



**Board of Selectmen
Town Hall Hearing Room
Regular Meeting
May 24, 2011**

Executive Session – Potential Litigation

The meeting was called to order at 7:00p.m. by Chairman Erik Tolley. Selectmen present: Suzanne McAuliffe, James Quirk, Tracy Post and Curt Sears. Also Attending: Town Administrator William G. Hinchey. The Board of Selectmen gave the pledge of allegiance.

Public

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

The newly elected officials were sworn in by Town Clerk Jane Hibbert.

2. Police Department Pinning Ceremony

Presented by Chief Frederickson who pinned the newly promoted officers within the Police Department.

3. Historic Commission Award Presentation

Presented by Julie Mockabee who gave the Historic Commission Award to Tom and Liz Frane for the restoration of 491 Route 6A.

Mr. Paul McCormick, Dennis Board of Selectmen, welcomed Selectmen Jim Quirk and thanked the Yarmouth voters for passing the School override.

Board Reorganization

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

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

MOTION: To move that the Board of Selectmen appoint Suzanne McAuliffe as Vice Chairman.

Motion by: Tracy Post **Seconded by:** James Quirk Yea 5 Nay 0

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

Motion by: Curt Sears **Seconded by:** James Quirk Yea 5 Nay 0

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

Motion by: Tracy Post **Seconded by:** James Quirk Yea 5 Nay 0

MOTION: To move that the Board of Selectmen appoint James Quirk and Curt Sears as Appointment Co-Chairs.

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

MOTION: To move that the Board of Selectmen appoint Suzanne McAuliffe as Ambulance Waiver Administrator.

Motion by: Tracy Post **Seconded by:** Erik Tolley Yea 5 Nay 0

MOTION: To move that the Board of Selectmen appoint Tracy Post as D-Y Liaison.

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

MOTION: To move that the Board of Selectmen appoint Curt Sears as Affordable Housing Trust Rep.

Motion by: Tracy Post **Seconded by:** James Quirk Yea 5 Nay 0

Public Hearing

1. Fee Increases

2011 Proposed Fee Increases

Department/Division	Type of Fee	Existing Fee	Proposed Fee
General			
Administration	Town Hall Rental:		
	M-F, 8:30 - 4:30, 1-3 hrs.	\$0.00	\$50.00
	M-F, 8:30 -4:30, 3+ hrs.	\$0.00	\$50 + \$25/hr.
	After Hours, 1-3 hrs.	\$0.00	\$100.00
	After Hours, 3+ hrs.	\$0.00	\$100 + \$25/hr.
Community Services			
Recreation	Picnic Rentals	100.00	110.00
	Picnic Non-Profit	75.00	85.00
	Weddings	95.00	105.00
	Field Rentals day cat 2	55.00	60.00
	Field Rentals week cat 2	125.00	140.00
	Field Rentals season cat 2	250.00	275.00
	Field Rentals day cat 3	125.00	140.00
	Field Rentals week cat 3	300.00	330.00
	Field Rentals season cat 3	500.00	550.00
	Field Light Charge	\$50/hr.	\$55/hr.
	Summer Hoops	27.00	30.00
	Field Hockey-Summer	50.00	55.00
	Field Hockey Equip	30.00	35.00
	Flax Pond Camp	100.00	110.00
	Flax-Extend care	\$20/hr	\$22/hr
	Flax Pond Summer Dances	N/A	10.00
	Flax Pond Kids Care	125.00	140.00
	Early Childhood	60.00	70.00
	Kinder Camp	75.00	85.00
	Swimming lessons	16.00	18.00
	Tennis Lessons	19.00	25.00
	Lifeguard Training	200.00	220.00
	Lifeguard Training-Certified	250.00	275.00
	Sailing Lessons	90.00	100.00
	Racing Sailing	100.00	110.00
	Racing Sailing-non resident	140.00	155.00
	Up Charge for Boat usage	20.00	25.00
	Boat Storage	50.00	105.00
	Exercise Swim	28.00	31.00
	Open Swim	16.00	18.00
	1st & 2nd Basketball	37.00	40.00
	3rd & 4th Basketball	42.00	48.00
	5th-8th Basketball	42.00	48.00
	Pilates	40.00	45.00
	T-Ball	30.00	35.00
	AA Baseball	30.00	35.00
	Field Hockey Clinic	40.00	45.00
	Babysitter Training	58.00	65.00
	Softball	45.00	50.00

