



Board of Selectmen **Regular Meeting Minutes** **November 17, 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, Jim Quirk, Tracy Post, and Michael Stone. Also attending: Town Administrator, William Hinchey. The Board of Selectmen gave the Pledge of Allegiance.

1. Public Announcements & Comments

Ms. Andrea St. Germaine made the following comments and updates on the school district:

-The numbers for enrollment at D-Y High School were recently misrepresented. Enrollment as of October 1, 2015 is 1,017 students. Additionally, a recent newspaper article indicated an incorrect percentage of lower income students within the school district. A disclaimer will be printed in an upcoming edition.

- Ms. St. Germaine commented on the number of students who participate in the free or reduced lunch program and/or use EBT cards for their lunches.

- An update was given on the sports teams' activities.

Mr. Tom Nickinello, Yarmouth Chamber of Commerce, commented on the Packet Landing initiative that will be briefed at tonight's meeting and expressed his appreciation to the Board for supporting expansion and construction of beautification projects within the town.

2. Packet Landing Update

Ms. Kathy Williams, Town Planner, and Mr. Peter Smith, Chairman of the Community Economic Development Committee (CEDC), presented an updated proposal to upgrade Packet Landing. The proposal includes a covered viewing platform/pavilion with public restrooms to provide for recreational opportunities which will compliment and complete the Packet Landing Park and Marina.

Ms. Williams provided an overview of the project history, previous efforts to construct historically accurate structures, the Community Preservation Act (CPA) funds appropriation, and the bid process. She then reviewed the conceptual drawings provided by the architectural firm which included the covered pavilion and public restroom areas. The anticipated benefits to the community are expected to be completion of the existing park, provides shade and a quiet location for vista viewing, provides public restrooms, and enhances a gateway to Yarmouth. The maintenance estimate was discussed and options for paying for the maintenance through Tourism Revenue Preservation Fund (TRPF) which will be discussed at the next CEDC meeting. The project budget was also presented and discussed.

The Board expressed concerns about having to police the area to prevent undesirable individuals from lingering in the area. Additionally, concern was expressed over the costs of the project and the potential of the pavilion to generate revenue. Mr. Hinchey explained that the

magnitude of the cost to build the pavilion is largely due to the prevailing wage requirement for a municipal project as opposed to a private sector construction project.

The Board concluded that they are in support of seeing the project completed but are very concerned about the costs of this project and any precedent the CEDC may be setting by committing this large sum of money to a relatively small project. Mr. Smith explained that the CEDC has turned down projects in the past and is not concerned about precedent setting with maintenance of the Packet Landing project. The Board suggested that if the project cost can be reduced to under \$300K they would be more supportive of the project going forward and feel the CEDC would have better success of approval at town meeting.

3. Cemetery Ad Hoc Committee Final Report

Megan Homer, committee member, provided an overview of the findings of the Cemetery Ad Hoc Committee. The conclusions and recommendations provided by the Committee are a result of 16 meetings, site visits, and conversations with residents and deed holders. The focus and concern of the Committee, based on visits to other cemeteries in other towns, conversations with cemetery personnel, and the limited response received from letters sent out to residents, included understanding of and compliance with existing rules and regulations, communication between staff and residents, ornamentation, and bed size. The recommendations of the Committee include:

- Improved communication skills to ensure sensitivity and compassion from staff personnel;
- Solidly constructed signage outlining the rules and regulations;
- Establishing a Board of Commissioners to assist with decision making and routine issues;
- Establishing a volunteer group to assist staff during peak periods;
- Establishing a tree budget for maintenance, plantings, or removals; and
- Review of the staff's ability to handle grave digging.

The Board asked committee members to describe the differences among the various cemeteries with regard to ornamentation and to highlight their recommended changes to the existing rules and regulations. Ms. Lori Snowden- Labelle described what she envisioned a Board of Commissioners being responsible for. The Board discussed the roles and responsibilities of a Board of Commissioners versus a Friends of Yarmouth Cemeteries group versus a single point person.

