



**Board of Selectmen
Town Hall Hearing Room
Regular Meeting
June 5, 2012**

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

Public

1. Yarmouth Pride Day Update

Stan Kaczynski updated the Board on how Yarmouth Pride Day went. Mr. Kaczynski showed the Board the size of trash bag used which he filled 22 of those bags just from Willow Street. Mr. Kaczynski spoke about several volunteers who stood out with outstanding efforts during the event. Mr. Kaczynski suggested naming the park on 28 across from the unfinished furniture store as McAuliffe Park. Mr. Kaczynski gave Ms. Post a trash grabber so she could assist in the future. Ms. Post thanked Mr. Kaczynski for the gift and suggested looking into an Adopt a Street/Highway program. The Board thanked Mr. Kaczynski for his effort which makes a huge difference.

Barbara Howard spoke to the Board about the presentation from Pat Armstrong and Karl vonHone a few weeks ago. She wanted to give kudos to them both. Ms. Howard spoke also about a gardens maintained by the Yarmouth Garden Club. The Garden Club is celebrating its 40th year.

Joyce Flynn announced a Cape Light Compact resident audit competition and an older boiler program.

Vida Morris asked about the status of the financial audit on the expenses from the Wastewater Implementation Committee. Mr. Hinchey stated that WIC was not authorized to spend any money however expenditures for the Wastewater project was authorized by the Town Meeting vote for design and implementation. He said that he could arrange for an audit of those funds. Ms. Morris agreed to have that report.

Bob Howard spoke about the Airport dedication and how he was honored on the dedication plaques at both the terminal and tower. Mr. Howard also spoke about a possible golf discount for veterans over 75, and how he was in favor of water flushing. Ms. Post requested a letter be sent to Barnstable thanking them about the recognition at the Airport.

Mr. Sears and Mr. Quirk disclosed a conflict of interest and stepped down. Mr. Tolley acted as Licensing Chair.

Public Hearing

1. **Transfer of Annual All Alcohol Package Store:** from Sullivan Village Store, Inc. to Blue Marlin Beverage Corporation, d.b.a. **Yarmouth Port Village Store**, 330 Route 6A, Yarmouth Port, Viktor J. Zukauskas, mgr.

Mr. Tolley read the legal ad into the record. Application represented by Stephen Damuti. Mr. Damuti briefed the Board on the applicant's experience holding liquor licenses and running package stores in MA.

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

Motion by: Norm Holcomb **Seconded by:** Tracy Post Yea 3 Nay 0

MOTION: To move that the Board of Selectmen approve the transfer contingent upon the TIPS training certification and proof of abutter notification, if required.

Motion by: Norm Holcomb **Seconded by:** Erik Tolley Yea 3 Nay 0

Jim Quirk and Curt Sears rejoined the Board.

DY Regional Agreement Discussion

1. De-Regionalization Process

Represented by Town Counsel Bruce Gilmore who was asked to comment on a proposal submitted by the Superintendent, Carol Woodbury that talked about a withdrawal/removal of K-8 from the regional School System. Mr. Gilmore stated that withdraw is governed by Section 8 of the agreement and amendment, which would be the more appropriate vehicle, is governed by section 6. In an attempt to clarify what the Superintendent was looking for, Mr. Hinchey contacted the Superintendent who gave permission for Mr. Gilmore to speak to Atty. Andy Waugh, the School Counsel. Mr. Gilmore talked to Mr. Waugh who stated that the submission was in error and there was no intent to withdraw from the district; it was a poor choice of words and that the Town of Dennis simply wanted to eliminate K-8. Mr. Gilmore again stated that the elimination of K-8 from the regional agreement was in fact an amendment to the agreement, Section 6 that specifically requires any proposal for an amendment be transmitted to the Selectmen and both towns have to place it on either a Special or Annual Town Meeting warrant to be voted upon. Nothing has come before the selectmen at this time. Mr. Hinchey asked if the school will be re-submitting an amended request. Mr. Gilmore stated that Mr. Waugh was going to be sending him what he had been presented by the School Committee. Mr. Gilmore has yet to receive it. Vote from the School Committee nor certification from the Dennis Town Clerk that 10% of the voters signing a petition has been received. The School Committee and Yarmouth have the authority to ignore any vote from the Town of Dennis if the process is not followed according to the Agreement. The Board discussed the process and it was agreed that it did not require any action until a proposal is brought before them from a vote of the School Committee.

