



Board of Selectmen Public Meeting Minutes January 24, 2017

The regular meeting was called to order at approximately 6:10 p.m. in the Town Hall Hearing Room by Chairman Jim Quirk. Selectmen present: Tracy Post, Mike Stone, and Norman Holcomb. Also attending: Town Administrator Daniel Knapik and Interim Town Administrator, Robert Lawton.

1. Swearing in of Town Administrator Daniel Knapik

Town Clerk, Phil Gaudet, swore in Daniel Knapik as Town Administrator.

2. Public Announcements & Comments

Mary Vilbon, Director of Yarmouth Chamber of Commerce, welcomed Mr. Knapik to Yarmouth and stated she looks forward to working with him to help the businesses of Yarmouth.

Ms. Vida Morris welcomed Mr. Knapik to Yarmouth and commented on looking forward to professional management within the town. She also commented on new vehicles planned for purchase included in the FY18 budget.

Mr. Bob Palmieri, member of the town's Energy Committee, announced that committee members will be available on Monday's from 2-4 pm at the Senior Center to assist residents with any questions regarding energy for their homes or their utility bills. Selectman Holcomb commented that he had an energy audit conducted at his home and saw substantial savings in energy costs and highly recommends the audit for residents.

Mr. Joe Tierney, School Committee member, updated the Board on building projects being discussed for some of D-Y's schools. The building committee is in the process of trying to find a project manager, which they hope to have identified by the end of the month.

Ms. Andrea St. Germaine, D-Y School Committee, updated the Board on recent activities within the schools, including a Poetry Out Loud contest; a D-Y concert; a grant received by one of the art teachers; and the school committee adopting a tentative budget of \$58,739,556.

Ms. Chris Greeley, Chairman of the Yarmouth Substance Abuse Committee, commented on the options that may be available to Yarmouth since, as a community, 55% of voters did not support the legalization of marijuana in November.

3. Public Hearing

a. Transfer of All Alcohol License from Periklis dba Pizza by Evan to JOCA, dba Pizza by Evan, 559 Rte 6A, Yarmouth Port, MA 02675. Chairman Quirk turned the meeting over to Licensing Chairman Stone. Mr. Paul Tardiff, attorney representing Mr. Dimitri Ivanof, manager of Pizza by Evan, was in attendance for the hearing. Mr. Stone read the legal ad into the record. Mr. Tardiff explained to the Board this application was simply a request to transfer an all alcohol license to Mr. Ivanof as he has purchased the business. Selectman Holcomb asked about underage employees serving beer; Mr. Tardiff explained it is legal for an 18-year old to serve alcohol.

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

Motion by: Tracy Post

Seconded by: Jim Quirk

Yea 4

Nay 0

MOTION: To move that the Board of Selectmen approve the application as presented.

Motion by: Tracy Post

Seconded by: Jim Quirk

Yea 4

Nay 0

4. Cape Cod Tech FY18 Budget Update and MSBA School Building Project Update

Mr. Bob Sanborn, Superintendent for Cape Cod Tech, and Ms. Chris Greeley were present for the budget update and the building project update. Mr. Sanborn reviewed the highlights of the FY18 budget as their budget has just been finalized and Yarmouth's assessment will be below a 2-1/2% increase. He then provided an overview of the building project. The completed items include the MSBA feasibility phase and schematic design, program review which resulted in phasing out of the welding/metal fabrication and early childhood education programs, and completion of the "visioning sessions" which were held in July 2016 to discuss what the next generation of Cape Cod Tech will be. Mr. Sanborn then reviewed the renovation, addition, demolition, and new construction options. The new construction option was selected by the committee. The district-wide vote will be held on October 24, 2017 to approve the debt for the construction project. Mr. Sanborn then outlined the fiscal impact to Yarmouth should the district vote approve the new construction project and debt.

Selectman Holcomb asked Mr. Sanborn to explain how the numbers were arrived at for this project. Mr. Sanborn explained that their architect employs a third party cost estimator that arrived at these initial cost estimates.

