

Yarmouth Board of Selectmen Meeting – November 8, 2005

Present: Jerry Sullivan, Suzanne McAuliffe, Dan Horgan, Jim Saben, and Bud Groskopf

Jerry Sullivan opened the meeting at 7:00 p.m.

Firefighter Meritorious Award –

Chief Sherman described the accident that took place on March 15 on Willow Street. A meritorious award was given to the firefighters at Faneuil Hall. Yarmouth Police Department also played a major role in the rescue as well as the Hyannis fire department and a private ambulance service. He showed everyone the award and thanked Selectman Suzanne McAuliffe for attending the ceremony in Boston. State Representative Cleon Turner congratulated everyone on his behalf and on behalf of Demetrius Atsalis and read a resolution/proclamation. Jerry Sullivan thanked everyone on behalf of the citizens of Yarmouth.

Joan Shostak, Educational Foundation, she announced they will be giving out some grants in December. She reviewed the grants that were given in the past. She announced a spaghetti supper at Jack's Outback II and Dan Horgan and Bud Groskopf will be there to help. There will also be an art sale by the Art Guild. They give 20% of their profits to the foundation.

Peter Kenney spoke about Alexander Construction a contractor for DY renovations. He said Alexander is no longer certified. By DCAM. He gave the background of Alexander Construction and said they are ineligible for the job. The board requested that Mr. Lawton write a letter to the Commonwealth Attorney General's office asking if a contractor who is no longer DCAM certified be awarded an increase in their existing contract as a change order for additional work if the work is awarded after the contractor is no longer certified. The selectmen want to ensure that all steps taken in the awarding of the additional work are proper even though the general contractor no longer is certified by your agency. The contractor continues to hold the appropriate insurance policies and licenses to satisfy the requirements of the building commissioner.

Representative Atsalis arrived and gave his congratulations to the firefighters.

Hearings

Black Rock Tuscan Grille will not be heard this evening due to a request from the manager.

Winter Boat Storage Fees

Karl vonHone explained the reason to adopt the fees. Following his recommendation the Board of Selectmen unanimously voted to adopt a winter

boat storage fee of \$14 per linear foot and the appropriate penalty fee of \$25 per day or the current per foot rate if the attendant fails to remove the vessel in a timely manner after the conclusion of his or her contract with the Town for winter storage. The Department of Natural Resources will now start the process of notifying boat owners of the availability of the storage and other actions they deem necessary to implement the boat storage rules and regulations.

Jerry Sullivan announced that Karl von Hone and Amy von Hone received the Chamber of Commerce Public Service award for the efforts they both made for the Rabies Awareness and Treatment Program. Congratulations from all the Selectmen.

Licensing Hearing

Renewal of All Alcoholic Liquor License – China Inn, Mr. Henry Yang, Manager.

Suzanne explained the reasons they were before the selectmen was because there were some difficulties this year. Mr. Yang said that Andy is the manager and speaks English and they both have had TIPS training. Mr. Lawton said to the best of his knowledge they have had appropriate training through Lt. Xiarhos. Suzanne recommended the renewal. She felt Mr. Yang and Mr. Wang have been working very hard to rectify the situations. Mr. Groskopf moved to renew the licenses, seconded by Mr. Saben. Vote unanimous.

Showcause Rehearing for Papa Ginos

John Ryder District Manager for Papa Gino's on the Cape and Philip Bergeron General Manager for Papa Ginos in Yarmouth were present. Jennifer Dixon was the previous manager. The license was revoked due to a lack of response. Mr. Ryder apologized for not adhering to the rules and regulations. He was unaware there was a hearing until after the police took the license. He contacted Mr. Lawton and met with Lt. Xiarhos and has certified three of the people and the remainder will be TIPS certified in the near future. He apologized. Mr. Sullivan noted they need to fill out an application for change of manager. He said if the board rescinds their previous action he would recommend that we reinstate the license this year effective December 8 after the TIPS training and not hold a hearing for the renewal. Jim Saben didn't like the idea that the letters were ignored and it concerned him that Papa Ginos may be in the situation again due to a lack of communication. He wanted them to know of his displeasure. He expects when they are called in for a hearing someone shows up. Mr. Ryder apologized. He said any documentation should go directly to the corporate office. He accepted full responsibility. Mrs. McAuliffe said the lack of response was one reason for the revocation of the license. She said they were told at the restaurant that they had no intention of renewing the license. This town takes the liquor

licenses as seriously as you will ever find. We have it regulated and controlled. We want the town to be responsible for its alcoholic service. Mr. Sullivan instructed Mr. Bergeron of the liquor policies especially when Mr. Bergeron is not on duty and who is in charge. An establishment should know where the town's booklet on licensing rules and regulations is at all times. We watch our licensees at all times. He noted on entertainment no sound it to be heard outside of the building.

No public comments

Mrs. McAuliffe noted the options, keep the license suspended. Or rescind their previous action and rescind and suspend for the lack of response and the lack of employees TIPS certified. She recommended the board rescind their previous action and suspended until everyone is TIPS trained. Mr. Sullivan moved to rescind the revocation of the annual beer and wine license of Papa Gino's previously voted by the board. Mr. Groskopf seconded. Vote unanimous.

Mr. Sullivan moved to suspend the beer and wine license starting September 28 until December 8, 2005 or pending the day that certification is received by the Town of Yarmouth subject to the TIPS training of all employees, seconded by Mr. Groskopf. Mr. Saben felt the suspension should be for 90 days and nothing less. Mr. Sullivan felt that was too harsh. He said show of good faith on both sides is needed. Vote 4-1 with Mr. Saben voting in the negative.

Mrs. McAuliffe reminded Mr. Bergeron to get the paperwork for a change in manager. Mr. Ryder said he will be getting certified to teach the class.

Ryder Way Class I and Class II License

Mr. Sullivan moved to accept the withdrawal of Ryder Way's request for a Class I and Class II License without prejudice, Mr. Groskopf seconded. Vote unanimous.

Appointments

Mr. Saben recommended to re-appoint Gloria Smith to the Affordable Housing Committee to run thru 2008. Mr. Groskopf so moved, seconded by Mrs. McAuliffe vote unanimous.

Mr. Saben noted the resignation from the Affordable Housing Committee from Mr. Paul Vassallo. Mr. Sullivan moved to accept with regret, seconded by Mrs. McAuliffe. Vote 5-0.

Mr. Saben noted the resignation from Donald Dorchester from the Recreation Committee. Mr. Sullivan moved to accept with regret, seconded by Mrs. McAuliffe. Vote unanimous.

Selectmen Items

Mr. Groskopf wanted to let the Seniors know about COLD relief. You have to be a senior and a limited income. Call 508-394-7606 for further information and they will assist in filling out the paperwork in terms of assistance to help with energy bills.

Mrs. Groskopf said his last to session of tell it to Bud has been cancelled. He will be there this Thursday at the Senior Citizen Center at 11:00.

Suzanne attended the Cape Cod Selectmen's and Councilors Association on Friday. They will be trying to work with the State Legislature in getting more aid for the towns. She said the school committee voted to have a joint meeting with both boards and fincom. She had several topics: what the school systems E&D account is, long and short term bonds schedule, leases to discuss, John Simpkins School, Chapter 70 and to bring a budget target to the schools. Mr. Sullivan said we are in negotiations now and he would specifically request that Chapter 70 not be discussed until the towns decide. Also he suggested the leases not be discussed until the towns negotiate and they should not be discussed in a joint meeting as of yet. The board agreed to ask the school committee to review the remainder of the items.

