmon returning to one river in Maine, the Penobscot (NRC 2003).

The Royal River once supported an important alewife and shad run. American shad also continue to support a small but important recreational fishery (State of Maine, 1982). Alewives are a key part of the food chain in Maine marine ecosystems, and scientists in Maine have linked declines in cod stocks to the declines in alewife numbers (NRCM 2020).

The Atlantic States Marine Fisheries Commission (ASMFC) found in 2012 that river herring stocks were depleted to near historic lows. Of the 52 stocks of river herring assessed in that report, 23 were depleted to near historic levels, one was increasing, and 28 could not be assessed due to inadequate trend data (ASMFC 2020). A 2007 coast-wide stock assessment also found American shad populations to be at historic lows with little sign of recovery (ASMFC 2020).

Limiting Habitat - There is limited available habitat for the species and habitat loss within the suitable areas continues to decline. Dams block access to upstream spawning areas, which is particularly important for the sustainability of river herring populations. As previously mentioned, the historic habitat included North Atlantic rivers as far south as the Hudson River, NY and north up through Canada. Today, 60% of all remaining U.S. Atlantic salmon habitat occurs in Maine. Centuries of dam construction on Maine rivers severely limited river herring access to spawning habitat. Lack of fish passage combined with other environmental pressures such as pollution continues to limit river herring habitat.

Connectivity - Connectivity is a measure of the degree of habitat or population fragmentation; ranging from "connected and sustainable," to "fragmented," to "isolated." Connectivity in the Royal River is isolated and fragmented. Low flows, road crossings and dams prevent anadromous fish migration and result in discontinuous and disturbed habitats. Both dams are a complete barrier to spawning and rearing habitat for anadromous fish in the Royal River.

Biodiversity – Fragmented and blocked upstream spawning habitat results in less robust populations with reduced ability to adjust to physical, chemical, and biological changes, as spawning populations are clustered into a small number of suitable areas.

Representativeness - Representativeness is a measure of an environmental resource's ability to exemplify the natural habitat or ecosystems of a specified geographic range. The Royal River watershed contains historically important river herring spawning habitat in Sabbathday Lake and Runaround Pond.

5. Federal Interest

Based on this initial appraisal, there is a federal interest in proceeding with a Section 206 aquatic ecosystem restoration project for fish passage at both the East Elm Street Dam and Bridge Street Dam. The existing dams impede upstream migration of several species of federally listed species, such as the threatened Atlantic Sturgeon and the endangered Shortnose Sturgeon, as well as diadromous fish designated as species of concern (e.g., river herring). The improved fish passage at the dam will aid in the recovery of these species and is consistent with the goals of the Federal Endangered Species Act, Magnuson Stevens Fishery Conservation and Management Act and the Anadromous Fish Conservation Act.

6. Sponsor

The non-Federal sponsor for this project is the Town of Yarmouth. The sponsor understands the cost sharing requirements of the Section 206 authority and has indicated that they are interested in proceeding with a feasibility study.

7. Schedule

Contingent on funding, NAE has the capability to start the study the beginning of FY2021 with completion in mid FY2023.

8. Potential Issues/Constraints

There are no significant issues or constraints identified at this time. The Corps will work with the Town of Yarmouth to formulate alternatives that take into consideration their desire to have fish passage.

9. Environmental Assessment

As an environmental restoration project, the objective is to restore the system to a more natural, less degraded state. The project is expected to enhance fish and wildlife habitat within much of the Royal River watershed. Other Federal and state agencies are supportive of the project. It is expected that only an Environmental Assessment and Finding of No Significant Impact is needed. Initial correspondence with the local community indicates support of the study.

10. Costs

NAE is proposing a detailed feasibility analysis of alternatives to restore anadromous fish passage and improve aquatic habitat conditions in the Royal River watershed. The primary focus will be passage at the East Elm Street Dam and Bridge Street Dam but areas within the larger watershed may be considered. The initial suite of potential alternatives include dam removal, partial removal, modification of the dam crest height, nature-like bypass, modification to the existing denil and new passage structures on the opposite bank from the existing denil structure. The estimated cost for this feasibility study is \$660,000. Initial order of magnitude cost of potential restoration alternatives are not expected to exceed the \$10 million Section 206 statutory limit on Federal project costs. Recent costs from the fall of 2019 for similarly sized dams in Rhode Island

yielded costs ranging from \$2.1million for removal of a dam. Various other options (natural fish passages or multiple alternatives for installing a new Denil Fish ladder) had costs ranging from \$1.7M to \$3.8M. These costs include allowance for design and supervision, inspection and overhead, and have been escalated to the first quarter of 2025. Although removal of one of the Yarmouth dams may be complicated by the presence of nearly 100,000 cubic yards of contaminated soil, costs for a new fish passage or fish ladder should not exceed \$7.6M for both the East Elm Street Dam and Bridge Street Dam, combined, and is clearly below \$10 million.

11. Recommendation

It is recommended that the USACE enter into a Feasibility Cost-Sharing Agreement (FCSA) with the Town of Yarmouth, Maine to investigate an aquatic ecosystem restoration project at the Royal River.

12. Contact

For any questions, please contact the project manager, Dr. Kristine Reed at 978-318-8963.

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US Army Corps
of Engineers
New England District

Federal Interest Determination
Royal River, Yarmouth, Maine
§1135 Project Modifications
For the Improvement of the Environment



April 2020

696 Virginia Road, Concord Massachusetts, 01742-2751

1. Project Authority and Purpose

The New England District of the U.S. Army Corps of Engineers (USACE) received a request for assistance from the Town of Yarmouth, Maine to investigate opportunities for restoration of wetland habitat in the Royal River. The Feasibility Study would be conducted under authority provided in Section 1135 of Water Resources Development Act of 1986 (PL 99-662), as amended. The §1135 program allows the USACE to modify existing USACE projects to restore the environment and construct new projects to restore areas degraded by those projects.

USACE conducted an initial appraisal and determined there is a Federal interest for a project at this location to restore approximately 1.4 to 2.8 acres of salt marsh habitat lost as a result of dredged material being placed, by USACE, during construction of navigation improvements in 1966/1967 as authorized in April of 1965 under the §107 of the Rivers and Harbors Act of 1960. The Royal River Federal Navigation Project (FNP) improvements consist of a channel (8-feet deep and 80-feet wide, that extended three miles from Casco Bay to the Yarmouth commercial wharves and also an eight-acre anchorage at a depth of 6-feet at the head of the channel. Approximately 199,000 CY of material was placed into an adjacent wetland northeast of the anchorage.

Since the original FNP construction, maintenance dredging has been conducted four times to remove shoaled sediments: in 1976/1977, 37,500 cubic yards (CY) of material; in 1985/1986 42,600 CY of material; in 1996/1997 88,000 CY of material; and in 2014/2015, about 92,500 CY of material were removed. The material from the 1976/1977 maintenance was also placed into the adjacent marsh.

The consequences of USACE filling adjacent wetlands with dredge materials in the 1960's and 1970's has resulted in the: (a) loss of intertidal and subtidal habitat, (b) loss of native salt marsh vegetation (*i.e.*, *Spartina alterniflora* and *S. patens*), and (c) negative consequences for other fish and wildlife resources due to that habitat loss.

The purpose of the proposed project is to restore ecological functions, such as reproductive capacity, forage and shelter for fish and wildlife resources to wetland, intertidal and subtidal habitat within the Royal River in areas that were previously negatively affected by construction of the FNP improvements. The proposed feasibility study will develop an array of alternatives

to restore ecological functions over an area of approximately 1.4 to 2.8 acres of currently degraded environment. Alternatives will consider the removal of all or part of prior placed dredge materials with the goal of re-grading sediments to support natural marsh conditions, both with and without removal of *Phragmites* plants.

2. Location of the Project

The Royal River is an estuarine, tidally influenced aquatic environment, located at and tributary to the head of Casco Bay, Maine, in the town of Yarmouth (Fig. 1).

The existing Federal navigation project, adopted in 1871 and amended in 1882, provided for enlarging the channel to provide a depth of 4.5 feet and width of 100 feet to the head of navigation at Yarmouth; removal of several ledges near Yarmouth; and the construction of a jetty 195 feet long to deflect the river flow away from the south river bank. In 1955, dredging was performed with a deeper-draft dredge, and consequently the channel was made much deeper than the required 8 feet. A 1963 Small Navigation Project Reconnaissance Report found that a navigation improvement at Royal River, Yarmouth, Maine under Section 107 of the 1960 River and Harbor Act was economically justified. The plan considered an 8-foot channel, 80 feet wide, from just outside the entrance of the Royal River in Casco Bay, about 2-1/2 miles to the new Interstate 95 Bridge at Yarmouth, and a 5 acre anchorage, 6 feet deep. A Detailed Project Report was approved in 1965 and construction began in 1966. Approximately 199,000 CY of material was removed. For the 1966 Improvement dredging an on-shore placement area was created with an approximately 15-foot high and ten foot wide earthen berm closing-off the adjacent marsh from the river. The invasive Common reed (*Phragmites australis*) now dominates the filled marsh, which is surrounded by the berm (Fig. 2).

NOTE: Top elevation of fill in creeks forming part of Spoil Area A will be controlled by invert elevation of drains. Diking must provide for difference in elevations of fill in major portion of Spoil Area A and in creek portions.

Edge of marsh sod

25'

Toe of dike

Do not strip or kill vegetation

M.H.W.

Gravelly material, at least 1' thick L to face

6' Min.

2.5

El.+210

1.5

El.+160

Sand (See Spec.)

El.+20.0 (Max)

Dredged spoil

El.+100±

Assumed bottom of soft foundation material

M.L.W. El. 100

EARTH DIKE SECTION - SPOIL AREA A

(See Sheet 5 for location of Spoil Area)

SCALE 1"=10'

By 1968, additional channel dredging was proposed, and Area "A" was to be used again for dredge material disposal. As illustrated on Drawing 1864 D-8-4, Sheet 2 of 2 dated September 1968, dredged materials were to be placed in the deepest portion abutting the earthen dike (plan excerpt Fig. 4). The drain pipe used to initially control the top elevation of fill in the creek portions of the disposal area was to be plugged at that time. Fig. 5 illustrates the corrugated metal drain pipe observed during the recent site visit on 4 February 2020 with evidence that it is draining water and still functional in some capacity.

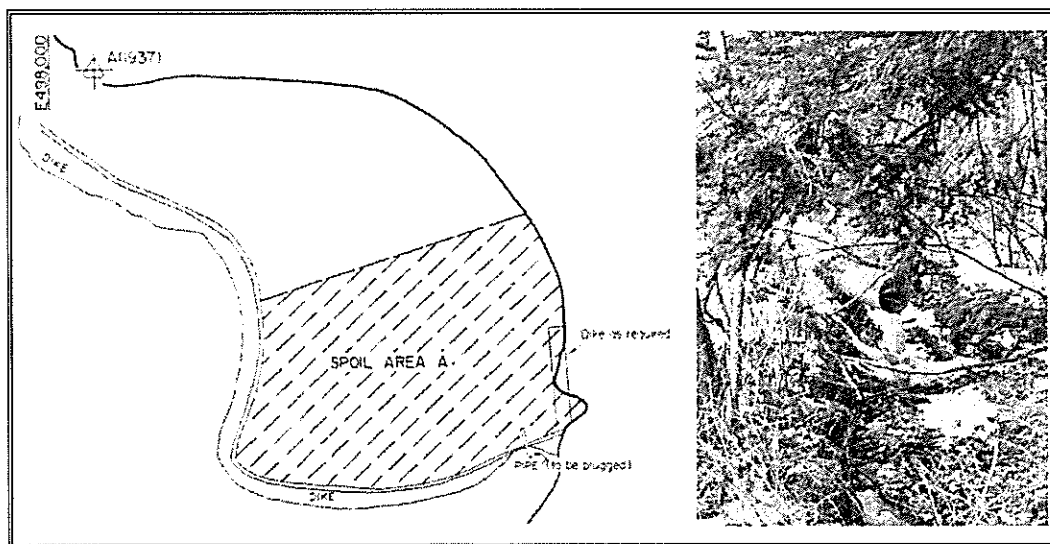


Fig. 5. Corrugated drain pipe Feb 2020

3. Project Description

The purpose of the proposed project is to restore ecological functions across a variety of habitats within the Royal River, previously lost or diminished when the FNP improvement was constructed and the dredged material placed atop an adjacent saltmarsh during the 1960's improvement dredging and 1970's maintenance. USACE has not utilized the dewatering area since 1976. The project would look at reducing the size of the existing upland placement/dewatering site, leaving some room for the Town to continue to use the area for small facilities maintenance dredging events to maintain a usable harbor for the Town of Yarmouth. Or, if a suitable upland placement site could be located for town use, complete removal of the dewatering site and restoration of the salt marsh could be accomplished.

The objectives that supports this purpose include:

(1) Restore ecological functions by recovering wetland, intertidal and subtidal habitat within the Royal River. Also, increasing the salinity within the wetland habitat will expose invasive plants (e.g., cattails and common reed) to existing Royal River polyhaline environment (about 25 part per thousand), thereby causing their demise. This action will result in replacing non-native invasive plants with native salt marsh species (e.g., *Spartina alterniflora* and *S. patens*). Restoring native salt marsh habitat within the Royal River will recover native intertidal habitat that provides shelter and forage habitat for juvenile fish and invertebrates and reproductive habitat for adults, as well as habitat for birds.

(2) If partial removal is considered, due to lack of another upland dewatering site, construction of a new auxiliary dike section will retain a portion of the overall dewatering and disposal area storage capacity for continued local use. Previously placed dredge sediments would be excavated and removed from a portion of the original earthen dike impoundment. Phragmites would be removed and wetland habitat restored to original elevations to support the re-colonization of intertidal habitat by high quality saltmarsh in the restored portion.

To address the first objective, the Project Delivery Team (PDT) will need to determine the amount of material that needs to be removed and proper elevations we anticipate are needed to restore marsh habitat. Modeling of sediment will be needed to determine how material will settle with removal of the current berm to avoid impacting the FNP and local navigation dependent businesses. Once determined, potential design for re-grading of the existing marsh to create a functional intertidal zone will be done. The alternatives described below may be considered.

- Restoration of the full site or the east side of the salt marsh and creation of a berm on the remaining dewatering area.
- Monitoring the salt marsh for recovery over the 1.4 or 2.8 acre restoration site.
- Monitor the recovery of federally listed fish species, the Salt Marsh Sparrow, EFH-species, migratory birds and invertebrates that would be anticipated to occupy wetland, intertidal and subtidal habitat.

The second objective would require that USACE address concerns for contaminated sediments and ultimate disposal at an approved upland disposal site.

- Environmental characterization of the sediments for petroleum products and heavy metals.
- Develop a risk analysis to identify the potential for the mobilization and transport of contaminated materials and exposure to fish and wildlife resources.

4. Resource Significance

To determine Federal interest in a potential restoration project, USACE must first determine that the project will restore significant resources. Significant environmental resources are defined as those that are institutionally, publicly, or technically recognized as important.

4.1 Institutional Recognition: Institutional recognition is demonstrated through the establishment of laws, restrictions, plans and policy statements by public agencies, tribes or private groups that acknowledge the importance of the environmental resource. Institutional recognition is supported by the following:

- Clean Water Act of 1972: Section 404 (b) (1) guidelines concerning wetlands (e.g., salt marsh) and vegetated shallows (e.g., eelgrass), Special Aquatic Sites: Special aquatic sites means those sites identified in subpart E. They are geographic areas, large or small, possessing special ecological characteristics of productivity, habitat, wildlife protection, or other important and easily disrupted ecological values. These areas are generally recognized as significantly influencing or positively contributing to the general overall environmental health or vitality of the entire ecosystem of a region. (See §230.10(a)(3))
- Endangered Species Act of 1973: The NOAA Section 7 Mapper (February 6, 2020, 2019) has identified populations of Atlantic sturgeon (sub adult and adult), shortnose sturgeon (adult), and Atlantic salmon (adult and smolts/juveniles), that may migrate or forage within the Royal River and these species and life stages are afforded federal protection as listed under the under the Federal Endangered Species Act (ESA) of 1973, as amended.
- Magnuson Stevens Fishery Conservation and Management Act of 1976 – Essential Fish Habitat consultation provides for the conservation of non-listed aquatic species, predators and prey and the habitat they depend upon.
- USACE Ecosystem Restoration Policy (Engineering Pamphlet 1165-2- 502, 30 September 1999) specifically identifies salt marsh and eelgrass as significant.
- The U.S. Fish and Wildlife Service is currently considering whether or not the salt marsh sparrow, a marsh bird known to nest in New England salt marshes, should be listed under the Endangered Species Act.

4.2 Public Recognition: Public significance is demonstrated when the general public recognizes the importance of an environmental resource. In a letter dated April 8, 2013, the Town of Yarmouth, ME requested the assistance of the USACE in restoring intertidal and subtidal habitat in the Royal River under the Section 1135 program.

- The site is an existing dredge material disposal site for the non-federal town marina, and the Royal River Corridor Master Plan states that the goal is to “retain the

- existing dredge spoil site as a potential area for future dredge spoil disposal.”
- The Royal River Corridor Master Plan also recommends maintaining the footpath on top of the containment dike that borders the dredged material disposal area
- The site is recognized in the Royal River Corridor Master Plan as a red-winged black bird nesting area.

4.3 Technical Recognition: Technical significance is demonstrated by scientific or technical knowledge or judgment concerning the importance of the environmental resources or attributes in the study area. Technical recognition is demonstrated by numerous studies, research and programs focusing on the recovery of native salt marsh habitat and the recovery of the federally listed Atlantic sturgeon and Shortnose sturgeon:

- The restoration of salt marsh habitat throughout New England (Bromberg and Bertness, 2005).
- Federal Watershed Protection Approach an initiative developed by the U.S. Environmental Protection Agency (EPA), is to maintain and improve the health and integrity of aquatic ecosystems using comprehensive approaches that focus resources on the major problems facing these systems within the watershed context.
- Recovery plans for the Atlantic sturgeon, Shortnose sturgeon, Atlantic salmon, and the knowledge base within the Service for Salt Marsh sparrows will help guide restoration objectives.
- Salt marshes are recognized as providing wildlife habitat, enhancing water quality through filtration of runoff, and providing food, shelter, and nursery grounds for fisheries.
- Evidence of technical significance is also often grouped into categories to allow for comparing resource significance among competing restoration projects for Federal funding support. The support for this project within each criterion is provided below:

Scarcity, Status, and Trends - The significance of Atlantic sturgeon, Shortnose sturgeon, and Atlantic salmon, is demonstrated by the species scarcity (rareness) and trend toward further population decline. Please refer to the USFWS/NOAA Recovery Plans for these species. Bromberg and Bertness (2005) estimate an average loss of 37% of its salt marshes since the early 1700s.

Limiting Habitat - There is limited available habitat for the species and habitat loss within the suitable areas continues to decline.

Connectivity - Connectivity is a measure of the degree of habitat or population fragmentation; ranging from "connected and sustainable," to "fragmented," to "isolated." Connectivity in the Royal River is restricted by the presence of upstream dams. There is support and momentum among non-governmental organizations and towns to support fish passage connectivity and the potential for the removal of two dams, upstream of the FNP. Also, salt marshes across New England have been affected by restricted tidal flow, filling, ditching, and increased freshwater flow, all of which limit the ecosystem functions they provide.

Biodiversity - The genetic variability within the Atlantic Sturgeon and Shortnose Sturgeon populations are at risk. This is clearly demonstrated by listing a Distinct Population Segment of the species as endangered warranting Federal protection. Overfishing, diseases and habitat loss has led to genetic bottle- necking and results in

less robust populations with reduced ability to adjust to physical, chemical and biological changes. Salt marshes support a large diversity of species such as shrimp, blue crab, finfishes, insects, and birds.

Representativeness - Representativeness is a measure of an environmental resource's ability to exemplify the natural habitat or ecosystems of a specified geographic range. The Royal River contains intertidal and subtidal habitat that is critical for the native plants and animals, as well as federally protected eelgrass and federally listed Atlantic Sturgeon and Shortnose Sturgeon.

5. Federal Interest

Based on this initial appraisal, there is a federal interest in proceeding with a Section 1135 project for salt marsh restoration within the Royal River. The existing conditions impedes normal tidal cycles that allows cattail and the non-native invasive common reed (*Phragmites australis*) to compete with native salt marsh plant species (e.g., *Spartina alterniflora* and *S. patens*) for available habitat. Modifying and re-grading the saltmarsh elevations to elevate water levels within the saltmarsh during tidal cycles will facilitate the restoration of ecological functions within the wetland, intertidal and subtidal habitats and in turn promote expansion of native fish and wildlife species. Also, improved habitat conditions will support prey for migratory birds (Migratory Bird Treaty Act of 1918), such as the Osprey (*Pandion haliaetus*) and other fish and wildlife species that inhabit the Royal River.

6. Sponsor

The non-Federal sponsor for this project is the Town of Yarmouth. The non-federal sponsor understands the cost sharing requirements of the Section 1135 authority and has indicated that they are interested in proceeding with a feasibility study.

7. Schedule

Contingent on funding, USACE has the capability to start the study in early FY2021 with completion in FY2023.

8. Potential Issues/Constraints

There are no significant issues or constraints identified at this time. The USACE will work with the Town of Yarmouth to formulate alternatives that take into consideration their desire to restore saltmarsh and harbor maintenance. A major potential constraint is the town's interest in maintaining the area as a potential dredge material placement site. Placing dredged material on the site after restoration would degrade the salt marsh and inhibit the project goals of restoring the site to its natural condition. There is also a berm around the site that may exceed the quantity of material placed there by USACE originally, along with non-federal dredge material disposal by the marina at the site.

9. Environmental Assessment

As an environmental restoration project, the goal is to restore the system to a more natural, less degraded state. The project is expected to enhance intertidal habitat that includes the recovery of native salt marsh habitat (e.g., *Spartina alterniflora* and *S. patens*) and fish and wildlife resources (e.g., shellfish) within much of the Royal River Estuary. Other Federal and state agencies are supportive of the project. It is expected that only an Environmental Assessment and Finding of No Significant Impact is needed. Initial correspondence with the local community indicates support of the project.

According to NOAA, species listed under the Endangered Species Act may occur within the project area and include the federally listed endangered Shortnose sturgeon (*Acipenser brevirostrum*), the threatened Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*) and smolt and adult Atlantic salmon (*Salmo salar*.) (NOAA Section 7 Mapper, February 2020).

- The Shortnose sturgeon was originally listed as an endangered species by the U.S. Department of Interior in March, 1967 (32 FR 4001) (NMFS, 1996).
- The Shortnose sturgeon remained on the Federal Endangered Species List with enactment of the Endangered Species Act in 1973.
- On February 6, 2012, the Gulf of Maine (GOM) Distinct Population Segment (DPS) of Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*) was listed threatened under the Endangered Species Act (ESA) (78 FR 69310) and on August 17, 2017, the National Marine Fisheries Service designated the river as critical habitat (82 FR 39160).
- On November 17, 2000, the GOM DPS of Atlantic salmon was listed as endangered by the National Marine Fisheries Service and the U.S. Fish and Wildlife Service (65 FR 65459).
- On December 20, 2005, the National Marine Fisheries Service and the United States Fish and Wildlife Service announced the availability of the final recovery plan for the GOM DPS of Atlantic salmon (*Salmo salar*).
- On June 19, 2009, the National Marine Fisheries Service issued a final rule designating the river as critical habitat for the Atlantic salmon (*Salmo salar*) GOM DPS (74 FR 293000). The Royal River is outside of the GOM DPS, but Atlantic salmon may still occur here according to NMFS.

10. Costs

The USACE is proposing a detailed analysis of alternatives to restore saltmarsh habitat in the Royal River. The initial suite of potential alternatives include (1) no action alternative that would make no improvements to the project area, and therefore, the degraded marsh areas of the Royal River will continue to be dominated by *Phragmites australis* and continue to be poor quality habitat; (2) removal of a specified amount of prior placed dredge material (analysis of dewatering space needed by marinas to determine quantity) with re-grading back to natural marsh; proposed excavation of *Phragmites* to restore elevations appropriate for growth of high quality saltmarsh; (3) removal of all formerly placed dredge material with re-grading back to natural marsh (dependent on if an offsite dewatering location can be found for marinas); proposed excavation of *Phragmites* to restore elevations appropriate for growth of high quality

saltmarsh.

The estimated cost for this feasibility study is \$665,000. Initial order of magnitude costs for potential restoration alternatives are not expected to exceed the \$10 million Section 1135 statutory limit. Escalated cost to construct for an assumed Q4-2023 construction start is approximated at \$3,600,000. Up to three alternatives could be considered for the project.

- Alternative 1, the no action alternative, would make no improvements to the project area, and therefore, the marsh areas of the salt marsh in the harbor will continue to be dominated by *Phragmites australis* and continue to be poor quality habitat.
- Alternative 2 proposed realigning and reducing the dewatering area and restoring the salt marsh in approximately half the current dewatering area.
- Alternative 3 proposed full restoration of the dewatering and dredge spoil location (2.4 acres) if an alternative de-watering site can be located.

11. Real Estate

As the project is in the federal interest determination phase, there has been no assessment of required real property rights nor have project alternatives been fully explored. A Real Estate Planning Report including a description of necessary interests, drafts of language for needed agreements, and estimates for acquisition and other costs, would be prepared as part of the feasibility report.

12. Contact

For any questions, please contact the project manager, Dr. Kristine Reed at 978-318-8963

13. References

Battell Applied Coastal and Environmental Services. 2005. Twelve Year Water Quality Data Analysis: 1993-2004 Report.

Brooks, D.A. 2009. Circulation and dispersion in a cancellate coast: The rivers, bays, and estuaries of central Maine. *Estuarine, Coastal and Shelf Science* 83: 313-325.

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<http://www.bertnesslab.com/docs/labpublications/Bromberg%20and%20Bertness%202005.pdf>

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NOAA. 1998. Final Recovery Plan for the Shortnose Sturgeon (*Acipenser brevirostrum*) prepared by the Shortnose Sturgeon Recovery Team for the NMFS National Oceanic and Atmospheric Administration.

NOAA. 1996. Status Review of shortnose sturgeon (*Acipenser brevirostrum*). Prepared by the Shortnose Sturgeon Recovery Team for the NMFS, Silver Spring, Maryland. 104 pp., as cited in NOAA 1998. Final Recovery Plan for the Shortnose Sturgeon (*Acipenser brevirostrum*) prepared by the Shortnose Sturgeon Recovery Team for the NMFS National Oceanic and Atmospheric Administration.

Appendix I-B Road Improvements and Paving

The Town of Yarmouth maintains over 62 miles of roadway, with related sidewalks, intersections, drainage structures and ditches, tree canopies, underground and overhead utilities, bike lanes, parking areas and stalls, signage and lane markings, lighting and signalization, curbs, guardrails, culverts, esplanades, bridges and rail crossings. Our aspirational goal for the past 20+ years has been to address the backlog of reconstruction needs and to bootstrap the Town's maintenance efforts up to the point where overlay pavement maintenance on an average 12-year cycle is possible. Tremendous progress has been made as a result of our increased efforts and investments using bonded indebtedness, increased annual appropriations, use of TIF funds, leveraging of grants and match funding from MDOT and PACTS, as well as private donations (particularly with regard to the Beth Condon Pathway and Ped/Bike Infrastructure). It has required discipline, creativity, coordinated planning, and increased property tax burdens. Although much progress has been realized, our work is not complete and by its very nature will require constant maintenance investments. And while this overall improvement has been realized, the Town has also experienced new growth, additional traffic, public demands for greater accommodation of pedestrian and bicycle use- in fact a "complete streets" policy has been approved. The target is not stationary.

For the purposes of the CIP, the Public Works Director presents an exhaustive listing of roadways or roadway segments based on the type of treatments that they require in the next few years from full reconstruction, partial rehabilitation, realignment (vertical and/or horizontal), improved drainage, safety improvements, complete streets modification to a simple maintenance overlay paving. Along with that the CIP identifies funding needs and sources. The Plan is fully cognizant of funding constraints and works backwards from assumed resource limits to the priorities and plans. More progress and improvement could be realized with more capital resources...we are also constrained by human resources. There are only so many projects that can be managed at once, but we should be finishing up a lot of very ambitious projects in 2021 that we hope will give us a bit of breathing room.

Annual General Fund (Budget) Support

	FY 21	FY 22	FY 23	FY 24	FY25	FY 26
Manager Proposal:	*\$600,000	\$725,000	\$725,000	\$730,000	\$740,000	\$750,000
*Plus \$100,000 transferred from BTM Fund						

Erik's Table to Follow

APPENDIX I - B
Schedule Under Development
10-09-2020

Road Improvement Reserves
Project List (11 x 17)

Appendix I-C Technology

The Town has a wide variety of technology investment needs that generally have not been funded within the operating budget line items. Included in these needs are replacements, upgrades, maintenance costs, software licenses fees, scheduled hardware replacements, new applications, networking fees, and a variety of related costs. Moreover, there is no clear definition of what types of technology are or should be covered through a capital reserve program as opposed to with departmental operations or other capital reserve accounts.

In addition—indeed as a priority--- the Town Council seeks to have local cable television equipment and operations funded through the technology reserve account, which has come to include cablecasting on the local access channel, on-line video meeting support, archival of meeting videos, Video on Demand, live streaming as well as public information announcements using both the internet and social media outlets.

These varied and growing demands are outstripping both funding and staffing capacities and are unsustainable over a long period.

