



Board of Selectmen **Public Meeting Minutes** **June 9, 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. Public Announcements and Comments

Patty Boyd, Cape Cod Chamber of Commerce, and Donna Wunder, Former President of Yarmouth Ice Club, briefed the Board on the 2015 National Theater on Ice Championship being held at the Hyannis Youth and Community Center beginning Thursday, June 18 through Sunday, June 21st. The skaters, their families, coaches, officials, and judges are expected to begin arriving on the Cape the weekend of June 13th and 14th.

2. Fire Chief Interview, Discussion, and Appointment Process

Chairman Tolley explained that due to the Fire Chief vacancy, Acting Chief Simonian has served in the capacity of Acting Fire Chief for two years. As such, the Board felt Acting Chief Simonian earned and deserved the opportunity to interview for this position.

The Board members proceeded to conduct the interview of Acting Chief Simonian on his attributes, experience, and how he will meet the fire department's goals and improve the department.

MOTION: To move that the Board of Selectmen appoint Phil Simonian as Fire Chief.

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

3. Public Hearings

a. The Pale Orc New License Application. Selectman Stone recused himself from this hearing to avoid any appearance of a conflict of interest. Chairman Tolley read the legal ad into the record. There were no public comments either for or against the application. Chairman Tolley indicated there were abutter letters in the application package, both in support of, and opposed to, the application. The owner and manager of The Pale Orc, Rose Smith, was present to address the Board about her application and to answer their questions.

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

Motion by: Tracy Post **Seconded by:** Jim Quirk Yea 4 Nay 0

MOTION: To move that the Board of Selectmen approve the new license application for The Pale Orc, as amended*.

Motion by: Jim Quirk **Seconded by:** Tracy Post Yea 4 Nay 0

*The Board made the following amendments in order to approve the license: all employees serving alcohol will be TIPS certified, if there is no TIP certified employee present no alcohol will be served,

that the TIPS certification of Ms. Smith's older son be accomplished before the license comes up for renewal, and there will be no outside service authorized.

b. Brohaun Beach Volleyball Tournament New Special Entertainment License Application. Chairman Tolley read the legal ad into the record. The applicant, Mr. Scott Nagel, briefed the Board on his application and the specifics of the tournament he plans to hold at Bass River Beach.

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 use of town property application and the new special entertainment license application for the Brohaun Beach Volleyball Tournament with the stipulation that outside amplification is permitted only between 10:00 a.m. and 5:00 p.m.

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

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

c. Hampton Inn & Suites of Cape Cod Alteration of Premise Application. Mr. Erik Branscan (sp), attorney for the applicant, and Brenda Sullivan, Manager of the Hampton Inn & Suites of Cape Cod, were present. Selectman Stone read the legal ad into the record. Mr. Branscan explained the proposed change in that a locked beverage cooler is to be added to The Sweet Shop. The Board asked questions regarding TIP certification of their employees and the specific location of the proposed cooler.

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

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

MOTION: To move that the Board of Selectmen approve the alteration of premise application for Hampton Inn & Suites of Cape Cod.

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

Selectman Stone turned the meeting back over to Chairman Tolley.

4. Dog Park Rules & Regulations (2nd Reading)

Director of Natural Resources, Karl von Hone, was present to answer any questions. He stated he had not received any feedback after the 1st reading.

MOTION: To move that the Board of Selectmen approve the Dog Park Rules and Regulations.

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

5. Roadwork Update

Director of Public Works, Rob Angell, briefed the Board on the Roadway Management System. He discussed the budget and proposed projects through June 30, 2016. The Board had questions regarding certain salaries being tied to DPW budget versus CH 90 funds. Mr. Angell and Mr. Hinchey explained that salaries are now authorized in CH 90 funds, as is some engineering and design expenses. Further discussion was held on the projects completed, the costs associated with milling, repaving, and patching.