Mrs. Christine Greeley was present to request on behalf of the Cape Cod Miniature Society to hold their fundraiser at the Senior Citizen Building for scholarships program. She was seeking relief under the category of special circumstances. No fee. Mr. Sullivan suggested a reduced fee to reimburse the town for cleaning services. Mrs. McAuliffe would support the half fee within Group II not to exceed \$75. \$15 an hour not to exceed \$75. Mr. Saben said he would be willing to reduce the fee to \$25 per hour. Mrs. Greeley will go back to her board and come back to the board again.

Mrs. McAuliffe moved to approve the minutes of July 25, 2005, seconded by Mr. Saben. Vote unanimous.

Town Administrator

Mr. Lawton noted under the consent agenda we are recommending an elimination of a fee. There is a lot of staff power going into it. There will be an increase in the initial fee but a separate hearing will be held for this. Mr. Groskopf moved to eliminate the sign fee, seconded by Mr. Sullivan. Vote unanimous.

Mr. Sullivan moved to accept the consent agenda, seconded by Mr. Horgan. Vote unanimous.

Being no further business, Mrs. McAuliffe moved to adjourn, seconded by Mr. Saben. Vote unanimous.

Yarmouth Board of Selectmen Meeting – December 6, 2005 – Workshop Meeting

Present: Suzanne McAuliffe, Dan Horgan, and Bud Groskopf Jerry Sullivan and Jim Saben were absent.

Suzanne McAuliffe opened the meeting at 7:00 p.m

Public

Charlotte Striebel spoke about the increase in the electric rates. She spoke about the Cape Light Compact and the savings to the consumers on the Cape and the Islands. Thru their energy efficiency efforts the schools saw substantial savings. Also there was great savings throughout the towns on the Cape because of the replacement of more efficiency lighting on our traffic signals. It should be noted their prices are capped for 14 months. They cannot go up but can go down. NStar's rate is good for only six months. They will be filing for a new rate in June. She explained the switching of customers from one supplier to another. ConEdison has pledged to assist the Compact in future endeavors. She urged people to sign up for the Cape Light Green Power for three months. The rate is 8.9 cents per kw power for the months of January, February and March. 155 Yarmouth residents have signed up. A person can enroll by calling the Cape Cod Compact or by going to the web site. Suzanne thanked Charlotte. Charlotte said if anyone has questions they are welcome to call her at her home.

Helen Shah, Hyannis Park

Helen explained about a problem in their neighborhood in relation to the airport. She is President of the Hyannis Park Association. She was invited to the airport by Doc Mosby for a tour and met with Christina Sullivan, the noise abatement officer. She demonstrated some tracking technical equipment they have. Bob Morton and Bob Howard met with Dan Wolfe and Bill McGrath. Doc suggested as a neighborhood they try to educate themselves. Christina said she needs to be notified of the problems. Helen said there is a need for trades people to get to the islands very early in the morning. Bob Howard was able to learn about specific flights. Cape Air doesn't fly before six, it is usually Island Air. He needs to fly his people over early in the morning – sometimes before five and they go over about every four minutes. She said the problem is these very early flights. She said they wished the noise be better timed. Mr. Howard is working to try to do the best he can. She has tried to educate the neighborhood. She noted they fly all over the place including the hospital. She said she is working very closely with Bob Howard.

Suzanne said the neighborhood has done a good job in working with the neighborhood but feel frustrated because the problem is still there. The selectmen will continue to work with Bob Howard and the airport.

Tom Sullivan spoke about an order from 1999 which clearly states to avoid Hyannis Park which they are not doing. This was a study of noise. He put a timeline together since 1998 in which RIC did a noise study. He went thru the timeline. Tom indicated that a

former chairman of the Municipal Airport Commission worked to change the flight paths then simply brought it up at a Commission meeting and the notice to airmen was sent out.

Bo Lawrence, Hyannis Park, said he has been active since 1993 and we are about in the same place as we were then. He said they as citizens went and had a part 150 done and the airport was suppose to adhere to this. He felt we have a problem with the Commission still. He told a story about flying with Mr. Wolfe. He said they flew over his house and the pilot wasn't suppose to.

Barnstable Municipal Airport Update – Mr. Bob Howard, Yarmouth's Representative

Bob Howard stated that the past two years has been very fruitful and they had a lot of satisfaction and has been able to do some fence mending. He thanked Dan Horgan and Suzanne for appointing him to this position.

Bob Howard spoke about the airport commission meetings being placed on tape. He said these tapes are now being broadcast on channel 18. He has arranged for those tapes to be dropped off at town hall. He runs the tapes on Thursday at 9 and then the following Friday and then five days straight the following week.

Bob noted the charge to the SRC GROUP in 1999 was to see if they could agree on a specific item without getting into the broad discussion of all the problems that had come up since 1983, 1957, 1987 and try to come to a consensus and not get all mixed up and, finally, in this booklet, they talk about maintenance runoff area procedures. As of June 22, 2005 all on all runups, it is mandatory that they go to the run-up on runway 15. No aircraft is going to be on the ramp running up which creates a lot of noise. He said it takes a lot of time to get people to do things. This is one little thing but it was a big deal to some people.

Bob Howard spoke about the 150 Study – there is no such thing basically that has been stated about this study that was done in 1999. It has nothing to do with the 150 study. He made some points. It was a voluntary study. It is not mandatory. There are only 25% of all of the airports in the United States that has done a 150 study. Our airport did it in 1987 when we had M80s, DC9s, 737/200s, VC3s coming in here. Gull Air was running, Cape Air, Nantucket Airlines, Ion Air, Delta, Northwestern and Continental was here and much noisier. The study showed the noise was not above the decibels. Dan Horgan was frustrated that the town has no say. We are standing outside and Barnstable is saying no. That doesn't seem right. It seems it is a reasonable request to have a noise study. Bob Howard noted that no one has asked him to approach Barnstable to request a noise study.

Mr. Howard suggested the board look at the reports and then come back to him and ask him to go and get a noise study. Mr. Horgan stated he asked the board to make that recommendation and has not heard a definitive decision from this board and has not acted on that request at this point. Suzanne said we can consider it at their next meeting.

Bob Howard referred to the copy of the 916 Town of Yarmouth wellhead protection from the airport pollution runoff. The groundwater pollution is being monitored. Bob spoke about the airport commission's subcommittees – finance, real estate, planning and development and personnel. There is a new subcommittee – it is called the terminal design subcommittee which will be made up of Mr. Kimber, Dunning and John Griffin. Those men will be working with Edwards and Kelsey. There will be meetings on the terminal design.

Bob Howard said he presented the board back in October of 2004 the terminal concept and that was the benchmark for architect selection, permitting, land acquisition, the complete terminal design, the bidding, and construction. He looked into this and he was able to determine that a DRI has to be completed before any of this is done which is presented to the Cape Cod Commission. As of last week the DRI has not been completed but when completed they will go to the Cape Cod Commission who in turn will appoint six people all who will be representatives from each town that surrounds the airport. It will be chaired by the President of the Cape Cod Commission. Our former Selectman and Chairman Dr. Marasco will be on that committee. The board will be notified regarding all meetings directly to each board member so they will know what is going on and that Dr. Marasco will be the point person for the Selectmen.

Bob Howard referred to a letter from Earth Tech which listed key actions that they will be involved in. He said the airport is not expanding. It is going to stay the way it is. They have some new planes coming in and it has been stated they hope eventually to have four new type Cessna aircraft along with their 402s. the newspaper flight would be on one or two of those new aircrafts which should help a great deal. It is coming but it takes time and money. Bob said as far as he is concerned from his small observation in the last two years, he finds that that airport is operating in a legal manner in every aspect. He knows it is a pain to have this noise and he would be more than willing to meet with anybody at any time and any place. He was finally able to get a meeting at least with Dan Wolfe and Island Airways. They did it in a gentlemanly manner and he thinks down the road progress will be made. He suggested the Selectmen read the studies. He ended by quoting the head lines in the Patriot “Fence Mending on Council Agenda. Yarmouth Selectmen to address Council Next Week and in the Cape Cod Times “Yarmouth Selectmen Tout Cooperation with Barnstable”.

