



Board of Selectmen Regular Meeting Minutes January 30, 2018

The regular meeting was called to order at approximately 6:00 p.m. in Room 205 of Bridgewater State University, 1175 Route 28, South Yarmouth, by Chairman Tracy Post. Selectmen present: Mike Stone, Erik Tolley, Norm Holcomb, and Mark Forest. Also attending: Yarmouth Town Administrator Dan Knapik; and Assistant Town Administrator, Chris Dwelley.

1. Public Announcements & Comments

Nate Mayo of Vineyard Wind announced that he is available for discussion on the project.

Christine Greeley of West Yarmouth thanked the Board and staff for their work on the Vineyard Wind project.

Kim Werner distributed packets and spoke about noise abatement needed due to the Rail Trail extension project.

2. CVEC Lease Vote

After a brief presentation on the proposed solar panels on Fire Stations 1 and 3, there was discussion regarding lease terms, particularly the 20- or 30-year commitment and Station 1. Electric offsets are estimated in the range of \$24,000 per year. This vote would be to establish lease authorization of the Board of Selectmen. Mr. Tolley read the complete motions for discussion purposes, and the motions were revised as follows:

MOTION: To move that the Board of Selectmen of the Town of Yarmouth authorize the installation of a rooftop solar system on top of the Yarmouth Fire Station #1 located at 96 Old Main Street, South Yarmouth, MA, contingent upon approval of all contracts by the Yarmouth Board of Selectmen.

Motion by: Erik Tolley Seconded by: Mike Stone Yea 5 Nay 0

MOTION: To move that the Board of Selectmen of the Town of Yarmouth authorize the installation of a rooftop solar system on top of the Yarmouth Fire Station #3 located at 520 Buck Island Road, West Yarmouth, MA, contingent upon approval of all contracts by the Yarmouth Board of Selectmen.

Motion by: Erik Tolley Seconded by: Mike Stone Yea 5 Nay 0

3. Public Hearings

a. Special Alcohol and Entertainment Licenses for Irish Festival, 669 Rt. 28, W. Yarmouth. Licensing Chair Mike Stone read the legal notice into the record. Patrick McDonough of Irish Music Events, LLC, presented the application and detailed his experience as a festival planner. This is a family event with cultural flair, and hopefully will become an annual tradition. New England Patriot Marquis Flowers will be a celebrity guest. Safety is a priority, and Mr. McDonough explained his policies and security protocols, including private security and police details. He provided a revised site layout plan per the request of Police Chief Frank Frederickson. Green cards were provided. There was no public comment. Mr. McDonough responded to questions from the Board. The goal for this year is 2,000 in attendance.

Mr. Stone read into the record correspondence from Peter Q. Smith, Chairman of the Community and Economic Development Committee in support of the festival and noting a Tourism Revenue Preservation Fund grant award of \$17,000.

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

Motion by: Tracy Post

Seconded by: Erik Tolley

Yea 5 Nay 0

MOTION: To move that the Board of Selectmen approve the application with the amended site map that was accepted by the Police Chief.

Motion by: Tracy Post

Seconded by: Erik Tolley

Yea 5 Nay 0

b. New Wine and Malt License for Grand Cafe, 80 Rt. 28, W. Yarmouth. Licensing Chair Mike Stone read the legal notice into the record. Restaurant Manager Luis Paguay presented the application. Mr. Stone advised the applicant to meet with Officer Phil Magnusson. There was no public comment.

c. New Annual All Alcohol Innholder License for The Cape Point, 476 Rt. 28, W. Yarmouth. Licensing Chair Mike Stone read the legal notice into the record. Attorney Gregory Demakis, Manager Nilesh Patel, and Assistant Manager Atul Verma presented the application. Green cards were submitted. Attorney Demakis advised that the bar and restaurant occupancy is being reduced from 49 to 40 and relocated to the first floor. He also reviewed the Pledge of Alcoholic Beverage License Agreement with Cooperative Bank of Cape Cod. There was no public comment. The applicants responded to questions from the Board regarding TIPS certifications and advised that they have met with Officer Magnusson. Innkeeper responsibilities and insurance certificate requirements were reviewed.