- Technology needs cover a wide range of issues (partial and illustrative list only):
- Financial and Payroll accounting systems, software, licenses, training, (cloud) storage, servers, firewalls, fiber and copper wiring, terminals, printers, desktop and laptops.
- Other applications software: Mapping/GIS, Records Management, permit tracking, Vision appraisal software.
- Phone Systems and networks, including recording equipment (police) and enhanced 911, voice mail. Remote log-in and dispatch switching.
- Office equipment such as photocopiers, printers, fax, folders, security systems and alarms, security cameras, remote door openers, handicapped door assist. Records management and storage.
- Radio equipment- police, fire, ems, public works, parks, wastewater, telemetry alarms and monitoring.
- Building control systems- HVAC, elevator, air quality/exchange
- Local Channel Television meetings coverage, Log Cabin equipment, cloud storage, VOD, hosting fees, camera/production labor, lighting and sound.

Funding for technology needs has relied on the dedicated franchise fees from Cable Television service (currently Charter Communications dba Spectrum) at 5% of the subscriber revenues in Yarmouth. Between market shifts and changes in federal law, we have a significant concern about the future amounts or reliability of that revenue stream.

In FY 20, we added a small supplemental budget appropriation to the franchise fee dedication to stave off future anticipated shortfalls.

Cable franchise fees are paid in April or May each year and have been close to \$130,000/year while our projected expenses for the next 5 years exceed an average of \$186,000/year. We need to either extract some expenses to pay from other sources, or to increase the annual supplemental appropriations. We also audited the franchise fee payments and are seeking to collect on any underpayments that may be recoverable.

Annual General Fund (Budget) Support

	FY 21	FY 22	FY 23	FY 24	FY25	FY 26
Manager Proposal:	\$22,000	\$32,000	\$32,000	\$32,000	\$40,000	\$40,000

Dawn's report and request to follow

Technology
CIP 2020-2026

	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	Total	5yr Averag
Cable TV Operations	20,000	20,000	25,000	25,000	30,000	30,000	130,000	26,000
Internet & Web Fees	5,450	5,950	6,000	6,000	6,000	6,500	30,450	6,090
PCs, Printer and Other Equip Replacement	23,500	14,000	23,200	19,000	15,000	19,000	90,200	18,040
Server & Equip Replacement, Labor etc	24,500	6,500	4,500	4,500	19,500	26,500	61,500	12,300
Munis ASP	40,300	42,190	44,175	46,258	48,446	50,743	231,812	46,362
Computer Maintenance & Licenses	59,800	54,900	58,600	60,100	62,100	64,500	300,200	60,040
Other Equipment (Copiers)	12,600	26,100	38,700	14,700	15,300	16,300	111,100	22,220
Phone Systems	500	7,000	1,000	1,000	1,000	1,000	11,000	2,200
	186,650	176,640	201,175	176,558	197,346	214,543	938,369	187,674
Fund Balance	200,000	148,350	146,710	120,536	128,977	116,631		
Budget Appropriation	10,000	50,000	50,000	60,000	60,000	65,000		
Franchise Fees	125,000	125,000	125,000	125,000	125,000	125,000		
Planned Expenses	(186,650)	(176,640)	(201,175)	(176,558)	(197,346)	(214,543)		
Projected Balance	148,350	146,710	120,536	128,977	116,631	92,088		

Appendix I- D Historic Buildings

The Town is the owner of the Old Meeting House on Hillside Street, and has a partnership established nearly 70 years ago with the Village Improvement Society (VIS) for the maintenance and operation of the building. The Town consistently funds a small contribution to a capital reserve fund for Historic Buildings (in the plural, but we really only have one as of now). That fund is tapped for occasional projects such as exterior painting, sill work, historic preservation or other work- and is usually more than matched by contributions from the Village Improvement Society. It is noteworthy that in 2019 the VIS began an introspective review of its own future mission or continuation in light of declining participation and support from members. This would be a very sad and significant loss for the Town of Yarmouth and certainly no decision has been made by the VIS to retract or close its mission. The COVID 19 pandemic interrupted that internal discussion and the organization continues to meet (remotely) and serve the community.

Nevertheless, it should give the Town of Yarmouth pause to consider what investments and commitments shall be needed in the event the partnership is altered or dissolved. Given the Town is interested in adopting an Historic Preservation Ordinance, and is clearly motivated to preserve and protect certain historic/iconic properties in Yarmouth, or to assist private owners in doing so, it may be wise to think about Yarmouth's Historic Building Fund much more expansively, rather than in its minimal (and possibly shrinking) role.

This CIP does not seek to answer or recommend a direction on the future "Historic Building" mission question- only to flag it. The CIP will call for traditional levels of appropriation only (\$5,000/year) while inviting the community to discuss what kinds of programs, holdings, investments, and efforts it would like to make in terms of Historic preservation work.

Annual General Fund (Budget) Support

	FY 21	FY 22	FY 23	FY 24	FY25	FY 26
Manager Proposal:	\$5,000	\$5000	\$5000	\$5000	\$5000	\$5000

Appendix I-E Fire-Rescue Equipment

The Town of Yarmouth has a combined Fire and EMS Service (Yarmouth Fire Rescue or YFR) with apparatus and ambulances supported by volunteers in the community with help from a small professional staff. Currently, there are significant investments in progress both in a new Fire (and Police) Public Safety Building, with an Emergency Operating Center, and in a new Fire-Training Facility at the Transfer Station. In addition to the facility upgrades, the Town is mindful to maintain the right mix of firefighting, emergency response, and ambulance equipment. A detailed schedule of replacements is planned years in advance and adjusted as needed to changing conditions or requirements. Funding for the replacement equipment comes from a dedicated stream of revenues generated by billing for ambulance services. The first \$260,000 of EMS fees are credited to the General Fund for property tax relief with all additional funds directed to the YFR Equipment Reserve. That amount can vary from year to year. Wherever possible, federal and state grant funds are solicited to help maintain our ability to safely respond to all types of emergencies. That same fund is also tapped to purchase firefighter and medical equipment such as protective clothing (turnout gear), radios, SCBA bottles, etc. The CIP process helps the Town Council determine if the dedication of EMS (ambulance) fees needs to be rebalanced to generate more or less revenues to meet the Department's equipment funding requirements- with offsetting adjustments to the General Fund Revenue budget.

In 2019 the Town discovered that Engine 81 had a crack in the truck frame and therefore would require a significant investment or replacement. A decision based on good fiscal strategies and the needs of the Department to retire Engine 81. A new Pumper/Tanker will be purchased at a lower cost using a lease financing plan. That new truck is expected to arrive in 2021 at a cost much less than a new Engine. Engine 83 (purchased in 1994) will be returned from Wyman Station and will have some life extension investments to be available for use until it can be replaced in about 4 years.

Annual General Fund (Budget) Support

	FY 21	FY 22	FY 23	FY 24	FY25	FY 26
Dept. Request:	\$0	\$0	\$0	\$0	\$0	\$0
Manager Proposal:	\$0	\$0	\$0	\$0	\$0	\$0

Mike's Report and Request to Follow

YARMOUTH FIRE RESCUE



Capital Improvement Plan 2022-2026

Overview

Yarmouth Fire Rescue is a combination department that responds to emergency medical requests and fire calls. The staff conducts fire inspections and performs public education programs while not on emergency calls for service.

The new Public Safety Complex scheduled for construction in April 2020 will mean that this Capital Improvement Plan will be fluid as there are many unknowns. The biggest unknown is the replacement of the Cascade Breathing Compressor. The system is currently Out of Service and repairs are estimated to be approximately \$16,000. **Currently we have an amendment request with the Assistance to Fire Grants to use excess funding from a 2018 grant to replace this unit.**

The department has established plans and we are currently reviewing the replacement schedule of newer apparatus based on call volume, road mileage, yearly operational hours, and the mission we provide. In the past three years our call volume has remained steady, but we are experiencing more public education programs, training events, and inspections. The increase in community involvement will lead to increased usage of equipment and apparatus.

Yarmouth Fire Rescue currently employs three (5) career staff, twenty (20) Per Diem staff, forty (40) on call paid volunteers, and four (4) college live-in students. Emergency responses have exceeded 1700 calls in the last calendar year. In 2007, the department responded to 1244 calls and in 1997 the two departments responded to 820 calls combined.

	Total Calls	Day Staffing	Night Staffing	Volunteers	College Students
Yarmouth	1706	4	1	40	4
Freeport	1923	5	4	20	0
Cumberland	965	3 / 4	2	43	5
Falmouth	1889	7	2	65	6
Topsham	1728	6	3	25	4

Emergency Calls for Service – Yarmouth Fire Rescue

	1976	1996	2006	2016
Fire	120	240	243	424
EMS	230	580	800	1282
Total Calls	350	820	1043	1706

Priority Needs

In studying the department and conducting a risk assessment of the agency and community the department has determined the following Capital Improvement (CIP) needs in the next ten (10) years. These needs may require the department to seek alternate funding models or request bonds.

Replacement of Engine 83 and Tower 84

Previous Success

The Capital Improvement plan has successfully funded purchases that included:

- Administrative Vehicles (2),
- Utility Truck, Off Road Utility Vehicle (partial funding),
- Ambulances (2),
- Upgrade funding for the Fire Training tower.
- Annual Protective Clothing Purchases
- Annual Replacement of Breathing Apparatus Bottles

These purchases were made without funding that normally would have increased the tax commitment for the resident of Yarmouth

Capital Improvement Needs

Yarmouth Fire Rescue has developed this plan with the understanding that fire apparatus and equipment that lasts greater than five (5) years is considered as Capital. The department has worked diligently to develop plans that will reduce the major expenditures on a routine basis. The plan is based on National Standards and Labor laws that include the National Fire Protection Association (NFPA), Insurance Service Office (ISO) and the Maine Department of Labor (DOL).

I am pleased to report that in just a few short years we have developed plans to replace protective clothing, breathing air bottles, radio communication equipment, thermal imaging cameras, cardiac monitors, and vehicles. Through an aggressive Capital Improvement Plan (CIP) the department maintains in-service equipment that rarely needs expensive repairs.

Fiscal Year 2022-2023

Replacement of Ambulance 85

Estimated Cost: \$240,000

The ambulances in Yarmouth are currently on an eight (8) year cycle for replacement. The current units are averaging 15,000 miles a year. We have seen an increase in usage and mileage from years ago and are monitoring this. The year cycle of replacement may need to change based on calls, hours, miles, and usage. The primary mission of Yarmouth Fire Rescue is medical emergencies and these units are called daily to transport the sick and injured.

We are in hopes that we may be able to keep this unit as a spare or third due response unit. This will depend on the trade in value that is offered to us at the time of purchase.



Fiscal Year 2023-2024

This year is a year of annual maintenance equipment to include:

- **Protective Equipment**
- **Radios**
- **SCBA Breathing Air Bottles**

Thermal Imaging Camera

Estimated Cost: \$7,500

This purchase is to replace one of three Thermal Imaging Cameras. The camera will be nine (9) years of age. Technology in the cameras becomes outdated and we have a program that replaces cameras so that this critical piece of equipment is reliable and in service.



Fiscal Year 2024-2025

Replacement of Engine 83

Estimated Cost: \$700,000

Purchased in April 1994 this unit was most recently assigned to the Wyman Station. In March of 2020, this unit was reassigned to the North Road station as the towns Rescue Pumper was placed out of service due to a catastrophic frame rail failure.

Fire apparatus according to the National Fire Protection Association standards should be replaced after twenty (20) years of service. In some instances, they can become reserve apparatus for a period of five (5) years. This truck will be thirty-two (32) years when we replace it. This decision was based on the condition of the truck and the limited use it received while at the Wyman Station.

The department will be submitting a grant request for replacement of this unit from the Federal Fire Assistance Grant Program. The grant, if awarded, will not cover the completed cost of the replacement.



Fiscal Year 2025-2026

Replacement of Ambulance 86

Estimated Cost: \$275,000

The ambulances in Yarmouth are currently on an eight (8) year cycle for replacement. The current units are averaging 15,000 miles a year. We have seen an increase in usage and mileage from years ago and are monitoring this. The year cycle of replacement may need to change based on calls, hours, miles, and usage. The primary mission of Yarmouth Fire Rescue is medical emergencies and these units are called daily to transport the sick and injured.

We are in hopes that we may be able to keep this unit as a spare or third due response unit. This will depend on the trade in value that is offered to us at the time of purchase.



Annual Requests 2022-2026

Personal Protective Equipment (PPE):

A full set of Firefighting Gear that includes Helmet, Nomex Hood, Bunker Coat, Bunker Pants, and gloves cost approximately \$2,700 per person. This cost will increase approximately five (5) percent annually. All Protective Equipment is to be replaced every ten (10) years based on National Fire Protection (NFPA) standards. The equipment safety components break down and do not offer the protection from thermal insult that the members are affected by during firefighting operation. The prices below are based on purchases in July 2017

- Protective Coat \$1,050.00 each
- Protective Pants \$950.00 each
- Nomex Hood (2) \$50.00 each
- Gloves (2) \$75.00 each
- Boots \$390 each

Year	Number of Sets	Projected Costs
2021-2022	7 @ \$3208.00 each	\$22,456.00
2022-2023	7 @ \$3369.00 each	\$23,583.00
2023-2024	7 @ \$3500.00 each	\$24,500.00
2024-2025	7 @ \$3500.00 each	\$24,500.00
2025-2026	7 @ \$3500.00 each	\$24,500.00

Self-Contained Breathing Apparatus Bottles:

Estimated Cost: \$7,000 Annually

The Department currently has 30 breathing apparatus that require a minimum of two bottles each. These units are located on each of the departments apparatus according to national guidelines. The bottles provide for thirty (30) minutes of safe breathing air for the firefighters while involved in toxic operations. These units must be discarded at 15 years of life and must be hydrostatically tested every five (5) years. Yarmouth Fire Rescue has started a replacement program so that we replace approximately five (5) each year. The department has 63 air bottles in stock; a decrease of thirty (30) in the last four years.

Annual Requests 2022-2026

Radio Communications Equipment:

This year the department has taken inventory of communications equipment to include apparatus radios, portable radios, and pagers. Much of the departments equipment was purchased in 2004 when the department received a Federal grant. The time has come where a fiscally prudent plan needs to be implemented to start updating this equipment.

Each Firefighter is issued a portable radio and pager to alert them of a call.

Each apparatus has a mobile radio and a portable radio for each seated position. It is the NFPA recommendation that each member on an emergency call have a portable radio for communications.

Year	Apparatus	Number of Vehicle Radios	Pagers Radios	Total Cost
2021-2022		12 Portables		\$12,000
2022-2023	Ambulance 85	2 Portables	1 Mobile Radio w/ Remote Head	\$4,000
2023-2024		6 Portables		\$7,500
2024-2025	Engine 83	6 Portables	1 Mobile Radio	\$9,000
2025-2026		6 Portables		\$7,500

Capital Improvement Plan Schedule

	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026
Pumper Tanker 81	Year	Scheduled	2045-2046		
Engine 82	Year	Scheduled	2032-2033		
Engine 83				\$700,000	
Tower 84	Year	Scheduled	2027-2028		
Ambulance 85		\$240,000			
Ambulance 86					\$275,000
Thermal Imaging Camera			\$7,500.00		
SCBA Bottles	\$7,000.00	\$7,000.00	\$7,000.00	\$7,000.00	
Radio Comm. Equipment	\$12,000.00	\$4,000.00	\$7,500.00	\$9,000.00	\$7,500.00
Protective Clothing	\$22,456.00	\$23,583.00	\$24,500.00	\$24,500.00	\$24,500.00
	\$41,156.00	274,583.00	\$46,500.00	\$740,500.00	\$307,000.00

Projected Future Costs:

Tower 84: \$1,300,000
 Engine 82: Unknown

Engine 83 - We will start writing grants in hopes of replacing this unit prior to 2024-2025. This truck is a 1994 unit that was previously stationed at the Wyman Power Plant.

Appendix I-F Equipment Fund

All trucks, vehicles, excavators, specialty construction equipment, mowers, tractors and the like (with the exception of Yarmouth Fire Rescue apparatus, and the School Department) is purchased and maintained through Yarmouth Public Works and the Equipment Fund. Each of the following Departments of programs are required to budget funds within their own CIP plans and annual capital reserve funding requests to transfer over to the Equipment Fund so that a pool of funds is available for all municipal needs:

- Parks Department
- Wastewater Division
- Solid Waste Division
- Harbor Master
- Police Department
- Animal Control
- Highway Maintenance (direct appropriation)

The Public Works Director maintains a careful inventory of vehicles and equipment, tracks purchase/replacement costs as well as major maintenance expenses, and life cycle planning schedules to anticipate when trucks, cruisers, backhoes, and the like are reasonably expected to warrant either a major investment for life extension or replacement. From these we create what is a funded depreciation reserve. This program has been working well and allows department heads and the mechanics to plan for optimal value and life cycle for equipment rather than trying to fit purchase decisions into single year budget parameters.

Each department's vehicle and equipment needs are tracked and accounted separately so we can determine if that Department is paying an appropriate fair share annually. It greatly flattens out the up/down bounce for annual budgeting and tax rate management by examining average expenditure needs over a 5-10year period. It also allows management to examine the cumulative balances to assure that the right amount is appropriated and transferred annually to the Equipment to keep it solvent and effective.

Annual General Fund (Budget) Support

	FY 21	FY 22	FY 23	FY 24	FY25	FY 26
Manager Proposal:	\$185,000	\$200,000	\$210,000	\$210,000	\$210,000	210,000

Erik's Spreadsheet to follow

Email to Department Heads 9/26/20

Team- As you know, we try to use the CIP to project future equipment replacement needs and costs for all the Departments except for Fire-Rescue....and then have each Department include in its annual Capital Reserve funding an amount to cover those costs on an annualized average year. That allows us to keep our annual funding requests pretty smooth and to prepare for the periodic bid purchase years by averaging them with the lighter needs years. And by pooling all departments together, we can share the resources as needed –much like buying insurance, the risk is spread.

Erik does a great job tracking all the equipment needs, providing future replacement cost estimates and assigning an average life cycle period so that we can estimate how much to put into the reserve each year and meet all your identified needs.

But there are important roles for you:

- 1) Erik can't be expected to anticipate your changing needs- just replacement of existing trucks and equipment. So, you should be looking at his lists for your department to see if he is scheduling equipment replacements that you would expect to replace or perhaps replace with a different type of equipment. (e.g. when this loader finally dies, we won't replace it, instead we should buy a bulldozer and a small excavator.)
- 2) Check Erik's math....do you agree with his estimate of life cycle (trade interval) and replacement year, his estimate of future replacement, cost... or even his inventory list?

Assuming you find no errors or changes to suggest, we run the budget estimating 3 ways:

- 1- Individual annual depreciation of equipment based on estimated cost divided by trade interval
- 2- Total needs for FY 21- FY 26 (6 years) divided by 6
- 3- Total needs for Y 21- FY32 (12 years) divided by 12

If they all tell the same story (more or less) then we eyeball an overall recommended amount for inclusion in the next budget request to fund the CIP. If it is a big jump, then I scale back the increase with a little with a mental note that we will probably have to increase it again the next year, so we don't fall behind. That's what we did in FY 20 to FY 21 and it appears we will need to do it again. The table below reflects the findings this year--- subject to your review and suggested changes. Ultimately, we'll get to a budget number even if it means we have to make sacrifices elsewhere in the Capital program or operating budgets to get to the acceptable budget totals.

So please look over the tables and Erik's attached worksheet and let us know if you think there are needed changes. It would be good to get your review soon so we can make changes (if needed) to your CIP requests and tables.

Note: Trade-in values help offset purchase costs and are not accounted for in the schedules, and revenues from sales of equipment in lieu of trade-ins are both credited to the Equipment Reserve and so help us tolerate slight underbudgeting. No need for overthinking your strategy- get the best value.

NJT

EQUIPMENT REPLACEMENT SCHEDULE		Units Currently Pending				5 Year Schedule											
DESCRIPTION OF EQUIPMENT	PURCHASE DATE	TRADE INTERVAL	REPLACEMENT YEAR	REPLACE COST	ANNUAL CONTRIB.	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32
Highway																	
HW 118 GMC 1/2TON EXTRA CAB 4X4	2018	6	2024	\$35,000	\$5,833					\$35,000							
HW 206 INTERNATIONAL DUMP / PLOW GEAR	2006	16	2022	\$190,000	\$11,875			\$190,000									
HW 314 INTERNATIONAL DUMP / PLOW GEAR	2014	12	2026	\$190,000	\$15,833							\$190,000					
HW 04A-STETCO CB CLEANER UNIT	1996	27	2023	\$40,000	\$1,481				\$40,000								
HW 416 WESTERN STAR DUMP / PLOW GEAR	2016	13	2029	\$190,000	\$14,615										\$190,000		
HW 513 INTERNATIONAL DUMP / PLOW GEAR	2013	11	2024	\$190,000	\$17,273					\$190,000							
HW 617 WESTERN STAR DUMP / PLOW GEAR	2017	13	2030	\$195,000	\$15,000											\$195,000	
HW 702 VOLVO DUMP / STEDCO	2002	23	2025	\$190,000	\$8,261						\$190,000						
HW 814 F550 DUMP / PLOW GEAR	2014	10	2024	\$85,000	\$8,500				\$85,000								
HW 906 GMC 1-TON TOOL TRK - Rehab in 2020	2006	18	2024	\$60,000	\$3,333					\$60,000							
HW 1020 CAT 930 M LOADER	2020	13	2033	\$220,000	\$16,923												
HW 1114 F-350 / PLOW	2014	8	2022	\$50,000	\$6,250			\$50,000									
HW 1218 GMC 1/2 TON CREW CAB	2018	7	2025	\$35,000	\$5,000						\$35,000						
HW 1397-JD BACKHOE 410 E - Pending	1997	23	2020	\$110,000	\$4,783	\$110,000											
HW 1418 ELGIN-PELICAN SWEEPER	2018	12	2030	\$250,000	\$20,833											\$250,000	
HW 1617 FORD F-350 CREW CAB	2017	10	2027	\$45,000	\$4,500								\$45,000				
HW 1709 INTERNATIONAL DUMP / PLOW GEAR	2008	13	2021	\$190,000	\$14,615		\$190,000										
HW 1808 TRACKLESS / ATTACHMENTS	2009	12	2021	\$150,000	\$12,500		\$150,000										
HTC 1800 CROSS CONVEYOR	2014	15	2029	\$25,000	\$1,667										\$25,000		
HW1516 TRACKLESS / ATTACHMENTS	2016	12	2028	\$60,000	\$5,000									\$60,000			
HW 1914 FORD F-150 CLUB-CAB 4X4, CAP	2014	6	2024	\$30,000	\$5,000					\$30,000							
HW 1918 CROWN LIFT-C5 CUSHING	2018	30	2048	\$30,000	\$1,000												
HW 2005 CHEVY 1 TON / BUCKET	2005	22	2027	\$40,000	\$1,818								\$40,000				
HWT1 P185-AIR COMP INGERSOL RAND	2000	30	2030	\$15,000	\$500											\$15,000	
HW T2 - 20 TON DYNAWELD EQ. TRAILER	1998	25	2023	\$30,000	\$1,200		\$30,000										
HWT3 394-HAY MULCHER-EROSION	1994	35	2029	\$5,000	\$143										\$5,000		
HW T5 - INTERNATIONAL TRAILER	2011	13	2024	\$10,000	\$769					\$10,000							
HWT6 CAM SUPERLINE CEMENT TRAILER	2012	11	2023	\$15,000	\$1,364				\$15,000								
HW E 4-CULVERT STEAMER	1995	30	2025	\$20,000	\$667						\$20,000						
HW T7- TRAILER FOR DIXIE CHOPPER	2000	25	2025	\$3,500	\$140						\$3,500						

		Totals		\$2,713,500	\$207,677	\$110,000	\$370,000	\$240,000	\$140,000	\$325,000	\$248,500	\$190,000	\$85,000	\$60,000	\$220,000	\$460,000	\$0
		239000	204000														
DESCRIPTION OF EQUIPMENT	PURCHASE DATE	TRADE INTERVAL	REPLACEMENT YEAR	REPLACE COST	ANNUAL CONTRIB.	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32
Parks																	
PR 118 GMC 1/2 TON EXT CAB -2WD	2018	7	2025	\$30,000	\$4,286						\$30,000						
PR 210 Ford F-450 DUMP / PLOW GEAR - Pending	2009	11	2020	\$80,000	\$7,273	\$80,000											
PR 389 MOWER-TORO SAND PRO	1989	40	2029	\$10,000	\$250										\$10,000		
HW E1- Turff Teq WALK BEHIND SWEEPER-Adjust	2010	20	2030	\$5,000	\$250											\$5,000	
PR 420 JD 1600	2020	13	2033	\$55,000	\$4,231												
PR 501 TORO 325 D MOWER	2001	23	2024	\$35,000	\$1,522					\$35,000							
PR 514 JD 1600 MOWER	2014	12	2026	\$60,000	\$5,000							\$60,000					
PR620 COMPACT TRACTOR/LOADER /CAB	2019	20	2039	\$55,000	\$2,750												
PR 706 JD 1545 SERIES - push out	2005	17	2022	\$35,000	\$2,059			\$35,000									
PR 820 JD 1580 All Terrain	2020	12	2032	\$45,000	\$3,750												
PR 917 JD TERRAIN CUT /W CAB 1558	2017	12	2029	\$45,000	\$3,750										\$45,000		
PR 1007 KUBOTA UTV 900	2007	15	2022	\$20,000	\$1,333			\$20,000									
PR 1104 JD GT235 GARDEN TRACTOR	2004	25	2029	\$8,000	\$320										\$8,000		
PRE 1308 BANDIT WOOD CHIPPER	2008	20	2028	\$18,000	\$900									\$18,000			
PR 1507 GMC 1500 4X4	2007	16	2023	\$30,000	\$1,875				\$30,000								
PRE 1607 JD 5' BUSH HOG	2016	20	2036	\$5,000	\$250												
PR-T 01-UTILITY TRAILER	2016	10	2026	\$1,500	\$150							\$1,500					
PR T3 DOWNEASTER TRAILER	2012	11	2023	\$5,000	\$455				\$5,000								
PR-E 01 LEAF VACUUM- TGV 11	2007	16	2023	\$5,000	\$313				\$5,000								
PR-T 02-UTILITY TRAILER	2016	10	2026	\$1,500	\$150							\$1,500					
PR-E SKIDOO SCANDICK	2010	12	2022	\$15,000	\$1,250			\$15,000									
PRT6 IDEAL TAG ALONG	?	10	?	\$500	\$500											\$18,000	
4- Place Snowmobile trailer	?	10	?	\$5,000	\$500												
PR-T 03 - FLAT DECK EQUIPMENT TRAILER	2012	13	2025	\$5,500	\$423						\$5,500						
		Totals		\$579,500	\$43,538	\$80,000	\$0	\$70,000	\$40,000	\$35,000	\$35,500	\$63,000	\$0	\$18,000	\$63,000	\$23,000	\$0
		43000	35600														
DESCRIPTION OF EQUIPMENT	PURCHASE DATE	TRADE INTERVAL	REPLACEMENT YEAR	REPLACE COST	ANNUAL CONTRIB.	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32

EQUIPMENT	DATE	INTERVAL	YEAR	COST	CONTRIB.												
Landfill & Recycling																	
R E1- PHILADELPHIA BALER	1996	30	2026	\$15,000	\$500							\$15,000					
R E2- PHILADELPHIA BALER	2001	30	2031	\$15,000	\$500												\$15,000
R E3- 6 YD COMPACTOR	1991	45	2036	\$75,000	\$1,667												
RT120 F-350 Platform Dump	2020	7	2027	\$55,000	\$7,857								\$55,000				
R 209 FORD F-250 / PLOW - Pending	2009	11	2020	\$50,000	\$4,545	\$50,000											
R 1011 JD 624 LOADER - Rehab in 2019	2011	15	2026	\$195,000	\$13,000							\$195,000					\$10,000
R 391-JD BULLDOZER 450 - Rehab in 2023	1991	32	2023	\$10,000	\$313				\$10,000								\$195,000
R 402 Bob Cat 2002	2002	119	2121	\$60,000	\$504		\$60,000										
R 403 Enclosed 14' Recycling Trailer	2020	10	2030	\$8,500	\$850											\$8,500	
R 515 DIXIE CHOPPER	2015	10	2025	\$15,000	\$1,500						\$15,000						
R- 1 - 48 YD ROLL-OFF	2007	15	2022	\$8,500	\$567			\$8,500									
R- 2 - 48 YD ROLL-OFF	2007	17	2024	\$8,500	\$500					\$8,500							
R- 3 - 48 YD ROLL-OFF	2007	17	2024	\$8,500	\$500					\$8,500							
R- 4 - 48 YD ROLL-OFF	2009	15	2024	\$8,500	\$567					\$8,500							
R- 5 - 48 YD ROLL-OFF	2009	16	2025	\$8,500	\$531						\$8,500						
R- 6- 20 YD ROLL-OFF	1995	30	2025	\$8,500	\$283						\$8,500						
R- 50 YD ROLL-OFF	1995	35	2030	\$8,500	\$243											\$8,500	
R- COMPACTOR 40 YD BOX	1991	32	2023	\$8,500	\$266				\$8,500								
R- COMPACTOR 50 YD BOX	1999	26	2025	\$8,500	\$327						\$8,500						
R- COMPACTOR 50YD BOX	2000	25	2025	\$8,500	\$340						\$8,500						
			Totals	\$583,500	\$35,359	\$50,000	\$60,000	\$8,500	\$18,500	\$25,500	\$49,000	\$210,000	\$0	\$0	\$0	\$0	\$220,000
DESCRIPTION OF EQUIPMENT	PURCHASE DATE	TRADE INTERVAL	REPLACEMENT YEAR	REPLACE COST	ANNUAL CONTRIB.	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32
Waste Water																	
PC 116 KOMATSU LOADER	2016	20	2036	\$165,000	\$8,250												
PC 213 FORD F-250 / PLOW	2013	10	2023	\$40,000	\$4,000				\$40,000								
PC 310-FORD F550 DUMP - Pending	2010	10	2020	\$55,000	\$5,500	\$55,000											
PC 595-GMC SLUDGE TRUCK - Free from PW	1995	26	2021	\$10,000	\$385		\$10,000										
PC 618 KENWORTH UTILTIY TRUCK	2018	15	2033	\$80,000	\$5,333												
PC 705 INTERNATIONAL PUMP TRUCK	2004	25	2029	\$135,000	\$5,400										\$135,000		
PC 807 JD 757 MOWER	2007	15	2022	\$10,000	\$667			\$10,000									
JD MOWER TRAILER	2007	20	2027	\$3,500	\$175								\$3,500				
PC T1??-SEWER FLUSHING MACHINE	2004	18	2022	\$60,000	\$3,333			\$60,000									
PC T209 MAGNUM 073957 TRAILER UNIT #1	2009	14	2023	\$60,000	\$4,286					\$60,000							
PC T309 MAGNUM 078257 TRAILER UNIT #3	2009	15	2024	\$60,000	\$4,000						\$60,000						
PC T3-ONAN PORT GENSET TRAILER UNIT #2	1995	31	2026	\$60,000	\$1,935							\$60,000					
			Totals	\$738,500	\$43,264	\$55,000	\$0	\$70,000	\$40,000	\$60,000	\$60,000	\$60,000	\$3,500	\$0	\$135,000	\$0	\$0
DESCRIPTION OF EQUIPMENT	PURCHASE DATE	TRADE INTERVAL	REPLACEMENT YEAR	REPLACE COST	ANNUAL CONTRIB.	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32
Police																	
1-2017 Ford SUV Interceptor AWD K9 Unit - New	2017	7	2023	\$40,000	\$5,714				\$40,000								
2-2018 Ford SUV Interceptor AWD	2018	4	2022	\$38,000	\$9,500			\$38,000									
3-2017 Ford SUV Interceptor AWD - Pending	2017	4	2021	\$38,000	\$9,500		\$38,000										
4-2020 Ford SUV Interceptor AWD	2020	3	2023	\$36,500	\$12,167												
5-2017Ford SUV Interceptor AWD - Pending	2020	3	2023	\$38,000	\$12,667				\$38,000								
6-2020 Ford SUV Interceptor AWD -Hybrid	2020	3	2023	\$38,000	\$12,667												
7-2015 Ford Taurus	2015	7	2022	\$38,000	\$5,429			\$38,000									
			Totals	\$266,500	\$67,643	\$0	\$38,000	\$76,000	\$78,000	\$0	\$0	0	0	0	0	0	\$0
			Total Eq. Cost	\$4,881,500													
			Total Annual Contributions			\$295,000	\$468,000	\$464,500	\$316,500	\$445,500	\$393,000	\$523,000	\$88,500	\$78,000	\$418,000	\$483,000	\$220,000

Appropriations		
Highway		\$185,000
Waste Water		\$45,000
Parks		\$35,000
Landfill		\$20,000
Police		\$55,000
Harbor		\$5,000
		\$345,000

Appendix I – G Revaluation

Taxpayer equity, good management, and the law all require that the Town periodically update its values for homes, businesses, and land for taxation purposes. While adjustments are made annually for new construction, remodeling, subdivision or land splits each year, all assessments are adjusted to market conditions as of April 1, 2016 (the effective date of the last revaluation). Over a period of a few years, market conditions begin to exert different influences on different properties based on type, neighborhood, architecture or other market features. Inequities begin to show up where all properties are not taxed in equal proportion to current fair market values. If all properties were taxed at 80% of fair market value there would be no inequity, but if some properties are taxed at 70% while others are at 90%--then we have lost the “fairness” or equity status that is both desired and required.