There was a discussion with the Selectmen. Following the discussion, the Board suggested Mr. Howard gather some background information regarding federal standards for noise and what prior reports stated and to review the existing two noise related studies and extract their conclusions and extract from those studies or in conversations with the airport or the state, determine what their current standard for noise is. This would allow the Selectmen to at least have a baseline from which to work and possibly raise the issue with the Barnstable Town Council

Also the Selectmen asked Bob Howard regarding the airmen not following the flight paths, that he speaks to Christina Sullivan to determine if that is a fact or if we have some data which shows that in general the voluntary flight paths are followed.

The board thanked Bob for his report.

Run Pond Update – Karl vonHone – Director of Natural Resources

Karl made a presentation on the Run Pond Restoration Study as a joint project between the Town of Yarmouth and the US Corps of Engineers. To date the cost has been approximately \$300,000 and the town has not had to contribute \$1. He reviewed four alternatives and recommended alternate 2. The Board suggested prior to writing the Corps of Engineers recommending alternate #2 that Karl holds some type of a public meeting of the area to ensure that they are supportive.

2006 Golf Fees – Second Reading

Present: Jim Armentrout, Golf Director and the Golf Enterprise Committee

This was the second reading of the golf fee hearing and Suzanne asked if there was any more input from the Enterprise Committee or any more input from the public before they voted.

Mr. Reeve held another meeting last week and based on what occurred they have stayed with their recommendation of last week. Jim Armentrout reviewed the fees. Jim also supplied the board with the daily fee recommendations which are within 5%. Suzanne said with this schedule, it looks like there may be a shortfall in the budget of \$128,000. Because these are all estimates, the \$128,000 is a projection and may be managed within the current fee structure.

(see attached)

Public – none

Mr. Groskopf moved the golf fees as set forth and recommended by the Enterprise Committee, seconded by Mr. Horgan. Vote unanimous.

The Board of Selectmen unanimously voted to affirm a previous discussion regarding the daily golf fees for 2006.

Mr. Horgan moved to accept the workshop meeting minutes of August 23, 2005, seconded by Mr. Groskopf. Vote unanimous.

Selectmen Items- Dan Horgan said he attended the School Committee meeting last night. It was the first run thru. Two scenarios were offered. One was a needs budget and a level funded budget.

Town Administrator

Mr. Robert Lawton – Formal Submission of the Draft FY '07 Budget

Consent Agenda

Mr. Lawton stated the Charter requires that the Board of Selectmen receive the capital budget and formally submit it to the Capital Budget Committee. No action needs to be taken tonight. It will come back to the board with some recommendations.

Mr. Horgan moved the consent agenda, seconded by Mr. Groskopf, vote unanimous.

Mr. Lawton referred to the FY '07 draft budget and per the charter he is formally giving that to the Selectmen and in the memo is outlining some of the things that have been done. The board in the summer had approved a recommendation to do two budgets, one within 2 ½ and another with potential overrides. The town departments did a very good job in following the guidance we had given to them and they came in almost level funded. There are increases in steps, there are no layoffs and no dramatic increases in any expense except energy. We made sure the enterprise funds were paying their fair share of overhead, debt, etc. Sue and Wally spent time making sure the numbers were accurate and placed in the proper slot. Mr. Lawton said the budget is up 1.4% within 2 ½. If you take out exempt debt, offsets and enterprise, it is a level funded budget. After the board has had a chance to look over a list of override requests, the question will be does the board wish to consider an override of any amount.

Being no further business, Mr. Horgan moved to adjourn, seconded by Mr. Groskopf, vote was unanimous.

Yarmouth Board of Selectmen Meeting – November 29, 2005 – Workshop Meeting

Present: Jerry Sullivan,, Suzanne McAuliffe, Dan Horgan, Jim Saben, and Bud Groskopf

Jerry Sullivan opened the meeting at 7:00 p.m.

Charlotte Striebel spoke about solarize your school project. We must enroll 346 residents in the program. As of today, 97 people in the town signed up. For the months of January, February and March these 97 people will pay 8.9 per k hour for the supply portion of their electric bill. This is a great savings. She said she hoped by December 31 the remainder of the people will sign up for the green plan to help the school install a solar panel. People can sign up on line or call 1800-797-6699. Charlotte explained that people can opt out on April 1.

Appointments

Jim Saben referred to a letter of resignation from our Cable Advisory Committee. Mr. Sullivan moved to accept with regret, seconded by Mr. Groskopf. Vote unanimous.

Mr. Saben recommended the reappointment of Mr. James Hall as Yarmouth's representative to the Steamship Authority for a one year term. Mr. Sullivan so moved, seconded by Mr. Groskopf. Vote unanimous.

Mr. Saben recommended the appointment of Scott Fisher as the Architect member of the Old Kings Highway and Marilyn Swenson as the alternate. Mr. Sullivan so moved, seconded by Mr. Groskopf. Vote unanimous.

Mr. Groskopf reported that Michael Sifford was elected to the Old Kings Highway Committee.

Mrs. McAuliffe moved to accept the Selectmen's minutes of August 9, 2005, seconded by Mr. Horgan. Vote unanimous.

Consent Agenda

Mr. Lawton reviewed the consent agenda. Mr. Groskopf moved to accept, seconded by Mrs. McAuliffe. Vote unanimous.

Hearing

Continuation Renewal Hearing – Black Rock Grille.

She reviewed a letter from Mr. Paulini stating he was unable to make the meeting due to an illness. The issue is the continuation of his license based upon unpaid bills. \$4,000 is owed on real estate and \$380 on property taxes and \$60 in water bills. Following a brief

discussion, Mr. Sullivan moved to approve the renewal but hold all licenses until all bills are paid given the circumstances. Seconded by Mr. Horgan. Vote unanimous.

Transfer of All Alcoholic Liquor License –Thuan Loi Restaurant, from an All Alcoholic Liquor License to a Seasonal Wine and Malt License and Transfer of ownership to Tony Tran. Tony Tran will now be the owner and Leon is the manager. Tony and Leon have both been certified in TIPS training. No public comment. Mr. Sullivan moved the transfer as requested, seconded by Mr. Saben. Vote unanimous.

Golf Fees

First Reading of the Proposed Fees

Mr. Jim Armentrout was present along with the Golf Advisory Committee. Jim gave a power point presentation of the proposed fees. He reviewed the revenue vs. expenditures from 2001 thru 2005. He reviewed what the neighboring courses were predicting for 2006 fees. Yarmouth was looking at a \$665 annual fee for 2006.

The proposal was with a 5% increase:

\$665 regular

\$115 junior

\$57.75 per punch card, two per season

\$935 non resident

\$150 resident ten play, one per season

Jim reviewed the anticipated collections with the annual fees for FY2006

Suzanne asked how does the irrigation and clubhouse fit in. Jim said they are able to maintain essentially with the revenue levels. They can handle those projects provided they are done in a timely fashion. They cannot be done at the same time.

Jim Saben complimented Jim and the committee for their work. He urged the people in the community to talk to the committee if they have any problems. He said there will be one more hearing on this and if there are any concerns, the people need to let the Selectmen know.

Dan Horgan was concerned we are budgeting deficits. He said the committee has done a very good job on putting the fees together. He questioned the punch cards. Jim Armentrout explained .He said they are looking at a 5% increase in the daily fees.

