

**Board of Selectmen**  
**Meeting Minutes**  
**May 6, 2014**

**Executive Session (Room A)**

1. Update on Police Supervisors Association Union Bargaining
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*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, Jim Quirk, Norm Holcomb and Michael Stone. Also Attending: Town Administrator William Hinchey. The Board of Selectmen gave the pledge of allegiance.*

**Public Announcements & Comments (Hearing Room)**

*Mr. Don Costa spoke to the Board about Packet Landing and the Bass River Bridge project being conducted by Mass DOT. The 16 recreational boaters are not able to access their slips and Mr. Costa asked the Board to consider waiving the slip fees until the construction will allow access to the slips. Mr. Hinchey informed the Board that Mr. VonHone will make accommodations to the ramp fees and slip fees and come before the Board formally for a waiver, as well as seek reimbursement with the state.*

*Ms. Vida Morris endorsed the proposal to move the Annual Town Meeting to Saturday but added asked the Board to reconsider the pro/con mailings that were done in years past. Ms. Post informed Ms. Morris that it was only done for Town elections. Ms. Post stated that the Town Meeting Warrants are available at least one week prior to the meeting, and posted online roughly 3 weeks prior giving ample time to the voters to research and be well informed on the articles being addressed. Ms. Morris then asked questions about the DY Solar Panel project status and the Net Metering Agreement.*

**Public Updates**

1. Human Rights Campaign Update [Mary Zepernick]

*Ms. Mary Zepernick reviewed the Human Rights Commission charge and how they can assist the public. She provided her phone number in case any Yarmouth resident had issues, and spoke about the Human Rights Academy available to students.*

2. Yarmouth Pride Day Update

*Represented by Stan Kaczynski, Parks & Rec Director Pat Armstrong and Conservation Agent Kerry Muldoon. Mr. Kaczynski reviewed all of the participating town departments that assisted with the 2014 Yarmouth Pride Day. Over 35 volunteered cleaning up over 65 locations in town. Ms. Muldoon spoke about conservation areas that were cleaned and some of the positive feedback she received from the volunteers. Mr. Kaczynski stated that the efforts are ongoing and anyone wanting to assist with year-round cleanup to contact him. Ms. Armstrong spoke about the staff involvement and thanked Mr. Kaczynski for coordinating the event since conception. The Board thanked Stan as well.*

3. Bass River Farmers Market Manager Meet & Greet [Carlene Veara]

*Ms. Carlene Veara and Matt Fitzsimmons thanked the Board for the fee waivers granted last week. Ms. Veara thanked Ms. Armstrong for assisting with grounds improvements to the site. Ms. Veara informed the Board that the tent issues will not be reoccurring this year. She reviewed last year's progress and how the market will be expanded with vendor membership and including Saturdays this year. Mr. Fitzsimmons thanked Pat Armstrong and the Parks & Recreation Department with*

assisting the Market. He also thanked Bruce Murphy, Health Director, with the assistance with the vendor applications and inspections.

The meeting was turned over to Licensing Chairman Mike Stone.

## **Public Hearing – Licensing**

### **1. Transfer and Amend Seasonal All Alcohol License**

**Transfer License** from Paisanos Pizza, Inc d.b.a. Shark Bites, Kristi Salvatelli mgr to Sandbar Management, Inc d.b.a. Shark Bites, Joseph Marrama, mgr.

**Alteration of Premise:** relocate 100 inside restaurant seats to the outside patio & cabana area.

The legal ad was read by Chairman Stone. The application was represented by Atty. Andrew Singer and manager Joseph Marrama. Atty. Singer reviewed the transfer and how the new management of the operation will conduct its business and amending the premise to include service and consumption to the outside patio and cabana area. Ms. Post asked how monitoring the alcohol will be handled which Mr. Marrama explained the staff requirements and controls in place. All of the servers and wait staff will be TIPS trained and certified.

**MOTION:** To move that the Board of Selectmen close the Public Hearing.

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

**MOTION:** To move that the Board of Selectmen approve the transfer and alteration of premise requested.

**Motion by:** Jim Quirk                      **Seconded by:** Norm Holcomb                      Motion withdrawn

**MOTION:** To move that the Board of Selectmen grant the transfer and amend the licenses as provided and in accordance with the decision from the Board of Appeals

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

### **2. Amend Special Wine & Malt Alcohol License**

Ryan Family Amusements, 1067 Route 28, S.Y., Peter Campbell mgr, requesting an amendment to the Special Wine & Malt License for the Yarmouth Summer Celebration Kick-Off Beach Barbeque on June 26<sup>th</sup>, 2014 to extend the licensed premise to include the west end of the Bass River Beach.

The legal ad was read by Chairman Stone. The application was represented by Peter Campbell, Paul Ronty and Pat Armstrong. Mr. Ronty reviewed the Yarmouth Summer Celebration Kick-Off and the requested license for the Beach Barbeque. The first year held had over 200 people yet last year's weather prevented a similar successful event and only 80 people attended. They hope the weather will cooperate and expect over 300 people attending.