From time-to-time a town-wide Revaluation program must be implemented to seek to adjust the 2016 values to bring all assessments to 100% of current value. When those valuation changes are made, those properties that were assessed disproportionately too low catch up (ouch) and those that were disproportionately too high get some relief (ahhh). The tax rate is adjusted to generate the same cumulative total tax revenues as before (give or take any budget changes), but the burdens are rebalanced on different shoulders somewhat.

The last revaluation was long overdue when completed and took nearly two years to execute. Future efforts may be able to be completed “in house” by the Cumberland County Assessing office (from whom Yarmouth contracts for its assessing services) or could be contracted out to a private mass revaluation firm. Pricing can vary widely, but it is not unreasonable to project a contract price of \$150,000 - \$300,000 for such an effort. Since 2016, the Town has not been able or willing to set aside sufficient reserve funds* against this future cost and therefore has some catch-up work of its own to do unless we wish to fund the next revaluation as a single lump-sum appropriation. If the Town were plan today to complete a revaluation for (say) April 1, 2025, then the Town could start to salt away funds into the annual revaluation reserve starting in FY 22. (\$50,000/year x 4 years might be a good discipline.)

*Yarmouth has faced some unique challenges and expenses with revaluation with one particular property (Wyman Station) which does require specialized appraisal/engineering and legal assistance. That challenge may be waning in recent years as the plant’s assessment has been very significantly written down.

	FY 21	FY 22	FY 23	FY 24	FY25	FY 26
Manager Proposal:	\$0	\$35,000	\$35,000	\$35,000	\$35,000	\$35,000

Appendix I-H Wastewater (aka Sewer)

The Yarmouth Water Pollution Control Department is responsible for the operation and maintenance of wastewater infrastructure in the Town. This consists of a 1.31 MGD wastewater treatment plant on Whitcomb's Way that treats approximately 830,000 gallons per day of wastewater, a Rapid Drain Sand Filter on Cousins Island serving 40 homes, 30 wastewater pump stations, 40 miles of gravity sewer lines, 20 miles of low pressure sewer lines, 800 manholes, 10 on site electrical generators at select pump stations, 3 trailer mounted portable electrical generators as well as on site composting of biosolids at the Whitcomb's Way facility that generates over 5000 cubic yards of compost per year which is utilized as soil amendment.

It is operated and funded by a combination of sewer user fees and property tax collections. It is a capital-intensive program with some pipes a century old or more, 30 pump stations of various ages- many of which are 4 years old or more, and a treatment plant first built in the 1960s (with a major upgrade in 1992).

The Town Engineer and Wastewater Superintendent develop long range plans and cost estimates to maintain and update the system responsibly and thoughtfully. Some components can be maintained with modest capital maintenance efforts for many years, but all components will eventually reach their useful life and require replacement. Such components (like a large pump station, or treatment process equipment, can run into the 100's of thousands or even millions of dollars in costs—so it is critical to both plan and respond with discipline and care.

In addition to maintaining equipment so it reliably performs and treats sewage to the standards of design, the regulatory framework and expectations evolve constantly, with new understandings and treatment methods as we better understand both impacts to the environment from even treated waste discharges and new (or newly recognized) constituents discharged into the system from the community (such as heavy metals, and PFAs or “forever chemicals”). To these matters we need to be vigilant and prepared to consider more complex and expensive treatment processes.

The supplements to this Appendix I- H provide details and insights to all these requirements and should inform the community in its fiscal planning and reserve fund budgeting. It may also suggest it is time to complete a review of sewer user fee levels and allocations.

	<u>Annual General Fund (Budget) Support</u>					
	FY 21	FY 22	FY 23	FY 24	FY25	FY 26
Dept. Request:	\$0	\$0	\$0	\$0	\$0	\$0
Manager Proposal:	\$0	\$0	\$0	\$0	\$0	\$0

Steve's report and request, and Wright-Pierce Reports to follow:

As Submitted by the Town Engineer- Assumes \$1M/yr in dedicated revenues and two financings:

Reserve Fund- 4009 Yarmouth Wastewater Department Capital Reserve

Revised: 9/22/2020	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29	FY30	FY31	FY32
Available Balance from June 30	\$647,627	\$782,524	\$107,421	\$514,818	\$742,215	\$354,612	\$272,009	\$189,406	\$106,803	\$74,200	\$43,700	\$45,700
Funds added in Annual Sewer Fee	\$300,000	\$300,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,050,000	\$1,050,000	\$1,050,000	\$1,050,000
Fees or other revenues added	\$12,000	\$12,000	\$12,000	\$12,000	\$12,000	\$12,000	\$12,000	\$12,000	\$12,000	\$12,000	\$12,000	\$12,000
Operating Budget Cap Outlay	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000
Total Funds Available for FY	\$959,627	\$1,094,524	\$1,119,421	\$1,526,818	\$1,754,215	\$1,366,612	\$1,284,009	\$1,201,406	\$1,168,803	\$1,136,200	\$1,105,700	\$1,107,700
Planned Expenditures												
Transfer to Equipment fund	\$45,000	\$45,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000
Dewatering (Engineering/Contribution)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Dewatering (Lease-Purchase)	\$122,103	\$122,103	\$122,103	\$122,103	\$122,103	\$122,103	\$122,103	\$122,103	\$122,103	\$0	\$0	\$0
I/I and Road Work Coordination		\$220,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000
Pumps/Belts and Process Controls	\$10,000	\$10,000	\$0	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000
Major Projects												
Door Replacement	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Aeration Ditch Rehab		\$170,000		\$170,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Main Relocation (bridge)		\$0			\$125,000							
Royal River Pump Station/Forcemain Replacement		\$350,000	\$307,500	\$307,500	\$307,500	\$307,500	\$307,500	\$307,500	\$307,500	\$307,500	\$307,500	\$307,500
Harbor Pump Station Replacement					\$480,000	\$480,000	\$480,000	\$480,000	\$480,000	\$480,000	\$480,000	\$480,000
Sand Filter System Upgrade, Cousin's Island					\$180,000					\$120,000	\$87,500	\$87,500
Miscellaneous Upgrades*	\$52,000	\$70,000	\$75,000	\$75,000	\$75,000	\$75,000	\$75,000	\$75,000	\$75,000	\$75,000	\$75,000	\$75,000
TOTAL Expenses	\$177,103	\$987,103	\$604,603	\$784,603	\$1,399,603	\$1,094,603	\$1,094,603	\$1,094,603	\$1,094,603	\$1,092,500	\$1,060,000	\$1,060,000
Projected Balance Fwd (total funds avail less expenses)	\$782,524	\$107,421	\$514,818	\$742,215	\$354,612	\$272,009	\$189,406	\$106,803	\$74,200	\$43,700	\$45,700	\$47,700

Narrative:

Equipment Fund: Wastewater contributes funding to the Public Works Equipment Capital Reserve for Department vehicle replacement

Dewatering Project Lease/purchase payment

I/I and roadwork coordination: funding to replace/rehabilitate sewer mains and structures during road upgrade projects;

Pumps/Belts and process controls: Small capital investments at the plant to ensure reliability and efficiency of systems;

Door replacement: program to replace building doors that are corroded and beyond service life;

Aeration Ditch Rehab: rehabilitation of existing aeration ditches to provide additional tank life

Main Bridge Relocation: Relocate/replace existing sewer main suspended from East Main Street bridge when bridge is replaced.

Replacement date is currently unknown.

Royal River Pump Station: Replacement of facility including replacement of discharge force main pipe.

Harbor Pump Station: Replacement of facility including upgraded grit removal

Cousin's Island Sand Filter: Facility upgrade of pumping/treatment filter. See report. Two phases tank repair FY 25 and System upgrade FY 31

Miscellaneous Upgrades: Funding reserved for small unanticipated projects.

*Miscellaneous upgrades FY '21 includes septage pump replacement (\$16,000), metal roof on shop building (\$18,000), treatment plant windows (\$12,000) and treatment plant floor tile replacement (\$6,000)

* Miscellaneous upgrades FY '22 includes a propane fired standby generator for the Sisquisic Pump Station.

**NOTE FEE INCREASES (Or Dedication Increase)
and two project financings.**

With two major projects unfunded and fee increase limited to 15% in FY 22 and 10% in FY 29:

Reserve Fund- 4009 Yarmouth Wastewater Department Capital Reserve

Revised: 9/22/2020	FY19	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29	FY30	FY31	FY32
Available Balance from June 30	\$832,730	\$614,730	\$647,627	\$782,524	\$107,421	\$514,818	\$742,215	\$354,612	\$272,009	\$189,406	\$106,803	\$74,200	\$43,700	\$45,700
Funds added in Annual Sewer Fee	\$300,000	\$300,000	\$300,000	\$300,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,050,000	\$1,050,000	\$1,050,000	\$1,050,000
Fees or other revenues added	\$12,000	\$12,000	\$12,000	\$12,000	\$12,000	\$12,000	\$12,000	\$12,000	\$12,000	\$12,000	\$12,000	\$12,000	\$12,000	\$12,000
Operating Budget Cap Outlay	\$0	\$50,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000
Total Funds Available for FY	\$1,144,730	\$926,730	\$959,627	\$1,094,524	\$1,119,421	\$1,526,818	\$1,754,215	\$1,366,612	\$1,284,009	\$1,201,406	\$1,168,803	\$1,136,200	\$1,105,700	\$1,107,700
Planned Expenditures														
Transfer to Equipment fund	\$45,000	\$45,000	\$45,000	\$45,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000
Dewatering (Engineering/Contribution)	\$285,000	\$72,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Dewatering (Lease-Purchase)	\$0	\$122,103	\$122,103	\$122,103	\$122,103	\$122,103	\$122,103	\$122,103	\$122,103	\$122,103	\$122,103	\$122,103	\$0	\$0
I/I and Road Work Coordination	\$200,000	\$0	\$0	\$220,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000
Pumps/Belts and Process Controls	\$0	\$10,000	\$10,000	\$10,000	\$0	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000
Major Projects														
Door Replacement		\$30,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Aeration Ditch Rehab				\$170,000		\$170,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Main Relocation (bridge)				\$0			\$125,000							
Royal River Pump Station/Forcemain Replacement				\$350,000	\$307,500	\$307,500	\$307,500	\$307,500	\$307,500	\$307,500	\$307,500	\$307,500	\$307,500	\$307,500
Harbor Pump Station Replacement							\$480,000	\$480,000	\$480,000	\$480,000	\$480,000	\$480,000	\$480,000	\$480,000
Sand Filter System Upgrade, Cousin's Island							\$180,000					\$120,000	\$87,500	\$87,500
Miscellaneous Upgrades*			\$52,000	\$70,000	\$75,000	\$75,000	\$75,000	\$75,000	\$75,000	\$75,000	\$75,000	\$75,000	\$75,000	\$75,000
TOTAL Expenses	\$530,000	\$279,103	\$177,103	\$987,103	\$604,603	\$784,603	\$1,399,603	\$1,094,603	\$1,094,603	\$1,094,603	\$1,094,603	\$1,092,500	\$1,060,000	\$1,060,000
Projected Balance Fwd (total funds avail less expenses)	\$614,730	\$647,627	\$782,524	\$107,421	\$514,818	\$742,215	\$354,612	\$272,009	\$189,406	\$106,803	\$74,200	\$43,700	\$45,700	\$47,700

Narrative:

UNSOLVED NEEDS ALERT

Equipment Fund: Wastewater contributes funding to the Public Works Equipment Capital Reserve for Department vehicle replacement

Dewatering Project Lease/purchase payment

I/I and roadwork coordination: funding to replace/rehabilitate sewer mains and structures during road upgrade projects;

Pumps/Belts and process controls: Small capital investments at the plant to ensure reliability and efficiency of systems;

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Aeration Ditch Rehab: rehabilitation of existing aeration ditches to provide additional tank life

Main Bridge Relocation: Relocate/replace existing sewer main suspended from East Main Street bridge when bridge is replaced.

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Cousin's Island Sand Filter: Facility upgrade of pumping/treatment filter. See report. Two phases tank repair FY 25 and System upgrade FY 31

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*Miscellaneous upgrades FY '21 includes septage pump replacement (\$16,000), metal roof on shop building (\$18,000), treatment plant windows (\$12,000) and treatment plant floor tile replacement (\$6,000)

* Miscellaneous upgrades FY '22 includes a propane fired standby generator for the Sisquisic Pump Station.



| TOWN OF YARMOUTH |
INTERNAL MEMORANDUM

TO: Nat Tupper, Town Manager
FROM: Steven Johnson, P.E., Town Engineer
DATE: September 22, 2020
RE: Yarmouth Sewer Department CIP Needs

As you know, the Town of Yarmouth owns and operates a 1.3 MGD wastewater plant as well as 30 pump stations, 40 miles of gravity sewer, 20 miles of sewer force mains and a rapid sand filter system. As with most systems, Yarmouth's plant and sewer collection system has grown over the decades to its current configuration and includes a myriad of components of different age, condition, capacity and remaining useful life. Correspondingly, regulatory requirements have evolved over time, becoming increasingly stricter and requiring greater levels of investment and infrastructure improvement to meet standards.

Fortunately, Yarmouth several years ago implemented a fee-based revenue structure that will help the Department fund deferred capital projects needed to meet our regulatory obligations and provide needed improvement to our systems. While the need is great, Department staff has prioritized several CIP projects that are recommended for implementation in the next fiscal year. The proposed projects are in no particular ranking or order.

Inflow and Infiltration (I&I) Removal and Main Replacement Project: I&I is the industry term for the intrusion of (relatively) clean surface water and groundwater into the sewer collection system; robbing capacity of the plant by treating additional volumes of water needlessly. Yarmouth's collection system consists of over 40 miles of gravity pipe that varies substantially in age, quality, condition and certainly water tightness. There are areas of the system that allow significant volumes of I&I in during both wet weather and times of high groundwater elevations. Recently, the Department embarked on an effort to identify these areas and develop a multi-year Action Plan to prioritize and mitigate the I&I. This proposed CIP item targets funding to perform the fifth year of construction work recommended by the Action Plan.

Additionally, Maine Department of Transportation will be paving Main Street from Elm Street to Marina Drive in FY'22. Segments of sewer main serving Main Street is very old vitrified clay pipe (VCP) and Asbestos-cement (A/C) pipe that is in poor condition. The pipe exhibits off set joints, longitudinal and circumferential cracking; leaking joints; poor service connections and other serious flaws. Additionally, several sewer manholes are constructed of brick and are beyond their service life. The Department will perform the upgrade work prior to paving to minimize impacts to the new pavement and provide a more robust, watertight system in this area. Work will include the sewer main replacement and replacement of manholes and services (to the property line) in addition to restoration of the base pavement in the trench.

- FY '22: Main Street Sewer Main Replacement (\$220,000)

Vehicle Replacement Reserve Transfer: The Sewer Department works collaboratively with the Public Works Department to manage the replacement of our vehicle and equipment fleet. Public Works provides the tracking, replacement scheduling, planning and procurement services to the Department for its fleet program. Annually, the Sewer Department contributes capital reserve funds for this effort.

- FY '22: Sewer Department Vehicle Replacement Reserve Transfer (\$45,000)

MDOT Bridge Replacement Upgrades: Maine Department of Transportation (MDOT) will likely be performing significant work to the East Main Street bridge (Route 88) crossing the Royal River in the next few years. The Sewer Department maintains a sewer main suspended from the bridge and by law, the utility is responsible for the cost of relocation when the State performs work to their infrastructure. I have maintained an estimated cost and projected date of required replacement expenditure associated with the East Main Street Bridge crossing.

- FY '25: Main Replacement on East Main Street Bridge (\$125,000)

Sludge Dewatering System: The original two (2) meter wide belt filter press used to dewater sludge was replaced with two (2) inclined screw presses in FY '20. The project lease-purchase financing was arranged (\$1,000,000 financed for 10 years and \$357,000 cash contribution from the capital reserve). The third lease-purchase payment will be due in FY '22.

- FY '22: Year 3 lease-purchase payment (\$122,103)

Aeration Ditch Rehabilitation Project: The original aeration ditches constructed in 1967 are currently used as overflow tankage during high flow events and are critical to managing peak flows during wet weather. The ditches concrete walls are showing signs of severe spalling and cracking and require surface rehabilitation. The Department proposes that both tanks be rehabilitated at a cost of \$340,000 spread over three years.

- FY '22: Rehabilitate Tank 1 (\$170,000)
- FY '24: Rehabilitate Tank 2 (\$170,000)

Miscellaneous Upgrades: This item will provide permanent standby power at the Sisquisic Trail pump station. Currently, when power is lost, Department personnel move trailer mounted generators to the stations that do not have permanent standby power in a round robin schedule until utility power is restored. This could be a day or two weeks and must happen on a 24-hour basis, which is very inefficient and time consuming. The Department is embarking on a program to provide standby power at each station that is not currently equipped with it. The Sisquisic Trail pump station conveys flow from most of the Bayview peninsula and has a relatively undersized wet well. The small wet well provides a short cycle time between pump runs which requires that temporary power be provided more frequently than other stations in the system. Given the frequency of backup power need, this particular station will benefit the most from a permanent standby generator. The Department recommends that an adequately sized propane powered gen set, and the associated infrastructure, be installed in FY '22 at a projected cost of \$70,000.

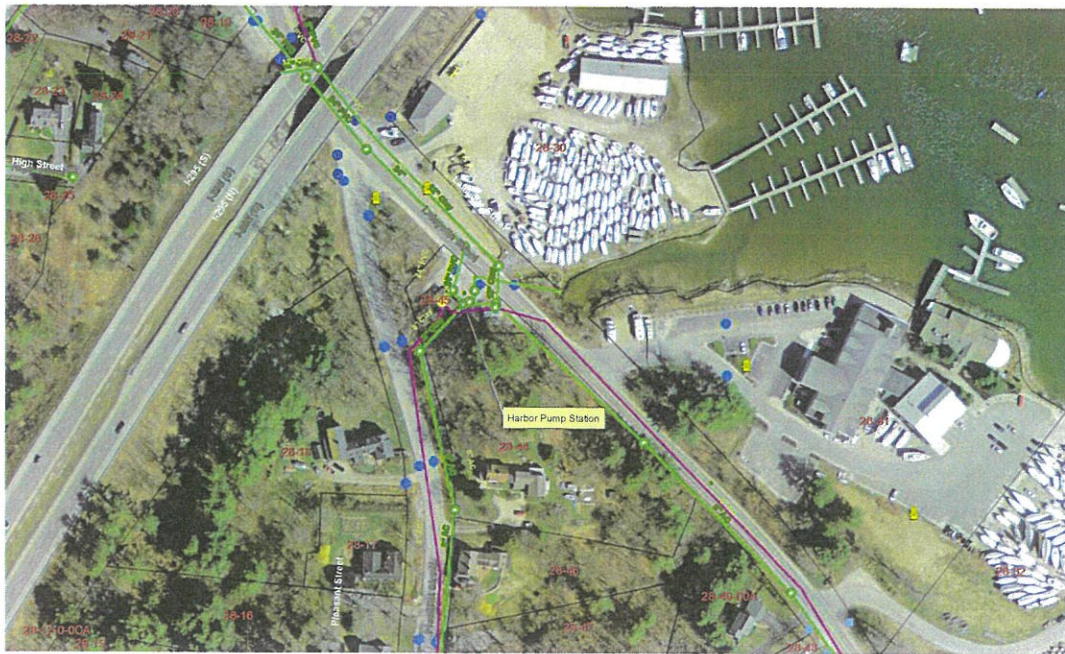
- FY '22: Miscellaneous Upgrades (\$70,000)

Royal River Pump Station and Force Main Project: The existing pump station was constructed in 1967 and is a dry well/wet well arrangement. Flow is conveyed from the pump station via a 12-inch diameter asbestos/cement force main, also circa 1967, and carries about half of the Town's peak sewer flow. In 1992 the pump station was upgraded to provide more capacity and included new pumps, additional wet well volume and controls as well as backup generation. The existing equipment is almost 30 years old and is nearing the end of its service life and the building does not meet current mechanical and personnel safety codes in addition to being at the end of its service life. Additionally, the force main is at the end of its service life and requires replacement. The Department recommends that the pump station and force main be replaced with a new facility adjacent to the existing facility. I have included a technical memorandum from Wright-Pierce Engineers that detail the proposed work scope and estimated cost. While not yet critical, it is recommended that the Town move forward with replacement in the next two years. The project is estimated to cost approximately \$4,600,000 and may potentially be funded via a lease purchase arrangement. Assuming a twenty-year term and an interest rate of 3% it is anticipated the annual lease; payment would be about \$307,500 per year.

- FY '22: Royal River Pump Station replacement project (Engineering only): (\$350,000);
- **FY '23:** Royal River Pump Station replacement project (Year 1 Construction Lease Purchase (\$307,500).



Harbor Pump Station Project: The Harbor Pump Station is of the same age and condition as the Royal River Pump Station and will require replacement in the next five to seven years. The facility was constructed in the 1960's with various equipment upgrades over the past 50 years. A second force main was constructed in 1998. The existing structure is a three-floor facility with a wet side/dry side configuration. All 3 pumps are at least 28 years old and have reached the end of their useful life. Equipment on the wet side of the station, as well as the pump support frames and anchors on the dry side, are severely corroded. Building architectural components (i.e. doors and hardware) were also observed to be severely corroded, as were the mechanical/HVAC equipment. Odor control and grease buildup are recurring issues for the station and monthly grease removal is required. The Department recommends that the pump station be replaced with a new facility adjacent to the existing structure. I have included a technical memorandum from Hoyle, Tanner & Associates, Inc. that detail the proposed work scope and estimated cost. While not yet critical, it is recommended that the Town move forward with replacement in the next three to five years. The project is estimated to cost approximately \$7,200,000 (\$6,000,000 in 2018 dollars) and may potentially be funded via a lease purchase arrangement. Assuming a twenty-year term and an interest rate of 3% it is anticipated the annual lease; payment would be about \$480,000 per year.



Cousin's Island Sand Filter System: The Department owns and operates a small sewer collection and treatment system that serves 30 to 40 residences in the Seameadows Lane neighborhood on Cousin's Island. The system was designed and constructed in the mid 1970's and is covered by a separate MPDES discharge license issued by the Maine DEP. Treated effluent from the system discharges directly to Casco Bay at high tide. The system consists of a traditional collection system of pipe and manholes that convey wastewater to a septic tank and blackwater is pumped to a large sand bed similar to a septic field. The wastewater is collected from the sand bed, treated with chlorine pucks, and conveyed to a holding tank. The holding tank effluent is pumped to the outfall in batches and at high tide to allow appropriate dilution. Given the age and technology of the system, the Department commissioned Wright-Pierce Engineers to evaluate the infrastructure and provide recommendations and cost estimates to provide for long term viability of the system as well as projected impacts due to future licensing requirements. The report was completed in June of this year and I have included a copy with this memorandum. Generally, the report recommends a two-phase capital improvement project for this system. Phase I work would consist of rehabilitation the existing tankage estimated to cost about \$180,000 and is projected to be performed in FY '25. Phase II work includes replacing the aerobic sand filter system with a small packaged treatment plant and land disposal drip infiltration system, which would eliminate the ocean outfall. This project is anticipated to cost \$1,300,000 with design engineering scheduled for FY '31 and construction scheduled for FY '32.



If you have any questions, please do not hesitate to call me.

Appendix I- I Cousins Island Dock

In 2008 the Towns of Yarmouth and Chebeague agreed to amendments to the Interlocal Contract known as the Wharf Use Agreement (originally with the Town of Cumberland until Chebeague became a separate municipality in July 2007). That amendment was part of an arrangement to provide for better/safer bus and vehicle loading and unloading at the Wharf Head, including an MDOT funded bus turning location.

The two towns agreed to jointly establish and fund a capital reserve for repairs to the wharf and wharf head (bus turning area) with Chebeague to pay 80% of an agreed upon formula contribution and Yarmouth to pay 20%. The parties have honored this agreement and intend to continue to do so. Notwithstanding neighborhood complaints about the ferry and bus activities (particularly the mandatory back-up alarms on busses), the system has proven to be a much safer and less obtrusive arrangement than the prior system that necessitated bus backing all the way from or to the Pogy Shore access road.

This Appendix I-I includes the relevant excerpt of the Agreement amendment and the formula for contributions. The accumulated balance of \$343,589 lags the formula projection as the formula assumed interest earnings were assumed at 4.2%. (2008 was a bad year to do economic forecasting you may recall).

This fund does not cover the parking lot or barge area at Pogy Shore, nor the floats and ramps off the Wharf.

Annual General Fund (Budget) Support

	FY 21	FY 22	FY 23	FY 24	FY25	FY 26
Manager Proposal:	\$5311	\$5523	\$5744	\$5974	\$6213	\$6462

EXCERPT of 2008 Joint Agreement with the Town of Chebeague Regarding Capital Reserve

The Town of Yarmouth shall maintain a reserve fund for the sole purposes of providing for the maintenance, capital repairs and eventual replacement of the Cousins Island dock and/or the improvements to Wharf Road contemplated in the above referenced MDOT PIN 7871.00.

Both the Town of Chebeague and the Town of Yarmouth shall annually pay into the fund in accordance with a schedule of payments detailed in Exhibit A attached to this Agreement and made a part hereof. The initial payments shall be due November 30, 2009 and annually thereafter on or before the last business day in November. Funds held in the replacement reserve by the Town of Yarmouth under a predecessor agreement with the Town of Cumberland shall be carried forward and included in this capital reserve.

In the event that the need to repair or replace the Cousins Island dock arises, Yarmouth shall repair or replace the dock and Wharf Road improvements as may be necessary; provided, however, that Chebeague Island's obligation to provide funding for replacement facilities shall not exceed an amount equal to its proportionate share of facilities of the same size and of the same design and materials as the present dock, and Wharf Road improvements contemplated in MDOT PIN 7871.00 unless the parties specifically agree otherwise. In the event that the funds available in the said reserve fund may be insufficient to cover the costs of the repair or replacement, Chebeague Island shall pay to Yarmouth an amount equal to 80% of the costs in excess of the funds available in the reserve fund, prior to the commencement of necessary repairs or replacement. The Town of Yarmouth will provide an annual accounting of sums expended for maintenance and/or replacement of the Cousins Island dock to the Town of Chebeague Island.

