



**Board of Selectmen**  
**Town Hall Hearing Room**  
**June 2, 2009**  
**Regular Meeting**

The meeting was called to order at 7:00 p.m. by Selectmen James Hoben. Selectmen Present: Suzanne McAuliffe, Erik Tolley, Jerry Sullivan and Bud Groskopf. Also Attending: Town Administrator Robert C. Lawton Jr. The Board of Selectmen gave the pledge of allegiance.

Chairman Hoben requested all speakers to identify themselves clearly and limit their comments to five minutes.

### Public

- *Charlie Kelleher commented upon the controls on the Trash Trucks being located in the back of the vehicle. He questioned the Board of Health meeting without any record of minutes.*
- *Bill Snowden spoke about the Board of Health meeting Mr. Kelleher mentioned. He thanked the Suzanne and Jim for attending. On June 15<sup>th</sup> the Board of Health will be holding a workshop meeting including the possible change in time of meeting.*
- *Sue Rohrbach from Senator O'Leary's office spoke about a few items that Sen. O'Leary's office is working on, including the possible Municipal Relief Package funds of \$34,980, 2% Meals and Hotel/Motel Tax as well as the possible Expanded Room Tax. Suzanne McAuliffe wanted to extend a personal invitation to Sen. O'Leary to join the Selectmen and Councilors luncheon on June 12<sup>th</sup>.*

### Mark Lohan – Cape Cod Commission Update

*Mr. Lohan briefed the Board on the status of his work as the Yarmouth Rep to the Cape Cod Commission, specifically talking about the Cape Cod Cultural Center's addition and the South Shore Drive Davenport properties. Ms. McAuliffe spoke about a presentation the previous week done by Mr. Paul Niedzwiecki of the Cape Cod Commission. She requested a hard copy of Mr. Niedzwiecki's PowerPoint presentation which referred to vacant properties in Yarmouth so the Board of Selectmen can be kept up-to-date on their discussions relating to Town.*

### Update on Motel Issues

*Represented by Building Commissioner Jim Brandolini, Deputy Fire Chief Kelliher, Health Director Bruce Murphy and Atty. Bruce Gilmore. Mr. Brandolini gave a brief history on the research and findings on Guest day violations, temporary zoning relief and quit claim filings. Mr. Brandolini spoke about unannounced inspections the team has been conducting as well as citations and violation notices the team issued including unlawful cooking devices, creation of sleeping rooms, carpeting on walls, non-compliant electrical work without permits, non-active or removed smoke and CO detectors and faulty bathroom fans. Mr. Brandolini spoke about full or partial closures of motels due to non-compliance and violations in long-term stay occupants. Deputy Fire Chief Kelliher spoke about general found Fire code violations. Bruce Murphy spoke about how the Health Department handled the found violations in assisting the properties with code compliance. Mr. Murphy also spoke about meetings where discussions have begun on new possible zoning bylaws that could allow motels to change to apartments or mixed use. Atty. Bruce Gilmore spoke that the Town fully intends to go to Superior court on two cases. He notified the Board that approximately 100 families could be affected by future court decisions, however there were serious public safety issues that were found that could be life threatening. Curtis Sears spoke about the housing situation programs which are available for the families that could be affected as well as options the property owners*

could take advantage of. Ms. McAuliffe spoke about vacant apartments realtors have and are making available as affordable housing. Mr. Sears stated that approximately \$300,000 is available in funds to assist the families to be placed in better housing. An outreach program has been initiated to get the word out. Mr. Tolley wanted to thank the team for all their hard work and diligence in protecting the residents of the Town.

## Appointment & Resignation

### **1. Yarmouth Scholarship Fund Committee**

**MOTION:** To move that the Board of Selectmen appoint Anne Grazewski as a regular member to the Yarmouth Scholarship Fund Committee for a one year term.

**Motion by:** Suzanne McAuliffe      **Seconded by:** Bud Groskopf      Yea 5      Nay 0

Ms. McAuliffe mentioned that there is an opening on the Planning Board and the Cultural Council if anyone was interested.