	Softball Clinics	15.00	20.00
Department of Community Development			
Conservation	Request for Determination	\$30.00	\$75.00
	Town Notice of Intent - Category 1	\$0.00	\$100.00
	Town Notice of Intent - Category 2	\$0.00	\$200.00
	Town Notice of Intent - Category 3	\$0.00	\$300.00
	Town Notice of Intent - Category 4	\$0.00	\$400.00
	Town Notice of Intent - Category 5	\$0.00	\$2/linear foot
	Town Notice of Intent - Category 6 - ANORAD	\$55.00	\$2/linear foot of each Resource Area delineated, \$200 cap for single family dwelling
	Extension Permit	\$55.00	\$75.00
	Certificate of Compliance	\$55.00	\$75.00
	Legal Advertising	\$6.00	\$10.00
Department of Public Works			
Sanitation	Construction and Demolition Debris	\$120 per ton	\$125 per ton
Cemetery	Overtime Rate, per hour	\$30.00	\$40.00
Public Inspections			
Health Department	Rubbish Collection	125.00	250.00
	Septic Installers	80.00	100.00
	Tobacco Sales	55.00	95.00
	Rental Registrations (Housing Offset)	50.00	60.00
Public Safety			
Fire Department	Oil burner install	25.00	50.00
	Install fire alarm system-Res	\$25.00	50.00
	Install fire alarm system - Com	25.00	100.00
	Install f/a-c/o system - Res	25.00	75.00
	Install f/a-c/o system-Com	25.00	150.00
	Repair alarm system	25.00	50.00
	Install propane tank	25.00	50.00
	Install kitchen hood suppression	25.00	50.00
	Install sprinkler system	25.00	100.00
	Tank Truck Inspection	25.00	50.00
	Above ground tank removal	25.00	50.00
	Underground tank removal	25.00	100.00
	Install carbon monoxide alarms-Res		50.00
	Install carbon monoxide alarms-2 fam		100.00
	Install carbon monoxide alarms-3-5 fam		150.00
	Install carbon monoxide alarms - 6+		200.00
	21E Review	20.00	75.00
	Suggest Copy Fee	5.00	10.00
	Fireworks &/or Spec. Effects 527 CMR 2:04(3,C,9)	\$0.00	\$50.00
	Fumigation Operation	\$25.00	\$50.00
	Hazmat unattended	\$25.00	\$50.00

	Install Fire Suppression System / Service Station	\$25.00	\$50.00
	Install of LPG Tanks	\$25.00	\$50.00
	Storage of LPG	\$25.00	\$50.00
	To Maintain an existing / New Storage Tank Facility	\$25.00	\$50.00
	Mechanical Rubbish Containers	\$25.00	\$50.00
	Service Station Upgrade	\$25.00	\$50.00
	Flammable Fluid, Solid, Gas Storage	\$25.00	\$50.00
	Tar kettle on Roofs	\$25.00	\$50.00
	Cutting & Welding Permit	\$25.00	\$50.00
	Waste Oil Storage Tanks	\$25.00	\$50.00

The Legal ad was read by Chairman Tolley. Ms. McAuliffe would like to know some of the rationale of some of the fee increases. Mr. Hinchey reminded the Board that the balanced budget was contingent upon the increase of these fees. Mr. Johnson-Staub elaborated on reasoning behind the proposed increase, specifically the rental of Town Hall. Ms. Pat Armstrong reviewed the Recreation Department fees that are roughly a 10% increase. Karen Greene explained the proposed Conservation Notice of Intent fee. Rob Angell stated that the proposed fees are in line with other Mid Cape Towns. Bruce Murphy reviewed the Board of Health Fees. Chief Walker reviewed the Fire Department fees. Ms. Post asked that False Alarms be charged. A second hearing will take place at the next meeting on June 7th.

Yarmouth Housing Authority

1. Update on Forest Road Affordable Housing Project

Represented by Ed Roderick and Ed Blackman. Mr. Roderick updated the Board on the proposed project. The Housing Authority has a meeting with HUD in the near future to seek state and federal funding. Ms. Post expressed concern with a 40B delegation that could circumvent Zoning board review. Mr. Sears was concerned with the aggressive timeline. Design and Permitting can be accomplished before full funding needs to be secured. The Board asked that an update be brought before them every six weeks

Wastewater Issues [WIC]

Represented by Tom DiPersio and Peter Kenney. Mr. DiPersio read the draft WIC Charge and explained thoughts behind several specific items within the proposed amended charge.

MOTION: To move that the Board of Selectmen adopt option #1 of the interoffice memo dated May 24th, 2011, moving the Special Town Meeting to September 12th, 2011.

Motion by: James Quirk

Seconded by: Suzanne McAuliffe

Yea 5 Nay 0

SAFER Grant

Represented by Chief Walker and Deputy Chief Simonian. In light of the failed override question, Chief Walker informed the Board that he and Mr. Hinchey are examining the overtime issues within the Fire Department. The Chief asked that the Board formally refuse the SAFER grant however Ms. Post asked if recommendations incorporating the Grant be brought before the Board at a future meeting.

Selectmen Items

1. Old Business

- Open and Close of Possible Special Town Meeting Warrant and Election

The Board discussed dates of opening and closing the Special Town Meeting and Election warrants.

- D-Y School District Facilitated Workshop

The Board discussed possible dates for the workshop.