**MOTION:** To move that the Board of Selectmen close the Public Hearing.

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

**MOTION:** To move that the Board of Selectmen amend the license as requested.

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

### **3. Amend Special Entertainment License**

Yarmouth Restaurant Association requesting an amendment to the Special Wine & Malt License for the Yarmouth Summer Celebration Kick-Off Beach Barbeque in June 26<sup>th</sup>, 2014 to extend the licensed premise to include the west end of the Bass River Beach.

The legal ad was read by Chairman Stone. The application was represented by Paul Ronty and Pat Armstrong. Mr. Ronty had described the event in the previous hearing. No public comment was made.

**MOTION:** To move that the Board of Selectmen close the Public Hearing.

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

**MOTION:** To move that the Board of Selectmen amend the special Entertainment license as requested.

**Motion by:** Jim Quirk                      **Seconded by:** Erik Tolley                      Yea 5    Nay 0

## Net Metering Agreement [Liz Argo]

Mr. Peter Johnson-Staub spoke briefly about the net metering power agreement with CVEC that will attain a savings to the Town roughly \$100,000 per year. Liz Argo, CVEC special Project Coordinator and CLC rep to CVEC Stephan Lomborg joined the discussion. Ms. Argo reviewed the net metering sales opportunity through a PowerPoint presentation. The presentation also reviewed the net metering credits, the initiatives, the excess benefit sharing of credits, production pool, and requested the Board to authorize the Town Administrator to sign the Power sales agreement before June 30<sup>th</sup>. Ms. Post asked what the benefits would be in comparison to the arrangement they have now. Ms. Argo stated that there would be a regional approach in this thus creating additional projects and more opportunity for credits and savings. The Board discussed the current areas in Yarmouth and how leases of property can affect the benefits of participating and sharing in the savings if the agreement was not signed. Ms. Argo stated the agreement is for 25 years, which is the general agreement term but the vendor agreement term is for 20 years. Mr. Tolley asked if the Town will be perusing with the lawsuit at Mattacheese and if the project is even continuing. Ms. Argo spoke about that question.

**MOTION:** To move that the Board of Selectmen authorize the Town Administrator to sign the agreement on behalf of the Board of Selectmen and subject of review by Town Counsel.

**Motion by:** Jim Quirk

**Seconded by:** Norm Holcomb

Yea 5 Nay 0

## Board of Selectmen

### 1. Individual Items

Mr. Holcomb asked that the cost of services be included in the about the future agenda fee increase discussion. Mr. Holcomb voiced concern with the DY Assessment discussion being scheduled in late July and August, and how that will affect negotiations to be schedule in late fall.

Mr. Tolley informed the Board of the process that needs to be followed for the annual evaluation of the Town Administrator.

## Town Administrator's Items

### 1. Consent Agenda

- SEIU Unit B Contract (2013-2016)
- 2014 Junk Dealer License Renewals
- Temporary Extension of Premise of Annual All Alcohol Package Store License Renewal
  1. Yarmouth Wine & Spirits, LLC, May 9<sup>th</sup> 2014 – Annual Craft Beer Bash
- Fee Waiver
  1. Yarmouth Summer Celebration
    - 2 Special Entertainment Licenses \$110.00
    - Special Liquor License \$65.00

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**\$175.00**
  2. Cape Cod St. Patrick Beach Run 5K
    - Police Detail Admin \$72.00

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**\$72.00**

**TOTAL \$247.00**
- Donations
  1. Highway Division
    - Forest Keepers (services, equipment, time & labor) \$2,500.00

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**\$2,500.00**
  2. Fire Department
    - Joanne Jackson \$25.00

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**\$25.00**
  3. Parks & Recreation
    - Yarmouth Chapter #1721 Women of the Moose \$250.00
    - Memorial Bench Program \$750.00

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**\$750.00**
  4. Police Department

▪ C.P.A. Graduates	\$260.00
▪ Irish Village Holdings, LTD	\$100.00
▪ Red Face Jack's Inc.	\$100.00
▪ Yarmouth Restaurant Association	\$500.00
▪ Nova Southeastern University	\$300.00
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	<b>\$1,260.00</b>
5. Senior Services	
▪ Walking Program	\$160.00
▪ Anonymous	94.00
▪ AAA	40.00
▪ Linda Donovan	\$41.00
▪ The Samaritans	\$500.00
▪ Jean Jackson	\$8.80
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	<b>\$843.80</b>

**Total      \$4,678.80**

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

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

2. Updates

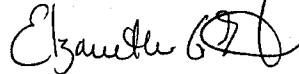
*Mr. Hinchey spoke about the upcoming agenda next week.*

**Adjourn**

**MOTION:** To move that the Board of Selectmen adjourn the meeting at 8:55pm

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

Respectfully submitted,



Elizabeth G. Hartsgrove