Bud Groskopf said he was at the hearing and the golfers questioned this all the way thru. He clarified the senior card is 75 and over. He said everyone at the hearing did a great job. The committee worked hard. He said he will leave the management up to Jim Armentrout.

Jerry Sullivan thanked Jim and the Committee for their work. He asked about the senior punch card. He asked could they take another look over the next few months at the punch cards to see if it can be fine tuned. He suggested maybe a reduced fee membership for these people.

Public

Sal said the fee schedule is fair. He spoke about the budgets.

Mr. Sullivan continued the hearing to next Tuesday, December 6.

Fire Station Building Committee

Present were Chief Randall Sherman and members of the Fire Station Building Committee.

The Committee gave an update on the Fire Station # 3 Building Project. There was a lengthy discussion.

The Board of Selectmen appointed Selectman Jim Saben to be the point person for the Board of Selectmen as a non-voting participant in the Fire Station #3 process. The Board also appointed Mr. Art deBonville to represent the Capital Budget Committee for the same purpose.

The Board of Selectmen unanimously agreed and requested that the Committee submit a design to replace the existing Fire Station #3 with the maximum expenditure of four million dollars and agreed that alternates to the basic plan can be designed and priced for inclusion in the final bid documents and to continue to look at recommendations in regard to headquarters and dispatch issues.

The Board also agreed and requested that the Town Administrator look at options for the estimated \$100,000 in roadwork which might be necessary to provide better access for the new station.

The Board agreed to include an article at the Annual Town Meeting in April of 2006 for this project but if there is a delay of one to two months, they could call a special town meeting to ensure that the final project is one all boards and the committee will endorse to the voters.

Mr. Sullivan thanked Chief Sherman and the committee for all of the work they have done on this project.

Being no further business, Mrs. McAuliffe moved to adjourn, seconded by Mr. Horgan. Vote unanimous.

Yarmouth Board of Selectmen Meeting – November 15, 2005 – Workshop Meeting

Present: Jerry Sullivan, Dan Horgan, Jim Saben, and Bud Groskopf

Absent – Suzanne McAuliffe

Jerry Sullivan opened the meeting at 7:00 p.m.

Update from Representative Cape Cod Commission – Dr. Bill Marasco

Dr. Marasco gave the background and the purpose of the Cape Cod Commission. He read the mission statement. There were four DRIs from Yarmouth, all from the wind farm. Dr. Marasco spoke about the goals for the coming year. Route 28 Redevelopment – there is a tool the Cape Cod Commission has – the incentive zone. If Yarmouth came up with a zoning plan, an entire plan can be approved. Waterfront areas – DCPC – preventing houses from being leveled without a plan. Airport – they will be looking at regional impact at the airport. The staff is excellent at the Commission but have they come more of a regulatory board. He asked are their goals the same as the Town of Yarmouth. Do we want a commission that looks at policy issues.

There was a discussion and the Board thanked Dr. Marasco for his update.

Conservation Commission Update

David Flaherty introduced his members that were present. He reviewed their accomplishments and goals which were in the Selectmen's packet. (see attached) The Board thanked the Commission for coming in.

FY 07 Budget Update

Mr. Lawton gave a brief update on the budgets. They came in on time from the department heads. There are two budgets – one within 2 ½ and the other with possible overrides. The department heads did a very good job. He plans to review the potential override and give the board a list of the items that are being requested for their review. The board may decide to have certain departments in to explain their requests. He is using the state aid estimates as they were last year because no increase is expected.

Mr. Sullivan asked that the board start thinking of a process to come up with a needs analysis for the upcoming years. This will make it easier for the board to make decisions in the future.

Appointments

Mr. Saben moved to reappoint to the Conservation Commission Mr. Duffy, Mr. Fenton, and Mr. Ellis terms to run thru 2008. Mr. Sullivan so moved, seconded by Mr. Groskopf. Vote unanimous.

Mr. Saben recommended to reappoint to the Board of Health Mr. McDermott and Mr. Brown to run thru October 2008. Mr. Groskopf so moved, seconded by Mr. Sullivan. Vote unanimous.

Mr. Sullivan noted the YPD is hosting an auto theft program. They will etch you auto glass for a ten dollar fee. This also allows for a fifteen percent discount on the insurance. It is on Saturday the 19th.

Consent Agenda

The board reviewed the consent agenda. Mr. Saben moved to accept the consent agenda, seconded by Mr. Groskopf. Vote unanimous.

Fire Building Design Committee

Mr. Al Gray and Chief Randall Sherman sat at the table and presented their plan. Following a lengthy discussion, There was general agreement in option A which is the basic fire station with equipment, bays and living quarters and no other options in the basic design. The selectmen also were supportive of the recommendation to approve at least two alternates in the bid documents. One option would be to have the bidders provide a cost for a two story structure with the living quarters and administration with the second alternate being the second floor constructed but unfinished.

The board asked that the committee return to their meeting on November 29 and at that time they will make a policy decision on how the committee should proceed. The board requested at that meeting the committee provide them with adjusted cost estimates fine tuning the basic building, option A, at a level of approximately four million dollars with additional items in the alternates costed out to see what the impact would be. The board suggested the committee look at a three bay option eliminating some of the living quarters downsizing to near the current staffing levels with the appropriate male and female separation and eliminating space for the dispatch on the first floor. The selectmen will discuss their position in regards to the options available and provide direction for the next phase of the development of the fire station #3 on Buck Island Road on the 29th.

Being no further business, Mr. Saben moved to adjourn, seconded by Mr. Groskopf. Vote was unanimous.

Board of Selectmen Meeting: June 7, 2005 Regular Meeting

Present: Suzanne McAuliffe, Bud Groskopf, Dan Horgan, Jim Saben and Town Administrator Robert Lawton.

Jerry Sullivan absent.

Vice Chair Suzanne McAuliffe opened the meeting at 7:00 p.m.

Public

Dewitt Davenport and Mutual of Omaha Drive Chip and Putt Junior Challenge

Dewitt talked about the golf challenges commitment to kids across the US. The Mutual of Omaha is trying to create the Drive Chip and Putt Championship. This event will reach across New England which is great for everyone involved including the Town of Yarmouth. This will happen in the Town of Yarmouth on the 25th of this month. Dewitt introduced Ken Smith, General Manager of the Blue Rock Resort, Pat Fannan, Head Professional and Gerry Boucher, Superintendent at Blue Rock and Mr. McBride under whose guidance this event will occur.

Mr. Smith explained how they came to this point. The event will be June 24th. They feel this is a great event and are excited to have this event at Blue Rock.

Pat Fannan explained he takes great pride in junior golf. He is very excited in being involved in this nationwide event. He explained the rules of the event.

Jerry described the projects that will be involved. They will be opening a new target green.

Mr. McBride spoke about the town coming together with the business community. He noted the nice facilities the town has and said they want to work with the municipality. He praised Pat Armstrong's efforts with the baseball tournaments. He commended the town for their cooperation and look forward to many more events. He said we have to work to bring people to Yarmouth and appreciated the Selectmen's support. Suzanne thanked them for the sponsorship of this tournament. It was noted to sign up go to Blue Rock ahead of time or go to the internet and sign up. Dan Horgan praised their effort. Bud said this is an admiral job done. He noted the speed boat raise. Bob Dubois will be making an announcement. Jim said wonderful job.