The payments made to the Town of Yarmouth by the Town of Chebeague Island pursuant to the provisions of this paragraph shall be in lieu of any schedule of docking fees, user fees, or similar fees, charges, taxes, or other monetary assessments that the Town of Yarmouth might otherwise be entitled to impose upon the Chebeague Transportation Company or its passengers for the use of the Cousins Island dock. The Town of Yarmouth shall be responsible for funding the remaining normal and anticipated costs associated with the maintenance and replacement of the Cousins Island dock and of the Town of Yarmouth's ramp and float to be installed on the Cousins Island dock.

The Town of Chebeague Island shall continue to maintain sole possession of the ramp and float already installed on northerly side of the Cousins Island dock and shall be solely responsible for all costs associated with the maintenance and eventual replacement of said ramp and float. The Town of Chebeague Island agrees that any payment hereunder will not create any ownership interest in the Cousins Island dock for the Town of Chebeague Island.

The Town of Chebeague Island shall manage and control the use of ramp and float on the northerly side of Cousins Island dock consistent with the limitations and terms of this agreement.

PROPOSED CAPITAL REPAIR REPLACEMENT RESERVE FUND				WHARF ROAD TURNAROUND AREA AND PIER			
				Original Cost- \$900,000			
				Planned Depreciation period- 35 years			
				Planned Depreciation amount- 50%			
				Assume construction cost inflation allowance- 3.5%/year			
				Assume Reserve Fund Investment Return at 4.2%			
Constr. Cost		Annual Contribution	Annual Match	Total Cont.	Cumulative	Interest Earned	Cumulative Balance
Inflator		from Chebeague	from Yarmouth		balance	on Invested Funds	Total
3.50%	November	(add 4% per year)				4.20%	
		80%	20%	100%			
\$450,000	2009	\$15,000	\$104,000	\$119,000	\$119,000	\$4,998	\$123,998
\$465,750	2010	\$14,352	\$3,588	\$17,940	\$136,940	\$5,751	\$142,691
\$482,051	2011	\$14,926	\$3,732	\$18,658	\$155,598	\$6,535	\$162,133
\$498,923	2012	\$15,523	\$3,881	\$19,404	\$175,002	\$7,350	\$182,352
\$516,385	2013	\$16,144	\$4,036	\$20,180	\$195,182	\$8,198	\$203,379
\$534,459	2014	\$16,790	\$4,197	\$20,987	\$216,169	\$9,079	\$225,248
\$553,165	2015	\$17,461	\$4,365	\$21,827	\$237,996	\$9,996	\$247,991
\$572,526	2016	\$18,160	\$4,540	\$22,700	\$260,695	\$10,949	\$271,645
\$592,564	2017	\$18,886	\$4,722	\$23,608	\$284,303	\$11,941	\$296,244
\$613,304	2018	\$19,642	\$4,910	\$24,552	\$308,855	\$12,972	\$321,827
\$634,769	2019	\$20,427	\$5,107	\$25,534	\$334,390	\$14,044	\$348,434
\$656,986	2020	\$21,244	\$5,311	\$26,556	\$360,945	\$15,160	\$376,105
\$679,981	2021	\$22,094	\$5,524	\$27,618	\$388,563	\$16,320	\$404,883
\$703,780	2022	\$22,978	\$5,745	\$28,723	\$417,285	\$17,526	\$434,811
\$728,413	2023	\$23,897	\$5,974	\$29,871	\$447,157	\$18,781	\$465,937
\$753,907	2024	\$24,853	\$6,213	\$31,066	\$478,223	\$20,085	\$498,309
\$780,294	2025	\$25,847	\$6,462	\$32,309	\$510,532	\$21,442	\$531,974
\$807,604	2026	\$26,881	\$6,720	\$33,601	\$544,133	\$22,854	\$566,987
\$835,870	2027	\$27,956	\$6,989	\$34,945	\$579,079	\$24,321	\$603,400
\$865,126	2028	\$29,075	\$7,269	\$36,343	\$615,422	\$25,848	\$641,270
\$895,405	2029	\$30,237	\$7,559	\$37,797	\$653,219	\$27,435	\$680,654
\$926,744	2030	\$31,447	\$7,862	\$39,309	\$692,527	\$29,086	\$721,614
\$959,180	2031	\$32,705	\$8,176	\$40,881	\$733,409	\$30,803	\$764,212
\$992,752	2032	\$34,013	\$8,503	\$42,516	\$775,925	\$32,589	\$808,514
\$1,027,498	2033	\$35,374	\$8,843	\$44,217	\$820,142	\$34,446	\$854,588
\$1,063,460	2034	\$36,789	\$9,197	\$45,986	\$866,128	\$36,377	\$902,505
\$1,100,681	2035	\$38,260	\$9,565	\$47,825	\$913,953	\$38,386	\$952,339
\$1,139,205	2036	\$39,790	\$9,948	\$49,738	\$963,691	\$40,475	\$1,004,166
\$1,179,077	2037	\$41,382	\$10,346	\$51,728	\$1,015,418	\$42,648	\$1,058,066
\$1,220,345	2038	\$43,037	\$10,759	\$53,797	\$1,069,215	\$44,907	\$1,114,122
\$1,263,057	2039	\$44,759	\$11,190	\$55,949	\$1,125,164	\$47,257	\$1,172,421
\$1,307,264	2040	\$46,549	\$11,637	\$58,187	\$1,183,350	\$49,701	\$1,233,051
\$1,353,018	2041	\$48,411	\$12,103	\$60,514	\$1,243,864	\$52,242	\$1,296,107
\$1,400,374	2042	\$50,348	\$12,587	\$62,935	\$1,306,799	\$54,886	\$1,361,684
\$1,449,387	2043	\$52,362	\$13,090	\$65,452	\$1,372,251	\$57,635	\$1,429,885
\$1,500,116	2044	\$54,456	\$13,614	\$68,070	\$1,440,321	\$60,493	\$1,500,814
\$104,000	Bal Fwd from Cumberland/Yarmouth reserve assumed						

**Exhibit A to the
Wharf Use Agreement
of the Town of Yarmouth and
the Town of Chebeague
Island dated October 23,
2008**

Appendix I-J Parks and Playgrounds

Yarmouth Community Services maintains an impressive array of quality recreational and athletic facilities, tennis courts, parks, lawns, garden areas, wooded trails and bridges, open spaces, playgrounds and places of interest, recreation, and inspiration for the residents of Yarmouth, along with a many programming opportunities and events for people of all ages. YCS maintains the school outdoor facilities as well as the many other places for non-school recreation, sport, and respite. Master Plans have been developed or updated for many of the Town's open space lands- all too voluminous to include here.

In addition to maintenance of trails in the open space parks, there are several pedestrian bridges of various degrees of complexity, cost, and engineering sophistication. For convenience, capital maintenance plans and funding for those are assigned to the Town Engineer and are funded under the Municipal Buildings and Bridges Reserve fund rather than as part of the parks department responsibilities.

In addition to funding for upkeep of the existing facilities, YCS and the Town must recognize the constant drumbeat call for more facilities and preservation of open space, small urban/pocket parks, requests to improve landscaping and aesthetics at parks and playgrounds, more athletic fields and courts, a dog park, water access points, and conservation lands. The demands on outdoor spaces, parks and trails (and sidewalks) have spiked in Yarmouth and throughout Maine during the pandemic period where travel and social interaction is otherwise constrained. The value of parks and open spaces stood out as a major revelation to many Yarmouth residents as a result of the "stay at home" conditions.

Annual General Fund (Budget) Support

	FY 21	FY 22	FY 23	FY 24	FY25	FY 26
Manager Proposal:	\$100,000	\$130,000	\$130,000	\$130,500	\$130,000	\$130,000

Karyn's report and request to follow:

Parks/Playgrounds	Balance 7/1	GF (Budget) Approp	Other Source(s) \$	Other Sources	Expenditures	Balance 6/30
FY 21	\$167,406	\$50,000	\$50,000	Cap Outlays	(\$145,000)	\$122,406
FY 22	\$122,406	\$130,000	\$95,000	LWCF?/YSD	(\$346,000)	\$1,406
FY 23	\$1,406	\$130,000	\$0	\$0	(\$120,000)	\$11,406
FY 24	\$11,406	\$130,000	\$0	\$0	(\$96,000)	\$45,406
FY 25	\$45,406	\$130,000	\$0	\$0	(\$98,000)	\$77,406
FY 26	\$77,406	\$130,000	\$0	\$0	(\$113,000)	\$94,406
5 yr subtotal		\$650,000	\$95,000		(\$773,000)	

*I changed our FY21 expenditures to reflect projects encumbered for this current summer. From \$120,000 to \$145,000.

	FY22	FY23	FY24	FY25	FY26
Tennis x2	\$175,000	\$0	\$0	\$0	\$15,000
wetland improvem.	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000
Trail maintenance	\$14,000	\$14,000	\$18,000	\$20,000	\$20,000
PG repairs	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000
RWP	\$18,000	\$15,000	\$0	\$0	\$0
Open Spaces	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000
Playground at YES	\$65,000	\$13,000	\$0	\$0	\$0
Equipment Fund	\$39,000	\$43,000	\$43,000	\$43,000	\$43,000
	\$346,000	\$120,000	\$96,000	\$98,000	\$113,000

HOPES, DREAMS, and CUTS

Irrigation	\$0	\$65,000	\$0	\$0	\$0
OSGuide	\$3,000	\$0	\$0	\$0	\$0
Performance tent	\$0	\$0	\$5,500	\$0	\$0



200 Main Street
Yarmouth, ME 04096

www.yarmouthcommunityservices.org

MEMO

TO: Nat Tupper, Town Manager
FROM: Karyn MacNeill, Director Yarmouth Community Services
DATE: September 1, 2020
RE: Parks & Playgrounds CIP Budget 2022-2026

Yarmouth's parks, trails, open spaces, and playgrounds are essential to the health and wellbeing of our community. Thus, the Parks & Playgrounds CIP is equally important to the Town of Yarmouth budget.

In the last few years, our department staff has served the public demands faced by the Town Council and their commitment to providing accessible, safe, quality facilities and programs for our residents and guests.

YCS provides essential and vital services and without an adequately funded budget, we will not be able to meet the repairs and maintenance needs of Town facilities.

YCS reacted to the 2020 coronavirus pandemic by focusing on food shopping and deliveries, medical loan equipment, outdoor facility management, and neighbor-to-neighbor check-ins. **The virus also brought a dilemma we have always wanted in our parks, playgrounds, and outdoor facilities: increased use.**

The outdoors and public open spaces bring people together while allowing them to remain apart. Yarmouth's parks and open spaces provide a place to reconnect – with our neighbors, with our own families, and with our sanity. Increases in the users at our Town's open spaces, whether it be playing at fields, trails, parks, beach, Madeleine Point, and others, create additional maintenance concerns at each of the facilities.

Over many years, our CIP planning has developed long lists of projects needed to maintain the amenities residents feel are their own special place. Some play tennis; some walk their pups; some search for the comfort of our trails and preserves; some use our parks to unwind; some just want accessibility in place so they can watch their grandchildren play ball or play on the playground. Our projects are not planned based on the number of complaints received. We consider projects on usage, age, and injury and liability prevention.

The Parks and Playgrounds CIP was underfunded for too many budget seasons and thus created future maintenance needs. This will be the case with the current, FY2021 CIP for Parks & Playgrounds and we ask your increased support starting with the FY2022 budget year.

Our budgets are small in comparison to other town and school budgets, but our impact is large and benefits the entire community. We ask for your consideration in fully funding our needs for the next 3 years to give us the ability to catch up and improve our Town's valuable resources.

Sincerely,

A handwritten signature in cursive script that reads "Karyn MacNeill".

Karyn MacNeill
Office: (207) 846-2406

Creating community through people, parks and programs.

CIP REQUESTS

- **Stream Crossings, Wetland Boardwalks, and Stairs, annually beginning in FY2021, \$5,000 annually**

- With the professional analysis of our pedestrian bridges, many of these fall outside of transportation budgets, but within our parks and open spaces budget. Many are aging and are located in environmental conditions that cause the need for regular repairs and replacement. An estimate for a 5-year plan averages \$5,000 per year, once we tackle the stairs at Camp SOCI. This allows for a small reserve to build while making plans, buying materials, and scheduling volunteers or contractors for each specific location's need. While some structures may cost \$2,000 to replace, others are upwards of \$15,000-20,000. Annually, minor repairs are covered by the operational budgets.
- There are 50+ boardwalks and/or wetland crossings. We estimate 1-2 of these structures are fully replaced each year, and 2-3 have major work needed that falls outside the operational budget.
 - In 2019 alone, we constructed 3 new boardwalks that are now entering our inventory and in 2020 we will build an additional 5 boardwalks or stream crossings at Riverfront Woods Preserve. While the creation of these last 5 items does not fall into this section, it is part of the long-term plan for replacement.
- Camp SOCI has a set of 72 wooden stairs to the ocean. The structure will have some minor work to replace steps this year, but the entire structure will need to be heavily repaired and/or replaced within 2-3 years.

- **Playgrounds: Repairs and Replacement, \$10,000 annually**

- By adding to a playground reserve, repairs (when warranties expire, or pieces become extinct) and replacement parts will be more manageable in our CIP budget. This allows for replacements to occur without delay and to continue current services at these various locations. Playground pieces range from \$3,000-\$80,000. A \$3,000 piece would be similar to a one-person amenity (like a spring rider, from the 1980s), a set of 4 swings is approximately \$6,000 and a large "play system" where numerous children can play at once can be up to \$80,000.
- This does not include the value of a new playground located at the Yarmouth Elementary School, as requested for FY2022 and FY2023.

- **Trail Maintenance, \$14,000 annually**

- The commitment to provide Open Spaces includes upgrades to the well-used paths and trails throughout Yarmouth. Minimal maintenance costs are supplemented by many of these projects being completed by in-house staff and volunteers. This line item includes surfacing, culverts, lumber for signage and kiosk replacements, contracted services, etc.
- With over 22 miles of hardened trails and another 3 miles being added at Riverfront Woods and West Side Trail, this line item is important to maintain with staff time, volunteer efforts and ample supplies and materials.
 - Volunteer and staff-built kiosk: \$900
 - Trail repair: varies depending on the surfacing and if culverts need repair or replacement.
 - Approximately half of this amount is spent in contracted services each year before our full-time Parks Specialist was added. This position now oversees the work on our trails. By leading volunteers to help with maintenance this appropriation can go further to rebuild and repair trails instead of contracting as much of the work.

- **Accessibility in our Parks, \$5,000 annually to contribute to creating facility access for all**
 - After hearing from numerous grandparents and aging adults who would like to join their families at our playgrounds and parks, simple improvements would enable for better accessibility, especially for those residents and visitors using wheelchairs, walkers, or other mobility devices. A pathway leading from the parking lot to a structure (picnic shelter, picnic table, ballfield bleachers, or playground piece) ranges in length from 25' to 225'. A recent estimate for 100' of hardened/graveled pathways is \$11,250.
- **Rowe School and McCartney Street Tennis Courts, FY2022-2023 – \$175,000**
 - Rowe and YES are both in need of either overlay or replacement. There are maintenance and replacement schedules analyzed each year to ensure these courts are safe and usable. CIP provides replacement and large renovations, while the operational budgets cover smaller projects to extend the life of the courts. As these courts age and with the spring thaws, unknown failures (frost heaves, sink holes, cracks, etc) appear. We need to ensure safety for all users (teams, YCS programs, and our adults/seniors).
 - Both locations should be renovated at one time.
 - Original estimates priced out a full renovation. I am awaiting a second set of estimates for just patching, overlay, and paint.
 - Either of the renovation options will require new fencing.
- **Open Space Guide, FY2022 - \$3,000**
 - This document is a resource that serves our public and guests throughout the entire 685 acres of open spaces, trails, and parks in Yarmouth. Rules, regulations, maps, allowed uses, and other amenities are identified for each open space. The last version is from October 2013, and it is currently out of date and inaccurate in many instances. A rewrite for this document is scheduled for 2020-2021 and the funds listed here will provide printed copies to the public.
- **Riverfront Woods Preserve, FY2022 - \$18,000 / FY2023 - \$15,000**
 - In managing this new property, the Town must improve surfacing in order to accommodate a Universally Accessible (UA) option for the Carriage Trail, engage neighbors and users in volunteer projects, among other facility needs to be determined by the management plan. Funding over the initial few years will allow for monitoring of uses, maintenance, and future improvements.
 - \$18,000 allows for building the three proposed bridges/boardwalks along the Carriage Trail with staff-led, volunteer work force and installation of the repurposed, aluminum crossing.
 - \$15,000 in FY23 continues the improvements for gravel and surface materials to transition from dirt to gravel for our UA guests.
- **Open Spaces' Improvements, \$20,000 annually**
 - Three open spaces need similar improvements at each location. With purchase price of materials decreasing when combining related projects, we will be able to maximize the impact by purchasing materials (gravel, piping, cedar planks, etc) in bulk and working at these sites.
 - Important improvements at three parcels include replacing aging boardwalks, creating new boardwalks, and improving footpaths. Spear Farm Estuary Preserve, Sweetsir Farm Preserve, and Frank Knight Forest see variable amounts of use, but have important features that need improvement and enhancement for safety and maintenance.

• **YES Playground, FY2022 - \$65,000 and FY2023 - \$30,000**

- A play area for the newly added 5th graders at Yarmouth Elementary School is needed. 5th graders have outgrown all the current YES playground equipment except the swings. And, to have 2nd through 5th graders at the same playground makes for imminent dangers just in the nature of the sizing of the play area structures.
- Equipment needed (over 2 years) for the newly added 5th grade: 8 swings (\$10,000), 1 climber (\$35,000), age-appropriate athletic equipment (\$4,000), 6 sturdy picnic tables/socialization areas (\$6,000), miscellaneous grade-chosen equipment (up to \$15,000) and safety "mulch" surfacing (\$20,000 for initial cost).
- Costs over a two-year period will total approximately \$90,000 with an estimated \$20,000 coming from the PTO and YSD building fund. The initial purchase will include the equipment already most used by previous 5th graders: swings, gathering area, a climber of sorts, and required safety surfacing. With reserves ready in the second year of the CIP, School and Town officials will be able to gauge the needs to complete an age-appropriate play area and replenish/add to the safety surfacing needed.

• **Performance Tent, FY2023 - \$5,500**

- Previously replace in 2013, the current tent has lasted three years longer than its predecessor. The shipping and delivery costs added to replace the Summer Arts Series tent is estimated to be \$5,500 in 2023. Currently (2020), its replacement cost is \$4,900.

• **Irrigation at Winslow Fields, FY2023 - \$65,000**

- Current irrigation at Winslow Fields will require replacement of the pump(s) and sprinkler heads to keep up with the current strain on the system.
- In addition to the current irrigation on the "football field," the addition of irrigation to the "game field" is much needed to keep that field at full playing and safety potential. It is important to add irrigation in order to maintaining current safety standards. The addition of irrigation at the YHS Field Hockey and Softball fields has helped to keep up with the impact ratings, regrowth of grass, and decreased maintenance costs (adding loam/topsoil and reseeding) while providing extended use of the fields into the spring and getting the fields opened sooner in the fall.
- Increased participation in youth sports (grades 2-12) have increased demand on the uses of the fields. Water to help it recover and grow is imperative to keeping the fields usable and safe.

Appendix I-K Property Acquisition Reserve

For many years the Town funded a reserve account to provide the Town flexibility and opportunity to acquire real property for parks, open space, water access, and occasionally for municipal operating purposes or public projects. A victim of its own success, perhaps, and of ever tightening budget and tax rate concerns, funding into the Property Acquisition Reserve has been reduced to a trickle in the past 10-15 years. Occasional small appropriations are included in the annual capital plan, and the Town Council has agreed to dedicate some portions of the sale proceeds of the liquidation of town real estate to provide some capital to this reserve fund.

A more recent idea has been floated to impose some sort of Development Impact Fee on developers or homes, businesses or subdivisions with those fees to be dedicated (in whole or in part) to the Property Acquisition Reserve. While there appears to be some Council interest in this approach, no endorsement or sponsorship has yet emerged therefore no not more fully developed or drafted policy statement or program has been created.

Since property tax funding for new acquisitions will remain a significant obstacle, the Reserve is now envisioned as providing the Town working capital to allow strategic, significant, and important opportunities to be realized. Reserve Funds could be used for the not insignificant pre-acquisition costs such as Options and option consideration, survey, appraisal, environmental assessment, title examination, grant and fund-raising matches and leverages, negotiation of purchase and sale agreements and the like. In other words, there is a high front-end soft cost expense to bring property acquisitions opportunities forward. Without the capacity to invest in even that groundwork, the community may not be able to invest in the property even if private or governmental grant funding becomes available.

Annual General Fund (Budget) Support

	FY 21	FY 22	FY 23	FY 24	FY25	FY 26
Manager Proposal:	\$0	\$0	\$0	\$0	\$0	\$0

Appendix I-L Harbor and Waterfront

Yarmouth's access to the navigable tidal waters of Casco Bay is a huge economic, social, recreational, cultural, and environmental benefit to the Town. We invest in facilities, equipment, staff and programs to help assure there is safe (and healthful), fair public access and use of those waters and public facilities including at the Town Harbor, Madeleine Point, Littlejohn Island, Wharf Road, and old Town Landing Road off Princes Point. We also manage shellfish harvesting resources for safety, health, and sustainability, including vigilant enforcement of harvesting rules and conservation restrictions.

Management resources are needed to manage and police the fair and equitable distribution of limited mooring and parking spaces, to support or commercial marine trades industries, aquaculture leases, and safe and responsible recreational activities both from the shore and by boaters.

Funding is needed for these five onshore public facilities, boat/trailer and related equipment for both police and navigational uses as well as emergency response assistance to boaters in trouble. Navigational channel markers, floats, ramps, docks, all get heavy public use and are subject to heavy weathering deterioration. The Harbor and Waterfront Reserve is used to anticipate the capital needs as well as occasional professional engineering, environmental, or survey services to plan projects and improvements.

A separate fund was created and is maintained to reserve funds to help with harbor and navigational channel maintenance (i.e. dredging). See Appendix I-R Dredging.

The Harbor Master has submitted an ambitious set of proposals that will require some very significant paring and prioritization to fit within reasonably anticipated fiscal constraints. Little attempt has been made at this early point in the FY 22-26 CIP process to reconcile the requests to some more fiscally constrained parameters. Sometimes you just have to work backwards from budget realities to workplan priorities.

Annual General Fund (Budget) Support

	FY 21	FY 22	FY 23	FY 24	FY25	FY 26
Dept. Request:	\$12500	\$47,000	\$219,100	\$89,500	\$61,500	\$22,500
Manager Proposal:	\$12,500	\$17,500	\$17,500	\$17,500	\$18,000	\$18,000

Will's report and request to follow:

Five Year Harbor & Waterfront Budget Items

PERSONNEL:

Assistant HM/ Park Ranger Position

The additional coverage during summer season would primarily help with parking issues on weekends at the Town Landing, Madeleine Point, Wharf Rd, and Little John Island. Position would cover the Harbor Master's days off to provide 7 days-per-week coverage during summer months.

- Current funding: \$5,000
- Requesting an additional \$10,000 for 16 weeks of seasonal help
 - Additional funds would also cover training time beyond the 16-week seasonal work schedule

TOWN LANDING – OLD SHIPYARD ROAD:

Paving of Town Landing

The road and parking area at the Town Landing are showing significant wear between the users and the wintertime snow dump/dump-truck traffic. The parking area is well used during summer months and often requires parking overflow vehicles along Old Shipyard Rd. Paving would allow for parking space striping to better organize the current area and provide more parking for users with the current space.

- Parking lot: overlay current pavement
 - Estimated cost: \$15,000
- Pave gravel area along waterfront/picnic area
 - Estimated cost: \$25,000
- Pave hill leaving parking area
 - Estimated cost: \$6,793
- Recommend completing by 2022

Extend parking area at the Town Landing for additional parking against 295

This additional area will provide single vehicle parking. This will open other parts of the current lot for trailer-only parking to meet the current need.

- Sections of culvert, gravel and reclaim: \$12,738
- Recommend completing by 2021

Replacement of concrete boat ramp blocking

The current ramp needs replacement. The concrete blocks are held together by metal clips which have let go. The blocks are starting to separate, significant chipping and structural rebar are showing. This could damage users' trailers and will continue to get worse with the heavy use and winter ice.

- Estimated cost private contractor: \$75,000
- Recommend completing by 2022

Commercial docks decking replacement

Planks are weathered and old and need replacement due to age and commercial use.

- Estimated materials cost: \$5,000
- Recommend completing by 2024

Commercial dock gear float replacement

Gear float is rotted from bottom to top. It is used to hold traps and supplies for commercial users. Individuals have fallen through the dock in two places within the last year. During removal of the float at the end of last season, it broke apart in several places, further contributing to its structural instability.

- Estimated cost \$12,500
- Required immediately

Additional picnic tables and benches

The Town Landing has become a frequent spot for people to gather and have lunch during the day. The facility green space allows for more use but could use more seating.

- Estimated cost: \$1,500
- Discretionary

Striping parking lot

To keep an organized and smooth operation striping is need. Additionally, custom stencils will direct users on the facility's operations.

- Estimated cost: \$600 for stencil
- Labor covered under Highway Dept.
- Recommend for 2021 season

New signage in parking lot

The current signs are outdated, weathered and/or have fallen over. Updated signage of current operations is needed.

- Estimated \$1500
- Recommend for 2021 season

Army Corp/ DEP permitting for additional Pony Docks

Adding pony docks in a tight harbor such as the Royal River will allow for more boats in a restricted harbor. This will organize boats into rows with little to no swing. Currently we have an ordinance that prohibits boats 36ft or more to be moored in the river. Pony docks provide zero issue for larger boats to be in the harbor due to zero swing. More space will also lower the wait list. The additional revenue would be between \$3,000-\$5,000 per year.

- Estimated cost of permitting \$2,500 - \$5,000
- Docks will be paid for by those assigned to dock space

LITTLE JOHN/ WHARF RD DOCKS

Replacement decking for Little John & Wharf Rd.

Planks are weathered and old and need replacement due to age and shared use of recreational and commercial use. Borderline unsafe at times.

- Estimated material and labor cost: \$5,000 each
- Recommend completing by 2022

Replacement of dinghy tie rails on dock at Little John and Wharf Road

Rails are worn, weathered and damaged. Rails are used to secure and hold all the weight of the users' personal dinghies.

- Estimated cost: \$2,500 for both docks
- Recommended when docks are re-decked

Additional one float to Little John and Wharf Road

Currently we have a single dock/float at each location. The docks have more dinghies tied to them than space available. The access ramp also takes up a quarter of the dock's usable space leaving a small area for the commercial and recreational use it receives.

- Estimated cost: \$15,000 per float. Total: \$30,000
- Recommended by 2023

Pilings to hold dock at Wharf Rd.

The current dock experiences significant shifting with the tide and weather, while the ramp is in a fixed position. This causes consistent damage to the ramp and dock, as well as creates an unsafe access point for users. This location gets the worst weather during tropical storms and has been close to breaking loose a few times in the past several years. The CTC dock has pilings and operates properly in the same the location. The upfront cost of pilings will be mitigated by long-term savings on chain and mooring replacements.

- Estimated cost: \$12,000
- Recommend completing by 2023 (prior to replacing chains)

MADELEINE POINT

Madeleine Point usage has grown immensely. Current use has far surpassed what the facility was built to accommodate and has become unsafe at times. It has developed into one of the most popular recreational locations for residents who use the beach, launch kayaks and swim from the docks. This is in addition to Madeleine Point serving as Yarmouth's largest residential mooring access. Parking is now a major issue, generating a significant number of complaints from residents and over 100 parking tickets this year.

Additional 5 floats at Madeleine Point

- Estimated cost installed with hardware, chain, and moorings: \$75,000

Additional 30 parking spaces at Madeleine Point on FPL property

Parking would allow for an additional sixty moorings. Revenue from additional mooring fees would be \$10,000 per year.

- Remove trees, bring in gravel and grade lot
 - Estimated cost: \$30,000

Additional 10 parking spaces along the side of the Madeleine Point Road

Parking would allow for an additional 20 moorings. Revenue from additional mooring fees would be \$1,500 per year.

- Estimated cost: \$5,000

Kayak Racks

Currently, kayaks are occupying the majority of rack space at Madeleine Point. The racks were originally intended for mooring holders to store their dinghies. We have no available space left for this purpose and most of the kayaks being stored belong to residents who are not mooring holders.

- Estimated cost: \$2,500
- Recommended for 2021

New signage in parking area

- Estimated cost: \$1,500

Additional two Walker Bay dinghies

With increased usage, there are complaints of no available dinghies and additional wear and tear on current dinghies.

- Estimated cost: \$1,500 each. Total: \$3,000
- Upgrades should be made as soon as possible

HARBOR MASTER OFFICE BUILDING

Building furniture (table, desk)

- Estimated cost: \$2,500
- Discretionary

EQUIPMENT

Marine Patrol Boat replacement options

The boat is now six years old and has nearly 800 hours. The service history shows some significant failures and concern for longevity. Currently, we do not have a replacement plan in place. I would recommend setting aside funds annually to prepare for this expenditure. In considering options, it should be noted that the boat is expected to operate in emergency conditions and is used throughout 2/3rds of the year, including inclement weather. A vessel with an enclosed console would mitigate exposure issues.

