



**Board of Selectmen**  
**Regular Workshop Meeting Minutes**  
**February 11, 2014**

**Executive Session (Room A)**

1. Bay Colony Litigation Update

---

*The regular meeting was called to order at 7:00p.m. in the Town Hall Hearing Room by Chairman Erik Tolley. Selectmen present: Tracy Post, Norm Holcomb, Jim Quirk and Michael Stone. Also Attending: Town Administrator William Hinchey. The Board of Selectmen gave the pledge of allegiance.*

**2014 Annual Town Meeting**

1. Article Review, Placement and/or Recommendations

- Cape Cod Rail Trail Articles 41 **and 42 (added 2/10/14)**

*George Allaire explained the reasoning behind the amendment of the articles to have dedications rather than easements on the Peter Homer Park property and Dupont Ave parcel for rail trail purposes. Article 42 would include language accepting the lease from DOT and assign the lease to DCR.*

**MOTION: To move that the Board of Selectmen recommend Articles 41 as amended.**

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

**MOTION: To move that the Board of Selectmen recommend Articles 42 as amended.**

**Motion by: Tracy Post      Seconded by: Mike Stone      Yea 5    Nay 0**

- Fingerprint Bylaw Article 39

*Chief Frederickson was available for questions yet nothing new was presented with the exception of amending which license applicants would be required: peddlers, ice cream trucks and second hand dealers. Chief Frederickson also described the records destruction process. Mr. Holcomb voiced concern with other licenses that are not included like candy stores and other occupations which attract children. The Board discussed door-to-door salesman registrations, as well as other businesses that could possibly be included.*

**MOTION: To move that the Board of Selectmen does not recommend article 39.**

**Motion by: Jim Quirk      Seconded by: Tracy Post      Yea 4    Nay 1**

- Community Preservation Articles 14-21, 23-31

*Represented by CPA Coordinator Jennifer Copeland and CPC members including Chairman Gary Ellis.*

- a. Amendment to Chapter 23 of the Town Code

*Mr. Ellis reviewed the article proposing amendments to the duties of the committee. No questions were asked by the Selectmen.*

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

**Motion by: Jim Quirk      Seconded by: Norm Holcomb      Yea 5    Nay 0**

- b. FY14 Supplemental Revenue Reserves

*Mr. Ellis reviewed the article regarding the FY14 supplemental revenue reserves, a housekeeping article. Mr. Ellis stated that the State gave an extra \$450,000 this past year. No questions were asked by the Selectmen.*

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

**Motion by: Norm Holcomb      Seconded by: Jim Quirk      Yea 5    Nay 0**

- c. FY15 Annual Revenue Reserves

*Mr. Ellis reviewed the FY15 annual revenue reserves.*

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

**Motion by:** Jim Quirk **Seconded by:** Norm Holcomb Yea 5 Nay 0

d. Reappropriate Prior Year CPA Balances

*Mr. Ellis reviewed the prior year balances and reappropriate it to other approved projects. No questions were asked by the Selectmen.*

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

**Motion by:** Norm Holcomb **Seconded by:** Jim Quirk Yea 5 Nay 0

e. John Simpkins 134 Old Main St. Return

*Mr. Ellis reviewed article to return monies from the sale of the Simpkins building. No questions were asked by the Selectmen.*

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

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

f. MAHT General Deposit No. 8

*Mr. Ellis reviewed article and the Board did not ask any questions.*

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

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

g. Habitat for Humanity 5 & 9 Virginia St

*Mr. Ellis reviewed article. Ms. Copeland explained that these funds will be for construction costs only, on 6 - 100% affordable houses.*

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

**Motion by:** Jim Quirk **Seconded by:** Norm Holcomb Yea 5 Nay 0

h. Hands of Hope Rental Assistance - req. 2

*Mr. Ellis reviewed article. Ms. Copeland explained that 37 families were helped last year, all staying within Yarmouth.*

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

**Motion by:** Jim Quirk **Seconded by:** Norm Holcomb Yea 5 Nay 0

i. Historic Assessor Record Valuations

*Mr. Ellis reviewed article. Ms. Copeland stated that the records date back to the 1600's.*

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

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

j. Captain Bangs Hallet Roof

*Mr. Ellis reviewed article. Mr. Quirk asked if this was the third contribution for restoring the home which Mr. Ellis confirmed was the third requested contribution.*

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

**Motion by:** Jim Quirk **Seconded by:** Norm Holcomb Yea 5 Nay 0

k. Cultural Center Shutters and Lamp Posts

*Mr. Ellis reviewed article, the committee had a split vote on this request due to the shutters being included in the request. The Board discussed the shutters in detail.*