Bob Dubois, Director of Chamber of Commerce. He said the Davenport Company is also taking a leadership role in the boat race. The boat race is this weekend. They are primarily out of New Jersey. He ran through the permitting process. He said the town department heads has played a major role. Bob explained the events and the places to see the race go off. It is a fun way to start the summer season and is hopeful the media will cover this. The boat ramp will be open to the public. They are making arrangements for

proper parking. They anticipated most of the concerns. He passed out some souvenir tee-shirts for the board. He praised Patty Lloyd for all of her work. On the shirts was a long list of sponsors. Parking will be open at all of the public beaches. Bob Dubois encouraged residents to use the resident beaches only. The regular parking fees do apply for the general public. Bob noted this is a citizen community effort with Paul McBride and Patty Lloyd's leadership. Suzanne thanked them for making Yarmouth a destination.

Gary Lopez, People Republic of Barnstable. He said he delivered the lawsuit in Barnstable over the purchase of the water company. He said the board will see they feel strongly it should have gone to the voters and it should have been bid. They named Yarmouth as a defendant. One of the issues involves home rule. There is a business that extends into Yarmouth. Barnstable avoided all of the laws based on home rule. If home rule doesn't apply, you go the Mass General Laws and Mass General Laws says it has to go to voters. He asked the selectmen for support. Yarmouth has ten homes involved and the people will be paying for that through excessive water rates. He felt Barnstable took the wrong avenue. Suzanne McAuliffe said the selectmen will look into all of the information and get back to Mr. Lopez.

Hearing for Junk Collector License

Suzanne McAuliffe read the legal ad which appeared in the Register. Junk Collectors from Chris Barbaro, 17 Alison Lane, W. Yarmouth Ma dba the Metal Magnet.

Chris was requesting a license. He picks up cars from Yarmouth and brings them to Middleboro. They are all junk cars. There is no transfer of title. They are scrap metal. Cars will not spend any time at Alison Lane. Mr. Lawton said there would be a restriction on the license based upon the building inspectors comments. The address shall be used for licensing purposes only, no related business activity is permitted, and the applicant's pickup truck may be parked at Alison Lane. No tow truck or flat bed truck may be parked at Allison Lane. The Alison Lane address will be used for the mailing address for the business. The actual business is in Hyannis. They will not be bringing any junk cars home. Following a brief discussion and no comment from the public, Mr. Horgan moved the application with the restrictions as mentioned and that they will be using a PO Box. Seconded by Mr. Saben. Vote unanimous.

Council on Aging Meeting

Karen Marciante, Director, reviewed the board's charge. She highlighted a few things. 9200 requests for services came thru the Council. They house the regional shine program. This helps people thru the health insurance process. They loaned out 440 pieces of medical equipment. 2650 meals were served at the senior center, 17,000 meals on wheels were served to Yarmouth residents and 900 rides were provided for shopping. 34 people have volunteered in various town departments thru the tax work off program. She reviewed the outline she provided to the selectmen. She listed additional programs that were accomplished in addition to their regularly scheduled programs. She noted

their major goals: senior housing and transportation. They are working with the RTA on the transportation and community development on obtaining grants for senior housing.

Suzanne thanked Karen for her report. There was a discussion among the board members and they all thanked Karen and her staff for all of their work.

Adoption of Revised Slat/Ladder Sign Policy

Mr. Lawton said at the annual town meeting a bylaw change was made. He noted the policy needs to mirror what the bylaw says. Terry Sylvia did all of the work and the new policy was in the packet.

Terry Sylvia, Town Planner, was present for any questions. There are three slat signs at the present time. The policy was to standardize the signs and easy to read for motorists so it is quick safe directions. Following a discussion, Mr. Groskopf moved to adopt the policy as presented, seconded by Mr. Saben. Vote unanimous.

Appointments

Jim Saben noted Tom Broidrick's appointment to the Cape Cod Commission has expired and he nominated Dr. Marasco to serve as Yarmouth's representative to run thru April 30th 2008. Suzanne McAuliffe moved the recommendation, seconded by Dan Horgan for discussion. Jim said this is a position advertised for a number of months. Mr. Broidrick has served for a long time and has a great demand. Dr. Marasco indicated he could meet the demand and with his desire to serve it is a good recommendation.

Dan Horgan said the recommendation gave him pause. He looked at the positive and negatives. He recognizes Dr. Marasco is a six year selectmen, he has given to the planning board and recognizes where this town wants to go. He had some concerns that Dr. Marasco has a very busy practice and is looking for a representative that can be present and a vital piece of that governing body. He had the occasion to sit next to Dr. Marasco for two and one half years. He had some question of his ability to listen to other points of view and his ability to be respectful to other people. When he looks at the pros and cons they come out in favor of Dr. Marasco but he does have concerns and asked the board to consider a one year appointment and so moved. There was no second. Mr. Lawton said they could do the one year and if the three year is mandatory the board would have to address this again. He said he does not have the rules in front of him. Suzanne opposed the one year term. She said it should not be a test or trial. She noted the board can remove a committee member for cause if need be. She supported the recommendation of Dr. Marasco because he is clear about where Yarmouth wants to go. Vote 3-1 with Mr. Groskopf abstaining.

Jim Saben reviewed the list of the appointments of the Agents of the Licensing Authority. He recommended these appointments. Mr. Groskopf so moved, seconded by Mr. Horgan. Vote unanimous

Selectmen Items

Approval of the DY License Agreement

Present was Superintendent of Schools Tony Pierantozzi.

Mr. Lawton said in the packet was the draft of the school lease and on the table was one amendment. There was a discussion today regarding insurance to make sure we are covered. The school committee did vote the amended license last night and Mr. Lawton recommended the Board approve the license as amended. Mr. Horgan moved to accept, seconded by Mr. Groskopf.

Tony Pierantozzi had concerns with the termination clause and explained. He noted town meeting approves the school budget for a fiscal year. The attorneys talked thru the language and they now have no objections. Tony spoke about the part of the license that talks about the utilization of the property. He did have some concern and found no one interested in changing the way we do business. Clearly the school district will utilize the buildings fully. As always the school committee appreciates the selectmen's support. Finally, he explained the insurance changes. The Selectmen noted this was an interim document.

Vote was unanimous.

Jim Saben noted Mr. Pierantozzi graduates his last class and stated the fact that he is here tonight is a testament to his dedication to the community. Suzanne said Tony will be missed and the town has been fortunate to have someone who puts the schools before everything. She thanked him for his ability and service to the town. Tony thanked the board for their kind words. The board signed the agreement.

Approval of Minutes

Mr. Horgan moved to approve the minutes of March 29, April 5 and executive session minutes of May 24, 2005 and hold the executive session. Mr. Horgan so moved, seconded by Mr. Saben. Vote unanimous. Mr. Groskopf abstained on the minutes of March 29 and April 5.

Dan Horgan noted the resume of Dr. Daniel Cabral. Tony Pierantozzi noted the school committee offered the position to Dr. Cabral as interim superintendent effective date June 20.

Bud Groskopf requested a change in the Yarmouth bylaws. To see if the town would vote to modify chapter 47-1 of the town code election of officers to eliminate the words in the first sentence "on the first Monday of May each year and substitute the first

Tuesday of May each year". This would change the day we vote on from Monday to Tuesday along with the rest of the country. He requested this be included in the next special or annual town meeting.

Suzanne said we also need to look at and discuss when we have elections because they are too far apart.

Jim Saben said anything we can do to improve the participation of our citizens is a good thing. He felt this as well as other issues need to be on the goals that will be discussed next week.

Mr. Lawton will put this suggestion and consensus of the board in the future town meeting file. Mr. Horgan suggested putting signs out for the elections as we do for town meeting.

Jim Saben referred to the agenda provided to the selectmen in their packets from the Board of Health. He asked for an update on the motel issue the board of health is addressing.

Jim Saben spoke of the Moose Lodge stepping forward. It is an example how our non profit agencies work together with the town. He wanted to take his hat off to the Moose Lodge.

