



**Board of Selectmen
Town Hall Hearing Room
Regular Meeting
July 12, 2011**

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

Public

1. West Yarmouth Library Association – Certificate of Appreciation
Chairman Tolley read the Certificate of Appreciation to the W. Yarmouth Library for the \$15,000 donation to pay for staff hours. Librarian Jackie Adams thanked the Association for the donation to keep the library open 5 days during FY12.
2. YPD National Night Out
Lt. Patrick Carty and Sargent John Fallon explained the Police Event scheduled on Tuesday August 2nd from 6-9pm. It is a Crime and Drug prevention event that will have children activities and free food.

The meeting was turned over to Licensing Chair Suzanne McAuliffe

Public Hearing

1. Change in Premise to Annual All Alcohol Innholder License – Clarion Inn
The Legal ad was read into the record. Application was represented by manager Mr. Abbott. Mr. Abbott explained the reasoning behind the change in premise that would allow extension out to the gazebo. Access to this area is restricted only through the inn. A letter of support was submitted by another hotel in town.

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

Motion by: Curt Sears **Seconded by:** Tracy Post Yea 4 Nay 0

MOTION: To move that the Board of Selectmen extend the premise to include the outdoor pool area as defined in the application.

Motion by: Curt Sears **Seconded by:** Tracy Post Yea 4 Nay 0

The meeting was turned over to Chairman Tolley.

2. Entertainment License: New owner and Location – Bonkerz Party Zone, 657 B Route 28, W. Yarmouth, Edson DeMoura.

The Legal ad was read into the record. Application was represented by Edson DeMoura who explained the change in location and how the business will remain relatively the same as the previous owner ran.

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

Motion by: Suzanne McAuliffe **Seconded by:** Tracy Post Yea 4 Nay 0

MOTION: To move that the Board of Selectmen approve the entertainment licenses as written in the Application.

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

Wastewater Fiscal Hearing

Mr. Bill Hinchey, with a PowerPoint Presentation, described in detail the three fiscal options to fund the proposed wastewater program; 1) 100% property tax, 2) 75% Property tax and 25% Betterment, and 3) 50% property tax and 50% Betterment. Option #4 was also presented where 25% betterment would be simulated. Projected Water and Sewer rates for both residential and commercial properties as well as hookup costs were reviewed in the presentation. Ms. McAuliffe was in favor of Alternative #4, as was Mr. Quirk and Mr. Sears. Finance Committee Chairman

Norman Holcomb read a statement in favor of Alternative #4. Wastewater Implementation Committee Chairman Mr. Tom DiPersio stated that they were in favor of Alternative #4 as well. Mr. Peter Kenney spoke about the necessity of the project and how Alternative #4 was the fairest option. Vida Morris asked about the necessity of the project which Ms. McAuliffe responded with examples of escalated nitrogen levels throughout the community. Donna Hill asked about the increased tax rate to the residents outside the sewer district. Mr. Hinchey responded that every member of the community will benefit from sewerage the Town thus the universal tax rate increase. Kathy Gigorio stated that she knows of the importance of getting the Town sewerage and how she was against betterments and that Alternative #4 was the best option for the Town. Michael Edward, manager of the Cove, stated that they support the sewerage financing, option #4, however is cautious of paying sewer fees if the fees go into a general fund. Tom Roche spoke in favor of the wastewater plan and option #4 yet is not in favor of using the assessed value of properties. He suggested amending option #4 to have it be based on use rather than value. Peter Kenney stated that there could be a necessity of expanding the user base to 6A properties. Ms. Vida Morris asked if there was an option to look for financial assistance through the state or federally? Mr. Hinchey stated that every effort has been made to seek such assistance. Ms. Hill asked if residential property taxes will drop if commercial growth occurs from having sewers within Yarmouth. Ms. McAuliffe stated that taxes would not drop but if it wasn't for commercial, the residential rate would be much higher. Mr. Sears said that option #4 is as fair and even as they can be. Ms. Post, Mr. Quirk and Mr. Tolley agreed that option #4 was the best financial plan. Both Ms. Post and Mr. Tolley are apprehensive on voting at this time on a financial plan without feedback from the public.

MOTION: To move that the Board of Selectmen adopt Option #4 as the funding mechanism for the sewer project.