- Currently a 2014 Pacific 21ft aluminum boat with a Honda outboard 225hp
- Recommend \$10,000 a year be set aside for new boat
- New Maritime Skiff 25ft enclosed console with dual 150hp outboard motors and updated electronics
 - Estimated cost: \$135,000
 - Estimated trade-in value of current boat: \$45,000
- Replace current motor with dual 115hp motors, updated electronic and cabin enclosure
 - Estimated cost: \$40,000
- Welded hard sliding doors for current MPO boat
 - Estimated cost \$5,000

- Replacement of boat or motor recommended by 2024

Marine Patrol Truck

The anticipated replacement year for the MPO truck is 2025. Keeping the current MPO truck versus trading it in at the time of replacement would allow the Assistant Harbor Master to patrol all waterfront parking areas versus limiting the position to the Town Landing. Keeping the current electronics including computer, emergency lights, and radio would provide necessary safety and access to information including registrations and mooring information.

- Currently 2018 GMC 1500 Extended Cab Pickup
 - Estimated replacement year: 2025
 - Estimated cost: \$35,000 plus \$7,500 in electronics – emergency lights, siren, radio, and computer mount. (Goal would be to keep the 2018 GMC for Assistant HM/ Park Ranger position.)
- Truck replacement by 2025

ADDITIONAL MAINTENANCE EXPENSES

Gravel, paving patch work and replacement pavers

To maintain parking lot access at the Town Landing, Madeleine Point, Little John ramp to wharf and Old Town Landing boat ramp.

- Estimated yearly cost of upkeep: \$5,000

HARBOR & WATERFRONT REVENUE 2019-2020

Source	Revenue
Moorings	\$53,504
Launch Fees	\$20,454
Season Launch Passes	\$15,240
Parking Tickets	\$2,246
Total	\$91,444

Fiscal 2021-2022


Extend parking at Town Landing	13,000	
Commercial Dock	12,500	Gear Float Replacement
New Signage at Town Landing	1,500	
Kayak Racks at Mad. Point	2,500	
New Signage at Mad. Point	1,500	
Additional Dinghy	1,500	
Vehicle Replacement	5,000	
Boat Replacement	10,000	
Total:	47,000	

Fiscal 2022-2023

Paving at Town Landing	47,000	3 areas total
Striping Lot at Town Landing	600	Stencil and DPW install
Concrete Boat Ramp	75,000	Replace concrete blocking
Floats at Mad. Point	75,000	Add 5 floats (w/ permitting)
Army Corps Permitting	5,000	Pony Docks and Floats
Additional Dinghy	1,500	
Vehicle Replacement	5,000	
Boat Replacement	10,000	
Total:	219,100	

Fiscal 2023-2024

Replace Dinghy Tie Rails	2,500	Total for LJI and Wharf Rd
Floats (1 each)	30,000	Total for LJI and Wharf Rd
Pilings at Wharf Rd	12,000	
Additional Parking at Mad. Point	30,000	Add 30 spaces on FPL land




Vehicle Replacement	5,000
Boat Replacement	10,000
Total:	89,500


Fiscal 2024-2025

Sliding Cabin Doors for Boat	5,000	
Boat Motor Replacement	40,000	Twin 115hp, electronics, cabin
Picnic Tables at Town Landing	1,500	
Vehicle Replacement	5,000	
Boat Replacement	10,000	
Total:	61,500	

Fiscal 2025-2026



Parking Spaces at Mad. Point	5,000	Add 10 spaces at side of road
Office Furniture	2,500	Harbor Master Building
Vehicle Replacement	5,000	
Boat Replacement	10,000	
Total:	22,500	



Appendix I- M Unemployment Compensation

The Town of Yarmouth is self-insured for the purposes of Unemployment Compensation, which means the Town does not pay an insurance premium, rather we are a direct reimbursement employer to the Maine Unemployment Compensation program for all approved claims. This also means that the Town needs to reserve funds against future claims that are otherwise not covered by budgets or insurance protections. For many years (40+ perhaps) the community and local labor market has enjoyed low levels of unemployment and the Town has a highly stable municipal workforce. But there are some seasonal employees, occasional (thankfully rare) shifts in municipal mission and priorities, and relatively low demands on the unemployment reserves. Things are changing. Employees may have more than one job which means the Town is at risk not only for the employee's town employment status, but also for employment losses from other agencies or companies. More recently are the great uncertainties and instability of budget and hiring commitments arising out of the COVID-19 pandemic. This puts the Town at risk for uninsured unemployment claims.

Nevertheless, this remains a relatively small exposure for the Town of Yarmouth adequately covered (usually) by an annual appropriation to the Unemployment Reserve of less than \$10,000. It bears watching, but it does not present a significant risk exposure.

Annual General Fund (Budget) Support

	FY 21	FY 22	FY 23	FY 24	FY25	FY 26
Manager Proposal:	\$8,000	\$24,000	\$20,000	\$18,000	\$18,000	\$12,000

Appendix I-N Merrill Memorial Library

This reserve fund is very similar to Municipal Buildings and Bridges Maintenance Reserve (see Appendix I-P) but is kept separate to honor the separation of “ownership” and stewardship duties of the Library Board of Trustees.

Significant investments in this 1904 building were made in 1988 and 2013 (with some flooding repairs in 1991/92 following Hurricane Bob). Capital Investments are needed, nonetheless, and always will be for HVAC, air quality, brick pointing, carpets, technology, security and communications, and interior painting, furnishings, and to meet evolving public needs and expectations.

Investment needs are expected to remain relatively low and more or less “routine” for the foreseeable future. But, one cannot afford to underestimate the degree to which that building (and its staff) are used and loved by the community or the pace of change that is imposed of the modern library to meet the needs of a community that is rapidly evolving in terms of technology, social and cultural expectations, special needs users and populations, meetings and community processes, and the mission of the Library.

Annual General Fund (Budget) Support

	FY 21	FY 22	FY 23	FY 24	FY25	FY 26
Manager Proposal:	\$20,000	\$25,000	\$25,000	\$30,000	\$30,000	\$30,000

Heidi’s Report and Request to Follow:

Merrill Memorial Library						
upgrade schedule - with projected costs	FY22	FY23	FY24	FY25	FY26	FY27
general						
remove debris from storage/utility areas	500					
systems mounting/storage in utility room		1500				
site						
paved surfaces					6000	
concrete walks		6000				
brick walks		3000				
curbings/ADA markings/warning strips					2000	
pavement markings					2000	
fencing and gates - wood and metal					1000	
catch basins - pavement and landscape				1000		
lighting and controls- building and pole						2000
benches/bike rack/trash cans						1000
building exterior						
door hardware and keying				1000		
entry door operation	2000					
window operation		500				
window seals at insulated glazing				2000	4000	
exterior wood finishes and trims		3000			5000	
brick sills				6000	6000	
brick joints and mortar	6000	6000				
granite entry wall slabs				2000	2000	
granite mortar				3000	3000	
exterior steel piping and lintels				1500		1500
cooling tower enclosure debris removal	500					
asphalt shingle roofing						85000
epdm roofing and flashings						25000
exterior envelope insulation systems						20000
building interior						
floor finish materials						60000
stair treads and risers						8000
handrails and mounts						2000
wall base - adhered to wall				1000		
trims paint and finish			12000			
walls paint and finish			24000			
doors paint and finish				6000		
door hinges and hardware						6000
ceiling tiles - stains				2000		
ceiling tiles - air flow dust collection				2000		
millwork finish		4500				11500

millwork stability and wear				2000		
interior glazing - hardware attachments						2000
toilet partitions - hardware attachments						2000
toilet partitions - finish touch ups				1000		
toilet accessories - mounting						1000
toilet accessories - function						1000
window shade replacement						20000
operable gate						16000
kitchen appliances						6000
building systems						
elevator - interior finishes and lighting					8000	
elevator communication						8000
elevator controls						36000
plumbing fixtures - leaks				500		
plumbing fixtures - attachments				500		
plumbing fixtures						20000
hot water source						30000
sprinkler systems - leaks	2400					
sprinkler system head inspect/replace						40000
HVAC - routine filters and checks	2000	2000	2000	2000	2000	8000
HVAC - controls						16000
HVAC - rebalancing					4000	
HVAC unit replacement						120000
electrical - lighting and controls						16000
electrical - outlets and power points				2000		2000
electrical - faceplates and labels		1000				
electrical lighting fixtures						45000
alarm devices replacement						18000
communications/IT - systems upgrades	3500			6500		
	16900	27500	38000	42000	45000	629000

Appendix I- O Solid Waste and Recycling

The Town Council is poised to approve a major investment in the Transfer Station and Recycling Programs to implement a Pay-As-You-Throw system. Given the pendency of these changes and related details, we will forgo further elaboration of this Reserve fund for the 2022-2026 CIP draft.

However, the reader is wise to note that the Town has recognized a future liability for closure, cover, and environmental monitoring of the landfill areas of the facility. While certainly not a fully engineered projection, the Town estimated in 2019 that the future liability cost of \$1,200,000 that might be spread over 30 years.

Additional information and projections on investments made to accommodate PAYT will be offered at a later date.

Annual General Fund (Budget) Support

	FY 21	FY 22	FY 23	FY 24	FY25	FY 26
Manager Proposal:	\$51,000	\$51,000	\$51,000	\$51,000	\$51,000	\$51,000

Appendix I-P Town Buildings and Bridges

The Town Engineer is charged with inspecting and monitoring town buildings and bridges (less than 20 ft span) to assure that the Town reserves adequate resources to maintain all those assets in safe, accessible condition and are energy efficient and sustainably and prudently preserved for maximum public value. These buildings include (without limitation) the Town Hall, Log Cabin, YCS office trailer, East Main Street Community House, Cousins Island Community House, Knaub House on North Road, Town Garage, Old Meeting House, Yarmouth Public Safety Building (under construction), Yarmouth Fire-Rescue Training facilities and classrooms (at transfer station), Salt Shed, Transfer Station buildings, Parks Department Buildings (McCartney and East Elm) and Little League, Camp SOCI, West Main Street school buildings, Harbor Master Building (new), and cemetery garage and office as well as Merrill Memorial Library, pump stations and wastewater treatment structures. The Town Engineer is also available to advise Yarmouth School Department on its buildings and structures. Finally, this Reserve seeks to cover capital expenses for 12 pedestrian bridges and 2 vehicular bridges that are town responsibility.

The Buildings needs assessment and the capital investment plans can be reconciled (marginally with a little imagination). But the Bridges component will fall far short. This is due primarily (but not exclusively) to the need to replace the Davis Landing Bridge on East Main Street (passes over Pratts Brook Stream about ¼ mile northeasterly beyond the landfill entrance.). An initial cost of estimate of \$650,000 has been provided by MDOT—an estimate that is suspect to be too low. This bridge is in poor condition and requires significant work as detour routes would present a significant and unacceptable inconvenience.

Annual General Fund (Budget) Support- Buildings

	FY 21	FY 22	FY 23	FY 24	FY25	FY 26
Dept. Request:	\$23,000	\$23,000	\$25,000	\$25,000	\$25,000	\$25,000
Manager Proposal:	\$23,000	\$23,000	\$23,000	\$23,000	\$23,000	\$23,000

Annual General Fund (Budget) Support- Bridges

	FY 21	FY 22	FY 23	FY 24	FY25	FY 26
Dept. Request:	\$50,000	\$30,000	\$30,000	\$105,000	\$105,000	\$105,000
Manager Proposal:	\$50,000	\$50,000	\$50,000	\$70,000	\$70,000	\$70,000

Annual General Fund (Budget) Support- Total

	FY 21	FY 22	FY 23	FY 24	FY25	FY 26
Dept. Request:	\$73,000	\$53,000	\$55,000	\$130,000	\$130,000	\$130,000
Manager Proposal:	\$73,000	\$73,000	\$75,000	\$95,000	\$95,000	\$95,000

Steve's report and request to follow:



TOWN OF YARMOUTH
INTERNAL MEMORANDUM

TO: Nat Tupper, Town Manager
FROM: Steven Johnson, P.E., Town Engineer
DATE: September 21, 2020
RE: Town Building CIP Needs

As you know I remain in the process of developing a formal Capital Improvement Program (CIP) for Town buildings. This effort is a fairly labor intensive undertaking, that includes visiting each building and documenting the existing building infrastructure, such as building envelope, electrical, plumbing and HVAC systems, controls, interior and exterior finishes as well as the condition of each. Once this data gathering exercise is complete, a repair/replacement cost and schedule can be assigned to each discrete item. This database is then used to program funding on a prioritized basis such that the Town can develop a fiscally responsible plan to maintain our buildings.

Currently, only Town Hall and the West Main Street school complex have been evaluated, but I hope once our large capital projects are complete Joe Coulombe and I will visit the rest of the Town Buildings in the next few years. With that said, the CIP document will show place holders for each building, but no projects planned. These place holders will be populated as the evaluations are completed.

As noted in prior years, it is important to note that the Town has done a fairly respectable job in maintaining the critical aspects of our buildings over the past several years on an informal basis. Given recent capital work and upgrades, I feel comfortable that our buildings will easily weather the status quo for a few years while we develop a formal CIP plan.

Please note that during the FY '19 and '20 effort all of the proposed building project were deferred to perform much needed and emergency work on Town Bridges, so you will see some of the same projects from last year.

With that said, I recommend that the following CIP projects be considered for the FY '22 budget cycle:

Town Hall: The carpeting in Town Hall is the original material installed as part of the 2003 expansion/renovation project and while it is well cared for, areas are showing its age. Some areas are frayed, particularly at seams or transitions and the more highly used areas are showing the impacts of foot traffic as well as significant areas of permanent stain. In FY 17 the Town budgeted to replace the carpet in the Police Department spaces and the Community Room. I recommend that the Town complete the project and replace the carpeting in the first-floor offices and public areas in FY '22.

- FY '22: Replace carpeting in the first-floor offices and public spaces (\$25,000)

Town Hall: The interior of Town Hall is showing its age and is need of painting. The building has not been painted since the last renovation in 2003 and last year the Police Department and the Community Room were painted. I recommend that the work be complete in FY '23 and will include the first-floor offices and the public spaces.

- FY '23 First floor offices and public space (\$12,000)

West Main Street School Complex: The Town owns the school complex and leases it as commercial office space. The complex consists of three structures including the westerly building and annex, a central boiler house and an easterly building. The brick buildings are quite old and significant envelope maintenance has been deferred for a long time. All three structures require paint, brick repointing and new windows. The roof structures, while likely sound, will require replacement in the next five to ten years.

In FY 21 the buildings were painted. The next highest priority is tuck pointing the brick masonry to limit decay and water intrusion. After that I would recommend that the wooden windows be replaced but since they were just painted, replacement of the windows have been pushed to FY '26. I recommend that in FY '23 both buildings be repointed.

- FY '23: Tuck point masonry on both buildings. (\$32,000)

If you have any questions, please do not hesitate to call me.

Reserve Fund- Yarmouth Town Buildings (4017)

Revision Date: 9-21-20

	<u>FY 21</u>	<u>FY 22</u>	<u>FY 23</u>	<u>FY 24</u>	<u>FY 25</u>	<u>FY 26</u>
Available Balance from June 30	\$162,640	\$115,640	\$143,640	\$159,640	\$134,640	\$94,640
Funds added in Annual Budget	\$23,000	\$23,000	\$25,000	\$25,000	\$25,000	\$25,000
Fees or other revenues added (Rent and TIF)	\$30,000	\$30,000	\$35,000	\$35,000	\$35,000	\$35,000
Bond Issue Grants	\$443,800					
Private Fund Raising						
Total Funds Available for FY	\$215,640	\$168,640	\$203,640	\$219,640	\$194,640	\$154,640
excludes Fire training grant of \$443,800						
Planned Expenditures						
Town Hall						
6. Town Hall Interior Paint			\$12,000			
7. Town Hall Carpet Phase 2		\$25,000				
8. Rear Parking Lot Improvements				\$75,000		
9. Front Parking Lot Improvements					\$100,000	
Generator Replacement	\$70,000					
10. Town Hall Interior Paint II				\$10,000		
Merrill Memorial Library						
1. Placeholder Building Eval TBD						
YCS Building Annex						
1. Placeholder Building Eval TBD						
Log Cabin						
1. Placeholder Building Eval TBD						
East Main Street Community House						
1. Placeholder Building Eval TBD						
Cousin's Island Community House						
1. Placeholder Building Eval TBD						
2. Replace Building Driveway	\$5,000					
52 North Road						
1. Placeholder Building Eval TBD						
Old Baptist Meeting House						
1. Placeholder Building Eval TBD						
Yarmouth Public Safety Building						
1. Placeholder Building Eval TBD						
2. Building Replacement Project	\$8,500,000					
Yarmouth Fire Admin Building						
1. Placeholder Building Eval TBD						
Yarmouth Fire Training Facility						
1. Placeholder Building Eval TBD						
2: Training Building	\$528,800					
Yarmouth Fire Training Classroom						
1. Placeholder Building Eval TBD						
Yarmouth Public Works Facility						
1. Placeholder Building Eval TBD						
Salt Shed						
1. Placeholder Building Eval TBD						
Transfer Station Office/Recycling Building						

1. Placeholder Building Eval TBD

Compactor Building

1. Placeholder Building Eval TBD

Landfill Attendant Shed

1. Placeholder Building Eval TBD

Parks Building (McCartney)

1. Placeholder Building Eval TBD

Parks Storage (East Elm)

1. Placeholder Building Eval TBD

Parks Little League Building

1. Placeholder Building Eval TBD

Camp Soci

1. Placeholder Building Eval TBD

West Main Street School (West Wing)

1. Placeholder Building Eval TBD

2. Brick Tuckpointing Project

\$20,000

3. Exterior Painting Project

\$10,000

4. Window Replacement Program

\$12,000

West Main Street School (East Wing)

1. Placeholder Building Eval TBD

2. Brick Tuckpointing Project

\$12,000

3. Exterior Painting Project

\$5,000

4. Window Replacement Program

\$12,000

West Main Street School (Boiler House)

1. Placeholder Building Eval TBD

2. Exterior Painting Project

\$10,000

3. Window Replacement Program

\$3,000

Harbor Master Office

1. Building Replacement

Cemetery Maintenance Bldg/Office

1. Building Replacement (not needed)

TOTAL Expenses	\$100,000	\$25,000	\$44,000	\$85,000	\$100,000	\$27,000
excludes PS at \$8.5M and Fire Training at \$528,800						
Projected Balance Fwd	\$115,640	\$143,640	\$159,640	\$134,640	\$94,640	\$127,640
(total funds avail less expenses)						

Narrative:

Town Hall

7. Phase 2 carpet replacement: Replacement of carpet in first floor offices and public areas

9. Interior paint: Project will paint First floor offices and public spaces, excluding the Community Room

11: Space needs: Project will fund a space needs analysis for YFD/YPD/YCS **Underway**

Generator replacement: Replace gen set with appropriately sized unit to run entire building and update voltages **Funded**

TH Rear PL Improvements: reclaim and overlay lot with sidewalk and drainage improvements

TH Front PL Improvemtns: reclaim and overlay lot with sidewalk and drainage improvements

Merrill Memorial Library

1. Portico Window Refinishing: Moved to MML CIP in future years

Log Cabin

Yarmouth Fire/Rescue Building

2. Public Safety Building Program including YFD/YPD/YCS

West Main Street School (West Building)

2. Brick Tuckpointing: Project will restore mortar to protect structural integrity and watertightness

3. Exterior Paint: Project includes scraping and painting all exterior wood surfaces including hazmat mitigation

4: Window Replacement: Project includes replacing all windows with high efficiency units

West Main Street School (East Building)

2 . Brick Tuckpointing: Project will restore mortar to protect structural integrity and watertightness

3. Exterior Paint: Project includes scraping and painting all exterior wood surfaces including hazmat mitigation

4: Window Replacement: Project includes replacing all windows with high efficiency units

West Main Street School (Boiler House)

2. Exterior Paint: Project includes scraping and painting all exterior wood surfaces including hazmat mitigation

3: Window Replacement: Project includes replacing all windows with high efficiency units

Harbor Master Office

Cemetery Maintenance Building/Office

1. Building replacement: Operational change has precluded requirement for replacement. Budget for demo in future



TOWN OF YARMOUTH
INTERNAL MEMORANDUM

TO: Nat Tupper, Town Manager
FROM: Steven Johnson, P.E., Town Engineer
DATE: September 22, 2020
RE: Town Owned Bridge CIP

The Town of Yarmouth owns and maintains twelve (12) pedestrian bridges and two (2) vehicular bridges and a large structural plate arch culvert. The pedestrian bridges are located in Pratt's Brook Park, on the Beth Condon Pathway and along the Royal River Parkway. The vehicular bridges are located on East Elm Street, Ledge Road and East Main Street. I have included a bridge list as an attachment to this memorandum as well as location maps for the bridges.

The pedestrian bridges range in type from a prefabricated steel truss structure (crossing the Royal River) to a volunteer constructed wood beam structure such as the Morsky Bridge in Pratt's Brook Park with many different types in between. The bridge age and condition vary and there are few, if any design drawings for the structures. It appears that all of our pedestrian bridges are at least ten years old or older, with the exception of recent replacements on Ledge Road and the Elm Street Pedestrian Bridge. The vehicular bridges are cast in place concrete slab spans with masonry and/or concrete abutments that were constructed in the late 1920's and early 1930's. Just recently, the Town replaced the concrete/masonry bridge on Ledge Road with a new aluminum structural plate arch culvert and today set the new weathering steel truss bridge at East Elm Street.

By law, MDOT owns all vehicular bridges with spans 20 feet or longer. Bridges with spans less than 20 feet are typically locally owned with the responsibility for operation, maintenance and capital work falling to the municipality. MDOT is responsible for performing vehicular bridge inspections once every two (2) years for locally owned significant spans and forwards a report to the municipality with the inspection results

and recommended maintenance that should be performed. Both the East Main Street and East Elm Street structures have been regularly inspected by MDOT.

Up until recently, the Town did not have a formal bridge maintenance program or CIP program. Historically, required work had been performed on an as needed basis, and has been typically performed by Public Works/Parks staff or local contractors. Funding for required repairs has been either specifically appropriated by Council or funded from the operating budget or the Road Improvement capital reserve account. It should be noted that much work has been deferred over the years.

During the FY '16 CIP, the Council authorized funding to retain a local structural engineering firm, Baker Design Consultants (BDC), to assist the Town in preparing a short and long-term CIP program for our locally owned bridges. This work included performing site visits at each bridge, ascertaining the structure condition and estimated load rating, local characteristics and maintenance requirements, developing an inventory management tool, development of a long term and short-term CIP plan including pertinent cost estimates, staff training and follow up inspections on a two (2) year cycle. Follow up inspections have been scheduled for this fall.

It is critical that the Town perform both periodic scheduled maintenance and capital programming for our bridges. I strongly recommend that the Council create and fund a dedicated capital reserve fund to ensure the funding is available when periodic and capital work is required. With that said, the following projects are proposed for FY '22:

RRP-2 Un-named bridge at rips: Bridge RRP-2 is a 33-foot-long wood frame structure that was constructed in the early 90's. As-built information for the bridge is unavailable. The bridge is in poor condition and has significant issues with one of the abutments. BDC recommends that this span be replaced in the near term. In FY '22 it is recommended to fund the engineering design and construction documents for replacement. It is anticipated that the replacement cost of this critical bridge serving the Royal River walkway is \$60,000. It is recommended that this amount of construction funding be programmed in FY 23. Please note that this work is eligible for TIF funding and is projected to be funded through TIF.

- FY'22: Engineering design services (\$10,000);
- FY'23: Construction and construction engineering funding (\$60,000)

#338 Hodson Bridge (at East Elm Street sluice): The Hodson Bridge is located on East Elm Street, (just south of the MDOT Bridge), and spans the sluiceway for vehicular traffic. The bridge is a 16-foot-long concrete span constructed in 1930 and in fairly good shape, the curb and guardrail require significant capital work. Additionally, BDC recommends that the bridge's load capacity be determined given the fact that as-built drawings are unavailable. It is recommended that \$10,000 be programmed in FY '22 to perform the capital upgrade work to the curbs and guardrail

- FY '22: Construction services to address curb and guardrail deficiencies (\$10,000).

Minor Maintenance and Inspection Program: The Town does not have a formal maintenance program for our bridges. Work has been sporadic and performed when deemed necessary. The key to long term life of any infrastructure is periodic maintenance which comes at a cost. It is recommended that \$3,000 be programmed to provide materials and supplies to perform critical activity. It is anticipated that both Public Works and Parks staff will provide the labor to address minor maintenance items as recommended by BDC.

- FY'22: Minor maintenance program (\$3,000).

Piers: It should be noted that the Town owns several piers including Madeleine Point on Cousin's Island, Littlejohn Island pier and the commercial pier at the Town Landing. Essentially piers are a one-sided bridge and require the same maintenance and capital planning as bridges. I anticipate working with BDC to incorporate these structures into the bridge program in the FY'23 year.

Bridge Inspection Program: Bridge maintenance requires ongoing inspection to ensure the condition of each bridge condition is properly tracked and that no drastic changes or damage has occurred that will jeopardize the safety of the bridge and public. The last inspection occurred in 2019 and it is recommended all bridges be inspected every two (2) years. It is recommended that \$18,000 be programmed for FY 22 for this critical work.

- FY'22: Bridge Inspection services \$18,000

I recommend that the Town budget \$41,000 in FY '22 for Yarmouth's bridge maintenance program.

If you have any questions, please do not hesitate to see me.

Reserve Fund- Town Owned Bridges

Revised: September 21, 2020

	<u>FY 21</u>	<u>FY 22</u>	<u>FY 23</u>	<u>FY 24</u>	<u>FY 25</u>	<u>FY 26</u>
Available Balance from June 30	\$1,000	\$41,500	\$50,500	\$97,500	\$51,200	\$12,900
Funds added in Annual Budget	\$50,000	\$50,000	\$50,000	\$70,000	\$70,000	\$70,000
Fees or other revenues added	\$8,000		\$60,000	\$0	\$0	\$0
Bond Issue						
Total Funds Available for FY	\$59,000	\$91,500	\$160,500	\$167,500	\$121,200	\$82,900

Planned Expenditures

BC-1 Dahlgren Bridge				\$8,000		
BC-2 Royal River Span						
RRP-1 Un-Named span @ Rt 1				\$2,000		
RRP-2 Un-Named span @ rips		\$10,000	\$60,000			
EE-1 East Elm Pedestrian span at sluice						
PB-1 Morski Bridge			\$0		\$20,000	
PB-2 Kangaroo Bridge	\$5,000			\$10,000	\$10,000	
PB-3 Skunk Trail Bridge						
PB-4 Bear South Bridge						
PB-5 Bear/Chipmunk Bridge						
PB-6 Bear/CMP ROW Bridge						
PB-7 Bear North Bridge						
3416- East Main Street (\$650K Debt/10yrs)			\$0	\$75,300	\$75,300	\$75,300
338- East Elm Street at sluice	\$5,000	\$10,000				
Minor maintenance program:	\$3,000	\$3,000	\$3,000	\$3,000	\$3,000	\$3,000
ADA Railing Upgrade Program	\$4,500					
Inspection Services		\$18,000		\$18,000		
TOTAL Expenses	\$17,500	\$41,000	\$63,000	\$116,300	\$108,300	\$78,300
Projected Balance Fwd (total funds avail less expenses)	\$41,500	\$50,500	\$97,500	\$51,200	\$12,900	\$4,600

Narrative:

EE-1 Project: Replacement complete 9-2019

PB-2 Project: Bulkhead repair design services (FY 20) and repair (FY 21)

RRP-2 Project: Replacement design services (FY 22) and replacement (FY 23)

3416 Project: Bridge repair/replacement design services.

338 Project: Load rating (FY 21) Upgrade curb and guardrails (FY 22)

Minor Maintenance includes items such as individual plank repair, small painting/preservation project, erosion repair, bracing, etc.

ADA Railing Upgrade Program includes retrofit to bridge railings to meet ADA and Buildig Code railing requirements (2 year program).

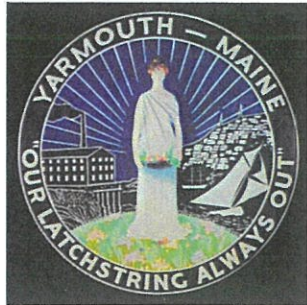
Inspection services: Provide for biennial inspection and reporting on bridge condition

PB-1: Superstructure repairs, railings update and new decking.

PB-2: Superstructure repairs, railing upgrade, bulkhead repairs and new decking.