Jim Saben spoke about Barnstable and the issue of the airport and the ability of Yarmouth having a vote on their Commission was the subject matter. It wasn't a very successful evening. The Federal Government has made an announced to the possible closing of Otis and there has been some discussion of what do we do with it. Representative George was ahead of his time. Thomas George years ago proposed a feasibility study about the Barnstable Airport in regards to Otis. He asked this board send a formal letter to our legislators asking for funding for a feasibility study relocating the Barnstable Airport to Otis. He is in favor of keeping Otis as a military base but we need to work parallel with what is being discussed. It is an important time to send a message we need to consider alternatives. He moved his suggestion to send a letter to our legislators. Suzanne seconded the motion. Bud said 85% of all proposed closings by the Pentagon go forward. This is set by a definitive decision in September. On the drawing board are funds and plans for the new terminal. Are we going to get into a position that a new terminal is built and he suggested that in the letter the selectmen propose a moratorium of any spending or development of a terminal until this issue is resolved. Following a discussion, the board voted unanimously to send a letter to our legislators with Mr. Groskopf's suggestions with a copy to the Airport Commission.

Suzanne noted her trying to work with Gary Brown, President of the Barnstable Town Council. She worked in frustration and felt the Selectmen and the town residents were not treated fairly.

Dan noted he was surprised at how the other town councilors sat silently and felt Yarmouth was treated unfairly. The Selectmen will continue to fight for a voice on the Commission.

Suzanne recognized the work of Victoria Copenhagen in organizing the Memorial Day Parade. She applauded the speakers in recognizing our soldiers. It was a wonderful day and wonderful service. The parade was great and the music from the marching bands was excellent.

Suzanne said the Selectmen's and Councilors association will be this Friday at Speakeasy.

Town Administrator Items

Mr. Lawton said the Municipal Auditors Meeting is on June 9. They would ask Mr. Sullivan to represent the board.

Mr. Lawton said June 21 the Massachusetts Association of Assessors will be meeting. Mr. Saben would do the welcome.

Mr. Lawton reviewed the consent agenda. Mr. Saben moved to accept, seconded by Mr. Horgan. Vote unanimous.

Mr. Lawton said next week at 6:30 Mr. White and a representative will come in to speak about wind energy.

Mr. Saben moved to adjourn, seconded by Mr. Horgan. Vote unanimous.

Board of Selectmen Meeting: May 24, 2005 Regular Meeting

Present: Jerry Sullivan, Suzanne McAuliffe, Bud Groskopf, Dan Horgan, Jim Saben and Town Administrator Robert Lawton.

Chairman Jerry Sullivan opened the meeting at 7:00 p.m.

Public

Loyal Order of Moose

Donald Sullivan from the Moose presented a check to the Town for \$10,000 for the children to be able to participate in the town's recreational program and asked the board to accept this gift. Mrs. McAuliffe moved to accept the gift. Seconded by Mr. Saben. Vote unanimous. Pat Armstrong noted this brings their donations to over \$45,000. She explained what the money is used for. They are very pleased and grateful to the Moose Lodge. The Board thanked the Moose Lodge for their generosity.

County Commissioner Lance Lambros was present. Charlotte Striebel introduced Mr. Lambros. Lance presented a check of surplus funds to the Town of Yarmouth. He presented a check in the amount of \$26,015. He thanked the town for their support. The board thanked Lance for the check.

Mr. Lawton introduced Jacqueline Adams our new library director. He explained the interview process and her credentials. Jackie thanked everyone for all of their help and support. She is also looking forward to the challenges and opportunities.

Mr. Steve Edwards spoke about the school leases and asked what was the town's responsibility and the school committee's responsibility. Mr. Lawton explained the leases, the funding and the maintenance.

Transfer of Stock for Papa Gino's Inc.

Suzanne McAuliffe read the legal ad for Papa Gino's Inc. dba Papa Gino's, 940 Route 28, South Yarmouth, Ma., Jennifer Dixon, Manager.

No one present from Papa Gino's. Hold until later.

Application for Entertainment and Amusement License for St. David's Church, South Yarmouth in conjunction with Cushing Amusements to hold a family carnival from August 11 to August 14 at the John Simpkins School Grounds.

Suzanne McAuliffe read the legal ad which appeared in the Yarmouth Register.

Present Rev. Bill Hughes, Rector St. David's Episcopal Church, 205 Old Main St. South Yarmouth. Also present /Bob Kruger and Larry Johnson. Rev Hughes explained they were planning to have a kiddy carnival in August from the 9 and 10th to set up and the dates for the carnival are the 11th to 14th. Cushing Amusements will set up. This is a fund raiser for their stewardship program. Cushing amusement will be taking care of the set up, the insurance and all of the permits. On June 15, Gary Cushing will be able to acquire the insurance for this event and will secure the permits at this time.

Jerry noted this is a kiddy carnival and they are looking at younger children. It is all smaller entertainment. Bob Kruger said it is mainly geared towards family and mainly children. There will be a couple of larger rides. Jim Saben was concerned about the location and the noise in the neighborhood. Mr. Kruger said chose this site because of the visibility and the electricity and water. He said he talked with Mr. Cushing and he has a silencer generator. It is no louder than a ride on mower. There will be no loud speakers and he will reconfirm that with Mr. Cushing. There will be traffic and crowd noise but felt it would be

minimal. Mr. Cushing is willing to come down and speak to the board. Jim asked them to consider the layout and put the larger rides closer to the school. Bud said his concern is safety. He suggested and requested they get letters of recommendation from other towns that Cushing Amusements has run this carnival. Mr. Kruger said Cushing Amusements has been cited by the State for their safety record. Dan felt the 10 closing time was very reasonable and asked about bathroom facilities. Porta Potties will be provided. They will be addressing the traffic issues and will be contacting the police department and will be requesting the use of the town hall parking facilities. Town hall is public parking but this would require a police officer getting people across Route 28. Mr. Kruger spoke about the insurance. There should be a 3 million dollar requirement and the town of Yarmouth should be an additional named insured. Mr. Lawton said they would need a 3 million aggregate and a 1 ½ million per occurrence. Mr. Sullivan moved to grant the application as requested. Seconded by Mr. Horgan. Jerry said the fact that it is going to the younger audience and its hours, it is a great idea. Mr. Kruger said the State comes down inspects all the rides. No comments from the audience. Vote was unanimous.

Papa Gino's Hearing – Transfer of Stock. Suzanne explained this is a pro forma item and the company is required to hold a hearing for stock transfer. There will be no change in the operation. Mr. Lawton said the State also sent a letter that the review of the Commission indicated that the transaction is consistent with the general law. They simply asked us to hold the formal hearing to see if there are any comments. No comments from the board or the public. Mr. Sullivan moved to grant as submitted, seconded by Mr. Saben. Vote unanimous.

Committee Restructuring

Jim Saben referred to a letter from Karen Greene, Director of Community Development. There was a recommendation on the charges for the Community and Economic Development Committee and the Design Review Advisory Board. There was also a revision of the talent bank form. He spoke about the need for an Open Space Committee.

Open Space Committee. Jerry felt the Land Bank Committee has done a great job and recommended bring forward those interested members on land bank and appoint them to the land bank. Jim Saben said he is planning to send a letter out to these members. He suggested a 7 member committee. The board discussed this and suggested capping it at 7 but 5 would be sufficient.

A letter will also be sent to members of the committees who are no longer in place to see where they would like to serve.

Mr. Horgan moved the proposed charges be adopted as presented, seconded by Mr. Groskopf, vote unanimous.

Jim Saben referred to the letter of resignation from Elizabeth Monroe from the Affordable Housing Committee. She has served for 14 years and asked we send a letter of regret. Mr. Groskopf so moved, seconded by Mr. Sullivan. Vote unanimous.

