



**Board of Selectmen**  
**Town Hall Hearing Room**  
**May 18, 2010**  
**Regular Meeting**

The meeting was called to order at 7:00 p.m. by Selectmen Bud Groskopf. Selectmen present: Suzanne McAuliffe and Erik Tolley. Also Attending: Town Administrator Robert C. Lawton, Jr. The Board of Selectmen gave the pledge of allegiance.

## **Public**

1. Formal Swearing in of Elected Officials [Jane Hibbert]

*Town Clerk Jane Hibbert formally swore in newly elected Board of Selectmen Tracy Post, Curt Sears, re-elected School Committee member John Henderson and newly elected Housing Authority member John Reed.*

2. ~~Niall Hopkins-Did not attend~~

3. *Jerry McMahon spoke about a Cape Cod Times article on DY Schools and spoke on supporting the School System.*

4. *Jack Howard spoke about being tired of listening to the happenings between the Yarmouth Selectmen and the DY School Committee. He stated that he felt that the Town lacks proper representation on the School Committee until John Henderson came onboard and started to ask questions.*

5. *Mr. John Reed asked people to step forward and volunteer to better the community.*

6. *Kristen Sullivan-Stone asked the Board to fully support the school committee when they complete the re-evaluation of the FY11 budget.*

## **Board of Selectmen Reorganization**

**MOTION:** To move that the Board of Selectmen appoint Erik Tolley as Chairman.

**Motion by:** Tracy Post      **Seconded by:** Curt Sears      Yea 5    Nay 0

**MOTION:** To move that the Board of Selectmen appoint Curt Sears as Vice Chairman.

**Motion by:** Suzanne McAuliffe      **Seconded by:** None

**MOTION:** To move that the Board of Selectmen appoint Bud Groskopf as Vice Chairman.

**Motion by:** Curt Sears      **Seconded by:** Tracy Post      Yea 5    Nay 0

**MOTION:** To move that the Board of Selectmen appoint Tracy Post as Clerk.

**Motion by:** Suzanne McAuliffe      **Seconded by:** Bud Groskopf      Yea 5    Nay 0

**MOTION:** To move that the Board of Selectmen appoint Suzanne McAuliffe as Licensing Chair.

**Motion by:** Tracy Post      **Seconded by:** Bud Groskopf      Yea 5    Nay 0

**MOTION:** To move that the Board of Selectmen appoint Curt Sears and Tracy Post as Appointments Co-Chairmen.

**Motion by:** Bud Groskopf      **Seconded by:** Suzanne McAuliffe      Yea 5    Nay 0

**MOTION:** To move that the Board of Selectmen appoint Bud Groskopf as Ambulance Waiver Administrator

**Motion by:** Curt Sears      **Seconded by:** Suzanne McAuliffe      Yea 5    Nay 0

**MOTION:** To move that the Board of Selectmen appoint Erik Tolley as DY School Liaison.

**Motion by:** Tracy Post      **Seconded by:** Curt Sears      Yea 5    Nay 0

**MOTION:** To move that the Board of Selectmen appoint Erik Tolley as DY Contract Negotiations Team.

**Motion by:** Bud Groskopf      **Seconded by:** Curt Sears      Yea 5    Nay 0

**MOTION:** To move that the Board of Selectmen appoint Bud Groskopf as Scholarship Committee Representative.

**Motion by:** Tracy Post      **Seconded by:** Suzanne McAuliffe      Yea 5    Nay 0

**MOTION:** To move that the Board of Selectmen appoint Curt Sears as Representative to the Affordable Housing Trust

**Motion by:** Suzanne McAuliffe      **Seconded by:** Erik Tolley      Yea 5    Nay 0

*Chairman Tolley turned the meeting over to Licensing Chair McAuliffe*

## **Public Hearings**

1. New Wine & Malt License – Scottie’s Famous Pizza, 1077 Route 28, South Yarmouth.

*Represented by Matt McDonald. Mr. McDonald stated that the Wine & Malt would assist his business to remain open year-round. Alcohol would not be allowed outside. Mr. McDonald stated that he is TIPS certified.*

**MOTION:** To move that the Board of Selectmen close the hearing.

**Motion by:** Bud Groskopf      **Seconded by:** Tracy Post      Yea 5    Nay 0

**MOTION:** To move that the Board of Selectmen grant the new Annual Wine & Malt License.

**Motion by:** Bud Groskopf      **Seconded by:** Tracy Post      Yea 5    Nay 0

2. New Fortune Teller License – Nora Mitchell, 737 Route 28, West Yarmouth

*Represented by Atty. Paul Tardiff. Erik Tolley disclosed that Atty. Tardiff and he are involved in some business deals. Atty. Tardiff briefly described the intended business operations.*

**MOTION:** To move that the Board of Selectmen close the hearing.

**Motion by:** Bud Groskopf      **Seconded by:** Erik Tolley      Yea 5    Nay 0

**MOTION:** To move that the Board of Selectmen grant the license.

**Motion by:** Tracy Post      **Seconded by:** Bud Groskopf      Yea 5    Nay 0

*Licensing Chair McAuliffe turned the meeting back to Chairman Tolley*

## **Board/Committee Appointments**

1. Reappointment – T.O.Y. Representative to County Dredging Advisory Committee (1 Rep)

**MOTION:** To move that the Board of Selectmen reappoint Mo Johnson as the Town of Yarmouth Representative to Barnstable County Dredging Advisory Committee.

