



**Board of Selectmen  
Town Hall Hearing Room  
February 8, 2011**

The meeting was called to order at 6:30p.m. by Selectmen Erik Tolley. Selectmen present: Suzanne McAuliffe, Bud Groskopf, Tracy Post and Curt Sears. Also Attending: Acting Town Administrator Peter K. Johnson-Staub.

## Review of ATM Articles

1. Recommendations on Articles 1-4, 6, 8-11 and 13-18.

*Mr. Johnson-Staub reviewed the articles on the Warrant.*

**MOTION:** To move that the Board of Selectmen recommend Article 1 through 4.

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

*Mr. Johnson-Staub updated the Board on both the Operating Budget and Article 6. The Board decided to postpone recommendation on Articles 6, 17 and 18 to a future date.*

*Mr. Johnson-Staub reviewed Articles 8 & 9.*

**MOTION:** To move that the Board of Selectmen recommend Article 8 and 9.

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

*Mr. Johnson-Staub reviewed Articles 10 & 11.*

**MOTION:** To move that the Board of Selectmen recommend Article 10 and 11.

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

*Mr. Johnson-Staub reviewed Articles 13 & 14.*

**MOTION:** To move that the Board of Selectmen recommend Article 13 and 14.

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

*Mr. Johnson-Staub reviewed Article 39.*

**MOTION:** To move that the Board of Selectmen recommend Article 39.

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

*Mr. Johnson-Staub reviewed Article 40.*

**MOTION:** To move that the Board of Selectmen recommend Article 40.

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

*Mr. Johnson-Staub reviewed Article 32.*

**MOTION:** To move that the Board of Selectmen recommend Article 32.

**Motion by:** Curt Sears                              **Seconded by:** Suzanne McAuliffe                      Yea 4    Nay 0    Abstain 1

**MOTION:** To move that the Board of Selectmen recommend Article 31.

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

The Board of Selectmen gave the pledge of allegiance.

## Public

1. Presentations of Certificate of Appreciations

*Mr. Johnson-Staub and Mr. Jerry Sullivan discussed the efforts of the business community towards the TA Candidates Interview 3 day event. Certificates of Appreciation were given to the Yarmouth House, the Old Yarmouth Inn and the Clarion Inn. The Board thanked the Search Committee for all their hard work in organizing the interviews and the event.*

*Charlie Kelleher asked the Board to consider rearranging the timing for sending out tax and water bills. He had asked that all Board of Health and Planning Board meetings be televised.*

Steven Edwards spoke about the FY12 Yarmouth assessment. Mr. Johnson-Staub mentioned that there is a school budget gap of \$488,000 along with a \$600,000 gap in the town operational budget. Ms. McAuliffe stated that she was not optimistic that the Town could find any additional funds to devote towards schools. Mr. Tolley reiterated that the Board supports overrides as well as requesting a School Financing Sub-Committee.

Vida Morris spoke about school overrides and additional monies is not going to solve the problems.

Ms. Carol Woodbury spoke about some positive occurrences within the Regional School System.

## **Sewer Project Update**

Represented by Board of Health Chairman Brian Braginton-Smith and Planning Board Chairman Tom Roche. Mr. Braginton-Smith updated the Board on comments and issues regarding the Sewer Project. He mentioned points which were important to the Board of Health; watershed issues, ecosystem issues, affordability, enforcement and how do the connections get facilitated? Affordability and Growth Neutral were key questions for the Board of Health. It is the opinion of the Board of Health that the Town of Yarmouth has taken a leadership position and the incredible amount of work which has been done by George Allaire, CDM and the DPW staff being able to facilitate the vast amount of information that has to be put together in order to be able to put together this kind of Comprehensive Wastewater Management Plan into the current format.