RRP-1: Decking replacement

BC-2: Decking replacement

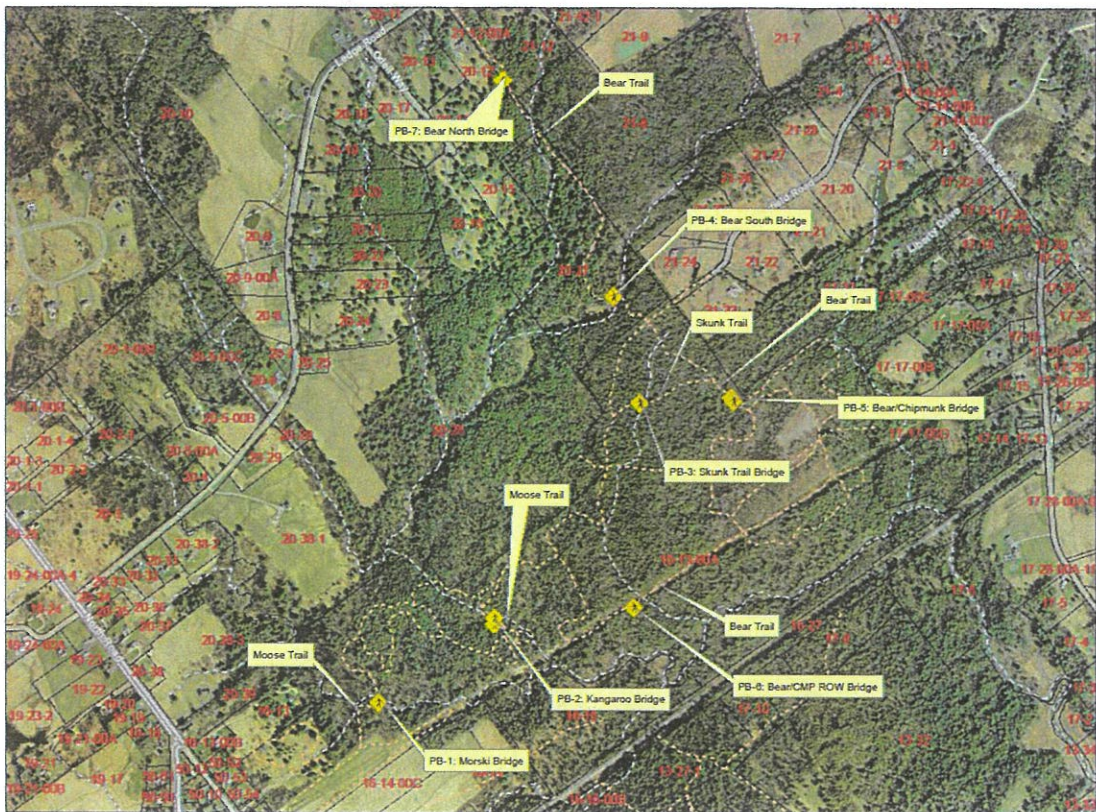


Town of Yarmouth Town Owned Bridge Inventory

Date: July 27, 2016
By: S. Johnson
Revised Date: 9/26/19

Number	Bridge Name	Location	Span	Width	Type	Age
Pedestrian Bridges						
BC-1	Dahlgren Bridge	412 US Route 1	67'	9' 4"	Timber	1997
BC-2	Royal River Bridge	Upstream of Route 1 span	116'	8'	Steel	1999
RRP-1	Un-named span near Route 1 Bridge	Adjacent to Route 1 span	13' 6"	6'	Timber	1993
RRP-2	Un-named span near pulp cisterns/rips	Adjacent to cisterns	33'	5' 6"	Timber	1984
EE-1	East Elm Street pedestrian span at sluiceway	Adjacent to Royal River Park	34' 0"	7' 0"	Steel	2019
PB-1	Morski Bridge	Moose Trail	73' 10"	8'	Timber	1996
PB-2	Kangaroo Bridge	Moose Trail	46'	8'	Timber	1996
PB-3	Skunk Trail Bridge	Skunk Trail	16' 6"	6'	Steel/timber	Late 1990's
PB-4	Bear South Bridge	Bear Trail	23' 6"	8' 3"	Timber	Late 1990's
PB-5	Bear/Chipmunk Bridge	Bear Trail	23' 8"	10' 1"	Timber	Late 1990's
PB-6	Bear/CMP ROW Bridge	Bear Trail	25' 3"	12'	Timber	Late 1990's
PB-7	Bear North Bridge	Bear Trail Near Ledge Road	14' 4"	5' 11"	Timber	Late 1990's
Vehicle Bridges						
3416**	East Main Street	E. Main Street/Pratt's Brook	18'	22' 1"	Concrete	1936
338**	East Elm Street vehicle span at sluiceway	Adjacent to Royal River Park	16'	23'	Concrete	1930
L-1	Ledge Road	Ledge Road at Pratt's Brook	20'	40'	Aluminum Plate Arch	2018

** denotes MDOT Bridge Number





Town Bridge
Locations
Beth Condon
Pathway
7-28-16

Sidewalks
Road Centerlines
Parcels
Streams



1 inch
0 1000 feet



Town Bridge
Locations
Ledge Road
7-28-16

Sidewalks
Road Centerlines
Parcels
Streams



1 inch
0 1000 feet

Appendix I-Q PACTS and MDOT Match Fund

The Town of Yarmouth is by Maine and Federal law a part of the Portland Area Comprehensive Transportation System (PACTS) which is organizationally now a subset of the Greater Portland Council of Governments (GPCOG). Certain regionally significant and federally designated roads which are a local responsibility are eligible for state and federal assistance funneled thru PACTS which in Yarmouth includes: Route 1, Route 88, Route 115 (Main Street) York and Schools Streets, Route 1, North Road and Gilman Road. The Town has no responsibility for the Interstate system or its on/off ramps, but the Town is otherwise responsible for all public highways. MDOT is responsible for all bridges in excess of a 20 ft span, but frequently the Town seeks to have MDOT bridge work “upgraded” accommodate Yarmouth’s aspirations and plans for pedestrian and bike travel—which usually requires the Town to pay for such “enhancements”. On occasion, MDOT will provide some level of grant assistance to help the town realize its complete streets vision.

In order to access any federal or state funds through PACTS or MDOT, the Town must be at the table and willing to commit its legally required matching share (which can range from 10-50% depending on the roadway and project funding source. The Town has found it prudent and enormously advantageous to prepare for these project opportunities by:

- a) Being clear, proactive and adamant in articulating and advocating for its roadway design objectives.
- b) Being present, responsible, and thoughtful in the regional planning and priority processes. The major decision made a PACTS are through representative of the 15 member towns and cities. We have to be a constructive and supportive part of that work to succeed and gain the support of our peer towns and cities. Relationships, respect, restraint and responsibility matter.
- c) Being financially prepared. We need to have our match funds lined up before we need them. You gotta pay to play. Of late, we have had a significant additional advantage of available TIF funds that have provide the local match.

I can tell you with certainty and pride that Yarmouth has had great success in this arena since 2002 when we were folded into the PACTS organization because the Town staff and the citizen advisory volunteers have hit these marks consistently.

Annual General Fund (Budget) Support

	FY 21	FY 22	FY 23	FY 24	FY25	FY 26
Manager Proposal:	\$100,000	\$120,000	\$120,000	\$120,000	\$120,000	\$120,000

Project Tabulation with local match sources and amounts follows:

Appendix I-R Harbor Dredging

There is often little agreement on the right course of actions as relates to the Harbor navigational issues....but there is little dispute about the fact that it constantly fills with silt and mud that flows from upriver down to the tidal waters where it settles out and “shoals up” the navigational areas. Since before the Civil War, the river and harbor has required maintenance dredging to maintain its navigability---and hence a major part of its economic value to the community and region. We know that back in the 1860’s (or prior) the US Congress declared the Royal River as a federal navigational area and assigned to the Army Corps of Engineers the duty to maintain its navigability....subject to Congressional appropriations of funds. Therein lies the rub. Congress and the Corps have taken on more responsibilities than it can provide funds to fulfill. Yarmouth needs to be (and has been) proactive and dogged in seeking prioritization and funding from the Corps limited funds---obviously at the expense of some other harbor, port, or navigational area. The Royal River is of central importance to Yarmouth Maine, but perhaps not the highest priority to the US Government if prioritization is based on total traffic, commercial trade, national defense industries, international trade, or similar metrics.

Timing is important. Unlike most transportation systems such as rails, bridges, roads, and airways, the river does not function as a network with alternate detour routes available. If shoaling is not addressed in a timely manner, it is difficult and eventually impossible to maintain the commercial and maritime trades and industries. For that reason, the Town needs to be nimble and prepared to use all available levers to advocate for maintenance dredging projects- or be prepared to do the work itself. The Dredge Maintenance Reserve is available to help the Town best position itself for a federal project appropriation. That positioning could include lobbying, environmental and engineering assessments and sediment testing, collaboration with other agencies and dredge projects, proactive upstream siltation management and control, coordination with other public objectives and commercial (private) dredge projects, and we even offered a local cost share partnership to try to leverage federal priority.

The Fund has had two sources:

- Appropriations through the annual budget (inconsistently) and
- Fees for private activity dredge materials disposal at the landfill area (episodic and subject to MDEP approvals for “beneficial re-use” permits.

	<u>Annual General Fund (Budget) Support</u>					
	FY 21	FY 22	FY 23	FY 24	FY 25	FY 26
Manager Proposal:	\$0	\$0	\$0	\$0	\$0	\$0

Appendix I-S Police Equipment

Yarmouth PD, like all police departments is reliant on technology, radio and phone, communications equipment, specialized police safety and accountability wear, investigatory equipment, weapons, traffic and speed monitoring devices, and station needs as well as cruisers with lightbars, sirens, radios etc. All this must be maintained, repaired and replaced periodically and some is not transferable from one officer to another.

So, in addition to cruiser replacement funding as detailed in Appendix I-F, the Town annually funds an appropriation to the Police Equipment Reserve. Funding for Cruisers is appropriated to the Police Equipment reserve and then transferred (by Council vote) to the Town Equipment Reserve Fund). When available, federal or other matching grant funds are solicited and used. On infrequent occasions, the Courts may award to the arresting or assisting law enforcement agency some portion of a criminal asset forfeiture.

Public Safety Radio System- It was hoped that the town would be able to replace its current older analog radio system with a new digital simulcast network as part of the new Public Safety Building project. That change would provide greater reach and reliability and reduce expensive (and occasionally dangerous) radio system failures. Unfortunately, that expense (now estimated at \$217,600) could not fit within the overall project and so separate funding is now being requested. We anticipate that the FCC will ultimately require a switch to digital format.

Annual General Fund (Budget) Support

	FY 21	FY 22	FY 23	FY 24	FY25	FY 26
Manager Proposal:	\$82,900	\$90,000	\$160,000	\$90,000	\$90,000	\$90,000

Dan's report and request follows:

Yarmouth Police Department

CAPITAL IMPROVEMENT PLAN

2021/22 - 2025/26

TITLE: Yarmouth Police Department Vehicle Replacement

DESCRIPTION:

The Yarmouth Police Department proposes a replacement of its fleet of five (5) marked and two unmarked vehicles on a controlled cycle of 36-48 months. This cycle allows for the budgeting of up to two vehicles per budget cycle. This cycle allows the department to maintain quality vehicles, receive high trade-in values, and avoid expensive repair bills for the replacement of major components such as engines and transmissions.

NEED:

The patrol vehicle is the most used piece of equipment the department utilizes. Therefore, maintaining an up-to-date fleet of police vehicles is paramount to be able to respond to emergencies quickly and safely in all situations. Although the average marked vehicle has logged over 100,000 miles during this 36-48-month cycle, the extended idling time police vehicles experience causes increased wear and tear on the engine. The Chief's and Detective's unmarked vehicles are scheduled for replacement using an average life expectancy of six to seven years, therefore they are included in this 5-year capital plan. Adjustments are made annually as to which vehicle(s) will be replaced based on overall mileage, frequency of repairs being made, and the overall condition of the vehicle.

COST:

2020/2021	2021/2022	2022/2023	2023/2024	2024/2025
\$ 38,000 *	\$ 38,500*	\$ 38,500 *	\$ 39,000*	\$ 78,000*

*This price includes the cost of the vehicle only. The purchase and/or replacement of equipment installed inside the vehicle, graphics, and the labor to switchover equipment is budgeted through the capital reserves program.

The Marine Patrol truck is not included as part of the police department vehicle replacement CIP plan. An allocation of at least \$5,000 per year should be added each budget year to the public works vehicle account to help offset the future replacement cost of the Marine Patrol truck. The replacement of the MPO vehicle would fall in the last two years of this capital plan.

PROPOSED OR IDENTIFIED FUNDING SOURCE:

Local funding is proposed for the replacement of patrol vehicles.

COMMENTS:

Marked police vehicles are traded on the average of 36-48 months when the vehicle mileage is at 100,000. (Some trade decisions made based on service records of vehicles and/or current trade value if under anticipated mileage.)

The average cost of vehicles is adjusted each year of the CIP between 2021/22-2025/26 to cover increases in manufacturer retail pricing. The final cost of each vehicle is offset by trade value and manufacturer discounts, which varies from year to year.

Budget Year 2021-2022 includes trading one police vehicle.

Budget Year 2022-2023 includes trading zero police vehicles.

Budget Year 2023-2024 includes trading one police vehicle.

Budget Year 2024-2025 includes trading one police vehicle.

Budget Year 2025-2026 includes trading two police vehicles.

Budget year 2022/2023, includes the purchase of a new police vehicle without a trade. The vehicle to be replaced will instead be kept and used as an administrative/training/spare vehicle. The expense to outfit the new vehicle will be higher than normal due to some equipment remaining in the other vehicle.

Yarmouth Police Department

CAPITAL IMPROVEMENT PLAN

2021/22 - 2025/26

TITLE: Police Equipment Replacement

DESCRIPTION:

The Yarmouth Police Department utilizes equipment that has an average projected useful life of between three to five years. Much of the equipment we utilize today was originally purchased utilizing grants that are no longer available such as Homeland Security and Department of Justice grants.

NEED:

Equipment needs to be replaced on a controlled cycle to prevent breakdowns and expensive repairs. The department also needs to keep current with the latest technology to successfully do its job. Currently, mobile radios are replaced on a five to seven-year cycle. All mobile data terminals (MDTs) are scheduled for replacement on a five-year cycle. Other equipment that falls under this category includes bullet resistant vests, portable radios, mobile data terminals, in-car video systems, firearms, less-lethal force options (Taser), and radar units. (Each individual piece of equipment utilized by the police department, and their projected replacement dates are listed in the police department equipment replacement schedule).

In addition, other police equipment on a replacement schedule include department vehicles, emergency traffic calming items such as cones and speed/data collection devices, laptop computers and

COST:

2021/2022	2022/2023	2023/2024	2024/2025	2025/2026
\$ 90,000	\$ 88,000	\$ 91,000	\$ 73,000	\$ 113,000

*It is recommended that \$10,000 per year be added to capital reserves to replace equipment as needed.

PROPOSED OR IDENTIFIED FUNDING SOURCE:

Local funding is proposed for the replacement of police equipment. Currently, the department has Department of Justice grant money available to help offset approximately 50% of the cost of new bullet resistant vests, for those in need of replacement.

COMMENTS:

During the upcoming CIP term, the department is requesting the replacement or addition of the following equipment:

- Mobile Data Terminals (MDTs)
- Bullet Resistant Vests
- Traffic Calming Equipment
- Traffic/Speed Measurement Device
- In-Car Video Systems
- Mobile Radios
- Laptop and Desktop Computers
- Tasers
- In-Car Radar System
- Body-Worn Camera System
- Department Vehicles and associated equipment
- Patrol Rifles
- Radio System Upgrade
- Cold Storage Building

Any outside funding services available to help offset the cost of purchasing equipment will be applied for to try and reduce the overall cost of equipment replacement.

A breakdown of the items and cost by fiscal year is included.

Yarmouth Police Department

CAPITAL IMPROVEMENT PLAN

2021/22 - 2025/26

TITLE: Construction of Cold Storage Building

DESCRIPTION:

The Yarmouth Police Department does not have a facility that allows for the large pieces of evidence or property, such as a motor vehicle, to be securely stored. In the early summer of 2021, the police department is expected to move to a new public safety building on North Road. As part of the original list of items to be included in the budget for the new building, a 27' x 25' cold storage building was present. This building is currently unable to be included in the new building project due to budget constraints.

NEED:

It is important for the police department to have an area to securely store vehicles and other large property that may be part of an ongoing investigation. Currently we must arrange for the storage of larger items in other jurisdictions, where space may or may not be readily available. In addition, a cold storage building of this style would solve a storage issue for police equipment such as traffic radar trailers, and other large items that are currently stored in various places around town and often left outside in the winter months, potentially resulting in an accelerated degrading of equipment.

COST:

The projected cost of this building is estimated to be \$65,000. Potential savings using home vs. commercial contractor.

PROPOSED OR IDENTIFIED FUNDING SOURCE:

Local funding is proposed for this project.

COMMENTS:

The estimate for this building is based on July 2019 numbers from Landry-French who is the CMAR for the public safety building project.

In order to prepare for the future construction of this storage building, the basic infrastructure framework (conduits for power/data) is already included in the current public safety building budget.

Yarmouth Police Department
CAPITAL IMPROVEMENT PLAN
2021/22 – 2025/26

TITLE: Yarmouth Public Safety Radio System Update

DESCRIPTION:

The Yarmouth Police and Fire/Rescue Departments are proposing to replace our current public safety radio system with a three (3) site digital/simulcast network.

NEED:

The current public safety radio system operates on two (2) receiver sites and only transmits from the tower site located at the Fire Rescue Building on North Road. This limits the overall capabilities of communications between the field units and dispatch. Several upgrades have been made to eliminate “radio dead spots” in Yarmouth, but not all have been eliminated. The proposed upgrade would include the use of three (3) tower sites which both transmit and receive, strategically placed throughout the town. The three (3) tower sites would provide better than 95% radio coverage throughout the town when utilizing portable radios. The proposed new system is capable of both analog and Digital Mobil Radio (DMR) digital operations which is important in several aspects;

- DMR digital uses the same two (2) radio frequencies currently in use and will provide four (4) talk channels vs. the current two (2) when used in digital mode.
- DMR digital will provide approximately 10% additional radio coverage over analog.
- The FCC is in the process of developing a new mandate which will require that all radio systems be capable of operating in digital format.

COST (Estimated):

System Design & Configuration	\$7,210
Network and System Management	\$16,068
US Cell Tower Site	\$49,340
Cousins Island Site	\$41,127
Tower Site 3 (TBD)	\$41,127
Zetron Console Upgrades at Falmouth	\$8,985
Microwave Interconnectivity (3 sites)	\$53,740
 Total for Public Safety System Upgrade	 \$217,597
 Public Works Upgrade Option	 \$21,364

PROPOSED OR IDENTIFIED FUNDING SOURCE:

Local funding is proposed for this program and would be offset by any available Federal or State grants.

COMMENTS:

The Public Safety radio system upgrade doesn't include the cost of replacing mobile, portable radios and fire department pagers.

Replacements will need to be handled by applicable departments utilizing their Capital Reserve Funds.

Appendix I-T Housing Support

In June 2006 the Town Meeting voted to establish a Housing Assistance Reserve Fund. While not a part of the vote, the impetus to place the Article before the voters was a new revenue stream from the lease of a cell tower space in 2005 to US Cellular. Upon establishment of the Reserve, the Town Council directed that all future lease payments (roughly \$25,000/yr) would be dedicated to the Housing Assistance Reserve. The Town Council has used the Reserve at various times to support a Low Income Home Energy Assistance Program (LIHEAP) supplemental program, to fund the initial STAY program, and to provide for a contract for the Southern Maine Agency on Aging (SMAA) to assist Yarmouth seniors with 'aging in place'.

ARTICLE 22: To see if the Town will vote to establish a Housing Assistance Reserve Fund, a permanent non-lapsing reserve fund, for use as approved by the Town Council, to acquire real estate or interests therein, to assist in the improvement of residential properties, including rental properties, to provide for infrastructure investments and improvements, housing improvement and ownership loans and loan subsidies, conduct studies, or take any other reasonable actions all to provide for or promote affordable housing opportunities for persons of low or moderate income, and/or for senior housing programs, services or opportunities.

The US Cellular lease will expire in 2030, although the parties could agree to further extensions of the lease. The Town is actively considering (but has not committed) to the idea of assigning the lease to a 3rd party for a 99-year period in exchange for an upfront capital payment offered on a competitive proposal basis. If that would occur, the Town would receive an upfront payment and forgo future base lease fees.

In FY 20 the Town Council authorized \$33,312 from the fund to contract with SMAA for Aging in Place Services---which amount was supplemented by the annual budget in the amount of \$6240 for additional programming services.

Annual General Fund (Budget) Support

	FY 21	FY 22	FY 23	FY 24	FY25	FY 26
Manager Proposal:	\$0	\$0	\$0	\$0	\$0	\$0

Appendix I-U Sidewalks

This reserve was created in 2017 by the Town Council as a subset of the Road Improvement Reserve to signal the Council's intent to increase the commitment to improving sidewalks and pedestrian ways throughout town. Otherwise funding for sidewalks simply competed with and was coordinated as part of other roadway projects or as part of a parks and trails project. The original intent was sincere but had the staying power of a New Year's Eve diet and exercise resolution. Initial Funding at \$12,000 was intended to gradually increase, but instead has steadily dwindled down to a nominal \$2500 in FY 21.

Annual General Fund (Budget) Support

	FY 21	FY 22	FY 23	FY 24	FY25	FY 26
Manager Proposal:	\$2,500	\$30,000	\$30,000	\$30,000	\$30,000	\$30,000

Appendix I-V STAY

The STAY program (Senior Tax Assistance for Yarmouth) was established in 2017 to provide a “circuit breaker” property tax refund program for qualified seniors.

STAY PROGRAM RESULTS FOR 2020: The deadline for applications under the STAY program was extended until July 30 this year. 129 applications were approved for a total of payments of \$96,272. Nine additional applicants did not qualify because income exceeded the limit of 90% of MFI. ($\$90,100 \times 90\% = \$81,090$). This compares to 124 in 2019 for a total of \$78,686, and to 111 in 2018 with a total of \$74,199. This year covered two renters.

The Town Council may consider changes in the eligibility standards (age, minimum of 10 years residency, income thresholds, or calculation of taxes as a % of rent paid.). Otherwise, current funding thresholds and processes seem satisfactory.

This is not a capital program in the sense of creating a long term hard asset, but like the Unemployment Reserve it makes good practical sense to have this as a non-lapsing account.

Annual General Fund (Budget) Support

	FY 21	FY 22	FY 23	FY 24	FY25	FY 26
Manager Proposal:	\$120,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000

Appendix I-W Environmental Health and Hazards Fund (aka the Browntail Moth Fund)

This fund was created in June 2019 and partially defunded in July 2020”

ARTICLE 29 June 2019: To see if the Town will vote to establish an Environmental Health and Hazards Reserve Fund, a permanent non-lapsing reserve fund, for use as may be approved by the Town Council to provide treatments, mitigation measures or emergency responses, first and foremost, to infestations of Brown Tail Moths, or secondarily, to other environmental vectors and incidents that present risks to human health, forest and tree degradation, or contamination of public and private water supplies and natural water bodies; and to see if the Town will vote to raise and appropriate an additional sum of \$200,000 to the Environmental Health and Hazards Reserve Fund, or take any other action relative thereto.

ARTICLE 4: July 2020 Shall the Town vote to abandon the purposes of the Environmental Health and Hazards Reserve Fund reserve fund in the amount of \$100,000, (leaving \$100,000 in the fund for the original purpose), and transfer the \$100,000 to the Road Improvement Reserve?

Note: The intent of this Article 4 is transfer \$100,000 from the Capital Reserve Account established by the Town Meeting in June 2019 and to use said \$100,000 to reduce the necessary property tax levy for the FY 20/21 budget.

A balance of \$100,000 remains in the fund which the Town Council could:

- a) Allow to remain to be available to address Brown Tail Moth or other environmental health concerns in the future.
- b) Reduce by some amount (up to \$100,000) in FY 22 as was done in FY 21.
- c) Appropriate additional funds to hold for a future crisis.

Annual General Fund (Budget) Support

	FY 21	FY 22	FY 23	FY 24	FY25	FY 26
Manager Proposal:	(\$100,000)	(\$50,000)	\$0	\$0	\$0	\$0

Appendix I-X Economic Development Fund

The Economic Development Fund has not been included in the CIP in the past, and it is not intended that it be included here for any reason other than disclosure and understanding. The approval of the Economic Development Fund and the spending priorities of the Economic Development Advisory Board is independent of the annual budget and this CIP, but it is important to take note of the full range of public activities and investments.

A portion of the total tax base is “segregated and sheltered” from the General Fund which is then taxed at the same mil rate as the full tax base. Funds generated from the TIF tax base are dedicated to the Economic Development Fund (not the General Fund) and expenditures are approved by the Town Council with input from the Economic Development Advisory Board. The TIF fund generate about \$1million/year in funds dedicated to economic development. Some of the programs and projects that are eligible for application of TIF dollars can be used to alleviate tax efforts for the General Fund and help create and incentivize the communities investment in itself as a business and job creation locale.

This Appendix illustrates the global priorities and intentions of EDAB for use of the funds over time with indicators of Low, Medium, or High priority. Each year the EDAB and Town Council will arrive at an allocation plan and authorization for the next 1-year fiscal period. The enclosed global priorities summary was reviewed in the spring of 2020 and will be revised and updated annually as well.

Annual General Fund (Budget) Support

	FY 21	FY 22	FY 23	FY 24	FY25	FY 26
Manager Proposal:	\$0	\$0	\$0	\$0	\$0	\$0

Scott’s report and request from EDAB to follow:

Appendix Y- Cemeteries

The Town does not have a capital reserve account for its 5 cemeteries, although there are some Trust accounts which generate a small contribution to annual maintenance and care.

These funds alone are insufficient to cover basic maintenance expenses (mowing, raking, fence repair, tree trimming, road grading, etc.). Additional capital funds are needed for more significant projects such as storage buildings and vaults, erosion and land subsidence problems, major tree removals, perimeter fencing and gates, records storage and management, development and operation of expanded burial areas and memorial gardens, and cleaning and repairs to memorial stones (including those marking the graves of veterans).

Any appropriation would be included in the “operating” budget and not to the Capital Reserve.

Annual General Fund (Budget) Support

	FY 21	FY 22	FY 23	FY 24	FY25	FY 26
Manager Proposal:	\$0	\$0	\$0	\$0	\$0	\$0

Steve’s report and request on cemetery project funding follows:



TOWN OF YARMOUTH
INTERNAL MEMORANDUM

TO: Nat Tupper, Town Manager
FROM: Steven Johnson, P.E., Town Engineer
DATE: August 5, 2020
RE: Proposed FY 2022 Cemetery Capital Reserve Program

As you know, Yarmouth owns and maintains several cemeteries in Town, including the Baptist Cemetery on Hillside Street, Davis Cemetery on Granite Street, Ledge Cemetery on Lafayette Street and Pioneer Cemetery on Gilman Road. These cemeteries are generally closed to new burials and are maintained by the Town in perpetuity. Additionally, the Town owns the Riverside Cemetery, located on Smith Street, that is managed and maintained by a Board of Trustees as well as the Cousin's Island Cemetery, located on Cousin's Street, which is also maintained by a Board of Trustees.

Operational maintenance including mowing and spring/fall clean-up is funded from the operating budget and all work is contracted out. The Town has never maintained a dedicated capital reserve for its cemeteries and capital work is budgeted and performed on an as needed basis. As such, capital projects have been languished a bit in the past decade or two. Recently, in conjunction with our Sextant, I have reviewed the capital needs of our cemeteries and while there is much work to be done, the capital funding needs are fairly modest.

I have developed a proposed capital reserve plan that will help the Town finance the needed work and do it on a reasonable timeline. There are some significant fence projects scheduled that will require a bit more funding, but generally the ongoing regular capital work is fairly small, (but important).

Critical work includes periodic maintenance to grave markers that includes plumbing them and frequently making repairs to the stones as well as righting stones that have been toppled by time, weather or vandals. Additionally, all of the cemeteries have mature trees, many that are nearing the end of their lives, that require pruning, limbing and in some cases, removal. It is important to replace trees to help maintain the character of the cemeteries as mature trees are removed due to declining health or damage.

Another key feature of our cemeteries is perimeter fencing. Most fencing is constructed of wood and in some cases requires periodic painting but generally the existing fences are cedar rail fences and require periodic spot repair. Maintaining a cemetery perimeter fence is key to ensure abutter encroachment is limited and to provide recognition to the public where the cemetery grounds start.

In FY '20 some significant maintenance work was completed; however, a much work remains. I am recommending that in FY '23 funding be allocated to catch up on deferred work and then once complete, move to a less aggressive, but adequate pace of maintenance work funding.

As a higher priority, in FY '22 I recommend that the perimeter fence at the Baptist Cemetery be replaced. The existing wood picket fence is beyond its service life and has many areas of rot. I recommend that the fence be replaced with a new fence made of an aesthetic and durable material, such as either aluminum or PVC plastic. I anticipate the cost for this work will be \$25,000.

- FY '22: Replace wood perimeter fence at Baptist Cemetery (\$25,000)

Also, in FY '22 I recommend that the wood trim surfaces on the existing brick mausoleum at the Riverside Cemetery be scraped and painted. The building, while in reasonably decent shape, is in need of painting as part of regular maintenance. I estimate the cost of this work will be \$5,000.

- FY '22: Paint Riverside Cemetery mausoleum building trim.

If you have any questions, please do not hesitate to call me.