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

**Motion by:** Tracy Post **Seconded by:** Mike Stone Yea 4 Nay 1

l. New Church Finishes

*Mr. Ellis reviewed article. The building is open to the public and not a religious facility. This is also the third request.*

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

**Motion by:** Jim Quirk **Seconded by:** Mike Stone Yea 5 Nay 0

m. Historic Cemetery Fences

*Mr. Ellis reviewed article. Ms. Copeland explained that the funds would be used for Ancient Cemetery and Woodside, replacing the missing and/or broken railings and granite posts. Mr.*

Holcomb said he was against using CPA funds for maintenance issues. He suggested that the fees collected be used for maintenance issues.

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

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

n. Historic Tombstone Preservation

Mr. Ellis reviewed article. Ms. Copeland stated that the funds will be used for tombstone preservation and training. Ms. Post asked how the training will benefit the tombstones, and who are the rightful owners of the tombstones. She would like to know how many people will be trained.

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

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

o. Bass Hole Restoration & Preservation

Mr. Ellis reviewed article, funds will be used for phragmyties maintenance in partnership with a grant awarded by Barnstable County. There was discussion on brush maintenance and how the invasive plants are closing in the beach. Mr. Hinchey stated the trail maintenance free cash grant is not including this area however can be added to the list as an area of interest.

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

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

p. Flax Pond Phase II Changing Room, Gazebo, and Children's Play Area

Ms. McGurrin reviewed article and the current conditions of the changing room. Establishing a playground area is included in this phase of the Flax Pond project. This is not the final phase but this will provide a complete package for the children of Yarmouth and a possible revenue generating opportunity. Mr. Ellis reminded the Board that this is the first application from Flax Pond for CPA funds.

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

**Motion by:** Mike Stone                      **Seconded by:** Jim Quirk                      Yea 5    Nay 0

q. Route 6A Playground Rehab

Ms. McGurrin reviewed the 6A playground rehab article, staying within the existing footprint creating two different play structures. Community meetings have been held and consensus for the project by the community was met. Mr. Quirk would like the property named after Fred Thatcher. Ms. McGurrin mentioned that the playground equipment will be made from recycled product and is in review with the Historic Commission. The playground was donated to the Town in 1924.

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

**Motion by:** Jim Quirk                      **Seconded by:** Mike Stone                      Yea 5    Nay 0

## Board of Selectmen

The meeting was turned over to Appointments Chairman Quirk.

### 1. Reappointments – Board of Appeals [1 Regular and 2 Alternates]

**MOTION: To move that the Board of Selectmen reappoint Steve deYoung.**

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

**MOTION: To move that the Board of Selectmen reappoint Richard Neitz and Gerald Garnick.**

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

The meeting was turned back to Chairman Tolley.

### 2. Individual Items

Mr. Quirk asked why there are red x's on trees at Ancient Cemetery, and requested a presentation at a future meeting. Mr. Holcomb stated that he had seen a public notice in the last three weeks or so. The Board questioned the policy and Mr. Hinchey stated he would look into it.

Mr. Holcomb updated the Board on the school funding meeting held the previous evening. He hopes that the relationship with Dennis and the progress will remain and the objective that was initially set out was to maintain stability.

## Town Administrator's Items

### 1. Consent Agenda

- Utility Pole Petition to install one new pole at 440 Higgins Crowell Road.
  - Donations
    1. Library
      - Joan Nickerson \$25.00
      - Carol Rawling \$100.00
      - Karen O'Toole \$50.00
- 
- \$175.00**

**Total Donations \$175.00**

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

**Motion by:** Tracy Post                      **Seconded by:** Norm Holcomb                      Yea 4    Nay 0    Abstain 1

### 2. Updates

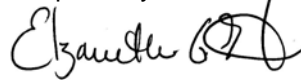
*Mr. Hinchey stated that he expected a modified number from the school to be submitted before the Board's budget hearing on the 25<sup>th</sup>.*

## Adjourn

**MOTION:** To move that the Board of Selectmen adjourn the meeting at 8:58pm

**Motion by:** Jim Quirk                      **Seconded by:** Norm Holcomb                      Yea 5    Nay 0

Respectfully submitted,



Elizabeth G. Hartsgrove

---

# DISTRIBUTED MATERIAL AGENDA PACKET

## 2014 Annual Town Meeting

### 1. Article Review, Placement and/or Recommendations

- Community Preservation Articles 14-21, 23-31
  - Memo from Jen Copeland to EGH, dated February 12, 2013. Re: CPA Article Amendment John Simpkins Project.