Motion by: James Quirk **Seconded by:** Suzanne McAuliffe Yea 3 Nay 2

Ms. McAuliffe stated she was aware that both Mr. Tolley and Ms. Post were in favor of option #4 and their reasoning to vote against the motion was solely due to the vetting process to the public however she was concerned that a split vote sends a mixed message to the voters and requested reconsideration of the vote. Mr. Hinchey stated that WIC will be giving their full presentation on July 26th and an additional opportunity to revote if the Board chooses to do so. Mr. Tolley asked viewers to contact him through email their concerns and opinions on the project.

Board of Selectmen

1. Old Business

Ms. McAuliffe announced the final Ocean DCPC meeting will be tomorrow from 5-7.

2. New Business

- Proposed Food Pantry Lease

Mr. Johnson-Staub informed the Board of the concept of having the work on the old maintenance building put out to bid. Currently the Food pantry is using donated temporary space. This new space would allow the Pantry to have a permanent location. The Board all agreed to move forward with the bid.

- D-Y Agreement – Review Team Designation

Chairman Tolley asked the board their vision on the makeshift of the team. Ms. McAuliffe described how the last team was comprised of specific members of each community. Ms. Post asked that whomever is appointed bring back to the remaining members the progress that is being made. It was agreed that the Chairman and the School Liaison should be the representatives along with the Chairman of the Finance Committee.

- Approval of Minutes

MOTION: To move that the Board of Selectmen approve the January 18th, 26th and February 8 and June 14th, 2011 executive session minutes as amended, Release January 18th, 26th and February 8th Executive Session minutes and hold June 14th Executive Session minutes.

Motion by: Suzanne McAuliffe **Seconded by:** Tracy Post Yea 4 Nay 0 Abstain 1

- Individual Items

Ms. Post stated that she was uncomfortable with the Sewer vote but in no means meant to be disrespectful to WIC or the Town Administrator. She encourages the public to come forward and talk to her about their opinions on the proposed project.

Mr. Sears Thanked the Police Department for running a successful food drive for the Food Pantry. Also he would like the Police Chief to come to a future meeting to talk about the work on the Village Green at the World War 1 memorial.

Town Administrator's Items

1. Consent Agenda

- CDBG 2011 Annual Action Plan Program Resolution
- 2011 Special Entertainment License & Waiver of \$55 Fee – Family Carnival
- Donations

1. Recreation Division

▪ Ann & Fran's Kitchen	\$30.00
▪ Seaside Cottages	\$100.00
▪ Dairy Queen	\$100.00
▪ Pancake Man	\$50.00
▪ Cape Cod Creamery	\$50.00
▪ Kesten Bakery – Leftover Bakery Items	\$45.00
	<hr/>
	\$380.00

2. DPW - Streetlight

▪ James & Dianne Barberio	\$80.00
▪ Sandra Tannozzini	\$80.00
▪ Rosanna Pacino	\$80.00
▪ Claire & Gerals Scavone	\$80.00
▪ Joseph & Sharon Beninato	\$80.00
▪ Gordon Campbell	\$80.00
	<hr/>
	\$480.00

3. Division of Senior Services

▪ Cape Cod Lifeline	\$50.00
▪ Medical Alarms, USA, LLC	\$50.00
▪ Seniors Helping Seniors	\$50.00
▪ Kindred Healthcare Oper. Inc.	\$50.00
▪ Broad Reach of Chatham, Inc.	\$50.00
▪ Eva Avery	\$13.50
▪ Margaret Taylor	\$54.50
▪ Joseph Guardino	\$121.00
▪ Cellular Recycler	\$71.01
▪ Robert & Lois Nuss	\$31.00
▪ David Manley	\$50.00
▪ Marie Schomp	\$50.00
▪ Rita Baudo	\$75.00
	<hr/>
	\$716.01

4. Judah Baker Windmill

▪ Goodwill donations Box	\$255.00
	<hr/>
	\$255.00

5. Library Division

▪ Seaside Alarms	\$60.00
	<hr/>
	\$60.00

6. Police Department

▪ Comm of MA Norfolk District Attorney	\$420.00
▪ Town of Dover	\$140.00
	<hr/>
	\$560.00

Total

\$2,446.01

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 notified the Board that online payments of taxes are now free of charge.

Adjourn

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

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

Respectfully submitted,



Elizabeth G. Hartsgrove