APPENDIX II DEBT AMORTIZATION SCHEDULES

Non-Education Debt: FY 22- FY 50

	Town Hall- 2002			Sewer Bonds (SRF)			Turf			Town Garage			Knaub Property		
	P	I	T	P	I	T	P	I	T	P	I	T	P	I	T
FY 22	86,000	2,150	88,150	112,152	9,773	121,925	170,000	16,125	186,125	65,000	81,363	146,363	20,000	30,403	50,403
FY 23	0	0	0	112,152	8,107	120,259	175,000	12,238	187,238	125,000	79,150	204,150	20,000	28,894	48,894
FY 24	0	0	0	112,154	6,441	118,595	180,000	7,800	187,800	140,000	75,838	215,838	25,000	27,169	52,169
FY 25	0	0	0	0	0	0	185,000	2,775	187,775	140,000	71,988	211,988	25,000	25,444	50,444
FY 26	0	0	0	0	0	0	0	0	0	140,000	67,788	207,788	25,000	23,719	48,719
FY 27	0	0	0	0	0	0	0	0	0	175,000	62,844	237,844	25,000	21,778	46,778
FY 28	0	0	0	0	0	0	0	0	0	200,000	56,500	256,500	25,000	19,622	44,622
FY 29	0	0	0	0	0	0	0	0	0	200,000	49,000	249,000	25,000	17,250	42,250
FY 30	0	0	0	0	0	0	0	0	0	225,000	40,500	265,500	30,000	14,663	44,663
FY 31	0	0	0	0	0	0	0	0	0	225,000	31,500	256,500	30,000	11,859	41,859
FY 32	0	0	0	0	0	0	0	0	0	225,000	22,500	247,500	30,000	8,841	38,841
FY 33	0	0	0	0	0	0	0	0	0	225,000	13,500	238,500	35,000	5,606	40,606
FY 34	0	0	0	0	0	0	0	0	0	225,000	4,500	229,500	35,000	1,941	36,941
FY 35	0	0	0	0	0	0	0	0	0			0			0
FY 36	0	0	0	0	0	0	0	0	0			0			0
FY 37	0	0	0	0	0	0	0	0	0			0			0
FY 38	0	0	0	0	0	0	0	0	0			0			0
FY 39	0	0	0	0	0	0	0	0	0			0			0
FY 40	0	0	0	0	0	0	0	0	0			0			0
FY 41	0	0	0	0	0	0	0	0	0			0			0
FY 42	0	0	0	0	0	0	0	0	0			0			0
FY 43	0	0	0	0	0	0	0	0	0			0			0
FY 44	0	0	0	0	0	0	0	0	0			0			0
FY 45	0	0	0	0	0	0	0	0	0			0			0
FY 46	0	0	0	0	0	0	0	0	0			0			0
FY 47	0	0	0	0	0	0	0	0	0			0			0
FY 48	0	0	0	0	0	0	0	0	0			0			0
FY 49	0	0	0	0	0	0	0	0	0			0			0
FY 50	0	0	0	0	0	0	0	0	0			0			0
FY 51	0	0	0	0	0	0	0	0	0			0			0
	86,000	2,150	88,150	336,458	24,321	360,779	710,000	38,938	748,938	2,310,000	656,969	2,966,969	350,000	237,188	587,188

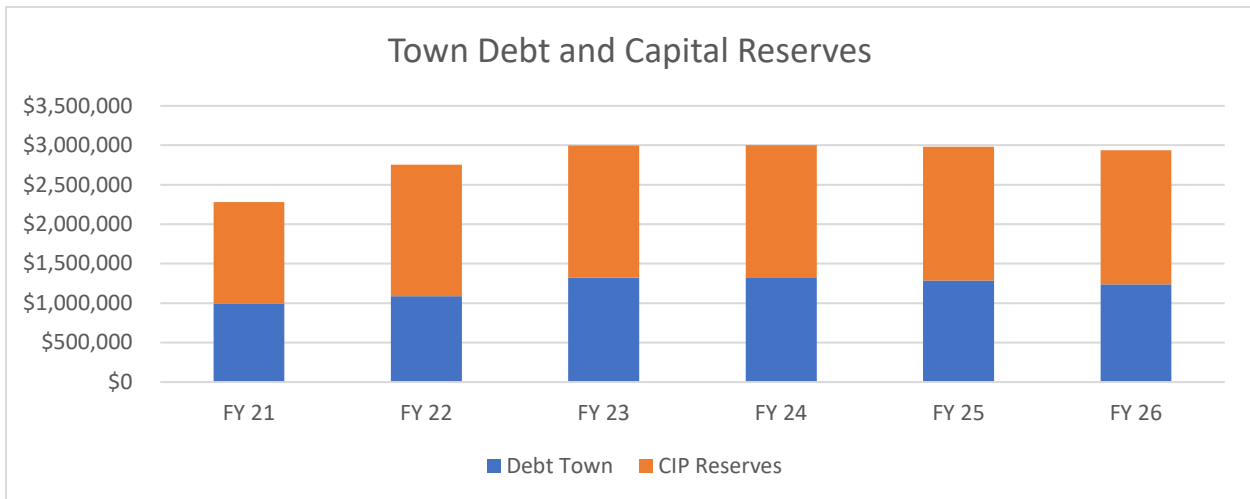
	Roads, including Hillside			Library			2020 Roads			2020 Public Safety			TOTALS -Non School Debt		
	P	I	T	P	I	T	P	I	T	P	I	T	P	I	T
FY 22	0	122,500	122,500	75,000	45,350	120,350	9,470	33,452	42,922	18,571	208,623	227,194	556,193	549,738	1,105,932
FY 23	250,000	118,750	368,750	80,000	43,600	123,600	9,481	33,215	42,697	18,939	207,963	226,903	790,573	531,917	1,322,490
FY 24	250,000	111,250	361,250	80,000	41,600	121,600	9,459	32,742	42,201	18,963	207,016	225,979	815,576	509,855	1,325,431
FY 25	250,000	103,750	353,750	85,000	39,325	124,325	75,714	32,268	107,982	113,514	203,704	317,217	874,228	479,253	1,353,481
FY 26	250,000	93,750	343,750	90,000	36,700	126,700	75,862	30,139	106,001	208,214	195,661	403,875	789,076	447,756	1,236,832
FY 27	250,000	81,250	331,250	100,000	33,725	133,725	75,754	26,349	102,104	218,103	185,003	403,106	843,858	410,949	1,254,807
FY 28	250,000	68,750	318,750	100,000	30,350	130,350	80,599	22,559	103,158	227,263	173,869	401,131	882,862	371,649	1,254,512
FY 29	250,000	56,250	306,250	115,000	26,300	141,300	80,491	18,650	99,141	227,575	162,498	390,073	898,066	329,948	1,228,013
FY 30	250,000	45,000	295,000	115,000	21,700	136,700	85,361	15,830	101,191	236,737	154,441	391,178	942,098	292,134	1,234,232
FY 31	250,000	35,000	285,000	115,000	17,100	132,100	85,251	14,172	99,423	246,598	149,611	396,209	951,849	259,242	1,211,091
FY 32	250,000	25,000	275,000	115,000	12,500	127,500	90,122	11,613	101,735	255,754	142,027	397,780	965,876	222,480	1,188,356
FY 33	250,000	15,000	265,000	125,000	7,700	132,700	90,012	8,106	98,118	265,623	131,599	397,222	990,635	181,511	1,172,146
FY 34	250,000	5,000	255,000	130,000	2,600	132,600	90,118	4,953	95,071	274,773	122,165	396,938	1,004,891	141,159	1,146,050
FY 35	0	0	0	0	0	0	90,021	2,702	92,723	464,818	113,395	578,213	554,839	116,097	670,936
FY 36	0	0	0	0	0	0	0	900	900	473,795	104,009	577,804	473,795	104,909	578,704
FY 37	0	0	0	0	0	0	0	0	0	482,756	94,444	577,200	482,756	94,444	577,200
FY 38	0	0	0	0	0	0	0	0	0	492,917	84,687	577,603	492,917	84,687	577,603
FY 39	0	0	0	0	0	0	0	0	0	501,992	74,738	576,730	501,992	74,738	576,730
FY 40	0	0	0	0	0	0	0	0	0	512,143	64,596	576,739	512,143	64,596	576,739
FY 41	0	0	0	0	0	0	0	0	0	521,109	54,264	575,373	521,109	54,264	575,373
FY 42	0	0	0	0	0	0	0	0	0	531,145	43,077	574,222	531,145	43,077	574,222
FY 43	0	0	0	0	0	0	0	0	0	540,224	31,024	571,248	540,224	31,024	571,248
FY 44	0	0	0	0	0	0	0	0	0	549,307	18,767	568,074	549,307	18,767	568,074
FY 45	0	0	0	0	0	0	0	0	0	559,446	6,294	565,740	559,446	6,294	565,740
FY 46	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
FY 47	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
FY 48	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
FY 49	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
FY 50	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
			0	0	0	0	0	0	0	0	0	0			0

**Education Debt
FY 22- FY 50**

	2000 Debt			2020 Debt			Total- Education		
	P	I	T	P	I	T	P	I	T
FY 22	1,004,000	25,100	1,029,100	111,429	1,382,925	1,494,354	1,115,429	1,408,025	2,523,454
FY 23	0	0	0	1,221,591	1,351,271	2,572,862	1,221,591	1,351,271	2,572,862
FY 24	0	0	0	1,251,556	1,289,443	2,540,998	1,251,556	1,289,443	2,540,998
FY 25	0	0	0	1,277,027	1,226,228	2,503,255	1,277,027	1,226,228	2,503,255
FY 26	0	0	0	1,306,071	1,161,651	2,467,722	1,306,071	1,161,651	2,467,722
FY 27	0	0	0	1,356,034	1,095,098	2,451,132	1,356,034	1,095,098	2,451,132
FY 28	0	0	0	1,391,983	1,026,397	2,418,381	1,391,983	1,026,397	2,418,381
FY 29	0	0	0	1,431,826	955,802	2,387,628	1,431,826	955,802	2,387,628
FY 30	0	0	0	1,467,772	905,329	2,373,101	1,467,772	905,329	2,373,101
FY 31	0	0	0	1,508,041	875,571	2,383,612	1,508,041	875,571	2,383,612
FY 32	0	0	0	1,543,995	829,610	2,373,605	1,543,995	829,610	2,373,605
FY 33	0	0	0	1,584,254	767,045	2,351,300	1,584,254	767,045	2,351,300
FY 34	0	0	0	1,620,215	711,057	2,331,272	1,620,215	711,057	2,331,272
FY 35	0	0	0	1,660,064	670,153	2,330,217	1,660,064	670,153	2,330,217
FY 36	0	0	0	1,696,184	636,591	2,332,775	1,696,184	636,591	2,332,775
FY 37	0	0	0	1,732,244	602,306	2,334,550	1,732,244	602,306	2,334,550
FY 38	0	0	0	1,782,083	567,163	2,349,247	1,782,083	567,163	2,349,247
FY 39	0	0	0	1,828,008	531,062	2,359,070	1,828,008	531,062	2,359,070
FY 40	0	0	0	1,877,857	494,004	2,371,861	1,877,857	494,004	2,371,861
FY 41	0	0	0	1,913,891	456,086	2,369,977	1,913,891	456,086	2,369,977
FY 42	0	0	0	1,953,855	414,966	2,368,821	1,953,855	414,966	2,368,821
FY 43	0	0	0	1,999,776	370,488	2,370,264	1,999,776	370,488	2,370,264
FY 44	0	0	0	2,045,693	324,977	2,370,670	2,045,693	324,977	2,370,670
FY 45	0	0	0	2,095,554	278,387	2,373,941	2,095,554	278,387	2,373,941
FY 46	0	0	0	2,150,000	230,625	2,380,625	2,150,000	230,625	2,380,625
FY 47	0	0	0	2,210,000	181,575	2,391,575	2,210,000	181,575	2,391,575
FY 48	0	0	0	2,265,000	131,231	2,396,231	2,265,000	131,231	2,396,231
FY 49	0	0	0	2,320,000	79,650	2,399,650	2,320,000	79,650	2,399,650
FY 50	0	0	0	2,380,000	26,775	2,406,775	2,380,000	26,775	2,406,775
	1,004,000	25,100	1,029,100	48,982,004	19,573,468	68,555,472	49,986,004	19,598,568	69,584,572

Town and School Debt Schedules Combined: FY 22 - FY 50

TOTALS -Non School Debt			Total School Debt			Combined Town and School			
P	I	T	P	I	T	P	I	T	
556,193	549,738	1,105,932	1,115,429	1,408,025	2,523,454	1,671,622	1,957,764	3,629,385	FY 22
790,573	531,917	1,322,490	1,221,591	1,351,271	2,572,862	2,012,164	1,883,188	3,895,352	FY 23
815,576	509,855	1,325,431	1,251,556	1,289,443	2,540,998	2,067,132	1,799,297	3,866,429	FY 24
874,228	479,253	1,353,481	1,277,027	1,226,228	2,503,255	2,151,255	1,705,481	3,856,736	FY 25
789,076	447,756	1,236,832	1,306,071	1,161,651	2,467,722	2,095,148	1,609,406	3,704,554	FY 26
843,858	410,949	1,254,807	1,356,034	1,095,098	2,451,132	2,199,892	1,506,047	3,705,939	FY 27
882,862	371,649	1,254,512	1,391,983	1,026,397	2,418,381	2,274,845	1,398,047	3,672,892	FY 28
898,066	329,948	1,228,013	1,431,826	955,802	2,387,628	2,329,891	1,285,750	3,615,641	FY 29
942,098	292,134	1,234,232	1,467,772	905,329	2,373,101	2,409,870	1,197,463	3,607,333	FY 30
951,849	259,242	1,211,091	1,508,041	875,571	2,383,612	2,459,890	1,134,812	3,594,703	FY 31
965,876	222,480	1,188,356	1,543,995	829,610	2,373,605	2,509,871	1,052,091	3,561,962	FY 32
990,635	181,511	1,172,146	1,584,254	767,045	2,351,300	2,574,890	948,556	3,523,446	FY 33
1,004,891	141,159	1,146,050	1,620,215	711,057	2,331,272	2,625,106	852,216	3,477,322	FY 34
554,839	116,097	670,936	1,660,064	670,153	2,330,217	2,214,903	786,250	3,001,153	FY 35
473,795	104,909	578,704	1,696,184	636,591	2,332,775	2,169,979	741,500	2,911,479	FY 36
482,756	94,444	577,200	1,732,244	602,306	2,334,550	2,215,000	696,750	2,911,750	FY 37
492,917	84,687	577,603	1,782,083	567,163	2,349,247	2,275,000	651,850	2,926,850	FY 38
501,992	74,738	576,730	1,828,008	531,062	2,359,070	2,330,000	605,800	2,935,800	FY 39
512,143	64,596	576,739	1,877,857	494,004	2,371,861	2,390,000	558,600	2,948,600	FY 40
521,109	54,264	575,373	1,913,891	456,086	2,369,977	2,435,000	510,350	2,945,350	FY 41
531,145	43,077	574,222	1,953,855	414,966	2,368,821	2,485,000	458,044	2,943,044	FY 42
540,224	31,024	571,248	1,999,776	370,488	2,370,264	2,540,000	401,513	2,941,513	FY 43
549,307	18,767	568,074	2,045,693	324,977	2,370,670	2,595,000	343,744	2,938,744	FY 44
559,446	6,294	565,740	2,095,554	278,387	2,373,941	2,655,000	284,681	2,939,681	FY 45
0	0	0	2,150,000	230,625	2,380,625	2,150,000	230,625	2,380,625	FY 46
0	0	0	2,210,000	181,575	2,391,575	2,210,000	181,575	2,391,575	FY 47
0	0	0	2,265,000	131,231	2,396,231	2,265,000	131,231	2,396,231	FY 48
0	0	0	2,320,000	79,650	2,399,650	2,320,000	79,650	2,399,650	FY 49
0	0	0	2,380,000	26,775	2,406,775	2,380,000	26,775	2,406,775	FY 50
		0	0	0	0	0	0	0	
17,025,454	5,420,488	22,445,942	49,986,004	19,598,568	69,584,572	67,011,458	25,019,056	92,030,514	



Tax Rate Impacts from Debt Burden over time FY 22 – FY 50

	Tax Base	Debt Srvce		
	Growth at	Tax Rate	% Change	% change
	0.75%/yr	per \$1000	prior year	FY 22
FY 22	1,695,618,000	2.14		0.00%
FY 23	1,708,335,135	2.28	6.53%	6.53%
FY 24	1,721,147,649	2.25	-1.48%	4.95%
FY 25	1,734,056,256	2.22	-0.99%	3.91%
FY 26	1,747,061,678	2.12	-4.66%	-0.93%
FY 27	1,760,164,640	2.11	-0.71%	-1.64%
FY 28	1,773,365,875	2.07	-1.63%	-3.24%
FY 29	1,786,666,119	2.02	-2.29%	-5.46%
FY 30	1,800,066,115	2.00	-0.97%	-6.37%
FY 31	1,813,566,611	1.98	-1.09%	-7.40%
FY 32	1,827,168,361	1.95	-1.65%	-8.92%
FY 33	1,840,872,123	1.91	-1.82%	-10.58%
FY 34	1,854,678,664	1.87	-2.04%	-12.41%
FY 35	1,868,588,754	1.61	-14.34%	-24.96%
FY 36	1,882,603,170	1.55	-3.71%	-27.75%
FY 37	1,896,722,694	1.54	-0.74%	-28.28%
FY 38	1,910,948,114	1.53	-0.23%	-28.44%
FY 39	1,925,280,225	1.52	-0.44%	-28.76%
FY 40	1,939,719,826	1.52	-0.31%	-28.98%
FY 41	1,954,267,725	1.51	-0.85%	-29.59%
FY 42	1,968,924,733	1.49	-0.82%	-30.17%
FY 43	1,983,691,669	1.48	-0.80%	-30.72%
FY 44	1,998,569,356	1.47	-0.84%	-31.30%
FY 45	2,013,558,626	1.46	-0.71%	-31.79%
FY 46	2,028,660,316	1.17	-19.62%	-45.18%
FY 47	2,043,875,268	1.17	-0.29%	-45.33%
FY 48	2,059,204,333	1.16	-0.55%	-45.63%
FY 49	2,074,648,365	1.16	-0.60%	-45.96%
FY 50	2,090,208,228	1.15	-0.45%	-46.21%
	0	0	-100.00%	-100.00%

APPENDIX III

Supplemental Comments and Requests submitted by the public, boards and committees,
State agencies after October 1, 2020 (if any)

Record of Planning Board recommendation and vote(s)

Record of Town Council actions

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED SIXTY-FIVE

H. P. 519 – L. D. 672
AN ACT to Grant a New Charter for the Town of Yarmouth.

Be it enacted by the People of the State of Maine, as follows:

COUNCIL – MANAGER CHARTER OF THE TOWN OF YARMOUTH

ARTICLE 1

Grant of Powers to the Town

Sec. 1. Incorporation. The inhabitants of the Town of Yarmouth shall continue to be a body politic and corporate by the name of the Town of Yarmouth and shall have, exercise and enjoy all the rights, immunities, powers, privileges and franchises and shall be subject to all the duties, liabilities and obligations provided for herein, or otherwise, pertaining to or incumbent upon said town as a municipal corporation or to the inhabitants or municipal authorities thereof; and may enact reasonable bylaws, regulations and ordinances for municipal purposes, not inconsistent with the Constitution and laws of the State of Maine and impose penalties for the breach thereof, not exceeding \$100 in any one case, to be recovered for such uses as said bylaws, regulations or ordinances shall provide.

Sec. 2. Powers and Duties. The administration of all the fiscal, prudential and municipal affairs of said town, with the government thereof, except the general management, care, conduct and control of the schools of said town which shall be vested in a school committee as hereinafter provided, and also except as otherwise provided by this charter, shall be and are vested in one body of 7 members, which shall constitute and be called the town council, all of whom shall be inhabitants of said town, and shall be sworn in the manner hereinafter prescribed.

The members of the town council shall be and constitute the municipal officers of the Town of Yarmouth for all purposes required by statute, and, except

as otherwise herein specifically provided, shall have all powers and authority given to, and perform all duties required of, municipal officers under the laws of this State.

All other powers now or hereafter vested in the inhabitants of said town, and all powers granted by this charter, except as herein otherwise provided, shall be vested in said town council.

ARTICLE II

Town Council

Sec. 1. Number, Election, Term. The town council shall be composed of 7 members, each of whom shall be elected by the registered voters of the entire town. Each member shall be elected for a term of 3 years and until his successor is elected and qualified, except that, at the first election after the adoption of this charter, the 3 members-elect receiving the most votes shall serve 3 years, the 2 members-elect, receiving the next highest number of votes shall serve for 2 years, and the 2 members-elect receiving the next highest number of votes shall serve for one year. In case of an equal number of votes, the relative position of the members-elect shall be determined by lot.

Sec. 2. Qualifications. Councilpersons shall be qualified voters of the town and shall reside in the town during their term of office. They shall hold no office of emolument or profit under the town charter or ordinances. No Councilor shall hold any other paid office or position of employment with the Town or Department of Education (School Department) during the term for which the Councilor was elected to the Council. If a Councilor or Councilor-Elect shall fail to meet any of these qualifications, the Town Council shall, by resolution, declare the office of that Councilor or Councilor-Elect vacant.

In case of a vacancy caused by death, resignation, removal from the town, or removal from office as provided, of any member of the town council more than 6 months prior to the next regular municipal election, the vacancy shall be filled by a special election for the unexpired portion of the term. In the event such vacancy occurs less than 6 months prior to the next regular municipal election, the vacancy may be filled by a special election for the unexpired portion of the term. Such election shall be called and held and nominations made as in regular municipal elections.

Any member of the town council who shall be convicted of a felony or a misdemeanor involving moral turpitude while in office shall, after due notice and hearing before the town council and the production of the records of such conviction, forfeit his office.

Town Employees and School Department employees serving on the Yarmouth Town Council on the date of passage of this amendment are exempt from the provisions of this Charter provision for the remainder of their current term.

(Amendment Approved by referendum vote on November 6, 2018)

Sec. 3. Enumeration of Powers. Without limitation of the foregoing, the council shall have power to:

- I. Appoint and remove the town manager and the town attorney, both of whom shall serve at the will of the appointing power.

- II. Appoint the members of the board of assessment reviews, the planning board and the board of zoning appeals.
- III. By ordinance create, change and abolish offices, departments, and agencies, other than the offices, departments and agencies established by this charter. The council by ordinance may assign additional functions or duties to offices, departments or agencies established by this charter, but may not discontinue or assign to any other office, department or agency any function or duty assigned by this charter to a particular office, department or agency.
- IV. Make, alter and repeal ordinances, including the power to enact ordinances providing for the grant of licenses and permits for the conduct of any business as set forth in the statutes of the State of Maine, for such periods of time and in accordance with such rules and regulations not inconsistent with law and upon payment by the license of such fees as the town council may establish in such ordinance.
- V. Inquire into the conduct of any office, department or agency of the town and make investigation as to municipal affairs.
- VI. Recommend the annual budget to the town meeting.
- VII. Provide for an annual audit.

Sec. 4. Compensation: Councilmen shall receive \$10 for each council meeting upon attendance not to exceed in the aggregate \$300 per year in full for their services. Such compensation may be changed by vote on an article contained in a warrant for said purpose at the annual town meeting. The town council by order shall fix the salaries of officials appointed by the town council, including the salary of the town manager for his services as such and for all other services rendered by him. Salaries of the appointees of the town manager shall be fixed by the town manager, subject to approval of the council.

(Note: At the Annual Town Meeting held on May 26, 1977, the town voted in Article No. 3 to change the salary of council members to \$1,000 per year for attendance at meetings of the Council or its subcommittees.)

Sec. 5. Induction of Council into Office. The town council shall meet at the usual place for holding meetings within 5 days following the regular town election, and at said meeting councilmen-elect shall be sworn to the faithful discharge of their duties by a justice of the peace or by the town clerk.

Sec. 6. Council to Judge of Qualifications of its Members. The council shall be the judge of the election and qualifications of its members and for

such purpose shall have power to subpoena witnesses and require productions of records, but the decision of the council in any such case shall be subject to review by the courts.

Sec. 7. Regular Meetings. The town council shall, at its first meeting or as soon thereafter as possible, establish by resolution a regular place and time for holding its regular meetings, and shall meet regularly at least once a month. It shall also provide a method for calling special meetings.

Sec. 8. Rules of Procedure Journal. The council shall determine its own rules and order of business. It shall keep a record of its proceedings and the record shall be open to public inspection.

Sec. 9. Chairman. At its first meeting, or as soon thereafter as practicable, the council shall elect, by majority vote of the entire council, one of its members for the ensuing year as chairman and the council may fill, for an unexpired term, any vacancy in the office of chairman that may occur. The chairman shall preside at the meetings of the council, and shall be recognized as head of the town government for all ceremonial purposes and by the Governor for purposes of military law, but he shall have no regular administrative duties. He shall be entitled to vote, and his vote shall be counted upon all matters and things as a vote of other members of the council. In the temporary absence or disability of the chairman, the town council may elect a chairman pro tempore, from among its members, and he shall exercise all the powers of chairman during such temporary absence or disability of the chairman.

Sec. 10. Quorum. A majority of the town council shall constitute a quorum for the transaction of business, but a smaller number may adjourn from time to time or may compel attendance of absent members. At least 24 hours' notice of the time and place of holding such adjourned meeting shall be given to all members who were not present at the meeting from which adjournment was taken.

Sec. 11. Public Hearing on Ordinances. At least one public hearing, notice of which shall be given at least 7 days in advance by publication in a newspaper having a general circulation in said town, shall be held by the council before any ordinance, except emergency ordinances, shall be passed, but nothing contained herein shall be deemed to require publication of the ordinance itself.

The town council may, by vote of 5 of its members, pass emergency ordinances to take effect at the time indicated therein. Such emergency ordinances shall contain a section in which the emergency is set forth and defined; provided, however, that the declaration of such emergency by the town council shall be conclusive.

Sec. 12. Town Clerk. In addition to the statutory duties required of the town clerk, the town clerk shall act as clerk of the council and shall keep a public record of all proceedings of the council, including all votes.

Sec. 13. Independent Annual Audit. Prior to the end of each fiscal year, the council shall designate the State Department of Audit or private, certified public accountants who, as of the end of the fiscal year, shall make an independent audit of accounts and other evidences of financial transactions of the town government and shall submit their report to the council, the town meeting and the town manager. Such accountants shall not maintain any accounts or records of the town business, but shall post-audit the books and documents kept by any office, officer, department or agency of the town government.

ARTICLE III

Town Manager

Sec. 1. Appointment, Qualifications, Powers and Duties. The town manager shall be chosen by the town council solely on the basis of his character and his executive and administrative qualifications, and may or may not be a resident of the Town of Yarmouth or of the State of Maine at the time of his appointment. No councilman shall receive an appointment to the office of town manager during the term for which he shall have been elected, nor within one year after the expiration of his term, nor shall any member of the town council act in that capacity. The town manager shall give bond for the faithful discharge of his duties to the Town of Yarmouth in such sum as the town council shall determine and direct, and with surety and sureties to be approved by the town council. The premium on his bond shall be paid by the town. He shall be the administrative head of the town and shall be responsible to the town council for the administration of all departments assigned to him. His powers and duties shall be as follows:

- I. Appoint, prescribe the duties of, and, when necessary for the good of the service, remove all officers and employees of the town appointed by him.
- II. Prepare the budget annually, submit it to the council and be responsible for its administration after adoption.
- III. Prepare and submit to the council as of the end of the fiscal year a complete report of the finances and administrative activities of the town for the preceding year, and cause such annual town report to be published and made available to the public as promptly as possible after the close of the fiscal year.
- IV. Attend the meetings of the council, except when his removal is being considered, and keep the council advised of the financial condition and future needs of the town and make such recommendations as may seem to him desirable.
- V. See that all laws and ordinances governing the town are faithfully administered.
- VI. Act as purchasing agent for all departments of the town, except the school department, and provide, in the case of the school department, for cooperative purchasing arrangements where feasible.
- VII. Perform such other duties as may be described by this charter or required of him by the council, not inconsistent with this charter.

VIII. Prepare an administrative code, submit it to the council and be responsible for its administration after adoption.

Sec. 2. Removal. The town manager may be removed for cause by the council in accordance with the provisions of the statutes of the State of Maine relating to the removal of a town manager.

Sec. 3. Department Heads. All statutory officers and department heads other than those listed in Article II, Section 3, subsection I, shall be appointed by the town manager, subject to confirmation by the town council.

Sec. 4. Council Not to Interfere in Appointments or Removals. Neither the council nor any of its members shall direct or request the appointment of any person to or his removal from office by the manager or by any of his subordinates. Except for the purpose of inquiry, the council and its members shall deal with the administrative service solely through the manager, and neither the council nor any member thereof shall give orders to any subordinates of the manager, either publicly or privately.

Sec. 5. Vacancy in Office of Town Manager. During any vacancy in the office of town manager, and during the absence or disability of the town manager, the town council shall designate a properly qualified person to perform the duties of manager and fix his compensation. While so acting, he shall have the same powers and duties as those given to and imposed upon the town manager. Before entering his duties, he shall give bond to the town of Yarmouth in a sum and with surety or sureties to be approved by the town council. The premium on said bond is to be paid by the town.

ARTICLE IV

Department of Education

Sec. 1. School Committee. The department of education shall be administered by a school committee, which shall consist of 7 duly qualified voters of the town of Yarmouth, who shall be nominated and elected by the registered voters of the entire town according to the provisions of Article VII of this charter for a term of 3 years and who shall serve until their successors are elected and qualified.

Transitional Provision: This section shall become effective upon its approval by the voters for the purposes of electing the 2 additional members of the School Committee at the November 6, 1990 general election. The terms of office of the 2 additional members so elected shall expire at the 1991 annual Town Meeting. Members of the School Committee elected prior to November 6, 1990 shall continue to serve until the expiration of their respective terms. This section shall take effect for all purposes following the November 6, 1990 general election.

Sec. 2. Qualifications. Members of the school committee shall be qualified voters of the town and shall reside in the town during their term of office. They shall hold no office of emolument or profit under the town charter or ordinances. Any member of the superintending school committee who shall be convicted of a felony or a misdemeanor involving moral turpitude while in office shall, after due notice and hearing before the town council and the production of the records of such conviction, forfeit his office.

Sec. 3. Vacancy. If for any reason a vacancy shall exist in the membership of the school committee more than 3 months prior to the regular town election, the vacancy shall be filled by a special election for the unexpired portion of the term, which election shall be held within 30 days after the vacancy occurs.

Sec. 4. Organization, Qualification, Quorum. The members of the school committee shall meet for organization within 5 days from the date of their election.

The members-elect shall be sworn to the faithful discharge of their duties by a justice of the peace or by the town clerk, and a record made thereof. The majority of the whole number of the school board shall be a quorum and they shall elect their own chairman.

Sec. 5. Powers and Duties. The superintending school committee shall have all the powers conferred and shall perform all the duties imposed by law upon superintending school committees in regard to the care and management of the public schools of the town, except as otherwise provided in this charter.