2. FY14 Proposed Amendment

Mr. Hinchey spoke about the current agreement being dependent on State formula, and Yarmouth's proposal to allocate 2 ½ % increase every year. Mr. Hinchey reviewed the points of the proposed amendments. Mr. Holcomb expressed concern with guaranteeing 2 ½% every year and would like different approaches and options to be considered. Mr. Hinchey stated that this proposal would be for 5 years which would allow time for the towns come up with an agreement on a more palatable fiscal option. It was agreed by the Board to have Mr. Hinchey to move forward with his proposal and submit it to the Town of Dennis and the School Committee.

The meeting was turned over to Appointments Chair Jim Quirk.

Board & Committee

1. Reappointments

- Library Board [1 Regular]

MOTION: To move that the Board of Selectmen reappoint Janet McDowell to the Library Board.

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

- Golf Enterprise Committee [1 Regular, 1 Alternate]

MOTION: To move that the Board of Selectmen reappoint Mr. Keefe as a Regular member and Mr. Keive as the alternate member

Motion by: Norm Holcomb **Seconded by:** Tracy Post Yea 5 Nay 0

Meeting was turned back to Chairman Tolley.

Board of Selectmen

1. FY13 Goals

Mr. Holcomb submitted goals which the Board reviewed. Mr. Sears suggested separating the action plan portion apart from the goals portion of Mr. Holcomb's proposal. The Board agreed that the action plan is the role of the Town Administrator rather than the Board of Selectmen, and asked Mr. Hinchey to submit an action plan when the Board finalizes the goals. The Board reviewed the draft goals and placement of each item under certain categories.

2. Individual Items

Mr. Holcomb asked what the process was for handling a complaint against a committee member. Mr. Quirk explained the Board's policy. Mr. Holcomb spoke about operations at the disposal site.

Mr. Tolley asked Mr. Hinchey to follow up Mr. Howard's comments earlier that evening. Mr. Tolley asked about the progress on the Marina. Mr. Johnson-Staub updated the Board on the legislation that was passed by the House of Representatives regarding the Parkers River Marina. Ms. Post asked what the status was of the Marina Committee.

Town Administrator's Items

1. Consent Agenda

- Waiver of Fees

1. International RETT Syndrome Foundation	
▪ 2 Temporary Food Service Permits	\$30.00
▪ Tent Permit	\$50.00
▪ Sign Permit	\$40.00
	\$120.00
2. Summer Kick-Off Celebration	
▪ 2 Special Entertainment Licenses	\$110.00
▪ Special Wine & Malt License	\$65.00
▪ 2 Temporary Food Service Permits	\$30.00
▪ Tent Permit	\$50.00
▪ Sign Permit	\$40.00
	\$295.00
3. LCM Touch a Truck Event	
▪ Temporary Food Service Permit	\$15.00
▪ Tent Permit	\$50.00
▪ Sign Permit	\$40.00
	\$105.00

TOTAL \$520.00

- Donations

1. Division of Senior Services	
▪ Mayflower	\$50.00
▪ American Legion	\$100.00
▪ Joseph Guardino	\$188.00
▪ Medical Alarms, LLC	\$50.00
▪ Joan Minyard	\$25.00
	\$413.00
2. Police Department	
▪ City of Gardner	\$280.00
▪ Town of Millville	\$140.00
▪ Town of Norwell	\$280.00
▪ Town of Provincetown	\$140.00
▪ Nova Southeastern University	\$200.00
	\$1,040.00
3. Recreation Division	
▪ Anthony Germaine	\$100.00
▪ Daniel Cotto	\$200.00
▪ Phil Cheney	\$200.00
▪ William McShane, Jr.	\$100.00
▪ David Britton	\$100.00
▪ Anthony Raggio-Cloutier Supply	\$100.00
▪ Kevin Mellow-Ray & Sons Barber Shop	\$50.00
▪ Jim Roneau – Golf Balls (value)	\$400.00
▪ Clyde Taakala – Golf Balls (value)	\$801.50

▪ James Rondeau - Golf Balls (value)	\$250.00
	\$2,301.50
4. Boardwalk Plank Program	
▪ Frank Richards	\$150.00
▪ ERT Architects	\$450.00
▪ Gerald McMahon	\$150.00
▪ Patricia Armstrong	\$150.00
▪ Joan Cava	\$150.00
	\$1,050.00

TOTAL \$4,804.50

MOTION: To move that the Board of Selectmen approve the consent agenda.


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

Adjourn

MOTION: To move that the Board of Selectmen adjourn the meeting at 9:21pm

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

Respectfully submitted,



Elizabeth G. Hartsgrove