2. New Business

- Cmte. Appointment – Scholarship Fund Committee [1 member]

MOTION: To move that the Board of Selectmen appoint Mr. Karr to the Scholarship Committee

Motion by: Suzanne McAuliffe **Seconded by:** James Quirk **Yea 5 Nay 0**

- Approval of January 25, 2011 Minutes

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

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

- Individual Items

Curt Sears thanked Bud Groskopf for his service to the Town. He also wanted to thank the business community for their service to the town during these hard economic times.

Tracy Post asked the Packet be released to the public after the weekend to allow the Board to review it and be able to answer questions once the public reads it.

James Quirk thanked everyone who supported his candidacy. Mr. Quirk disclosed that his sister is a Town Employee in the Clerk’s office, and he will take no action regarding her or the Clerk’s office.

Suzanne McAuliffe encouraged citizens to review the Ocean DCPC material and submit comments to the Cape Cod Commission. Ms. McAuliffe thanked Mr. Groskopf for his years of service.

Erik Tolley announced a Celebration of Life for Mo Johnson at Smugglers Beach tomorrow at 3pm. Mr. Tolley also announced the Town Memorial Day ceremony on Monday May 30th.

Town Administrator’s Items

1. Consent Agenda

- Approval of Statewide Mutual Aid Agreement
 1. MGL c.48, §59A: Opt-in to the Statewide Fire Mutual Aid Agreement
 2. MGL c.40, §4J: Opt-in to the Public Safety Mutual Aid Agreement
- Petersons Market – Temporary Extension of Premise of Existing Alcohol Off Premise License for Wine & Beer sampling on Saturday June 18th from 10am – 6pm.
- Bass River Yacht Club - Special One Day Liquor License on May 29th from 12-4pm for Annual Commissioning Ceremony.
- LCM PTO “Touch a Truck” Event – Request for Waiver of \$50.00Tent Permit fee
- Donations

1. Recreation Division

▪ Jim Rondeau – Golf Balls	\$200.00
▪ Lee Childs – Golf Balls	\$700.00
▪ Mr. Taakala	\$352.00
▪ Giant Glass – 2 Red Sox Tickets	\$250.00
▪ Virginia Garcia	\$97.69
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	\$1,599.69

2. Senior Services Division

▪ Dolores & Richard Redding	\$50.00
▪ Pamela Newman	\$35.00
▪ Franklin & Diane Day	\$50.00
▪ Rite Lutz Keslensky	\$50.00
▪ Frances Monick	\$25.00
▪ Roger & Gladys Olsen	\$15.00
▪ Robertson & Dupuy	\$4,800.00
▪ Mary & Kathleen O’Connell	\$25.00
▪ Robert Erickson	\$50.00
▪ Edward Hudson	\$150.00
▪ Joseph Guardino	\$165.00
▪ The Garden Club of Yarmouth	\$45.00

▪ YCOA	\$49.50
▪ Vito Bilitte	\$5.00
▪ Mary Sullivan	\$10.00
▪ AA Meeting	\$25.00
▪ Irene Johnson	\$20.00
▪ Wayne Whittemore	\$10.00
▪ Mary Meaney	\$20.00
▪ Anonymous	\$40.00
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	\$5,639.50
3. Library Division	
▪ Susan & Neil Thomson	\$50.00
▪ Carole Martino	\$25.00
▪ Ellen Downes	\$25.00
▪ Edward Downes, Jr.	\$25.00
▪ Rome Candy Co., Inc.	\$50.00
▪ Diane Quaid	\$50.00
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	\$225.00
4. Police Department	
▪ Estate of Wilhelmina I Gomes	\$416.96
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	\$416.96
5. DPW – Bench Donations	
▪ Philip Henderson	\$50.00
▪ Shirley Demers	\$50.00
▪ Paul Womersley	\$50.00
▪ Christine Twohig	\$50.00
▪ Joshua Newell	\$50.00
▪ Beth Williams	\$50.00
▪ Laura Wolfe	\$50.00
▪ Michael Inman	\$50.00
▪ Helen Coogan	\$50.00
▪ Daniel Eldridge	\$50.00
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	\$500.00
Total	\$8,381.50

Mr. Hinchey reviewed the Consent Agenda items. There was some discussion regarding the Mutual Aid Agreement.

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

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

2. Items

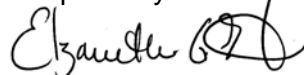
Mr. Hinchey asked, on behalf of the Finance Committee, to have a joint meeting to discuss the D-Y Formula.

Adjourn

MOTION: To move that the Board of Selectmen adjourn the meeting at 9:22pm

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

Respectfully submitted,



Elizabeth G. Hartsgrove

BOARD OF SELECTMEN
May 24, 2011
Distributed Material at Meeting

Board Reorganization

- Board of Selectmen Positions, 2010 – 2011

Wastewater Issues [WIC]

- Email from Steven McCurdy to PJS, dated May 24, 2011. Re: yarmouth extension for borrowing authorization

Information on Special Events and Programs

- Memorial Day Ceremony Program, May 30th 2011 at 11am