The school committee shall prepare budget estimates in detail of the several sums required during the ensuing budget year for the support of the public schools and at least 45 days before the beginning of the budget year, the school committee shall furnish copies of such estimates to the town manager. Each member shall be entitled to receive as salary the sum of \$100 per year, payable quarterly, for all services rendered. Such compensation may be changed by vote on an article contained in a warrant for said purpose at the annual town meeting. *(Note: At the Annual Town Meeting held on May 26, 1977, the Town voted in Article No. 3 to change the salary of the School Committee members to \$1,000 per year for services rendered.)*

ARTICLE V

Budget

Sec. 1. Fiscal Year. The fiscal year of the town government shall begin the first day of February and shall end on the 31st day of January of each calendar year, or other such fiscal year as the council may decide. Such fiscal year shall constitute the budget and accounting year as used in this charter. The term "budget year" shall mean the fiscal year for which any particular budget is adopted and in which it is administered.

(Note: At a regular meeting of the Town Council on November 15, 1976, Council Order No. 140 changed the fiscal year to commence on July 1st and end on June 30th of each calendar year.)

Sec. 2. Preparation of Submission of the Budget. The town manager, at least 35 days prior to the beginning of each budget year, shall submit to the council a budget and an explanatory budget message. The budget authority of the council shall be limited to the final determination of the total appropriation to be made to each of the several offices, departments and agencies of the town, including the department of education. This budget shall contain:

- I. Exact statement of the financial condition of the town.
- II. An itemized statement of appropriations recommended for current expenses, and for permanent improvements, with comparative statements in parallel columns of estimated expenditures for the current year and actual expenditures for the next preceding fiscal year. An increase or decrease in any item shall be indicated.
- III. An itemized statement of estimated revenue from all sources, other than taxation, and a statement of taxes required, comparative figures from current and next preceding year.
- IV. Such other information as may be required by the town council.

The proposed budget prepared by the manager shall be reviewed by the town council which shall approve the budget with or without amendments. The complete town budget, including the school budget, as approved by the town council shall be published and the town council shall fix the time and place for holding a public hearing for the budget, and shall give a public notice of such hearing. The council shall then review the budget and recommend it, with or without change to the annual town meeting.

Sec. 3. Budget Establishes Appropriations. From the date of adoption of the budget, the several amounts stated therein as proposed appropriations shall be and become appropriated to the several agencies and purposes therein named.

Sec. 4. Budget Establishes Amount to be Raised by Property Tax; Certification to Town Assessor. From the date of adoption of the budget, the amounts stated therein as the amount to be raised by property tax shall constitute a determination of the amount of the levy for the purposes of the town in the corresponding tax year. A copy of the budget as finally adopted shall be certified by the town manager and filed by him with the town assessor, whose duty it shall be to levy such taxes for the corresponding year.

Sec. 5. Budget Summary. At the head of the budget there shall appear a summary of the budget, which need not be itemized, further than by principal sources of anticipated revenue, stating separately the amount to be raised by property tax, and shall be itemized also by departments and kinds of expenditures, in such a manner as to present to taxpayers a simple and clear summary of the detailed estimates of the budget.

Sec. 6. Expenditures and Departmental Revenue. The budget for all departments, including the school department shall include all proposed expenditures; and the town meeting shall make a gross appropriation for each department, for the ensuing fiscal year. The gross appropriation for each department shall not be exceeded except by consent of the council, but the school budget shall be expended under the direction and control of the superintending school committee.

Sec. 7. Work Program; Allotments. Before the beginning of the budget year, the head of each office, department or agency shall submit to the town manager, when required by him, a work program of the year, which program shall show the requested allotments of appropriations for such office, department or agency, by stated periods, for the entire budget year. The town manager shall review the requested allotments in the light of the work program of the office, department or agency concerned, and

may revise, alter or change such allotments before approving the same. The aggregate of such allotments shall not exceed the total of appropriations available to said office, department or agency for the budget year.

Sec. 8. Transfers of Appropriations. At the request of the manager and within the last 3 months of the budget year, the council may by resolution transfer any unencumbered appropriation balance or portion thereof between general classification of expenditures within an office.

Sec. 9. Interim Expenditures. In the period between the beginning of the fiscal year and the appropriation of funds, the council may authorize expenditures for current departmental expenses chargeable to the appropriations for the year when made, in amounts sufficient to cover the necessary expenses of the various departments.

Sec. 10. Capital Program. The planning board, in consultation with the town manager and designated member(s) of the town council, shall prepare and submit to the town council, annually, a five-year capital program at least 120 days prior to the beginning of each budget year. The capital program shall contain such information as the town council may, from time to time, designate by order.

ARTICLE VI

Tax Administration

Sec. 1. Assessor. There shall be established a division of assessment, the head of which shall be the town assessor. The assessor, appointed as hereinbefore provided, shall exercise the same powers and be subject to the same duties and liabilities that similar officers of the several towns and cities in the same State may exercise, and may now or hereafter be subject to under the laws of the State.

Sec. 2. Board of Assessment Review; Appointments; Vacancies. There shall be a board of assessment review to consist of 3 members, who shall be appointed by the town council for a term of 3 years, except that of those first appointed one shall serve for a term of 2 years and one for a term of one year. Compensation, if any, to such members shall be determined by the town council. Vacancies in the membership of such board shall be filled by appointment by the council for the unexpired term.

Sec. 3. Board of Assessment Review; Powers and Duties. The Board of Assessment Review shall have the power to:

- I. Review, on complaint of property owners, and revise assessments for the purpose of taxation of real and personal property within the town limits made by the town assessor;
- II. Administer oaths;
- III. Take testimony;
- IV. Hold hearings;
- V. Adopt regulations regarding the procedure of assessment review, not inconsistent with statutory provisions.

ARTICLE VII

Nominations and Elections

Sec. 1. Municipal Elections. The regular election for the choice of members of the town council and the school committee shall be held at the time of the annual town meeting for the consideration of the budget. In the event that the date of the regular election varies due to a change in the fiscal year, the terms of office of incumbent members of the town council and school committee shall be automatically adjusted to coincide with the revised date of the regular election.

Sec. 2. Nomination. Any qualified voter of the town may be nominated for the council or superintending school committee in accordance with the statutes of the State of Maine.

Sec. 3. Conduct of Municipal Elections. The provisions of the statutes of the State of Maine relating to the qualifications of voters, the registration of voters, the nomination for any office, the manner of voting, the duties of election officers and all other particulars relative to preparation for, conducting and management of elections, so far as they may be applicable, shall govern all municipal elections, except as otherwise provided in this charter.

Sec. 4. Voting Places. The voting places for municipal elections shall be those which have been established for state elections.

Sec. 5. Election Officials. The town council shall, 10 days before any election, appoint a warden and a clerk, in addition to the regular ballot clerks, for each voting place.

Sec. 6. Limitation on Terms. No person shall be elected to office as a member of the town council or member of the school committee for more than two (2) consecutive full terms of office in any seven-year period.

ARTICLE VIII

The Town Meeting

Sec. 1. Annual and Special Town Meetings. An annual town meeting for the consideration of the budget and the transaction of other town business shall be held not more than 45 days prior to the beginning of each fiscal year.

The annual and special town meetings shall be called by the council in the manner provided for calling town meetings in accordance with the provisions of the statutes of the State of Maine.

Sec. 2. When Action by Town Meeting Required. The annual budget, any appropriation of any amount of more than \$100,000 in addition to or supplementary to the annual budget appropriation, the issuance of bonds or notes, except notes in anticipation of taxes to be paid within the fiscal year in which issued, shall become effective only after it has been adopted at a town meeting by the vote of a majority of those voting at such meeting. The town meeting shall not increase the amount of any appropriation above the amount recommended by the council or make any appropriation not recommended by the council and shall not increase the amount of any bond issue above the amount recommended by the council.

(Amendment Approved at Annual Town Meeting on June 13, 1995)

Sec. 3. Method of Abolishing the Town Meeting. At any time after the adoption of this charter, not less than 10% of the registered voters of the town may petition over their personal signatures for a special town meeting to vote upon the question of submitting to a referendum vote on the ballot at a special town election the proposition of abolishing the town meeting. The council shall call a public hearing to be held within 30 days from the date of the filing of such petition with the town clerk, and within 14 days after said public hearing call a special town meeting for the purpose of submitting to a referendum vote the question of abolishing the town meeting in the Town of Yarmouth. If at such special election a majority of the voters of the town voting on the question shall vote for the abolition of the town meeting of the Town of Yarmouth, the powers heretofore vested in the town meeting shall be conferred upon and exercised by the town council. Notwithstanding any of the provisions of this section, the council shall not call any special town meeting within 30 days of the date of the annual town meeting.

Sec. 4. Notwithstanding Section 2 of this Article, the town council shall have the authority, without town meeting approval, to accept and expend grants; license, permit, user or franchise fees; contribution; special assessments; donations; gifts or bequests; reimbursements; settlements; payments in lieu of taxes or other miscellaneous revenues provided such authorization does not require the expenditure of municipal tax revenues not previously appropriated.

(Amendment Approved at Annual Town Meeting on June 13, 1995)

ARTICLE IX

Initiative and Referendum

Sec. 1. Petition for Overrule of Action of Council. All ordinances, resolutions or votes, except those making appointments or removals or regulating exclusively the internal procedure of the council, shall be subject to overrule by a referendum as follows:

If, within 10 days after the enactment of any such ordinance, resolution or vote, a petition signed by not less than 7% of the registered voters of the Town of Yarmouth or 250, whichever is greater, is filed with the town clerk requesting its reference to a referendum, the council shall call a public hearing to be held within 30 days from the date of filing of such petition with the town clerk and shall, within 14 days after said public hearing call a special election for the purpose of submitting to a referendum vote the question of adopting such ordinance, resolution or vote. Pending action by the voters, the referred ordinance, resolution or vote shall be suspended from going into operation until it has received a vote of the majority of the voters voting on said question.

Sec. 2. Petition for Enactment of Ordinance. Subject to the provisions of Section 1, not less than 7% of the registered voters of the town or 250, whichever is greater, may at any time petition over their personal signatures for the enactment of any proposed lawful ordinance or charter amendment by filing such petition, including the complete text of such ordinance or charter amendment, with the town clerk. No ordinance so petitioned shall have a retroactive effective date. The council shall call a public hearing to be held within 30 days from the date of filing of such petition with the town clerk, and shall within 30 days after said public hearing call a special election for the purpose of submitting to a referendum vote the question of adopting such ordinance, unless prior to the call of said election, such ordinance shall be enacted by the council.

Such ordinance shall take effect on the tenth day after the conclusion of such referendum, provided a majority of those voting thereon shall have voted in the affirmative. Any charter amendment approved by a majority of those voting thereon shall take effect on the ninetieth day after the conclusion of such referendum.

Any such proposed ordinance or charter amendment and petition shall be examined by the town attorney before signatures are gathered on any petition for ordinance enactment or charter amendment. The town attorney is authorized to correct the form of such proposed ordinance for the purpose of avoiding repetitions, illegalities and unconstitutional provisions, and to assure accuracy in its text and references and clearness and preciseness in its phraseology, but he shall not materially change its meaning and effect.

Sec. 3. Form of Ballot. The form of the ballot for the proposed ordinance, resolution, vote or charter amendment shall be substantially as follows:

“Shall the proposed ordinance (resolution, vote or charter amendment), a copy of which is printed herein or attached hereto, be adopted?”

For the Ordinance:

☐

Against the Ordinance:

☐

The voter shall write a cross, check mark, or complete the ballot to indicate the preferred choice.

Sec. 4. Filing of Petitions Prior to Signatures. Any voter wishing to sponsor (circulate) a petition for enactment of an ordinance or charter amendment pursuant to the Section 2 of this Article shall file with the town clerk a copy of the complete text of the proposed ordinance or charter amendment and proposed petition form. The town clerk shall cause the proposed ordinance or charter amendment and petition form to be reviewed by the town attorney, who shall make such modifications and corrections as authorized pursuant to Section 2. The town clerk shall certify such petition and proposed ordinance or charter amendment with such modifications and corrections as the town attorney shall direct within 15 calendar days from the filing of the petition, unless a longer period is authorized by the sponsor of such petition.

Sec. 5. Time limit for Signatures. Any petition certified by the town clerk pursuant to Section 4 shall be returned to the town clerk with not less than the minimum number of required signatures within 45 days of the date of certification. If the minimum number of required signatures have not been collected within the 45 day period, the petition shall be deemed null and void. The town clerk shall certify that the minimum number of valid signatures have been gathered on the petition within 5 business days from the date of filing. In the event that a petition is filed with less than the minimum number of required signatures, the town clerk shall notify the sponsor as to the number of signatures validated. The sponsor may elect to gather additional signatures, provided the 45 day collection period has not expired.

(Amendment Approved by referendum vote on June 13, 2000)

Sec. 6. Procedures for Recall. Any five qualified voters may begin at any time proceedings to recall a Town Councilor by a request in writing to the Town Clerk for appropriate petition blanks. These voters shall be referred to as the recall committee. Each petition shall be limited to the recall of a single individual.

The recall committee shall have 45 days from the date of issuance of appropriate petition blanks to return them to the Town Clerk with signatures of at least 20% of

the number of registered voters of the town. Within 10 days after the date of filing the Town Clerk shall certify to the Town Council as to whether the petition has been signed by not less than the required number of signatures for recall. Should less than the required number of voters sign the petition, the petition shall have no further force or effect, and no new petition action for recall of the same person can be initiated until 180 days from the end of the previous filing period. Upon receipt of certification by the Town Clerk that a recall petition has been signed by at least the required number of voters, the Town Council shall within sixty (60) days submit to the voters the question of recall. Unless the official whose removal is sought has resigned within ten days after the receipt by the Town Council of the Town Clerk's certification, the ballot must be printed. A ballot for a recall election shall read: "Do you authorize the recall of (name of official) from the position of (name of office)? () Yes () No". The Councilor shall be recalled when a majority of those voting thereon have voted in the affirmative. Any elected official against whom recall proceedings have been initiated may continue to hold office until recalled. A recalled Councilor may run as a candidate in a special or regular election to fill the balance of the unexpired term. Should the recall question fail, no new petition action for recall of the same person can be initiated until 180 days from the date of the election.

(Amendment approved by referendum vote on June 12, 2018)

ARTICLE X

General Provisions

Sec. 1. Repealing Clause. All Acts and parts of Acts of the private and special laws of Maine relating to the town of Yarmouth, inconsistent with the provisions of this charter, are repealed.

Sec. 2. Separability Clause. If any portion of this Act shall be held to the invalid, such decision shall not affect the validity of the remaining portions thereof.

Sec. 3. Short Title. This charter shall be known and may be cited as the "Council-Manager Charter of the Town of Yarmouth." The clerk shall cause it to be printed and made available to the public promptly.

Sec. 4. Expiration Term of Present Elected Officials. The term of the present elected town officials and of the school committee shall expire at the annual meeting in March 1966.

Sec. 5. Existing Contracts Not Invalidated, Unless Inconsistent. All rights, actions, proceedings, prosecutions and contracts of the town or any of its departments, pending or unexecuted when this charter goes into effect and not inconsistent herewith, shall be enforced, continued or completed in all respects as though begun or executed hereunder.

Sec. 6. Summons Before Town Council. The clerks of the Supreme Judicial and Superior Courts may issue a summons for witnesses to attend and produce books, documents and papers at any meeting of the town council for the Town of Yarmouth at which a hearing is held in any matter regarding any alleged dereliction of duty by town officers or employees. On complaint of failure to obey summons filed with any Justice of the Superior Court, said Justice, if he finds failure to obey said summons to be without reasonable excuse shall impose a fine of not less than \$10 nor more than \$100, or imprisonment for not more than 30 days, or both.

Sec. 7. Oath of Office. Every officer of the town shall, before entering upon the duties of his office, take and subscribe to the following oath or affirmation, to be filed and kept in the office of the town clerk:

"I solemnly swear (or affirm) that I will support the constitution and will obey the laws of the United States and of the State of Maine; that I will, in all respects, observe the provisions of the charter and ordinances of the town of Yarmouth and statutes of the State of Maine, and will faithfully discharge the duties of the office of"

Sec. 8. Ordinances Not Inconsistent Continue in Force. All ordinances of the Town of Yarmouth in force at the time when this charter takes

effect, not inconsistent with the provisions of this charter, shall continue in force until amended or repealed.

Sec. 9. Removal of Officers and Employees. With the exception of the town manager, whose removal is provided for in accordance with the statutes of the State of Maine, any statutory officer, department head or employee may be removed by the appropriate appointing body or officer at any time. The decision of the appointing body or officer shall be final and there shall be no appeal therefrom to any other appointing body, officer or court.

Sec. 10. Continuance of Present Administrative Officers. All persons holding administrative office at the time this charter takes effect shall continue in office and in the performance of their duties until provision has been made accordance therewith for the performance of such duties or the discontinuation of such office.

Sec. 11. Time. In computing any period of time prescribed by this Charter, the day of the act or event after which the designated period of time begins to run is not to be included. The last day of the period so computed is to be included, unless it is a Saturday, a Sunday, or a legal holiday, in which event the period runs until the end of the next day which is not a Saturday, a Sunday, or a holiday. For purposes of this section, legal holidays shall include days on which the general administrative offices of the Town of Yarmouth are closed.

THE FOLLOWING REVISIONS HAVE BEEN MADE TO THE CHARTER

Charter Changes in Chronological Order

5/26/77	Article II, Council/School Committee stipend change
11/15/76	Article V, Fiscal year change (council level)
6/9/87	Article X, General Provisions
6/12/90	Article IV, Department of Education, Section 1. School Committee
6/13/95	Article VIII, Town Meeting
6/13/00	Article IX, Initiative and Referendum
6/12/18	Article IX.2, Recall provision, adopted 6/12/18
02/04/19	Article II.2, Town Council Qualifications approved 11/6/2018

ARTICLE X, General Provisions

Added:

Sec. 11. Time. In computing any period of time prescribed by this Charter, the day of the act or event after which the designated period of time begins to run is not to be included. The last day of the period so computed is to be included, unless it is a Saturday, a Sunday, or a legal holiday, in which event the period runs until the end of the next day which is not a Saturday, a Sunday, or a holiday. For purposes of this section, legal holidays shall include days on which the general administrative offices of the Town of Yarmouth are closed.

(Amendment approved at Annual Town meeting on June 9, 1987)

Article IV, Department of Education. Section. 1. School Committee.

Repealed:

Sec. 1. Superintending School Committee. The department of education shall be administered by a superintending school committee, hereinafter referred to as the school committee, which shall consist of 5 duly qualified voters of the town of Yarmouth, who shall be nominated and elected by the registered voters of the entire town according to the provisions of Article VII of this charter for a term of 3 years and who shall serve until their successors are elected and qualified. At first election after the adoption of this charter, the 2 members receiving the largest number of votes shall serve for 3 years, the 2 members receiving the next largest number of votes shall serve for 2 years, and the member receiving the next largest number of votes shall serve for one year. In case of members receiving an equal number of votes, their relative positions shall be determined by lot.

Replaced by:

Sec. 1. School Committee. The department of education shall be administered by a School Committee, which shall consist of 7 duly qualified voters of the Town of Yarmouth, who shall be nominated and elected by the registered voters of the entire Town according to the provisions of article VII of this charter for a term of 3 years and who shall serve until their successors are elected and qualified.

Transitional Provision: This section shall become effective upon its approval by the voters for the purposes of electing the 2 additional members of the School Committee at the November 6, 1990 general election. The terms of office of the 2 additional members so elected shall expire at the 1991 annual Town Meeting. Members of the School Committee elected prior to November 6, 1990 shall continue to serve until the expiration of their respective terms. This section shall take effect for all purposes following the November 6, 1990 general election.

Revised 6/12/90

ARTICLE VIII, The Town Meeting

Repealed:

Sec. 2. When Action by Town Meeting Required: The annual budget, any appropriation of \$25,000 or more in addition to or supplementary to the annual budget appropriation the issuance of bonds or notes, except notes in anticipation of taxes to be paid within the fiscal year in which issued, shall become effective only after it has been adopted at a town meeting by the vote of a majority of those voting at such meeting. The town meeting shall not increase the amount of any appropriation above the amount recommended by the council or make any appropriation not recommended by the council and shall not increase the amount of any bond issue above the amount recommended by the council.

Replaced by:

Sec. 2. When Action by Town Meeting Required. The annual budget, any appropriation of any amount of more than \$100,000 in addition to or supplementary to the annual budget appropriation, the issuance of bonds or notes, except notes in anticipation of taxes to be paid within the fiscal year in which issued, shall become effective only after it has been adopted at a town meeting by the vote of a majority of those voting at such meeting. The town meeting shall not increase the amount of any appropriation above the amount recommended by the council or make any appropriation not recommended by the council and shall not increase the amount of any bond issue above the amount recommended by the council.

(Amendment Approved at Annual Town Meeting on June 13, 1995)

Added:

Sec. 4. Notwithstanding Section 2 of this Article, the town council shall have the authority, without town meeting approval, to accept and expend grants; license, permit, user or franchise fees; contribution; special assessments; donations; gifts or bequests; reimbursements; settlements; payments in lieu of taxes or other miscellaneous revenues provided such authorization does not require the expenditure of municipal tax revenues not previously appropriated.

(Amendment Approved at Annual Town Meeting on June 13, 1995)

ARTICLE IX, Initiative and Referendum

Repealed:

Sec. 1. Petition for Overrule of Action of Council. All ordinances, resolutions or votes, except those making appointments or removals or regulating exclusively the internal procedure of the council, shall be subject to overrule by a referendum as follows:

If, within 10 days after the enactment of any such ordinance, resolution or vote, a petition signed by not less than 7% of the registered voters of the Town of Yarmouth or 250, whichever is greater, is filed with the town clerk requesting its reference to a referendum, the council shall call a public hearing to be held within 30 days from the date of filing of such petition with the town clerk and shall, within 14 days after said public hearing call a special election for the purpose of submitting to a referendum vote the question of adopting such ordinance, **resolution or vote**. Pending action by the voters, the referred ordinance, resolution or vote shall be suspended from going into operation until it has received a vote of the majority of the voters voting on said question.

Sec. 2. Petition for Enactment of Ordinance. Subject to the provisions of Section 1, not less than 7% of the registered voters of the town or 250, whichever is greater, may at any time petition over their personal signatures for the enactment of any proposed lawful ordinance by filing such petition, including the complete text of such ordinance with the town clerk. The council shall call a public hearing to be held within 30 days from the date of filing of such petition with the town clerk, and shall within 30 days after said public hearing call a special election for the purpose of submitting to a referendum vote the question of adopting such ordinance, unless prior to the call of said election, such ordinance shall be enacted by the council. Such ordinance shall take effect on the tenth day after the conclusion of such referendum, provided a majority of those voting thereon shall have voted in the affirmative.

Any such proposed ordinance shall be examined by the town attorney before being submitted to referendum. The town attorney is authorized to correct the form of such proposed ordinance for the purpose of avoiding repetitions, illegalities and unconstitutional provisions, and to assure accuracy in its text and references and clearness and preciseness in its phraseology, but he shall not materially change its meaning and effect.

Sec. 3. Form of Ballot. The form of the ballot for the proposed ordinance, resolution, vote or charter amendment shall be substantially as follows:

"Shall the proposed ordinance (resolution, vote or charter amendment), a copy of which is printed herein or attached hereto, be adopted?"

For the Ordinance:

☐

Against the Ordinance:

☐

The voter shall write a cross, check mark, or complete the ballot to indicate the preferred choice.

Replaced by:

Sec. 1. Petition for Overrule of Action of Council. All ordinances, resolutions or votes, except those making appointments or removals or regulating exclusively the internal procedure of the council, shall be subject to overrule by a referendum as follows:

If, within 10 days after the enactment of any such ordinance, resolution or vote, a petition signed by not less than 7% of the registered voters of the Town of Yarmouth or 250, whichever is greater, is filed with the town clerk requesting its reference to a referendum, the council shall call a public hearing to be held within 30 days from the date of filing of such petition with the town

clerk and shall, within 14 days after said public hearing call a special election for the purpose of submitting to a referendum vote the question of adopting such ordinance, resolution or vote. Pending action by the voters, the referred ordinance, resolution or vote shall be suspended from going into operation until it has received a vote of the majority of the voters voting on said question.

Sec. 2. Petition for Enactment of Ordinance. Subject to the provisions of Section 1, not less than 7% of the registered voters of the town or 250, whichever is greater, may at any time petition over their personal signatures for the enactment of any proposed lawful ordinance or charter amendment by filing such petition, including the complete text of such ordinance or charter amendment, with the town clerk. No ordinance so petitioned shall have a retroactive effective date. The council shall call a public hearing to be held within 30 days from the date of filing of such petition with the town clerk, and shall within 30 days after said public hearing call a special election for the purpose of submitting to a referendum vote the question of adopting such ordinance, unless prior to the call of said election, such ordinance shall be enacted by the council. Such ordinance shall take effect on the tenth day after the conclusion of such referendum, provided a majority of those voting thereon shall have voted in the affirmative. Any charter amendment approved by a majority of those voting thereon shall take effect on the ninetieth day after the conclusion of such referendum.

Any such proposed ordinance or charter amendment and petition shall be examined by the town attorney before signatures are gathered on any petition for ordinance enactment or charter amendment. The town attorney is authorized to correct the form of such proposed ordinance for the purpose of avoiding repetitions, illegalities and unconstitutional provisions, and to assure accuracy in its text and references and clearness and preciseness in its phraseology, but he shall not materially change its meaning and effect.

Sec. 3. Form of Ballot. The form of the ballot for the proposed ordinance, resolution, vote or charter amendment shall be substantially as follows:

"Shall the proposed ordinance (resolution, vote or charter amendment), a copy of which is printed herein or attached hereto, be adopted?"

For the Ordinance:

☐

Against the Ordinance:

☐

The voter shall write a cross, check mark, or complete the ballot to indicate the preferred choice.

Sec. 4. Filing of Petitions Prior to Signatures. Any voter wishing to sponsor (circulate) a petition for enactment of an ordinance or charter amendment pursuant to the Section 2 of this Article shall file with the town clerk a copy of the complete text of the proposed ordinance or charter amendment and proposed petition form. The town clerk shall cause the proposed ordinance or charter amendment and petition form to be reviewed by the town attorney, who shall make such modifications and corrections as authorized pursuant to Section 2. The town clerk shall certify such petition and proposed ordinance or charter amendment with such modifications and corrections as the town attorney shall direct within 15 calendar days from the filing of the petition, unless a longer period is authorized by the sponsor of such petition.

Sec. 5. Time limit for Signatures. Any petition certified by the town clerk pursuant to Section 4 shall be returned to the town clerk with not less than the minimum number of required signatures within 45 days of the date of certification. If the minimum number of required signatures have not been collected within the 45 day period, the petition shall be deemed null and void. The town clerk shall certify that the minimum number of valid signatures have been gathered on the petition within 5 business days from the date of filing. In the event that a petition is filed with less than the minimum number of required signatures, the town clerk shall notify the sponsor as to the number

of signatures validated. The sponsor may elect to gather additional signatures, provided the 45 day collection period has not expired.

(Amendment Approved by referendum vote on June 13, 2000)

ARTICLE IX.2

Added:

Sec. 6. Procedures for Recall. Any five qualified voters may begin at any time proceedings to recall a Town Councilor by a request in writing to the Town Clerk for appropriate petition blanks. These voters shall be referred to as the recall committee. Each petition shall be limited to the recall of a single individual.

The recall committee shall have 45 days from the date of issuance of appropriate petition blanks to return them to the Town Clerk with signatures of at least 20% of the number of registered voters of the town. Within 10 days after the date of filing the Town Clerk shall certify to the Town Council as to whether the petition has been signed by not less than the required number of signatures for recall. Should less than the required number of voters sign the petition, the petition shall have no further force or effect, and no new petition action for recall of the same person can be initiated until 180 days from the end of the previous filing period. Upon receipt of certification by the Town Clerk that a recall petition has been signed by at least the required number of voters, the Town Council shall within sixty (60) days submit to the voters the question of recall. Unless the official whose removal is sought has resigned within ten days after the receipt by the Town Council of the Town Clerk's certification, the ballot must be printed.

A ballot for a recall election shall read: "Do you authorize the recall of (name of official) from the position of (name of office)? () Yes () No".

The Councilor shall be recalled when a majority of those voting thereon have voted in the affirmative. Any elected official against whom recall proceedings have been initiated may continue to hold office until recalled. A recalled Councilor may run as a candidate in a special or regular election to fill the balance of the unexpired term. Should the recall question fail, no new petition action for recall of the same person can be initiated until 180 days from the date of the election.

Effective September 11, 2018 (pursuant to Article IX.2 amendment adopted June 12, 2018---effective 90 days later).

ARTICLE II Town Council; Sec 2. Qualifications (full text)

~~Councilpersons~~ Councilmen shall be qualified voters of the town and shall reside in the town during their term of office. They shall hold no office of emolument or profit under the town charter or ordinances. No Councilor shall hold any other paid office or position of employment with the Town or Department of Education (School Department) during the term for which the Councilor was elected to the Council. If a Councilor or Councilor-Elect shall fail to meet any of these qualifications, the Town Council shall, by resolution, declare the office of that Councilor or Councilor-Elect vacant.

In case of a vacancy caused by death, resignation, removal from the town, or removal from office as ~~hereinafter~~ provided, of any member of the town council more than 6 months prior to the next regular municipal election, the vacancy shall be filled by a special election for the unexpired portion of the term. In the event such vacancy occurs less than 6 months prior to the next regular municipal election, the vacancy may be filled by a special election for the unexpired portion of the term. Such election shall be called and held and nominations made as in regular municipal elections.

Any member of the town council who has been convicted of a felony or a misdemeanor involving moral turpitude while in office shall, after due notice and hearing before the town council and the production of the records of such conviction, forfeit his office.

Town employees and School Department employees serving on the Yarmouth Town Council on the date of passage of this amendment are exempt from the provisions of this Charter provision for the remainder of their current term.