



Board of Selectmen
Town Hall Hearing Room
November 30, 2010
Regular Meeting

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

Public

1. Harvey Rivera – Life Saving Awards to the Yarmouth Police Department and the Yarmouth Fire Department

Deputy Fire Chief Phil Simonian spoke to the Board about the incident involving Mr. Rivera. Lt. Bearse spoke to the Board regarding AED units and the Town's Heartsafe Community designation. Lt. Steven Xiarhos handed out certificates of appreciation from Mr. Rivera to the employees who assisted in recovering him in July 2010.

Susan Larabee spoke to the Board about her being against the proposed spraying by NSTAR.

The meeting was turned over to Licensing Chair McAuliffe. Mr. Tolley and Mr. Sears both disclosed that they have a business relationship with the applicant and therefore will not be voting on the application.

Public Hearing

1. New Weekday and Sunday Entertainment License, and Alteration of Premise for All Alcohol Innholders License – Conkee Corporation d.b.a KC's 822 Route 28, South Yarmouth

Chairwoman McAuliffe read the legal ad. Application represented by Jack Hynes and Atty. Paul Tardiff. Atty. Tardiff updated the Board on the expansion of the premise and therefore requires an amendment to the existing license. Ms. McAuliffe reminded the applicants that the noise from amplification must be contained within the premise. Mr. Hynes notified the Board that the Gull Wing will be renamed the "Irish Village".

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

Motion by: Bud Groskopf Seconded by: Tracy Post Yea 3 Nay 0 Abstain 2

MOTION: To move that the Board of Selectmen grant all licenses as requested.

Motion by: Bud Groskopf Seconded by: Tracy Post Yea 3 Nay 0 Abstain 2

The meeting was turned back to Chairman Tolley

Joint Meeting with Yarmouth Housing Authority

1. Appointment of a Replacement Member

Bob Lawton informed the Board that in their packet is a section of MGL stating what the proper procedures are for a joint discussion and appointment to the Housing Authority. Ed Blackman spoke to the Board that the Housing Authority recommended Marianne Milton to be appointed. Ms. Post asked if the Housing Authority voted on that appointment prior to having an interview which Mr. Blackman replied that the Housing Authority spoke to Marianne Milton. Mr. Blackman said that the Housing Authority was unaware of any other candidates, Evelyn Hayes and Niall Hopkins. Ms. McAuliffe asked to hear from Ms. Hayes. Ms. Evelyn Hayes stated her qualifications and expressed her concerns that the Housing Authority made a recommendation prior to this evening's meeting. Ms. Hayes disclosed that her brother is a resident in a Housing Authority development. She verified with the State Ethics Commission and has been cleared by them that there is no conflict of interest. There was discussion about the particulars of voting authority for the Housing Authority and Ms. Hayes said that she would re-check with the Ethics Commission to see if there was a conflict. Ms.

Milton spoke to the Board about her qualifications, her being Vice Chair of the Community Housing Committee and her desires for Affordable Housing within the Town. Mr. Blackman spoke about housing developments which the Housing Authority has accomplished. Mr. Tolley asked Mr. Blackman if the Housing Authority voted unanimously to appoint Ms. Milton. Mr. Blackman stated that there wasn't a vote and the recommendation was actually a personal endorsement. Mr. Groskopf would like to get a copy of the MGL siting the voting capacity of the Housing Authority. It was decided between the Board to postpone the vote until more information is on hand and have the Housing Authority interview all of the candidates prior to a formal joint vote.

Presentation/Update – Computerization of Licensing & Permits

Represented by Ed Senteio, Shawn MacInnes and Jim Brandolini. Mr. Senteio, with the assistance of a PowerPoint Presentation, discussed permitting online possibilities through reviewing the objectives which the Selectmen set as part of their goals. Mr. Senteio reviewed Customer Service improvement opportunities which Mr. Brandolini elaborated on the process of obtaining a Building Permit and how it can trigger multiple departments in different locations throughout the Town. Mr. Senteio asked certain items for the Selectmen to consider. Mr. Sears asked about Credit Card fees which Mr. Senteio stated that there are State Bids for American Express and the Permitting team is looking at additional options. The Board unanimously expressed support for the concept and would like it to be added to the Capital budget for the 2011 Annual Town Meeting.

