



Board of Selectmen
Public Meeting Minutes
June 23, 2015

The regular meeting was called to order at 6:00 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.

None.

2. Scholarship Committee Awards Presentation

The Chairman of the Yarmouth Scholarship Committee, Mr. John Mincieli, briefed the Board on the scholarship selection process and thanked the Committee, Town staff, and those citizens who donated money for their support of the scholarship program. Mr. Mincieli congratulated the students who were recipients of scholarship awards and presented checks to them.

3. Public Hearings

a. Bonkers Party Zone. Chairman Tolley turned the meeting over to the Licensing Chairman, Selectman Stone, to conduct the public hearing. Ms. Mamoni Borah, owner and manager of Bonkers Party Zone, was present to represent Bonkers Party Zone. Selectman Stone read the legal ad into the record. The application requests to move location from 657B Route 28, West Yarmouth, to 537 Route 28, West Yarmouth, and to change the hours of operation from 10 a.m. - 7 p.m. January through April and 10 a.m. - 8 p.m. May through December to 9 a.m. - 11 p.m. daily, year round.

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

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

The Board indicated that the Board of Appeals' decision contained conditions for approval, particularly the hours of operation, which were a transfer to the new location with the same hours of operation. The Board did not feel they could approve the change of hours without the Board of Appeals approving the change. Chairman Tolley stated he would support approval of the change of location and, contingent upon the Board of Appeals' approval, a change to the hours of operation to the new hours requested to preclude the applicant from having to return to the Board of Selectmen again once she has received approval from the Board of Appeals to change the hours of operation.

MOTION: To move that the Board of Selectmen approve the change of location application as requested with the recommendation that the Board of Selectmen authorize the change of hours as requested with the condition that the Board of Appeals approves the change of hours requested for Bonkers Party Zone.

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

Selectman Stone turned the meeting back over to Chairman Tolley.

4. Barnstable/Yarmouth Inter-Municipal Agreement -- Temporary Water Supply to Barnstable

Assistant Town Administrator, Peter Johnson-Staub, briefed the Board on a request made by the Town of Barnstable to purchase water from Yarmouth due to a contamination issue with four of their wells in the Hyannis District. The agreement would allow for a temporary connection from a fire hydrant in the Mill Pond Village off Camp Street. Yarmouth contracted a consultant to assess Yarmouth's ability to provide water to Barnstable while limiting any negative effects on Yarmouth customers. The agreement proposed limits water service to Barnstable to 500 gallons per minute, the effects of which would be negligible in the immediate area on Camp Street. Receipts from Barnstable for the water provided would be retained in the Water Division's special revenue account for future Water Capital expenses.

The agreement further outlines Barnstable's responsibility for any and all connection and attorney fees, and holds Yarmouth harmless from any potential liability in connection with this agreement.

The Board had questions in terms of the expected revenue, the amount of water and its impact on Yarmouth in case of an emergency, and any unexpected costs that might arise from the connection. Additionally, the Board suggested we check with our insurance carrier to ensure they are aware of this connection and identify any modifications to our coverage, if any, that may be necessary. Mr. Johnson-Staub stated he would check with our insurance carrier. Chairman Tolley asked if Barnstable planned any water bans during the timeframe of the agreement. Mr. Johnson-Staub stated that was not an issue that was discussed during the negotiations with Barnstable. He further stated he is asking for the Board's approval to allow the Town Administrator to sign the inter-municipal agreement once it is finalized.

MOTION: To move that the Board of Selectmen authorize the Town Administrator to enter into the Barnstable/Yarmouth inter-municipal agreement to provide a temporary water supply to Barnstable.

Motion by: Jim Quirk

Seconded by: Norm Holcomb

Yea 5 Nay 0

5. 2015 Update to Open Space & Recreation Plan (2nd Hearing)

Town Planner, Kathy Williams, briefed the Board on the revised 2015 Open Space and Recreation Plan. Chairman Tolley thanked Kathy for incorporating the Board's suggestions from the 1st Hearing and stated she did not need to brief the entire plan again since her initial brief was so thorough.

