

**Minutes
Board of Selectmen
Regular Meeting
December 2, 2008**

Present: Selectmen – Suzanne McAuliffe, Jim Hoben, Bud Groskopf, Jerry Sullivan; Town Administrator – Robert C. Lawton Jr., Dr. William Marasco (absent)

Ms. McAuliffe opens the meeting with a moment of silence for the passing of John Creney the Town's Attorney for 38 years.

Public

Fire Department Promotions; Return of Lt./Paramedic G. Walsh

Retired Chief Sherman introduces Acting Chief Robert Kelleher. Chief Sherman reviews Kelleher's career accomplishments.

Acting Chief Kelleher announces the promotion of Philip Simonian to Captain. He reviews newly Captain Simonian's career he says that he is currently receiving his degree in Public Administration. Kelleher congratulates Robert Reardon on his promotion to Lieutenant he also reviews his career in the Yarmouth Fire Department. Also, Kelleher recognizes Rick Todd's graduation from a course at the National Fire Academy. He finally recognizes and welcomes back Lt. Walsh from returning from Iraq and thanks him for his service to the Department and to the country. He says that Lt. Walsh has been deployed four times including twice to Iraq.

Ms. McAuliffe reads a proclamation for the retirement of firefighter Alan S. Bent.

Alex Gleason Eagle Scout

Mr. Gleason thanks the Selectmen and Bob Dubois from the Chamber for their support. He says that he was able to stuff 206 boxes of food for Yarmouth residents. He also thanks all the volunteers from the community who helped.

Brewster Selectmen Ed Lewis – Discussion Extension of Motel Tax

Ms. McAuliffe welcomes Ed Lewis from Brewster. Mr. Lewis reviews the room tax extension to condominiums, private homes, time-shares and smaller bed and breakfasts. He says the tax would be for stays of 90 days or less with an exception for people who bring in outside workers for the summer months. He speaks about finding a way to stabilize the property tax while not hitting the property owner consistently. He continues to describe the possible extension legislation.

The Selectmen would like to receive an estimate on the amount of income Yarmouth could generate from these rental properties.

Discussion – German-American Club of Cape Cod; One day liquor and entertainment licenses

Ms. McAuliffe says that this is a general discussion. Charles Firnhaber President of the German American Club informs the Selectmen that the Club is looking for four one day liquor licenses (Feb. April, May and June) for the Howard Lodge across the street from Town Hall. Mr. Sullivan said that past practice has been to only give one, one day liquor license a year, but he says that he doesn't have a problem with the German American Club receiving four, one day licenses. Mr. Groskopf asks the Board for consensus on approving the German American Club's four, one day liquor licenses. The Board is in full agreement.

99 Restaurant, West Yarmouth – New Manager

Richard Barnes introduces himself as the new manager of the 99 Restaurant. The board discusses the duties of a manger. The Board welcomes Mr. Barnes as the new manager.

Continued Discussion – Modification of Ballot Question Summary Legislation

Mr. Lawton reviews the new changes. The Board discusses the legislation and whether or not there should be pro and con statements. The Board also discusses the summaries and the statements which describe what a “yes” and what a “no” vote is. Mr. Sullivan says that he would support changing the legislation to include a summary and a description of what a “yes” vote and a “no” vote is and no pro and con statements. He also says that the summary should be printed in the paper and available online. Mr. Lawton says that he will make these changes and bring it back to the Selectmen at a future meeting.

Appointments

Community Economic Development, Appt.; Old Kings Highway, Re-appts.; Community Preservation; Re-appt. & Appt; TOY Representative to the Steamship Authority, Re-appt.

Mr. Hoben reviews the appointments to the various committees. No comments on any of the appointments. Motioned. Seconded. VOTE 4-0. Ms. McAuliffe also says that if anyone is interested to be on the Old Kings Highway Committee they must live in the OKH district and should contact town hall for more information.

Mr. Hoben again asks the Board of Health to change their meeting time to 5:00pm. Ms. McAuliffe recommends that Mr. Hoben contact the Chair of the Board of Health to find out where the committee is in approving a meeting time change.

Selectmen’s Items

Hiring of Town Counsel

Mr. Groskopf asks what the procedure is to find a replacement for the town counsel. Mr. Lawton says that the Charter is clear that the Board appoints town counsel, but he suggests that they hire general counsel probably someone local. He also recommends continuing to hire specialists for unique projects such as the airport. Mr. Lawton says that Tom George would assist in helping the town review local attorneys. In the next few months Mr. Lawton will bring candidates before the Board for their appointment. Mr. Sullivan says that over the years the town has dealt with many local attorneys and the town has been well serviced by the local attorneys. Mr. Lawton reviews the areas of expertise the new attorney will need.

School Budget FY10

Mr. Groskopf reviews the School Board meeting he attended regarding the budget next year. He says currently the school is predicting a \$2.9 million dollar increase on the level funded budget they had asked for. He says that the School Board will be meeting again in the next week to review the budget again. The Board continues to discuss the preliminary school budget. The Board agrees that the school budget should be level funded, same as the town, and not level serviced which would mean an increase in Yarmouth’s assessment. The Board reviews the upcoming meetings with the School Board.

Town Administrator’s Items

1. Consent Agenda

The Town Administrator reviews the consent agenda. Motioned. Seconded. VOTE 4-0

2. FY10 Budget

Mr. Lawton updates the Board on the progress of the FY10 budget.

3. Updates

Mr. Lawton reviews the upcoming Pearl Harbor Day event located at Town Hall. He also reviews the updated Disposal regulations based on the new fee increases. Mr. Lawton speaks about the interviews for Fire Chief. The Board agrees tentatively to have the interviews will be on December 11th, 2008.

Selectmen Items

Ms. McAuliffe speaks about the Cape Cod Commission Regional Policy Plan. She says that there are still many issues with the RPP. She says that the RPP has not been completed but the Commission has sent it on for approval by the Assembly of Delegates. The Board continues to discuss the RPP and the problems with the unfinished document.

Adjourn

Motioned. Seconded. VOTE 4-0 Meeting adjourned at approximately 9:46pm.

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CONSENT AGENDA**

Donations to Town Administration	
Verizon	\$2,122.00
Donations to Yarmouth Town Libraries	
Verizon New York, Inc.	\$2,736.00
Yarmouth Library Association	
As per Agreement of 11-6-08	\$8118.50
Scholarship Fund	
E. Suzanne McAuliffe	\$100.00
Donations to Senior Center	
Cheryl L. Cocco	\$100.00
Thank you AL-ANON	\$25.00
Thank you for services offered	\$100.00
Thank you for services offered	\$5.00
Thank you AA Mtgs	\$25.00
The Garden Club of Yarmouth	\$26.88
(Wages for Steve Gabrick set up & clean up of event)	
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George & Edith Deitrick	\$25.00
Sight Loss Services, Inc. Use of Facility	\$60.00
Thank you AA Meeting	\$25.00
TOTAL	\$13,495.26

Date: 12-2-08

Voted: 4-0