The meeting was turned over to the Co-Appointment Chairs.

Board and Committee

1. Appointments

- Old Kings Highway [1 Alternate]

MOTION: To move that the Board of Selectmen appoint Mr. Jenkins to the OKHC for a one year term.

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

- Agricultural Commission [1 Regular]

MOTION: To move that the Board of Selectmen appoint Ms. Cavanagh to the Agricultural Commission for a three year term.

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

- Acting Town Administrator and Approval of Contract

MOTION: To move that the Board of Selectmen appoint Mr. Peter Johnson-Staub as the Acting Town Administrator for a period of 90 days effective December 18th, 2010.

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

- Cape Cod Regional Transit Authority [1 Regular]

MOTION: To move that the Board of Selectmen reappoint Robert C. Lawton, Jr. as the rep to the CCRTA for a three year term

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

- Affordable Housing Trust [1 Regular]

MOTION: To move that the Board of Selectmen appoint Robert C. Lawton, Jr. as the citizen at large to the Affordable Housing Trust for a three year term

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

- Veterans Services Board [1 Regular]

MOTION: To move that the Board of Selectmen reappoint Robert C. Lawton, Jr. as the rep to the Veterans Service Board for a three year term.

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

2. Resignations

- Golf Enterprise Committee [1 member]

MOTION: To move that the Board of Selectmen accept the resignation of William Howes from the Golf Enterprise Committee

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

Selectmen Items

1. NSTAR Spraying Issue Resolution – Request for Support

Mr. Lawton reviewed material in the Selectmen’s Packets. Dr. Christine Solei spoke about the ingredients in the proposed sprays and how it affects children hormonally.

MOTION: To move that the Board of Selectmen endorse the Resolution.

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

2. Approval of Minutes

- Regular Meeting – September 28, 2010
- Regular & Executive Session Meeting – November 2, 2010

MOTION: To move that the Board of Selectmen approve the minutes and hold the Executive Session minutes.

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

3. Individual Items

- *Mr. Tolley spoke about the DY varsity Football Playoff losing game against Duxbury.*
- *Mr. Groskopf announced his “Tell It To Bud Time”*
- *Ms. McAuliffe mentioned that she went to the Board of Health meeting the previous week and how there was disconnect with the BOH members and wastewater issues. She suggested that the BOH members and other boards receive a copy of the wastewater informational meeting presentations which describes the necessity of a sewer system.*
- *Mr. Tolley reminded the Board that there will be a joint meeting with the Town of Dennis next week at 6pm.*
- *Mr. Tolley reminded citizens to be wary of walking within conservation areas since it is hunting season.*
- *Ms. Post mentioned the Field Box dedication event that happened on Saturday and how successful it was.*

Town Administrator’s Items

1. Consent Agenda

- 383 North Main Street, Flax Pond – NSTAR Easement
- Donations

1. Police Department

▪ University of Delaware	\$275.00
	\$275.00

2. DPW – Streetlights

▪ John Dalton	\$80.00
▪ Joyce Dane	\$80.00
▪ Claire McCoy	\$80.00
▪ Barbara Gold	\$80.00
▪ Ben Beaudry	\$80.00
▪ Patricia MacArthur	\$80.00
▪ Fred and Patricia Kaczor	\$80.00
▪ Jackie Gamache & Eleanor Jordan	\$80.00
▪ Christopher & Catherine O’Brien	\$80.00
▪ Barry & Patricia Egan	\$80.00
	\$800.00

3. Flax Pond Recreation Center

▪ GHD – Septic Design	\$12,000.00
	\$12,000.00

Total

\$13,075.00

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

Motion by: Bud Groskopf

Seconded by: Suzanne McAuliffe

Yea 5 Nay 0

2. Items

- *Mr. Lawton reminded the Board that there will be a meeting on next Thursday for Police Chief Interviews. The Consultant will provide a summary of the assessment and a series of interview questions. The Board discussed timing issues.*

Adjourn

MOTION: To move that the Board of Selectmen adjourn the meeting at 9:19 pm.

Motion by: Suzanne McAuliffe

Seconded by: Bud Groskopf

Yea 5 Nay 0

Respectfully submitted,



Elizabeth G. Hartsgrove