5. Annual Town Meeting Article Review

Director of Assessing Andy Machado reviewed the elderly and veterans tax exemption articles that will be included on the warrant based on the Board asking for tax relief options for senior and veteran residents and the cost impacts of the exemptions. Mr. Machado reviewed the exemptions (and the requirements for those exemptions) that are already in place for seniors 65 and older, veterans, blind persons, property tax deferral, and the senior tax work-off program. Additionally, the Assessing Office has improved its outreach efforts to residents by updating the website and creating fill-in PDFs to make processing easier; created a database merging previous years' non-financial data to make the exemption form easier to complete; run loop videos on town hall TV screens with exemption information; run information slides on Channel 18; collaborating with Senior Services to provide informational seminars and training Senior Services staff on exemption requirements; created informational material for the Senior Newsletter; issued awareness training in the Assessing and Collector/Treasurer's offices; provided information to local non-profit groups; and sent fuel assistance mailers to the town's seniors. Mr. Machado went on to explain the tax exemption implications to the town's revenue. He then reviewed the current disabled veterans' exemption requirements and change options. The Board asked if they can find out how many veterans are residents of Yarmouth who might take advantage of this exemption. Mr. Lawton advised that the town's Veterans' Services Agent, Mr. Quilty, might be able to provide that information to us.

6. Final Vote on Inclusion of Warrant Articles

Mr. Lawton briefed the Board on the current list of articles and that some are listed as placeholders, some may be withdrawn, and some may be revised before the warrant is finalized.

MOTION: To move that the Board of Selectmen approve and close the warrant list of 45 articles for the Annual Town Meeting on May 6, 2017.

Motion by: Norm Holcomb

Seconded by: Mike Stone

Yea 4 Nay 0

7. FY16 Audit Review

Town Accountant Rich Bienvenue updated the Board on the FY16 audit. He indicated the audit was an unqualified, or "clean" opinion on financial statements with no adjustments made to amounts previously reported to the Board. The audit also revealed no material weakness or significant deficiencies in internal control over financial reporting. There were no findings of non-compliance with provisions of laws, regulations, contracts, or grant agreements, nor were there any issues reported in the management letter. The audit did include two information items; one being new financial reporting standards for OPEB; the other being administrative requirements for federal awards.

8. Budget Review - Funding Draft Report

Mr. Bienvenue then provided an update of the draft FY18 budget which included only the departmental operating budgets but does not include any articles that might be voted on at town meeting, nor does it include the capital budget plan. The draft budget does include the DY and CCT assessments assuming a 2-1/2% increase but there are some tentative items pending further information and verification. He demonstrated the FY18 budget will be balanced, reviewed estimated receipts and the history, and listed potential uses for Free Cash.

9. Board of Selectmen

a. Board and Committee Appointments

In the absence of Appointments Chairman Tolley, Selectman Holcomb asked the Board to accept, with regret, a Conservation Commissioner resignation from Audrey Russano.

MOTION: To move that the Board of Selectmen accept, with regret, the resignation of Conservation Commissioner Audrey Russano.

Motion by: Jim Quirk

Seconded by: Tracy Post

Yea 4 Nay 0

Selectman Holcomb asked the Board to accept, with regret, the resignation of Donna Clifford from the Board of Registrars.

MOTION: To move that the Board of Selectmen accept, with regret, the resignation of Donna Clifford from the Board of Registrars.

Motion by: Jim Quirk

Seconded by: Tracy Post

Yea 4 Nay 0

Selectman Holcomb asked the Board to reappoint Charlie Spooner, Jim Cullen, and Frank Martines to the Recycling and Solid Waste Advisory Committee as regular members for one-year unexpired terms to run through February 2018, and to reappoint Jill Talladay as a regular member for a three-year term to run through February 2020.

MOTION: To move that the Board of Selectmen reappoint Charlie Spooner, Jim Cullen, and Frank Martines to the Recycling and Solid Waste Advisory Committee as regular members for one-year unexpired terms to run through February 2018, and to reappoint Jill Talladay as a regular member for a three-year term to run through February 2020.

Motion by: Jim Quirk

Seconded by: Tracy Post

Yea 4 Nay 0

Selectman Holcomb asked the Board to reappoint Dick Neitz, Gerald Garnick, and Doug Campbell as alternate members to the Board of Appeals for one-year terms to run through January 2018.