The Board asked if a tree policy has been established for the cemeteries. Director Armstrong explained to the Board the policies in place with regard to tree maintenance and removal. Additionally, Ms. Armstrong explained the work being done to replace trees that had to be removed, and the expense of staff performing grave digging versus the cost of the equipment purchased for that purpose versus the revenue generated. Discussion was held regarding a definition of ornamentation and that the rules and regulations should specifically define what constitutes ornamentation and when and for how long such items may remain in place within the cemetery. Discussion was then held on the deed and what a deed holder actually has the right to. Chairman Tolley ended the discussion regarding deeds and deed holders by asking Mr. Hinchey to have counsel review the deeds and provide legal interpretation.

Chairman Tolley asked the Committee for their thoughts on what they would expect from a Board of Commissioners and what role would the Board play within the current town structure.

MOTION: To move that the Board of Selectmen accept the Cemetery Ad Hoc Committee Final Report.
Motion by: Jim Quirk Seconded by: Mike Stone Yea 5 Nay 0

MOTION: To move that the Board of Selectmen extend the tenure of the Cemetery Ad Hoc Committee for another six months.
Motion by: Jim Quirk Seconded by: Mike Stone Yea 5 Nay 0

4. Public Hearings

Disposal Area Fees (2nd Hearing). Chairman Tolley asked the Director of Public Works, Jeff Colby, if he had any additional or different information to present from the first hearing. Mr. Colby indicated he wanted to clarify a few points from the first hearing:

- There is no change to the timeframe of disposal stickers; stickers will continue to be valid from April 1st through March 31st and will be available for sale after the first of the year.
- The revenue from CRT (television set) disposal was just over \$16,000.00.
- All references to "fiscal year" have been removed from the initial presentation to avoid confusion.

MOTION: To move that the Board of Selectmen close the public hearing.
Motion by: Jim Quirk Seconded by: Tracy Post Yea 5 Nay 0

Selectman Holcomb expressed his concern about fees escalating while personal incomes and budgets are not increasing for many of the town's residents. In particular, Mr. Holcomb questioned the necessity of increasing the price for a second disposal sticker per household. Mr. Hinchey explained that, as has been policy established by the Board, revenue generating entities such as the disposal area, the water department, the golf courses, etc., will pay for themselves and not exist at the expense of other town services. Further, Mr. Hinchey reminded the Board that the services provided by Yarmouth's disposal area exceeds any level of service from other towns in that other towns have chosen to cut costs by closing their disposal areas one or more days per week.

Selectman Stone commented that he is also concerned about the fee increases having a significant impact on those residents living on fixed incomes. Selectman Post stated she had hoped these comments would have been raised at the first hearing to allow staff to prepare responses and possible alternatives to address the Board's concerns.

Selectman Holcomb made the recommendation that the fee schedule remain as it is and that staff be given an opportunity to look at and present to the Board alternatives to raising fees while providing an acceptable level of service. Selectman Quirk stated that, based on conversations he has had with residents, he supports the fee schedule increase in order to allow other services to be funded adequately without disposal area cost increases adversely affecting other departmental and services' budgets.

MOTION: To move that the Board of Selectmen adopt the proposed two-year fee schedule.
Motion by: Jim Quirk Seconded by: Tracy Post Yea 3 Nay 2

5. Board of Selectmen

- a. Board and Committee Actions

1) The Appointments Chairman, Selectman Quirk, recommends the appointment of Maureen Gallagher to fill an unexpired, regular term on the Conservation Commission to run through June 2018.

MOTION: To move that the Board of Selectmen appoint Maureen Gallagher to fill an unexpired, regular term on the Conservation Commission to run through June 2018.

Motion by: Tracy Post

Seconded by: Mike Stone

Yea 5 Nay 0

2) The Appointments Chairman, Selectman Quirk, recommends the appointment of Beverly Bachand as the Town of Yarmouth's Historical Commission representative to the Community Preservation Committee to run through July 2016.

MOTION: To move that the Board of Selectmen appoint Beverly Bachand as the Town of Yarmouth's Historical Commission Representative to the Community Preservation Committee to run through July 2016.

Motion by: Tracy Post

Seconded by: Mike Stone

Yea 5 Nay 0

b. Approval of Minutes.

MOTION: To move that the Board of Selectmen approve the Board of Selectmen Minutes for October 27, 2015.