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

Motion by: Tracy Post

Seconded by: Mark Forest

Yea 5 Nay 0

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

Motion by: Tracy Post

Seconded by: Mark Forest

Yea 5 Nay 0

4. Final Vote on Inclusion of Warrant Articles

Town Administrator Dan Knapik, DPW Director Jeff Colby, and Finance Director Ed Senteio updated the Board on the warrant. After discussion, the Board supported multi-year phasing of the Department of Public Works building. Mr. Senteio and Mr. Knapik explained the proposed Residential Personal Property Tax Exemption which is projected to save \$25,000 annually; further details will be presented at a future meeting. Director of Community and Economic Development Karen Greene outlined the Community Preservation Act articles. With respect to the Sandy Pond application, Mr. Holcomb objected to funding capital expenditures that do not comply with Town Charter requirement to provide maintenance cost plans. Town Counsel will review the relationship between the Charter and State statute.

5. Budget Review - Funding Draft Report

Town Accountant Rich Bienvenue detailed the FY19 draft budget. Challenges will be the D-Y School budget and stabilizing golf operation finances. Mr. Bienvenue responded to questions from the Board regarding excess receipts, and discussion followed on the impact of the two new housing developments.

6. Town Administrator's Annual Review

The review rated 11 criteria from 0 (unsatisfactory) to 4 (exceptional/outstanding). The average of the five Board members' evaluations was calculated and Town Administrator Dan Knapik received a 3.08 rating (superior). Suggested areas of improvement were: further development of communications technologies and more timely updates to the Board. Mr. Knapik thanked the Board, Bob Lawton, and Bill Hinchey.

7. Board of Selectmen

- a. Board and Committee Actions: None
- b. Upcoming Agenda Review: Ambulance fee hearing rescheduled to February 13th.
- c. Individual Items

Mr. Holcomb explained that the golf fund has, in fact, fully funded the land acquisition and construction costs of the golf course. He suggested that other sports, like tennis and pickleball, should take the same responsibility. He would like to see the Recreation Master Plan's maintenance plan costs, as required by Town Charter, and how the implementation of the Recreation Master Plan fits with the Town's 10-year plan.

Ms. Post noted that historically maintenance plans have not accompanied funding requests; the Board needs to clarify its policy and establish consistency.

8. Town Administrator Items

- a. Consent Agenda.
 - Application for Special Entertainment License from Parks and Recreation for Movies at Peter Homer Park
 - Application for Special Entertainment License from Parks and Recreation for Movies at Smuggler's Beach

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

Motion by: Mike Stone

Seconded by: Erik Tolley

Yea 5 Nay 0

- b. Town Administrator Updates: Finance Committee meeting January 31st, 6:30 p.m. in Town Hall Room A, to include Cape Tech and D-Y presentations.
- c. Water Resources Planning: None.
- d. Dennis-Yarmouth School Agreement: None.
- e. Mattacheese School Project: Next meeting January 31st, 5:00 p.m. in the Mattacheese Library.
- f. Drive-In Site Utilization Project: None.
- g. Cape Tech Update: None.

9. Adjourn

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

Motion by: Norm Holcomb

Seconded by: Mike Stone

Yea 5 Nay 0

Meeting adjourned at approximately 9:12 p.m.

Respectfully submitted,



Linda Dennehy

DISTRIBUTED MATERIAL AGENDA PACKET

- CVEC Lease Agreement
- Special Alcohol and Entertainment License Application from Irish Music Events LLC
- New Annual Wine and Malt Restaurant License Application from Grand Cafe
- New Annual All Alcohol Innholder License Application from The Cape Point
- Draft ATM Article Summary
- 2018 BOS Upcoming Agenda Items Schedule
- Application for Special Entertainment License from Parks and Recreation for Movies at Peter Homer Park
- Application for Special Entertainment License from Parks and Recreation for Movies at Smuggler's Beach
- Memo to Town Administrator from Director of Natural Resources dated January 23, 2018 re: Additional Convictions in Illegal Trafficking Juvenile American Eels (glass eel) by U.S. Department of Justice