MOTION: To move that the Board of Selectmen reappoint Dick Neitz, Gerald Garnick, and Doug Campbell as alternate members to the Board of Appeals for one-year terms to run through January 2018.

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

Selectman Holcomb asked the Board to appoint Dick Martin as a regular member to the Board of Appeals to fill an unexpired term to run through January 2018.

MOTION: To move that the Board of Selectmen appoint Dick Martin as a regular member to the Board of Appeals to fill an unexpired term to run through January 2018.

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

Selectman Holcomb asked the Board to appoint Tom Nickinello as an alternate member to the Board of Appeals for a one-year term to run through January 2018.

MOTION: To move that the Board of Selectmen appoint Tom Nickinello as an alternate member to the Board of Appeals for a one-year term to run through January 2018.

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

- b. Approval of Minutes for October 25, November 15, and November 19, 2016.

MOTION: To move that the Board of Selectmen approve the Board of Selectmen Meeting Minutes for October 25, November 15, and November 19, 2016.

Motion by: Tracy Post Seconded by: Norm Holcomb Yea 4 Nay 0

c. Upcoming Agenda Review. Mr. Lawton reviewed the upcoming agenda items with the Board. There is no Board meeting scheduled for January 31st; there is a meeting on February 7th however the Acapulco's Cantina will not appear before the Board as they are not prepared for the hearing and plan to apply for a change of license. The police budget, the Capital budget, and CPA articles will be reviewed on February 7th. On February 14th, the DPW and Zoning articles will be reviewed; and on February 28th, the Free Cash Utilization article and Golf Enterprise budget will be reviewed.

- d. Individual Items

1) Selectman Holcomb commented that balancing wage increases against our OPEB and other obligations is a serious concern. He stated he wants the union representatives and taxpayers to know that in balancing between employees and taxpayers, he will side with the taxpayers.

2) Selectman Stone commented that he and the Board received correspondence that was very complimentary with the clean-up job that the Highway Division did after the last storm and offered his thanks.

3) Selectman Post welcomed Mr. Knapik to the town and is looking forward to working with him. Ms. Post also mentioned that the Cape Cod Chamber of Commerce is working with the legislature to bring forward an expansion of the "rooms" tax and earmark that increase for wastewater projects.

4) Chairman Quirk also welcomed Mr. Knapik and stated he is looking forward to a long and successful career as our new town administrator. Selectman Stone echoed Chairman Quirk's sentiments in welcoming Mr. Knapik to Yarmouth.

Chairman Quirk also reminded everyone that the St. Patrick's Day Parade is early this year: March 4, 2017.

10. Town Administrator's Items

a. Consent Agenda

- Letter to Speaker of the House of Representatives, Robert DeLeo from Cape Cod Chamber of Commerce dated January 10, 2017 re: Commonwealth's Tax Code
- Letter to BOS from Cape Cod St. Patrick's Parade Committee dated January 10, 2017 re: Request for Approval for St. Patrick's Parade
- Memo to BOS from Parks & Recreation Division dated January 18, 2017 re: Donations

Donations:

- Parks & Recreation

Bob Longobardi	\$150.00		
Daniel Pironti	\$300.00	Joan Buffington	\$150.00
Marlene Fitzpatrick	\$150.00	Robin Poole	\$150.00
John Glaser	\$150.00	Erin Haight	\$150.00
Beth Schirch	\$150.00	Robert Quinn	\$150.00
Mary & Roy Arsenault	\$150.00	Marisha E. Krupkin	\$150.00
Susann & Harold Cayouette	\$150.00	Lora Morini	\$150.00
Michael Ferrara	\$150.00	Martha Sheehy	\$150.00
Eva Basehart	\$150.00	Kathleen Muscolino	\$450.00
Ronald Shepard	\$150.00	Robert Moles	\$150.00
Sandra Seiheimer	\$150.00	Michelle Singleton	\$150.00
Sarah Cahill	\$150.00	Lyn Widlaski	\$150.00
Patricia Jurkowski	\$150.00	Nancy Willey	\$150.00
Mary Vilbon	\$150.00	Patrick McDowell	\$150.00
Susan Gubbins	\$150.00	Patricia Egan	\$150.00
Nancy Muecke	\$150.00	Meghan Pastiglione	\$150.00
Allison Tlapa	\$150.00	Karen LeBlanc	\$150.00
Cheryl Cooke	\$300.00	Kerrie Suckley	\$150.00
Kathi Mahler	\$150.00	Mary Woodway	\$150.00
Rich Foley	\$150.00	Melina Georgantas	\$150.00
Keli Fisher	\$300.00	Patricia Banach	\$150.00
Elaine Howland	\$150.00	Amy Shea	#150.00
John Collins	\$150.00	Karen Crane	\$150.00
Michelle King	\$150.00		