**Motion by:** Suzanne McAuliffe      **Seconded by:** Bud Groskopf      Yea 5    Nay 0

## **Selectmen Items**

1. 1<sup>st</sup> Review of Farmers Market Policy

*Mr. Bill Snowden updated the Board on the guidelines and reviewed the proposed policy. There is a search right now for two market managers that would assist the stands in complying with the guidelines. The Bass River Farmers Market will be located behind the South Yarmouth Library parking lot and will be operating on Thursdays from 8:30am-2pm. Ms. McAuliffe stated she is concerned that there are some discrepancies between what the Planning Board recommended for guidelines and what the Board of Health recommends and would like to meet the manager prior to giving approval. Ms. Post had parking concerns and thought that Ms. McAuliffe brought up a valid point and agreed that a manager needs to come before the board to be introduced. Ms. Post also mentioned that she is concerned with trash that is left behind. Mr. Snowden reassured Ms. Post that there will be volunteers*

attending to those issues. It was the consensus of the Board that they would like to meet the Manager and make the requirement of having a manager on site part of the guidelines. Susan Kanarium of Ms. Scarlet's Blue Ribbon Farm spoke in favor of the proposed Bass River Farmers Market. Mr. Lawton stated that a fee hearing is scheduled for June 8<sup>th</sup>.

## 2. 1<sup>st</sup> Review of Community Event Sign

Mr. Lawton informed the Board that in the new Sign Code there is mention of a Community Event Sign Policy which is the reasoning behind this policy. The Board asked that the time allowed be limited to one year and then the applicant come back for additional time if needed. Ms. Post asked how set backs would be determined. Mr. Lawton said that he would have the Sign Inspector take a look at that and make suggestions.

## 3. Review of Annual Town Meeting

Mr. Lawton asked the Board if there was any suggestions/comments that could assist future Town Meetings in running smoother. Ms. McAuliffe stated that she thought the staff the motion binders were very well organized by the Administration staff. There was discussion on the date of a Special Town Meeting and the DY Budget. School Committee member Steven Edwards spoke against a District meeting and suggested that the Board meet with the Dennis Board of Selectmen.

## 4. Individual Items

- Ms. Post encouraged citizens to volunteer. Ms. Post asked that the Board look at the goals sooner rather than later to better assist the Boards and Committee that will be tasked with accomplishing the goals.
- Mr. Groskopf stated that he hoped the sound system for the school Committee meetings is fixed so he can listen to the televised meetings.
- Ms. McAuliffe welcomed Curt and Tracy to the Board and she looks forward to working with them.
- Mr. Tolley asked that the proposed article on giving the Selectmen the authority to remove an appointed board/committee member should be looked at by the Government oversight committee. There was discussion on which Board would be given the authority to remove members, how many members would hear the public hearing and make the vote/decision. Mr. Tolley spoke about last night's School Committee meeting and how the Town of Yarmouth was accused at structuring the ballot to doom the budget for failure.

## 5. Approval of Minutes

- March 9<sup>th</sup>, 2010 Regular Meeting
- March 23<sup>rd</sup>, 2010 Regular Meeting
- April 6, 2010 Regular Meeting

**MOTION:** To move that the Board of Selectmen approve the minutes as submitted.

**Motion by:** Bud Groskopf    **Seconded by:** Erik Tolley    Yea 3    Nay 0    Abstain 2

## Town Administrator Items

### 1. Consent Agenda

- Board of Selectmen Policy Reminder
- Residency Policy
- ~~One Day Entertainment License for Flax Reunion, Aug 21<sup>st</sup>~~. **Moved to next meeting.**
- Yarmouth Port Library Request for Waiver of Tent Fee
- Donations

#### 1. Animal Control

- Lawrence & E. Suzanne McAuliffe

\$100.00

\$100.00

2. Library Division	
▪ David and Susan Reid	\$100.00
▪ Judith Stiles Askew	\$65.00
▪ Guylaine & James Pina	\$20.00
▪ The Dennis-Yarmouth Newcomers Club	\$200.00
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	<b>\$385.00</b>
3. Police Department	
▪ Town of Barnstead	\$135.00
▪ Town of Dennis	\$60.00
▪ Town of Tiverton	\$290.00
▪ Merrimack College	\$135.00
▪ Salem State College	\$120.00
▪ Town of Lee	\$135.00
▪ Town of Sandwich	\$435.00
▪ Town of Somerset	\$725.00
▪ Town of West Boylston	\$145.00
▪ Estate of Wilhelmina I Gomes	\$416.96
	<hr/>
	<b>\$2,596.96</b>
<b>Total</b>	<b>\$3,081.96</b>

*Mr. Lawton reviewed the Consent Agenda. He mentioned that the concept of the Chase Bank event needs a consensus from the Board if it is something the board would like to come to the Town. The applicant would come back before the Board for a formal approval. The board agreed that the concept was acceptable and positive for the Town.*

**MOTION: To move that the Board of Selectmen approved the Consent Agenda.**

**Motion by: Suzanne McAuliffe      Seconded by: Erik Tolley    Yea 5    Nay 0**

2. Other Items

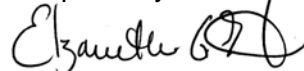
- *Mr. Lawton informed that Cheryl Wheeler received her MA Assessor Certification.*
- *Vicky Copenhaver has been working very hard with the Memorial Day Ceremony which will be on May 31<sup>st</sup>.*
- *Mr. Lawton informed the Board that the Charter has passed the Senate and has been given back to the House for a final approval then once more back to the Senate approval.*

**Adjourn**

**MOTION: To move that the Board of Selectmen adjourn at 9:40pm.**

**Motion by: Bud Groskopf      Seconded by: Suzanne McAuliffe    Yea 5    Nay 0**

Respectfully submitted,



Elizabeth G. Hartsgrove