



**Board of Selectmen  
Town Hall Hearing Room  
Regular Meeting  
May 3, 2011**

The meeting was called to order at 7:00p.m. by Chairman Erik Tolley. Selectmen present: Suzanne McAuliffe, Bud Groskopf, Tracy Post and Curt Sears. Also Attending: Acting Town Administrator Peter K. Johnson-Staub. The Board of Selectmen gave the pledge of allegiance.

## Public

*Chief Frederickson spoke to the Board regarding the injured K9 patrol dog, Clarke. Over \$15,000 has been donated to assist with his medical bills. Members of the K9 unit expressed their appreciation for all of the donations towards the surgery and rehabilitation.*

*Atty. Bruce Gilmore updated the Board on the ongoing Zoning issues concerning Caviler Admiralty Lodging, West Yarmouth Lodging and the Seagull Beach. The Town will be meeting with the property owners on May 13<sup>th</sup> to see if an agreement can be reached.*

*Charlie Kelleher spoke against the proposed overrides and sewers. Mr. Kelleher stated that he saw people and employees picking at the dump who didn't have dump stickers.*

*Peter Kenney gave the Board a list of questions for the Board to consider asking Mr. Niedzwiecki later on that evening.*

*Niall Hopkins requested the Board to talk about the Senior Bus.*

*Bill Moran spoke about the Candidates night, the previous evening, and a prop gun being used by one of the candidates. Mr. Moran asked the Board consider censure of Bud Groskopf.*

*Donna Hill asked Mr. Sears to clarify his comments from last week regarding the sewers, tax rates and appraisals. She also asked if the Selectmen were individually comfortable with supporting the sewer project. Ms. Post stated that she felt that sewers need to be done however needs more input from the public. Mr. Tolley agreed with Ms. Post. Mr. Groskopf stated that he has not decided yet.*

*The meeting was turned over to Licensing Chair McAuliffe.*

## Public Hearing

1. Transfer, Pledge and Change of Location of Annual All Alcohol Retail Package Store License, Seascape Spirits LLC, Ronald Murphy mgr., 451 Station Ave.

*The legal ad was read by Licensing Chair McAuliffe. Applicant represented by Ron Murphy who updated the Board on the proposed operations of the new business.*

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

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

**MOTION: To move that the Board of Selectmen grant the transfer, pledge and change of location.**

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

*Meeting was turned back to Chairman Tolley*

## Bayview Beach Erosion [Karl vonHone]

*Mr. vonHone updated the Board on the erosion occurring at Bayview beach and prevention history.*

## Wastewater [Paul Niedzwiecki, Cape Cod Commission]

Represented by Paul Niedzwiecki and Andrew Gottlieb. Ms. McAuliffe asked about a quote in the paper regarding the Cape Cod Commission recommending why the Town should wait to be sued instead of being proactive. Mr. Niedzwiecki stated that the context of the discussion was regarding a possible litigation which would attract national attention and possibly then providing new grant monies, as like the Chesapeake Bay, Great Lakes and action in Lake Champlain area. However there is no current funding available at this time. There was discussion regarding the SRF program and Andrew Gottlieb described it in detail. Design work would need to be completed by October 1 to remain within the SRF. If the Town did not vote in favor of it this year and brought the question before the voters in the future the Town would have to start from scratch as far as state approval and SRF funding. The 0% is scheduled to expire in 2019. Mr. Dave Young reviewed the SRF filing for Phase One and the deadlines which are needed to be met.

## Selectmen Items

1. Old Business
2. New Business
  - Individual Items

Ms. McAuliffe reminded the Board of the Cape Cod Selectmen and Councilor's association meeting coming up. Bill Keating will be speaking. Ms. McAuliffe described the Board's reasoning behind the 5 year contract for the New Town Administrator.

- Open June 21, 2011 Special Town Meeting Warrant

Tabled to next meeting

- ~~Admiralty Lodging Litigation Update~~
- Discussion on Senior Center Bus

Mr. Johnson-Staub reviewed the costs to operate a Senior Center Van. Even with a bus being given to the Town for free it would cost approximately \$45,000 annually. Currently the Town shares a bus with Dennis at a cost of \$10,000. There would be a \$35,000 budget impact. Ms. Post asked if an RFP could be made to see if a service could be provided at less of a cost.

## Acting Town Administrator's Items

1. Consent Agenda
  - Yarmouth Port Library July Book Sale
    1. Request of \$50.00 Tent fee Waiver
  - Rotary Club of Yarmouth – Yarmouth Youth Street Art Festival on May 29<sup>th</sup>
    1. One Day Entertainment License and Waiver of \$55 License Fee
  - Yarmouth Firefighters Local 2122 Road Race on May 7<sup>th</sup> at the Irish Village Restaurant & Pub d.b.a. Cape Cod Irish Village, 822 Route 28.
    1. Temporary Extension of Premise of Existing All Alcohol license
    2. Temporary Extension of Premise of Existing Entertainment License (no fee)
    3. Waiver of Tent and Sign Permit Fees, \$90.00
  - Yarmouth Police Relief Association Road Race on May 15<sup>th</sup> at Beach View Inc., d.b.a. Skipper Restaurant, 152 South Shore Drive.
    1. Temporary Extension of Premise of existing All Alcohol License
    2. One Day Entertainment License
    3. Waiver of Entertainment, Tent and Sign Permit Fees, \$145.00
  - Donations
    1. Town Administration - General
      - Stratford Capital Group – mowing of Field \$1,600.00

\$1,600.00

2. Town Libraries		
▪ Robert & Constance McLean-Stead		\$20.00
▪ Phyllis Burke		\$25.00
▪ Elizabeth Cronin		\$25.00
▪ Carol Devir		\$25.00
▪ Marcia Young		\$25.00
▪ Barbara Goldrick		\$50.00
▪ Kathleen Stetson		\$50.00
		<hr/>
		<b>\$220.00</b>
3. Recreation Department & Community Visions		
➤ Lawrence Lynch Corp – paving at Flax		\$15,240.00
		<hr/>
		<b>\$15,240.00</b>

**Total** **\$17,060.00**

*Mr. Johnson-Staub reviewed the Consent Agenda. Ms. McAuliffe asked that the Administration Office keep track of the fee waivers.*

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

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

2. Items

- Police Lt. Promotion

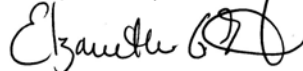
*Mr. Johnson-Staub updated the Board on the promotion. The Board requested the position be filled.*

**Adjourn**

**MOTION:** To move that the Board of Selectmen adjourn the meeting at 9:05pm

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

Respectfully submitted,



Elizabeth G. Hartsgrove

**BOARD OF SELECTMEN**  
**May 3, 2011**  
**Distributed Material at Meeting**

**Public**

- Email from PJS to Chief Frederickson, dated May 2, 2011. Re: Appeal for Canine Veterinary Expenses

**Wastewater**

- Email from PJS to Erik Tolley, dated May 3, 2011. Re: Sewer Project – Fincom recommendation

**Selectmen Items**

2. New Business

- Discussion on Senior Center Bus

- Senior Van Budget Estimate, dated May 3, 2011

### **Department Information and Correspondence**

- Memo from RCL to BOS, dated September 1, 2010. Re: Selectmen Goals

### **External Information and Correspondence**

- Email from Joe Glynn to BOS, dated April 29, 2011. Re: Sign Czar Breaking Laws revised