



Board of Selectmen
Town Hall Hearing Room
Regular Meeting
January 24, 2012

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

Public

1. Cape Cod St. Patrick's Parade

Represented by members of the Parade committee members. The Parade is March 10th, starting at 11am on Route 28.

2. Changing of Polling Locations

Represented by Town Clerk Jane Hibbert, Ms. Hibbert explained the request of change of polling locations due to school security issues. The Board discussed the location.

MOTION: To move that the Board of Selectmen designate Cape Cod & Islands Associations of Realtors at 22 Mid Tech Drive, West Yarmouth as a Polling location for Precincts 5 and 6.

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

3. Cape Cod Commission Representative Update

Mr. Tolley briefed the Board on Mr. Jack McCormick's update that was given to them as a handout. The Board thanked Mr. McCormick for all his hard work.

Mr. Peter Kenney spoke to the Board about energy costs and CLC. Mr. Tolley asked the Town Administrator to look into energy costs after the Town Meeting.

Andrea St. Germaine, Vice Chairman of the DY School Committee spoke about Stop Bullying & Name Calling Day that is tomorrow.

Joe Glynn suggested having the polling location at either the Moose Lodge or the Congregational Church. Mr. Glynn spoke about the importance of volunteer recognition, and asked to put his name in the talent bank for the Government Oversight Committee even though it is being disband. Mr. Glynn talked about the Hotel/Motel bylaw and the Cape Wind Agreement.

Tom Sullivan spoke about the wastewater/Clean Water Act lawsuit and an article in the newspaper.

Vida Morris spoke about the DY school committee meeting last night and the school assessment increase.

Joyce Flynn spoke about her attendance at each of the Assembly of Delegates sub-committee meetings that made inquiries into the Cape Light Compact. She briefed the Board on the meetings. She also spoke about programs and incentives/benefits that are offered by the Cape Light Compact.

Discussion

1. Packet Landing Marina Slip Rates

Represented by Karl vonHone and the Waterways Committee. Mr. vonHone explained to the Board the vote of the Waterways Committee request to hold on the slip fee increase at Packet Landing for one year. Though there will not be an increase in revenue, there will not be any impact in services.

MOTION: To move that the Board of Selectmen freeze the increase of the Packet Landing Slip Rates for one year.

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

2. D-Y Funding Formula

Mr. Hinchey introduced the discussion on the progress to date on the funding formula. The goal for this evening is to get a consensus of the board on the direction the members of the subcommittee need to go during their meetings. Ms. Post informed the Board that she went the Dennis meeting earlier this evening. Dennis voiced concern with the payback, having trust issues but wanted to look at the per pupil formula rather than 2 ½% formula. The Board discussed the payback in length, revenues generated by the school and the future of the region. It was the consensus of the Board to move ahead with discussions through the subcommittee to get an interim agreement and look at the financial history of the contributions.

Annual Town Meeting

1. Review of Articles 28, 30 – 34

The Motel Team followed up from the December 12th discussion, identifying the motel inventory review of the motel bylaw/cap. With interpretive guidance from Town Counsel, the Team was able to identify 3,666 motel units compared to the motel bylaw cap of 3,553. There is still some additional interpretive clarifications that need finalizing before those numbers are definitive. The Team encouraged the Selectmen and the Planning Board to either keeping the motel cap but making some amendments to make it a lot clearer or get rid of the motel cap altogether. The Board discussed the pros and cons of removing the motel cap. The Board agreed to have the Planning Board attend a future workshop meeting to discuss with hotel/motel owners their views on the pros and cons.

Mr. Hinchey explained Article 30 - 34

MOTION: To move that the Board of Selectmen recommend Article 30.

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

The Board discussed Article 31, questioning if the Finance Committee appointed any board. Ms. McAuliffe suggested limiting article to only the Moderator.

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

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

MOTION: To move that the Board of Selectmen recommend Article 33.

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

MOTION: To move that the Board of Selectmen recommend Article 34.

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

Board of Selectmen

1. Old Business

Ms. McAuliffe spoke about the CLC/CVEC report from the Assembly of Delegates Sub-Committee and the possibility of withholding the 10% contribution until a budget has been presented. Ms. McAuliffe requested that a letter of support be issued from the Board in support of the review.

MOTION: To move that the Board of Selectmen issue a letter of support for the review by the Sub-Committee.

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

2. New Business

▪ Individual Items

Ms. McAuliffe spoke about the fact that the Board has not taken a position on the wind turbine in Dennis. Ms. McAuliffe also spoke about the MMA conference that she attended.

Mr. Quirk spoke about Wastewater court case. He also spoke about the Regional School District Sub-Committee and voiced concerns with the need for clear understanding on the direction of discussions.

Ms. Post spoke about the possibility of initiating the Housing Authority to look at the vacant property at Mill Pond Village.

Mr. Tolley wanted to clarify that the Regional Sub-Committee is not succumbing to Dennis; they are working on closing in the FY13 gap. He also clarified that it has been the policy of the Board to allow public comments in two portions of a meeting: once at the public section and the other is during a public hearing. Agenda items that are for discussion purpose only does not allow time for public comments.

Town Administrator's Items

1. Consent Agenda

▪ ~~Financial Interests Disclosures~~

1. ~~Brian Braginton-Smith~~ (Withdrawn 1/23/12)

▪ Fee Waivers

1. Paradise Stables – Sign Permit for Carriage Rides on Valentine's Day \$40.00

2. Cape Cod St. Patrick's Parade PD Administrative Costs

▪ Donations

1. Police Department

▪ Town of Sandwich	\$99.00
▪ City of Methuen	\$297.00
▪ Town of Falmouth	\$198.00
▪ Town of Mattapoisett	\$297.00
▪ Town of Wareham	\$99.00
▪ Town of Dennis	\$99.00
▪ Town of Grafton	\$99.00
▪ Estate of Wilhelmina I Gomes	\$416.96
▪ Various Donations	\$375.00
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	\$1,979.96

2. Recreation Division

▪ Webster A Collins	\$20,000.00
▪ Dharma Merchant Services	\$61.00
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	\$20,061.00

3. Town Libraries

▪ Phillip O'Leary	\$50.00
▪ Joyce Flynn	\$50.00
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	\$100.00

4. DPW - Streetlight

▪ Michael & Linda Caruso	\$80.00
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	\$80.00

Total \$22,220.96

MOTION: To move that the Board of Selectmen approve the Consent Agenda without the financial disclosure.

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

Adjourn

MOTION: To move that the Board of Selectmen adjourn the meeting at 10:00pm

Motion by: Tracy Post

Seconded by: Curt Sears

Yea 5 Nay 0

Respectfully submitted,



Elizabeth G. Hartsgrove

Distributed Material

Amended Consent Agenda, dated January 23, 2012

Discussion

1. D-Y Funding Formula
 - Memo from WGH to BOS, dated January 23, 2012. Re: DY School Agreement

Annual Town Meeting

1. Review of Articles 28, 30 – 34
 - Motel Cap: Question #3