Motion by: Jim Quirk

Seconded by: Tracy Post

Yea Nay

***Motion withdrawn; minutes will be revised to include more detailed information with regard to Mr. Lydon's comments.**

MOTION: To move that the Board of Selectmen approve and hold the Board of Selectmen Executive Session Minutes for September 29, 2015.

Motion by: Jim Quirk

Seconded by: Tracy Post

Yea 5 Nay 0

c. Individual Items.

Selectman Stone wanted to express condolences on behalf of the Board to the family of Jeanne Bullock who was a long-time employee of the Town and served in a voluntary capacity on several committees. He thanked Jeanne's family for her service to our town.

Selectman Post commented on a letter in the agenda packet from David Akin regarding the lack of Veteran's Day events within the town this year. She expressed her appreciation for Mr. Akin stepping up to ensure future Veteran's Days will be appropriately recognized within the town.

Selectman Post stated that she and Selectman Stone attended the school's drug forum and received updates on what the various towns are doing in combatting the drug issue on the Cape. She expressed her thoughts that Yarmouth is in line with what other communities are doing.

Selectman Quirk expressed his condolences to the family of Vernon Striebel who passed away last week. Mr. Striebel was the spouse to former Selectman Charlotte Striebel.

Chairman Tolley discussed the dates to conduct Town Administrator candidate interviews in an attempt to deconflict the Board members' schedules. The Board stated they are available for interviews on December 3rd and 4th. Mr. Hinchey will check the availability of the video personnel and the hearing room. Mr. Hinchey asked the Board if they wanted to conduct a

lightning round of meetings with the candidates as well. The Board stated they would like to conduct lightning round sessions with the candidates.

6. Town Administrator's Items

a. Consent Agenda

1) Donations to YPD

- Nova Southeastern University	\$300.00
- Comm. of Mass Norfolk District Atty.	\$275.00
- First Citizens - Melissa Martin	\$275.00
- Evan Bielski	\$275.00
- City of Pittsfield	<u>\$275.00</u>

TOTAL **\$1,400.00**

2) The revised Yarmouth Substance Abuse Commission (Y-SAC) Charge was presented for acceptance by the Board. The charge was modified to change "commission" to "committee" and Selectman Post wanted to ensure the committee plans on a scheduled update to the Board in no later than one year. Selectman Holcomb asked that the committee report at six-month intervals. The consent agenda approval on this item includes the change of name to "Committee" and the six-month intervals for updates to the Board.

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

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

b. Town Administrator Updates. None.

7. Adjourn

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

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

Respectfully submitted,



Linda Dennehy

DISTRIBUTED MATERIAL AGENDA PACKET

- Disposal Area Fees Presentation
- Packet Landing Update Presentation
- Memo to Board of Selectmen from Cemetery Ad Hoc Committee dated November 9, 2015 re: Final Update
- Memo to Board of Selectmen from Appointments Chairman dated November 13, 2015 re: Conservation Commission Appointment
- Memo to Board of Selectmen from Appointments Chairman dated November 13, 2015 re: Community Preservation Committee - Historical Commission Representative Appointment
- Board of Selectmen Meeting Minutes of October 27, 2015
- Board of Selectmen Executive Session Minutes of September 29, 2015
- Proposed Yarmouth Substance Abuse Commission (Y-SAC) Charge from Board of Selectmen
- Memo to Board of Selectmen from YPD dated November 9, 2015 re: Donation Request
- Memo to Board of Selectmen from YPD dated November 9, 2015 re: Donation Request
- Memo to Board of Selectmen from YPD dated November 12, 2015 re: Donation Request
- Letter to Licensing Board from The Colonial House Inn dated October 28, 2015 re: Letter of Intent
- Letter to Town of Yarmouth from Clarion Inn dated November 9, 2015 re: Winter Closing
- Letter to Board of Selectmen from David P. Akin, undated, re: Veteran's Day
- Letter to Director of Senior Services from Friends of Yarmouth Council on Aging dated November 4, 2015 re: part-time salaried receptionist position
- Finance Committee Agenda for November 18, 2015
- Finance Committee Minutes for September 30, 2015
- Board of Health Meeting Agenda for November 16, 2015