6. 2015 Update to Open Space & Recreation Plan (OSRP)

Town Planner, Kathy Williams, and Conservation Administrator, Kerry Muldoon, briefed the Board on the Open Space process and recommendations made by various boards and commissions, and the Open Space and Recreation Plan Goals were reviewed. A PowerPoint brief was presented to the Board outlining the OSRP process. The OSRP Overall Goals are:

- 1) Maintain and manage open space and conservation lands
- 2) Expand the amount of open space and conservation land
- 3) Protect and improve environmental resources, water quality and open space
- 4) Preserve and protect open space and natural environments through land use
- 5) Provide year-round active recreational opportunities and awareness and access to town-owned land and facilities.

The Board questioned the establishment of some of the goals given the limited staff resources available to pursue those goals, such as additional village centers. The Board expressed concerns over investing additional taxpayer funds in new village centers when the centers already invested in have yet to yield the expected results.

Kathy Williams explained the timeline to provide the Board-approved OSRP to the Cape Cod Commission in order to meet the deadline to apply for state grants. The Board wants to have another hearing on the OSRP before approving the OSRP. A second hearing will be held at the June 23rd Selectmen meeting.

Additional discussion was held regarding studies the Town had done with regard to specific areas prone to flooding. Mr. Hinchey advised we would retrieve the studies for the Board to review.

7. Town Administrator Hiring Schedule

Mr. Hinchey explained the process of selecting a company to recruit candidates for the position and suggested the Collins Institute. Discussion was held regarding the selection committee. Selectman Quirk will put a list of candidates together for the selection committee and provide it to the Board at the next meeting.

8. Board of Selectmen

a. Board and Committee Actions: Town of Yarmouth Representative to the Cape Cod Water Protection Collaborative.

MOTION: To move that the Board of Selectmen approve Bill Hinchey as the Town of Yarmouth Representative to the Cape Cod Water Protection Collaborative for a term to run through June 30, 2016.

Motion by: Jim Quirk

Seconded by: Mike Stone

Yea 5 Nay 0

b. Individual Items:

1. Selectman Post asked, as a follow-up to the round table discussion held several months ago on heroin addiction, if the Board is receptive to exploring the possibility of hiring a drug counselor/educator to work in the schools. Chairman Tolley suggested the Board sign a letter to the School Committee Chairman to see if they are amenable to exploring this possibility.

Selectman Post offered her congratulations to the D-Y High School graduation class that will be graduating this weekend.

2. Selectman Stone mentioned that he had the Barnstable Municipal Airport press release announcing that Jet Blue will again offer the Hyannis to New York flights this summer beginning on June 18th and running to September 7th. He also reminded everyone the 14th Annual Sheep Festival at Taylor-Bray Farm is being held Sunday, June 14, 2015 from 9 a.m. to 4 p.m.

3. Selectman Quirk reminded everyone the Cape Cod Technical High School will hold a 40th Anniversary Open House on June 11th.

4. Chairman Tolley reminded everyone that the Yarmouth Port Playground dedication in honor of Fred Thatcher will be held on June 27th at noon. He also asked the Board if they would like to continue the Selectmen meetings' start time at 6:00 p.m. rather than 7:00 p.m. The Board members were in agreement.

c. Approval of Minutes:

- Board of Selectmen Regular Meeting Minutes of May 12, 2015
- Board of Selectmen Regular Meeting Minutes of May 26, 2015

MOTION: To move that the Board of Selectmen approve the Board of Selectmen Regular Meeting Minutes of May 12, 2015 and May 26, 2015.

Motion by: Jim Quirk

Seconded by: Tracy Post

Yea 5 Nay 0

- Board of Selectmen Executive Session Minutes of May 26, 2015

MOTION: To move that the Board of Selectmen approve and hold the Board of Selectmen Executive Session Minutes of May 26, 2015.