MOTION: To move that the Board of Selectmen authorize Chairman Tolley to sign a letter of support for the 2015 Open Space and Recreation Plan to the Cape Cod Commission for their review.

Motion by: Jim Quirk

Seconded by: Tracy Post

Yea 5 Nay 0

6. Goals Update

Chairman Tolley provided an overview to the Board of the goals and the action plans that were completed by Town staff. Selectman Holcomb discussed this views and ideas for the 2016/2017 goals, specifically that he would like to see a mission statement included in the Selectmen's goals. A detailed discussion was held on the merits of including a mission statement in

the goals, whether goals should be more specific or more general, and ensuring clear guidance is provided to the staff, regardless of the format of the goals.

Chairman Tolley asked the Selectmen to send him their input for goals and/or mission statement over the next week or two and he will compile their inputs into a document for the Board's review and discussion.

7. Board of Selectmen

a. Board and Committee Actions

1) Appointments Chairman, Selectman Quirk, outlined the Personnel Board reappointments of Alice Bowen, Sharon Ladley, and Tom Nickinello for terms to run through July 2018.

MOTION: To move that the Board of Selectmen approve the Personnel Board reappointments of Alice Bowen, Sharon Ladley, and Tom Nickinello for terms to run through July 2018.

Motion by: Tracy Post

Seconded by: Erik Tolley

Yea 5 Nay 0

2) Appointments Chairman, Selectman Quirk, outlined the Design Review Committee reappointments of Charlie Adams, Dick Martin, Sara Jane Porter, Jack McCormack, and Chris Vincent for regular appointments for two-year terms to run through July 31, 2017.

MOTION: To move that the Board of Selectmen approve the Design Review Committee reappointments of Charlie Adams, Dick Martin, Sara Jane Porter, Jack McCormack, and Chris Vincent for regular appointments for two-year terms to run through July 31, 2017.

Motion by: Erik Tolley

Seconded by: Mike Stone

Yea 5 Nay 0

3) Appointments Chairman, Selectmen Quirk, outlined the Town Administrator Position Search Committee appointments he is recommending to the Board: Peter Carnes, Karen Greene, DeWitt Davenport, Michael Stone, and Curtis Sears. The Board commented that they did not feel it appropriate to have a sitting Selectman on the Search Committee. Selectman Quirk explained that he was trying to emulate the last Search Committee from 2011 and thought there had been a sitting Selectman on that panel. He recommended that the Board approve the other four candidates and he will identify a fifth person and make a recommendation at the next Selectmen meeting.

MOTION: To move that the Board of Selectmen approve appointments of Peter Carnes, Karen Greene, DeWitt Davenport, and Curtis Sears to the Town Administrator Position Search Committee for appointment until the process has been completed.

Motion by: Erik Tolley

Seconded by: Norm Holcomb

Yea 5 Nay 0

b. Individual Items:

1) Selectman Stone briefed the Board on the Annual Liquor Licensee Compliance Seminar sponsored by the Yarmouth Police Department, held on Wednesday at The Yarmouth House. He commented that the seminar was an outstanding presentation, very informative, and well received.

There will be a formal dedication of the Yarmouth Port Playground and renaming as the Fred Thatcher Memorial Playground on Saturday, June 27th, at noon.

2) Selectman Post commented that she and Selectman Holcomb also attended another session of the Liquor Licensee Compliance Seminar and felt the presentation was well done and very informative.

She also commented that Lt. Governor Karen Polito was at D-Y High School earlier today as the appointed head of the Governor's Community Compact Cabinet which was created to strengthen the relationships within the towns and cities of Massachusetts. Selectman Post mentioned that she discussed several topics with the Lt. Governor such as the 208 Plan, opiate addiction, and funding grants.

The Bridgewater State University, Cape Cod Campus, held their ribbon-cutting ceremony this afternoon. Selectman Post commented that the campus is beautiful and wishes them the best of luck.