## Selectmen Items

### **1. Approval of Minutes**

BOS Workshop Minutes 4/14/09, Executive Session 5-19-09, Open Session 5-19-09, Special BOS Meeting 5-20-09

**MOTION:** To move that the Board of Selectmen approve the May 19<sup>th</sup> Open Session minutes and May 20<sup>th</sup> Special Meeting minutes and hold on the May 19<sup>th</sup> Executive Session minutes.

**Motion by:** Suzanne McAuliffe      **Seconded by:** Bud Groskopf      Yea 5      Nay 0

**MOTION:** To move that the Board of Selectmen approve the April 14<sup>th</sup> Workshop minutes.

**Motion by:** Suzanne McAuliffe      **Seconded by:** Bud Groskopf      Yea 5      Nay 0      Abstain 2

### **2. Selectmen Goals – First Discussion**

Mr. Hoben wanted an action list created that could be reached or accomplished within the year. Ms. McAuliffe stated that on the goals list should be the Local Comprehensive Plan, Cape Wind permitting, working with NSTAR on the White Rock property, continuing issues with the airport and airport noise pollution. Mr. Tolley wanted to refine the Cape Cod Commission membership and would like to consider reaching out to the other 14 Town and establishing a dialog with their experiences in working with the Commission. Mr. Hoben agreed with Mr. Tolley and wanted to set a benchmark on the Commission on where they want to be within a year. Mr. Groskopf wanted to focus on more simple issues like creating a center of Town for Yarmouth. He wants to in the future, possibly incorporating the McArthur School into a Town Center. Another item he wanted to look into was future overrides and creatively think about other options the Town could grasp to raise revenues to avoid overrides. Mr. Sullivan agreed with Ms. McAuliffe on the NSTAR property and resolve the issues. He also wanted to prioritize the Capital Improvement Plan on what is necessary to get accomplished within the year. Also he wants to focus on expanding the Room Tax issues. Mr. Sullivan feels that public education is key. Mr. Hoben wanted to look into the Residential Wind Bylaw. Mr. Hoben would like the Planning Board asked about their feelings on such a bylaw. Mr. Hoben also would like to visit the idea of a Technology Plan addressing key areas where Technology could better assist the staff towards better public service. Mr. Hoben wanted to look into a central clearing house as a one stop shop of large groups or events wanting to hold their events or stay in Yarmouth.

## Town Administrator's Items

### 1. Consent Agenda

*Mr. Lawton reviewed the Consent Agenda totaling \$267.62 and requests the Board of Selectmen to accept it.*

**MOTION: To move that the Board of Selectmen accept \$267.62 in gifts.**

**Motion By: Eric Tolley                      Seconded By: Suzanne McAuliffe                      Yea 5    Nay 0**

*Mr. Lawton wanted to acknowledge Brian Carey for all his hard work in organizing a magnificent Memorial Day's ceremonies. He also wanted to thank Selectmen Groskopf for purchasing all of the flags and Morrison O'Connor paid for all the programs. A formal acknowledgment will be at a later date. Letters have been sent to Mrs. McPherson, the High School Band and the Middle School chorus thanking them for their artistic additions to the ceremonies.*

*Mr. Hoben announced that the 3<sup>rd</sup> Annual Affordable Housing Summit Spaghetti dinner will take place on June 15<sup>th</sup> at the Yarmouth Senior Center.*

*Mr. Lawton mentioned that a letter has been drafted to the Association for the Preservation of Cape Cod and asked if the Board had suggestions or changes.*

*Mr. Groskopf announced the "Tell it to Bud Time" to be held at the Yarmouth Port library on June 3<sup>rd</sup> at 4:30 and at the Senior Center on June 4<sup>th</sup> at 11am.*

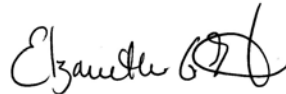
*Mr. Tolley briefed the board on his first meeting as rep to the D-Y School Committee.*

### Adjourn

**MOTION: To move that the Board of Selectmen adjourn the regular meeting at 8:10pm.**

**Motion By: Bud Groskopf                      Seconded By: Erik Tolley                      Yea 5    Nay 0**

Respectfully submitted,



Elizabeth G. Hartsgrove