TOTAL

\$7,650.00

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

Motion by: Norm Holcomb

Seconded by: Mike Stone

Yea 4

Nay 0

b. Town Administrator Updates

Mr. Lawton informed the Board members that, as they asked about the D-Y Agreement, he will have that documentation for them next week along with town counsel's review. He also informed the Board that he attended a multi-town wastewater committee meeting and feels it is a good group to work on this issue. The plan is to have a joint Board of Selectman meeting with the three towns on or about March 1st to discuss where they are and what the plans are.

Chairman Quirk asked Mr. Lawton to discuss the easement agreement that the Board members just signed. Mr. Lawton explained that the permanent easement just signed by the Board members is for the town of Barnstable working with Mill Pond Estates to install pipes on Mill Pond Estates property. This is not the easement for the permanent water connection with Barnstable.

Mr. Knapik stated he is pleased to be in the town and is very pleased to get started.

11. Adjourn

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

Motion by: Norm Holcomb

Seconded by: Tracy Post

Yea 4

Nay 0

Meeting adjourned at approximately 9:20 p.m.

Respectfully submitted,



Linda Dennehy

DISTRIBUTED MATERIAL AGENDA PACKET

- Transfer of Annual All Alcohol Restaurant License from Periklis, Inc., dba Yarmouth Pizza by Evan to JOCA, LLC dba Pizza by Evan
- Cape Cod Technical High School FY18 Budget and MSBA School Building Project Presentation
- 2017 Annual Town Meeting Articles Review for Articles 15, 16, and 17
- Elderly and Veterans Tax Exemption ATM Article Discussion PowerPoint Presentation
- ATM Article Summary
- FY16 Audit Review
- FY18 Budget Review
- Email from Conservation Administrator to Pam Barnes dated January 6, 2017 re: Conservation Commissioner Resignation
- Letter to Town Clerk from Chairman, Board of Registrars dated January 13, 2017 re: Letter of Resignation
- Memo to BOS from Appointments Chairman dated January 18, 2017 re: RASWAC Reappointments
- Memo to BOS from Appointments Chairman dated January 19, 2017 re: Board of Appeals Reappointments for Dick Neitz, Gerald Garnick, and Doug Campell
- Memo to BOS from Appointments Chairman dated January 19, 2017 re: Board of Appeals Appointment for Dick Martin
- Memo to BOS from Appointments Chairman dated January 19, 2017 re: Board of Appeals Appointment for Tom Nickinello
- Board of Selectmen Meeting Minutes of October 25, 2016
- Board of Selectmen Meeting Minutes of November 15, 2016
- Board of Selectmen Meeting Minutes of November 19, 2016
- 2017 BOS Upcoming Agenda Item Review
- Letter to Speaker of the House of Representatives, Robert DeLeo from Cape Cod Chamber of Commerce dated January 10, 2017 re: Commonwealth's Tax Code
- Letter to BOS from Cape Cod St. Patrick's Parade Committee dated January 10, 2017 re: Request for Approval for St. Patrick's Parade
- Memo to BOS from Parks & Recreation Division dated January 18, 2017 re: Donations
- Email from Director of Community Development dated January 11, 2017 re: FY17 CPA Application Summary
- Memo to BOS from Interim Town Administrator dated December 22, 2016 re: South Yarmouth RMV
- Letter to Chairman, Board of Selectmen from Mass Fiscal Alliance dated January 12, 2017 re: Carbon Tax Legislation
- ABCC Notice of Hearing dated January 12, 2017 re: Bayside Resort Hotel
- Memo to BOS from Interim Town Administrator dated January 18, 2017 re: Multi-town Wastewater
- Memo to BOS from Interim Town Administrator dated January 18, 2017 re: Open Cape