Mr. Saben said he and Bud will continue to interview and seek out candidates and asked anyone who is interested to come forward.

Jim noted that the Blue Stone Group will meet with on June 6 and have a public hearing.

Bud thanked everyone for filling out a talent bank form and stated they have not been forgotten and will be hearing soon.

Selectmen Items

Mr. Saben moved to accept the workshop meeting minutes of January 8, 2005, seconded by Mr. Horgan. Vote 4=0=1 Mr. Groskopf abstained.

Mr. Groskopf noted the first Thursday of the month at 11 a.m. he will be at the Senior Citizen Center to discuss any of the issues that anyone is interested in.

Jim Saben said the Memorial Day Parade is this weekend. Jerry said he will try to be there but cannot promise. Dan said he will be there, also Jim Saben.

Jim said this week is employee appreciation week for town employees and the cookout is Friday.

Jerry said the parade starts at 10:30 followed by a ceremony at 11 at town hall.

Jerry announced the Bray Farm Sheep Festival on Sunday June 5, 9 to 5. Admission is free. They do request a donation for parking of \$3.00. He highlighted some of the events.

Mr. Saben moved to approve the consent agenda, seconded by Mr. Groskopf, vote unanimous.

Being no further business, Mr. Saben moved to adjourn, seconded by Mr. Groskopf. Vote unanimous.

Board of Selectmen Meeting: May 17, 2005 Regular Meeting

Present: Suzanne Jerry Sullivan, Suzanne McAuliffe, Bud Groskopf, Dan Horgan, and Town Administrator Robert Lawton.

Jim Saben absent

Chairman Jerry Sullivan opened the meeting at 7:00 p.m.

Public – None

Town Administrator Items

Mr. Lawton reviewed the consent agenda – Mr. Horgan moved to accept, seconded by Mrs. McAuliffe. Vote unanimous.

Mr. Lawton reviewed a note on the potential closing of Otis. The Selectmen's Association will be sending something to all of the towns asking for support to keep Otis open.

Suzanne noted it was time for the Selectmen's evaluation of the Town Administrator. She asked the Selectmen to put things in writing or call her and she will put all of the comments together.

Mr. Sullivan said there will be a draft copy of a letter addressed to the Board of Selectmen in Dennis asking for an alternative to a special town meeting to solve the lease issue. He asked the board to look the letter over and this will be discussed next week.

Selectmen Goals

Mr. Lawton said the reason this was put on the agenda was for the Selectmen to start thinking about their goals. On June 14, it will be a major item on the agenda. He asked the board to start to put their thoughts together and think about how they wanted to formulate all of the goals.

ATM Review

Suzanne spoke about article 5 – operating budget - She was not happy about the presentation. Next year we need to make sure we have comprehensive overheads.

Suzanne thanked Brian Braginton-Smith and the Energy Committee and town departments to move forward on energy issues. She wanted to acknowledge all of Brian's work. She said she would like to look at the municipal utilities and maybe ask Peter White to have some of the people from Hull come down and talk to the board during one of their workshops.

Suzanne noted in all of the talks about golf, it came out how our golf courses were in great shape and she thanked all of the golf employees for their hard work. She also felt personally we do not need golf on the warrant again.

Suzanne thanked Emily Marzetti and the music director for their hospitality at the Mattacheese School.

Dan Horgan spoke on the last minute changes and hoped we could freeze the changes at some point in time. He was extremely pleased with the presentations of the professional staffs of the town in educating our people. He said we have to do a better job to get the people out to town meeting and to the polls.

Bud Groskopf said the school article was never visualized. People came to vote no. We have to break it up. We have to start taking advantage of television. We have to do something better to get people to the polls. He suggested elections should be on a Tuesday. Bud suggested he will be holding a “tell it to Bud time” for golfers. He would be happy to talk with the golfers. He will set this up with the Enterprise Committee.

North Main Street Parking

Mr. Lawton said Mr. Bottomley has an objection to the proposal the town meeting. What is proposed is to put no parking zone on North Main Street. Mr. Bottomley noted this is a County way but the town has authority over the road. The engineering division with the approval of the police department recommended the no parking signs which would create a right turn lane. Mr. Sullivan read a letter from the police department which recommended parking should not be allowed.

Mr. Bottomley and Tracy Taylor were present. He reviewed the parking history. Tracy Taylor spoke of the legal issues and the effects it will have on the businesses in the area. They will lose tenants and parking spaces. You will create a location that is not a go to location. Traffic will speed through. The parking spaces attract people to the locations. She said the town does not have the right to take these spaces away. She says we must follow the procedures in the Mass General Laws. The County never registered the taking. Mr. Bottomley holds the title to the middle of North Main Street. If these parking spaces are going to be taken from Mr. Bottomley, he is entitled to compensation. Mr. Lawton noted that town counsel disagrees.

Mr. Sullivan suggested the board take no action and see what develops with the efforts to renovate and rezone the South Yarmouth area.

There was much discussion.

Jerry suggested maybe some suitable arrangement could be made. He suggested readdressing this issue in June and Mr. Bottomley will be notified.

School Committee – DY High /School Renovation Expenditures

Tony Periantozzi, Superintendent of Schools turned the meeting over to the School Committee

Phil Morris, School Committee Member and Member of the Building Committee. He introduced the other school committee members present.

He reviewed the reinstatement of some of the items in the renovation project. Bob Tucker gave an overview of the costs of the reinstatement of these items. Phil discussed the financial picture. \$1,996,317 – State Share \$1,313,064 leaving district share to 655,253. The 20 year cost comes to \$1,051,025. He discussed the taxpayer costs. Dennis \$12.10 per \$100,00 and Yarmouth \$.25 per \$100,000. The School Committee did approve three of the items.

There was a discussion. Jerry Sullivan said the process of the school committee coming in to have a group discussion, it keeps the board updated. The main thing is it gets the message to everyone in town and thanked the school committee and administration for the update.

Discussion - Failure of the Debt Exemption

Brad Egan said the committee has not come up with a plan. The committee has taken some responsibility for not publicizing the issues as well as they could. The sense of urgency was very real. He said we had the support of the Selectmen and the Finance Committee. The impact is immediate. We need to formulate a plan to deal with the repairs. The roofs are beyond repair. Mr. Sulilvan said the board will assist them as they develop a plan. This should be a top priority and the board will work with the school committee. Brad said the district could issue a bond. The school committee said this is another mechanism. This will have to be discussed at a future meeting.

Chapter 70 Discussion.

Suzanne McAuliffe said the discussions with Dennis have been changing on a weekly basis. She stated there is some rhetoric that Yarmouth has unilaterally invoked Chapter 70. This is not the case. A committee will be set up over the summer to discuss what to do about Chapter 70 and to look at the Regional Agreement. Given Regional System, it would be a disservice not to study the agreement. Yarmouth would like to have the opportunity to sit down with Dennis and have time to discussion the regional agreement. The board would like to tell the school committee that this is too important not to discuss this fully and they understand the regional school committee will decide this. She said the board values the school district educationally and financially.

Jerry said this will be a transition year with TonyPeriantozzi leaving us. The search for a new superintendent candidates will look at this also. They hope to stabilize the situation and meet with Dennis and then bring it to the School Committee. Brad said the committee has not discussed the dergionalization at this point. They have discussused the

leases and the urgency of getting the leases in place by July 1. Both towns need to get together in getting the lease issue resolved. The School Committee will help to facilitate the lease decision.

Suzanne agreed and she felt the Town of Yarmouth will do whatever Dennis feels comfortable with. She has communicated with Dennis frequently. The leases are a non-issue. At this point, Dennis needs to come forward with their decision on the leases and the deregionalization will be discussed after July 1st.