Motion by: Norm Holcomb

Seconded by: Tracy Post

Yea 4 Nay 0 Abstain 1*

***Selectman Quirk abstained**

9. Town Administrator's Items

a. Consent Agenda:

1. Application for special entertainment license from Yarmouth Chamber of Commerce for summer concerts at Parkers River Beach on Mondays in July and August.
2. ARC project Bill of Sale and the Conservation Restriction for Chapin Beach.
3. Old King's Highway (OKH) Historic District Committee's request to include an OKH insert in the 2015 summer water bills reminding residents that the Committee must approve all proposed changes to exterior structures.

b. Donations:

- YPD
 - Pamela Rodriques \$ 50.00

• Parks and Recreation	
▪ Clyde Taakala	\$947.50
▪ James Rondeau	<u>\$250.00</u>
TOTAL	\$1,247.50

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

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

c. Town Administrator Updates:

- 1) YPD received a \$60,000 grant for drug prevention
- 2) The Town received a \$100,000 reimbursement from Medicaid
- 3) Work is ongoing with the Barnstable / Yarmouth inter-municipal water agreement, which will be presented to the Board at the June 23rd meeting.

10. Adjourn

MOTION: To move that the Board of Selectmen adjourn the meeting.

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

Respectfully submitted,



Linda Dennehy

DISTRIBUTED MATERIAL AGENDA PACKET

- Memo to BOS from Assistant Town Administrator dated June 3, 2015 re: Fire Chief Interview
- Letter to BOS from Acting Fire Chief Simonian dated June 1, 2015 re: cover letter w/resume
- Letter to BOS and Town Administrator from Town of Dennis Fire Chief dated May 29, 2015 re: letter of recommendation
- Letter to BOS from Burton Neiterman dated May 31, 2015 re: letter of recommendation
- New License Application for The Pale Orc
- New Special Entertainment License for Brohaun Beach Volleyball Tournament
- Alteration of Premise Application for Hampton Inn & Suites Cape Cod
- Memo to BOS and Town Administrator from Director, Natural Resources dated May 4, 2015 re: Yarmouth Dog Park Regulations and Update
- Memo to Interim Director, DPW from Highway Supt dated April 21, 2015 re: Roadway Management System
- Memo to BOS from Town Planner and Conservation Administrator dated June 4, 2015 re: 2015 Open Space and Recreation Plan Update
- Selectmen's Town Administrator Hiring Schedule
- Memo from Appointments Chairman to BOS dated June 3, 2015 re: Town of Yarmouth Representative to Cape Cod Water Protection Collaborative
- Minutes for BOS Meeting of May 12, 2015
- Minutes for BOS Meeting of May 26, 2015
- Minutes for BOS Executive Session Meeting of May 26, 2015
- Memo to BOS from Director of Community Development dated June 4, 2015 re: 99 Chapin Beach Road, Dennis Conservation Restriction w/enclosures
- Application for Special Entertainment License dated May 14, 2015 from Yarmouth Chamber of Commerce
- Memo from OKH Historic District Committee to BOS and Town Administrator dated May 20, 2015 re: OKH Insert - 2015 Summer Water Bills
- Memo to BOS from Chief Frederickson dated May 26, 2015 re: Donation Approval Request
- Letter from Parks & Rec to Clyde Taakala dated June 3, 2015 re: Donation
- Letter from Parks & Rec to James Rondeau dated June 3, 2015 re: Donation
- BOS Projected 2015 Agenda Items
- YPD Announcement of Annual Liquor Licensee Compliance Seminar for June 17, 2015 at Yarmouth House Restaurant
- Division of Marine Fisheries Notice of June 1, 2015 re: Lewis Bay
- Division of Marine Fisheries Notice of June 1, 2015 re: Bass River South
- Division of Marine Fisheries Notice of June 1, 2015 re: Bass River Center
- DYRSD School Committee Meeting Minutes of May 26, 2015
- DYRSD School Committee Meeting Agenda for June 1, 2015
- May 2015, Volume 4, Issue 4 of The "CAT"
- Housing Assistance Corporation Cape Cod Flyer re: Affordable Housing in Yarmouth
- Historical Society of Old Yarmouth Flyer re: Down Street Walk & Talk