



Board of Selectmen
Public Meeting Minutes
May 26, 2015

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

1. Board of Selectmen Swearing-in Ceremony

Chairman Tolley stated that as the first post-election meeting, swearing in of elected Selectmen will be the first order of business. Town Clerk, Phil Gaudet, swore in Selectmen Tolley and Holcomb.

2. Public Announcements and Comments

a. *Andrea St. Germaine, Dennis-Yarmouth Regional School Committee, made the following comments:*

- *Extended her appreciation to the Yarmouth voters for their support of the schools on the override ballot question in the recent Town election*
- *Noted the recent edition of Rising Stars was included in the Cape Cod Times, featuring D-Y students*
- *Described D-Y Regional High School's silver medal status for educational excellence rated 64th in the Commonwealth and 1,793rd of 21,000 high schools nationally*

b. *Vida Morris commented on the Cape Cod Commission organization and the \$7M deficit, the Commission's lack of credibility due to deficit, and her opinion that the Town should investigate the possibility of removing itself from the Commission.*

Ms. Morris also remarked on the relationship between the Board of Selectmen and the School Committee in the future and suggested the Board put their thoughts and requests in writing to the School Committee.

3. Board of Selectmen Reorganization

a. Chairman Tolley opened the Board of Selectmen position selections by thanking the Board for the opportunity to serve as the Chairman for the past three years and moved to appoint Tracy Post as Chair. Jim Quirk then moved to appoint Mike Stone. Neither motion received a second.

MOTION: To move that the Board of Selectmen nominate Erik Tolley as the Chairman of the Board of Selectmen.

Motion by: Norm Holcomb **Seconded by:** Jim Quirk Yea 3 Nay 0 Abstained 2

Chairman Tolley opened nominations for the Vice-Chairman position:

MOTION: To move that the Board of Selectmen nominate Tracy Post as the Vice Chairman of the Board of Selectmen.

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

Chairman Tolley opened nominations for the Clerk position:

MOTION: To move that the Board of Selectmen nominate Norm Holcomb as the Clerk of the Board of Selectmen.

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

Chairman Tolley opened nominations for Licensing Chair:

MOTION: To move that the Board of Selectmen nominate Mike Stone as the Licensing Chair of the Board of Selectmen.

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

Chairman Tolley opened nominations for Appointments Chair:

MOTION: To move that the Board of Selectmen nominate Jim Quirk as the Appointments Chair of the Board of Selectmen.

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

Chairman Tolley opened nominations for Ambulance Waiver Administrator:

MOTION: To move that the Board of Selectmen nominate Norm Holcomb as the Ambulance Waiver Administrator of the Board of Selectmen.

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

Chairman Tolley opened nominations for D-Y Liaison:

MOTION: To move that the Board of Selectmen nominate Erik Tolley as the D-Y Liaison of the Board of Selectmen.

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

Chairman Tolley opened nominations for D-Y Contract Negotiations Team:

MOTION: To move that the Board of Selectmen nominate Tracy Post as the D-Y Contract Negotiations Team Member of the Board of Selectmen.

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

Chairman Tolley opened nominations for the Scholarship Committee:

MOTION: To move that the Board of Selectmen nominate Tracy Post as the Scholarship Committee Member of the Board of Selectmen.

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

Chairman Tolley opened nominations for the Affordable Housing Trust:

MOTION: To move that the Board of Selectmen nominate Norm Holcomb as the Affordable Housing Trust Member of the Board of Selectmen.

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

Chairman Tolley opened nominations for the Airport Representative:

MOTION: To move that the Board of Selectmen nominate Mike Stone as the Airport Representative of the Board of Selectmen.

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

4. Public Hearings

Chairman Tolley turned the meeting over to the Licensing Chair, Selectman Stone.

a. The Hearth 'n Kettle Change of Manager Application. Lou Massi spoke on behalf of Hearth 'n Kettle and is the proposed new manager. Selectmen Stone asked Mr. Massi if he was TIPS certified; Mr. Massi stated he was in addition to being Bar Code certified.