3) Selectman Holcomb revisited the Roadwork Update agenda item from the last Selectmen meeting, specifically Engineering salaries being included in the Capital Road Budget. He stated he was not comfortable with that decision. Mr. Hinchey explained how the salaries of some of the DPW personnel have shifted from general funds to capital budgets over the past several years as the salary expenses are more appropriately included in water, septage, or roads budgets rather than being general fund items.

Additionally, he mentioned that he has reviewed the study that was done in Captain's Village with regard to flooding and would like to revisit some of the recommendations made to see if any are still feasible and affordable. A discussion ensued of the proposals there were brought before Town Meetings and rejected due to the costs. It was suggested that minutes from those Town Meetings be obtained to get a clearer picture of what has been addressed previously.

Selectman Holcomb also brought up the deteriorating conditions of the golf courses and suggested the Board receive an update from the Golf Enterprise Committee. Chairman Tolley asked Mr. Hinchey to add that item to a future agenda.

c. Approval of Minutes:

- Board of Selectmen Regular Meeting Minutes of June 9, 2015

MOTION: To move that the Board of Selectmen approve the Board of Selectmen Regular Meeting Minutes of June 9, 2015.

Motion by: Jim Quirk

Seconded by: Norm Holcolm

Yea 5 Nay 0

8. Town Administrator's Items

a. Consent Agenda:

1. Application for special entertainment license from Yarmouth Seaside Festival and request for fee waivers of \$8,670.00. The Board held discussion regarding these events being recipients of grants from the Community and Economic Development Committee and/or the Community Preservation Committee and then asking for fee waivers on top of the grants.

2. Parker's River Tidal Restoration Project / Additional Grant Funding Applications

3. Donations:

• Libraries	
- Linar Abdulin	\$ 37.00
- Linar Abdulin	\$ 38.00
- Wilma & Joseph Pappalardo	\$ 25.00
- Elizabeth & Justin Zacek	\$ 10.00
• YPD	
- D-Y High School	<u>\$190.05</u>
TOTAL	\$300.05

Motion by: To move that the Board of Selectmen approve the consent agenda but limit the Yarmouth Seaside Festival fee waiver requests to \$5,270.00.

Motion by: Jim Quirk

Seconded by: Norm Holcomb

Yea 5 Nay 0

b. Town Administrator Updates: None.

9. 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

- Email from Scholarship Committee Chairman dated June 16, 2015 re: 2015 Scholarship Awards with list of award winners
- Change of Location Application from Bonkers Party Zone
- Memo to BOS from Town Administrator dated June 18, 2015 re: Barnstable Inter-Municipal Agreement (IMA)
- Memo to BOS from Town Planner and Conservation Administrator dated June 18, 2015 re: 2015 Open Space and Recreation Plan Update
- 2014/2015 Board of Selectmen Goals Updates
- Board of Selectmen FY2014-2015 Goals, with Action Plan
- Memo to BOS from Appointments Chairman dated June 18, 2015 re: Personnel Board - Reappointments
- Memo to BOS from Appointments Chairman dated June 18, 2015 re: Town Administrator Position Search Committee - Appointments
- Memo to BOS from Appointments Chairman dated June 18, 2015 re: Design Review Committee - Reappointments
- Minutes for BOS Executive Session Meeting of April 28, 2015
- Minutes for BOS Meeting of June 9, 2015
- Application for Special Entertainment License from Yarmouth Seaside Festival
- Memo to BOS from Town Planner dated June 18, 2015 re: Parker's River Tidal Restoration Project / Additional Grant Funding Applications
- Memo to Town Administrator from Yarmouth Town Libraries dated June 5, 2015 re: Donations to the Yarmouth Town Libraries
- Memo to BOS from YPD dated June 17, 2015 re: Donation Request
- Memo to BOS and Town Administrator from Director of Natural Resources dated June 9, 2015 re: "Operation Dry Water"
- Email from Director of Parks, Recreation and Beaches dated June 17, 2015 re: Tree Hearing w/enclosures