Mr. Roche stated that the Planning Board has come to a general consensus relative to the activity, economic incentives they have been working on for the past several years; trying to allow developments the flow needed is issues they are trying to wrap their minds around. He suggested having regulations in place prior to starting the project in order to meet development needs to secure adequate flow. Mr. Braginton-Smith agreed that regulations need to be in place outlining the specific composition for new growth incentive zones before the MEPA certificate of CWMP is issued. George Allaire stated that regulations do not have to be in place when the certificate is issued. It can be continually developed and amended so accommodate economic development changes. David Young stated that the 0% SRF funding is brand new and an evolving process currently. He said that you can increase the flow as long as the nitrogen level is addressed.

## **Continued Review of ATM Articles**

### **1. Petitioned Article [Mary Zepernick]**

Represented by Mary Zepernick. Ms. Zepernick explained the petitioned article which is a non-binding resolution. After discussion regarding the wording of the article Ms. Zepernick said she will withdraw her article formally in writing which will be submitted to the Administration Office.

### **2. Continued Recommendations on Articles 1-4, 6, 8-11 and 13-18.**

Represented by Chief Walker, Deputy Chief Simonian and Kevin Huck. Chief Walker updated the Board about the proposed override request and the SAFER Grant. The Chief will meet with Peter Johnson-Staub to finalize staffing numbers and come back before the Board.

The meeting was turned over to the Appointment Chairs.

## **Board and Committee**

### **1. Reappointment**

- Old Kings Highway Committee

**MOTION:** To move that the Board of Selectmen reappoint Mr. Gegenworth as a regular member.

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

### **2. Appointment**

- Old Kings Highway Committee

There was discussion regarding Mr. Liedell's involvement with Clean Power Now and being a strong advocate for Wind Power.

**MOTION:** To move that the Board of Selectmen appoint Mr. Peat as a regular member and Mr. Liedell as an alternate member.

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

3. Resignation

- Cape Light Compact [1 Alt]

**MOTION:** To move that the Board of Selectmen accept the resignation of Jack Howard.

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

## Selectmen Items

1. Old Business

- Ms. McAuliffe reminded the public to try to shovel paths in front of their properties for public safety. Ms. McAuliffe announced that the Town has a plan regarding housing situation with tenants of the motels which are involved with being enforced of the current Zoning Bylaws.
- Mr. Groskopf announced that the case regarding the Bass River Yacht Club has been granted the right to improve the road.
- Ms. Post informed the Board that the after prom Party will taking place, specifically because of the efforts from Bob DuBois.
- Mr. Sears followed up on the Housing Issues.

## Acting Town Administrator's Items

1. Consent Agenda

- One Day Liquor License – Lions Club
- Donations

1. Administration

▪ Suzanne McAuliffe – Reimburse for MMA Luncheon	\$25.00
	<hr/> \$25.00

2. Department of Public Works - Streetlights

▪ Jeanne & John McHale	\$80.00
▪ Rotary Club of Yarmouth	\$80.00
	<hr/> \$160.00

<b>Total</b>	<b>\$185.00</b>
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**MOTION:** To move that the Board of Selectmen approve the Consent Agenda.

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

2. Items

Mr. Johnson-Staub informed the Board that the School Superintendent is looking for a member of the Selectmen to be part of the Collective bargaining team

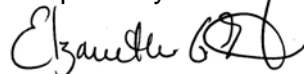
## Executive Session [Contract negotiations]

**MOTION:** To move that the Board of Selectmen enter into Executive Session at 9:20pm and not return to open meeting.

**Motion by:** Erik Tolley

Roll call (Sears, Post, Groskopf, McAuliffe and Tolley – yea)

Respectfully submitted,



Elizabeth G. Hartsgrove

**BOARD OF SELECTMEN**  
**February 8, 2011**  
**Distributed Material at Meeting**

**Review of ATM Articles**

1. Draft ATM Warrant, dated February 8, 2011
2. Memo from Chief Walker to BOS, dated February 6, 2011. Re: Presentation

**Sewer Project Update**

1. Memo from Peter Q. Smith to BOS, dated February 4, 2011. Re: Wastewater Planning

**School Information and Correspondence**

1. Email from Carol Woodbury to PJS, dated February 7, 2011. Re: Teacher Negotiations