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 accept Hearth 'n Kettle's change of manager application.

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

5. Renewal of Bond Anticipation Note Signing

Town Administrator Hinchey explained to the Board the two projects proposed for the bond renewal: Flax Pond Recreation Area and the Septage Treatment Facility. Mr. Hinchey further explained the rationale behind this request for temporary borrowing to facilitate the Town's cash flow. The Board asked questions on the term of the bond, future borrowing needs, and the rate of this bond being tied to the federal interest rate.

MOTION: To move that the Board of Selectmen sign the bond note renewal application.

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

6. Fire Chief Selection Process

Town Administrator Hinchey explained to the Board the options available to them for selection and hiring of department head positions. He further explained that this Fire Chief position is different in that Acting Fire Chief Simonian has been serving in the capacity of Fire Chief for over two years and therefore has a proven track record. Mr. Hinchey suggested Acting Fire Chief Simonian be brought back at a future Board of Selectmen meeting for an interview. Selectman Post agreed with Mr. Hinchey's suggestion to interview Acting Fire Chief Simonian. Selectmen Stone and Quirk also agreed and stated they did not feel the need to go outside the Town for applicants. Selectman Holcomb supports the same position of promoting from within, when feasible. Chairman Tolley explained that he feels Acting Fire Chief Simonian deserves an interview for the Fire Chief position.

The Board agreed to conduct an interview of Acting Fire Chief Simonian at the next regular Board of Selectmen meeting on June 9, 2015 at 6:00 p.m.

7. Director of Public Works (DPW) Selection Process

Mr. Hinchey provided an overview of the memorandum included in the agenda packet explaining the selection process and listing the criteria that will be required of any candidate who applies for the DPW position. The Board queried Mr. Rob Angell, Acting Director of Public Works, on his opinion of the requirements and characteristics the Board should look for in candidates. Mr. Angell responded that the new Public Works Director will face many challenges, particularly in the areas of storm water and wastewater. Further, he felt the right candidate should have experience in working with consultants, comfort with public presentations, and business savvy.

Selectman Quirk asked if there was any reorganization planned upon the selection of a new Director of Public Works. Mr. Hinchey explained that over the past five years, reorganization has been occurring within the DPW in that positions have been eliminated. Future reorganization may include filling an Assistant Director position that has been vacant for some time. The Board expressed concerns over the impending importance of waste water and storm water, and ongoing projects. Mr. Hinchey explained that the Department has already taken steps to strengthen its expertise in major projects, contract services, and facilities.

The Board generally agreed that the focus should be on hiring a generalist who has some knowledge in all areas, but not necessarily expertise in any one area. Extensive discussion was held on the specific requirements of the position and the significance that the Board should place on each.

8. Town Administrator Succession Planning

Mr. Hinchey advised the Board he will be submitting his letter of retirement for January 2016 and further explained the steps necessary to begin the transition process. An extensive discussion ensued regarding the timeline of the recruitment and interview process, the potential succession of the Assistant Town Administrator, and the options available to the Board. The Board's consensus was they would like to hire a consultant and open the recruitment to all eligible candidates.

9. Board of Selectmen

a. Individual Items:

1. Selectman Post asked the status of speed signs for Route 6A that were voted on at a Town Meeting. Mr. Angell will check on this item.
2. Selectman Post congratulated Selectmen Tolley and Holcomb on their reelection. Further, she thanked Maureen Tuohey-Bedford for her efforts on the Memorial Day ceremony that she organized at Town Hall.
3. Selectman Holcomb thanked the voters of Yarmouth and his volunteers for their support.
4. Chairman Tolley also thanked the voters of Yarmouth for reelecting him, and thanked the volunteers who worked towards his reelection.

b. Approval of Executive Session Minutes:

- Executive Session Minutes of November 2, 2010
- Executive Session Minutes of January 11, 2011
- Executive Session Minutes of March 1, 2011
- Executive Session Minutes of March 22, 2011
- Executive Session Minutes of September 27, 2011
- Executive Session Minutes of August 21, 2012
- Executive Session Minutes of August 28, 2012
- Executive Session Minutes of September 11, 2012
- Executive Session Minutes of October 2, 2012
- Executive Session Minutes of February 12, 2013
- Executive Session Minutes of March 26, 2013
- *Executive Session Minutes of July 9, 2013
- *Executive Session Minutes of December 3, 2013
- *Executive Session Minutes of December 17, 2013

MOTION: To move that the Board of Selectmen approve the Board of Selectmen Executive Session Minutes as listed above.

Motion by: Jim Quirk

Seconded by: Tracy Post Yea 4 Nay 0 Abstain 1

* Selectman Stone abstained from approval of all executive session minutes listed above except those noted by an asterisk. For those minutes, the vote is: Yea 5 Nay 0

10. Town Administrator's Items

a. Consent Agenda:

1. Request the Board of Selectmen sign a letter to Cape Cod Joint Transportation Committee (CCJTC) appointing Kathy Williams, PE, Town Planner, as Yarmouth's representative to the CCJTC, and appoint Roby Whitehouse as Yarmouth's alternate representative to the CCJTC
2. Application for (2) one-day entertainment licenses from Castleberry Fairs for Bass River Arts & Craft Festival July 4th weekend, and the Labor Day Weekend Craft Festival
3. Letter to Parks & Recreation from Deb & Al Gray dated May 15, 2015 requesting a waiver of rental fee for a Kelleher Memorial Picnic at Flax Pond
4. Memo to the Board of Selectmen from Community Housing Committee dated May 11, 2015 requesting fee waiver by Habitat for Humanity
5. Letter to the Board of Selectmen from Taylor-Bray Farm dated May 20, 2015 requesting fee waivers

b. Donations:

- YPD
 - Joseph W. Wilkinson \$ 20.00
 - Mr. & Mrs. John King \$ 20.00
 - Mr. & Mrs. John Coughlin \$ 20.00

DISTRIBUTED MATERIAL AGENDA PACKET

- Change of Manager Application for Hearth & Kettle
- Board of Selectmen Reorganization Chart
- Memo to Town Administrator from Finance Director dated May 20, 2015 re: Authorization Request for a Bond Anticipation Note (BAN) Renewal
- Memo to BOS from Town Administrator dated May 7, 2015 re: Fire Chief Appointment
- Memo to BOS from Assistant Town Administrator dated May 20, 2015 re: DPW Director Position
- Request Board of Selectmen sign a letter to Cape Cod Joint Transportation Committee (CCJTC) appointing Kathy Williams, PE, Town Planner, as Yarmouth's representative to the CCJTC, and appoint Roby Whitehouse as Yarmouth's alternate representative to the CCJTC
- Application for (2) one-day entertainment licenses from Castleberry Fairs for Bass River Arts & Craft Festival July 4th weekend, and the Labor Day Weekend Craft Festival
- Letter to Parks & Recreation from Deb & Al Gray dated May 15, 2015 re: waiver of rental fee for a Kelleher Memorial Picnic at Flax Pond
- Memo to BOS from Community Housing Committee dated May 11, 2015 re: Fee Waiver Request by Habitat for Humanity
- Letter to BOS from Taylor-Bray Farm dated May 20, 2015 re: fee waivers
- Memo to BOS from Chief Frederickson dated May 13, 2015 re: Donation Approval Request
- Memo to BOS from Financial Technician, YPD, dated May 21, 2015 re: Donation Request
- ABCC Letter dated May 6, 2015 re: Notice of Appeal Hearing for Red Face Jack's
- DYRSD School Committee Meeting Agenda for May 18, 2015
- Board of Health Meeting Agenda for May 18, 2015
- Finance Committee Minutes for April 29, 2015
- Finance Committee Agenda for May 20, 2015