Jerry Sullivan said the board hopes to resolve this without going to a special town meeting and they will communicate with Dennis often.

ATM Review

Jerry Sullivan said as the board moves forward with their goal setting agenda, he would like the board to think about the election and town meeting. He would like to recommend to set up a committee to look at town meeting and the election issues we have come up with. One issue is the Tuesday election and the timing. He said he would like to do this before the moderator sets up the Charter Review Committee. We can discuss this letter as we discuss the goals.

Mr. Lawton said there was a letter from Dennis and they would like to meet with the Board on next Wednesday the 25th. Jerry suggested to ask Dennis for their points prior to a meeting then we can sit down and discuss them. Mr. Lawton said town counsel believes we can extend the school lease as does Dennis' town counsel. Mr. Horgan suggested sending a letter to Dennis bringing out these points.

Being no further business, Mrs. McAuliffe moved to adjourn, seconded by Mr. Horgan. Vote 4-0.

Board of Selectmen Meeting: May 10, 2005

Present: Suzanne McAuliffe, , Dan Horgan, Jim Saben and Jerry Sullivan, Bud Groskopf and Town and Town Administrator Robert Lawton.

Chairman Suzanne McAuliffe opened the meeting at 7:00 p.m.

Public

Jane Hastings, Town Clerk, swore in the newly elected officers; Selectman Bud Groskopf, Housing Authority Bryant Palmer, School Committee Brian Egan and Nancy Anastasia.

Bud Groskopf thanked William Marasco for his six years of dedicated to the Town of Yarmouth. He thanked all the volunteers and all who came out and voted.

Suzanne thanked Dr. Marasco also and hoped he would stay involved in town activities. She thought he ran a very tight meeting and he was very watchful of the tax dollars.

Chief C. Randall Sherman introduced the new firefighters and gave their backgrounds: Kai Raiskio, Brad Flannery, Jason Moriarty, and Scott Smith.

Chief Sherman read a letter of appreciation, Mark Foley who is now deputy in Eastham. Letter was signed by Chief Sherman which thanked him for his exceptional service to the Town of Yarmouth.

The Board congratulated the new recruits and welcomed them to the Town. They congratulated and thanked Mark Foley and wished him good luck.

Reorganization of Board of Selectmen

Suzanne thanked the board for supporting her this year. She believes it is a good thing to have everyone have the opportunity to be the chair. She has enjoyed this past year.

Suzanne moved that Jerry Sullivan be Chair of the Board of Selectmen for the coming year. Seconded by Mr. Saben. Vote was unanimous.

Suzanne moved Jim Saben as Clerk, seconded by Mr. Horgan. Vote unanimous.

Dan Horgan moved Suzanne McAuliffe be licensing chairman, seconded by Mr. Saben. Vote unanimous.

Dan moved that Jim Saben be Chair and Bud Groskopf be vice chair of appointments, seconded by Suzanne. Vote unanimous.

Dan Horgan moved that t Bud Groskof be ambulance waiver representative, seconded by Suzanne. Vote unanimous.

Suzanne moved that Dan Horgan be the School Committee representative and Jerry Sullivan the alternate, seconded by Mr. Saben. Vote unanimous.

Suzanne moved Dan Horgan as the board's representative to the Scholarship Committee, seconded by Jim Saben. Vote unanimous.

Branding Presentation

Bob Dubois, Director of the Chamber of Commerce, said they were present to give the board an update on the branding. They have done some self assessments. They presented different options to the board. They went to several community organizations. They came up with a scope of work. We need to understand our image and what our residents want and what our visitors want. Northstar was the winning company. John McGriggs was present tonight to give a presentation. This is an overview and much more to come.

John gave the background of his firm North Star. He said the process has four stages. Understanding Stage – they are looking for common themes and common ideas. They did a Vision Survey, Visitor Origin, Prism Analysis, Competitor Analysis, Perceptions Study, and Insights.

He said Cape Cod is a powerful brand. They feel for Yarmouth to be effective it has to relate to Cape Cod. The Yarmouth brand should show their own ground. Yarmouth is considered a good value and is family friendly and is a central point to experience the whole Cape. Yarmouth puts the Cape experience within reach. Yarmouth makes Cape Cod accessible. Yarmouth makes Cape Cod Accessible through family friendly values and central location.

Imagination and Brand Building Ideas were noted. We need to do Internet marketing. Advertising, promotions, creating packages, use events for shoulder season, Cape Cod Baseball League reunions, public relations, use media list, provide booking agent services, making good map.

Foundation Creative – Position Lines – were discussed.

The winning line was Cape Cod Within Reach.

Logos – Yarmouth Cape Cod Within Reach, etc.

Creative Concepts were shown.

Evaluation - the town will be able to track the Bluestone group. Have an annual visitation study, perception study and fine tune the media and conduct a conversion study.

Dan Horgan said he was disappointed. He felt we could have identified something that Yarmouth could market. He said he had higher hopes for this branding exercise.

Bud felt they maximized the facts very well and is looking forward to their refinement.

Jim Saben thanked John for his presentation – his tag line is you can get there from here. This has given us a lot to think about. Our town can now work together and this will tie in with what we are going to hear from the Bluestone Group.

Jerry said the final logo and rationale struck him when you came up with Cape Cod /Yarmouth within reach. He looks forward to going forward.

Bob Dubois requested that the board schedule a follow up meeting.

Bob Dubois introduced Lynn Mason-Small, Director of Communications and Marketing

Selectmen Items

Suzanne McAuliffe said she had a call from Gary Brown – they will read in our comments into the record and will bring it up to the council within the next two weeks.

She said we have had a request to add two stop signs on Bayview Street by the Town of Barnstable. Our engineering department is looking at this request.

The House has past a bill that Cleon Turner and Jeff Perry are involved regarding the distributing of the formula for lottery money.

Next week the school committee is scheduled to come in to talk about the renovation add-ons and to discuss regionalization. We will have information regarding the discussions that took place in Dennis and what is fact and what is not fact.

Planning Board and Bluestone Group Presentation.

Karen Greene, Director of Community Preservation passed out info.

Karen noted this has garnered interest from many committees in town along with participation from the Chamber. We put an RFP for future planning of Route 28 and received a proposal from the Blue Stone Planning Group. We are hoping to bring the board up to speed and to get a little bit of direction from the board.

Larry Bluestone introduced Larry Kopf. They were asked to look at the entire Route 28 corridor. It is congestive and chaotic. It is a weakness but it has a lot of potential. They are coordinating with the Branding Study. They talked to a lot of people with a lot of ideas. This is the village center study. A goal is to address the affordable housing needs. They are trying to encourage economic redevelopment. They have to recognize the tourism industry. He took everyone through some maps of Route 28 and some of the visions for Route 28. The priorities that emerged was the redevelopment of the South Yarmouth Village.

The Marina Area also has a lot of potential especially with the marina and park that is being proposed. They were also suggesting acquisition of some properties. He spoke about incentives for redevelopment. Better motels, height incentives, increased density, lot area coverage. He reviewed the handouts given to the board.

There was a discussion among the board members.

Karen noted they will be doing outreach to the businesses in town.

Jerry Sullivan thanked Karen and the Blue Stone Group and the Planning Board and said the board looks forward to the next update.

There was no public comment.

Town Administrator

Mr. Lawton reviewed the consent agenda and reviewed the list of gifts. Mrs. McAuliffe moved to accept the gifts with appreciation, seconded by Mr. Saben. Vote unanimous.

Jim Saben gave an update on Station Avenue construction.
The sidewalks should be in place by the end of the spring.

Being no further business, Mrs. McAuliffe moved to adjourn, seconded by Mr. Horgan.
Vote unanimous.