



## **Board of Selectmen** **Public Meeting Minutes** **February 12, 2019**

*The regular meeting was called to order at approximately 6:00 p.m. in the Town Hall Hearing Room by Chairman Holcomb. Selectmen present: Erik Tolley, Tracy Post, Mike Stone, and Mark Forest. Also attending: Yarmouth Town Administrator Dan Knapik; Yarmouth Assistant Town Administrator, Chris Dwelley; and Town Counsel Jay Talerma.*

### **1. Public Announcements & Comments**

*Chairman Holcomb apologized to the Conservation Commission for his recent comments.*

*Rob Earle of Wianno Road, Yarmouth Port, reported that a car was recently abandoned on Strawberry Lane. He suggested that there should be a parking ordinance.*

*Paul Greeley of West Yarmouth, Treasurer of the Yarmouth Police Foundation, advised that funding has been secured for the first three phases of the Sean Gannon Training Center. Construction will begin in the spring. He asked that the Town help fund the final stage, which is the shooting range. Town Administrator Dan Knapik offered to meet with Mr. Greeley to discuss.*

*Jim Seewan, Precinct 4, thanked the Board for its work with Golf, but noted concern with the RFP and its timing.*

### **2. School Agreement Update**

Town Administrator Dan Knapik advised that the DY Agreement Subcommittee is meeting tonight; discussions are ongoing. Selectman Holcomb clarified for the public that the Board of Selectmen has not taken a position on the new school proposal, and has supported overrides for the school budget over the past few years.

### **3. Short-Term Rental Tax Presentation by Town Counsel**

Town Counsel Jay Talerma explained the Short-Term Rental Law passed by the State Legislature. There is an additional 3% local impact fee that the Town can opt into, and an additional 2.75% for the Cape Cod and Islands Water Protection Fund that the Town can opt out of. There is also the ability to further regulate rentals. The draft warrant articles were reviewed. Selectman Post volunteered to serve as Yarmouth's representative to the Water Infrastructure Investment Fund. She also supported a discussion on using CPA funds to pay for wastewater management. Selectmen Forest and Stone supported a wait-and-see approach with respect to the new tax. After discussion, there was consensus to delay adoption of the 3% local impact fee. Mr. Knapik presented information that will be posted on the website to help educate the public.

### **4. Appointment to Cape Cod & Islands Water Protection Fund Management Board**

**MOTION: To move that the Board of Selectmen appoint Tracy Post as Yarmouth representative to the Cape Cod & Islands Water Protection Fund Management Board.**

**Motion by: Erik Tolley**

**Seconded by: Mark Forest**

**Yea 5 Nay 0**

## 5. Public Hearing

a. New Alcohol License for TNT Family Enterprises (dba Ropes End Family Restaurant). Licensing Chair Mike Stone read the legal notice into the record. President of TNT Family Enterprises Tom Nickinello presented the request. The previous business owner has retired and the restaurant is being refurbished. The operations will remain essentially the same as the previous establishment. Mr. Nickinello confirmed that there will be no entertainment at this time, and that he understands the TIPS requirements. He has met with Officer Magnussen. Outside deck service will continue. There was no public comment.

**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 as presented.**

**Motion by: Tracy Post**

**Seconded by: Erik Tolley**

**Yea 5 Nay 0**

## 6. DPW Budget and ATM Articles Review (ATM Articles 4, 5, 10, 17, 22, 45, 46)

DPW Director Jeff Colby reviewed the mission of the Department of Public Works and highlighted the main responsibilities of the Building & Grounds, Highway, Waste Management, and Water Divisions. The proposed budget has been generally level-funded, with the exception of contracted salary adjustments. Free Cash will be requested for HVAC/mechanical issues, tree maintenance and replacement, engineering consultants, litter and trimming, vehicle maintenance, and snow and ice.

There was discussion regarding the potential use of ground-mounted solar power and alternatively-powered vehicles. Collection expenses and policies, and credit card fees were also discussed. Mr. Colby reviewed ATM Articles 4, 5, 10, 17, 22, 45. Mr. Colby outlined timing scenarios for the DPW Facility and asked for the Board's input. Mr. Forest suggested adding it to a future agenda for more public discussion.

The Stormwater Bylaw Amendment was also discussed. Mr. Tolley suggested a prohibition against discharge from residential properties into the stormwater system. Mr. Colby suggested it might be more appropriate in the regulations as opposed to the Bylaw. Selectman Post stated that items funded by free cash need, at some point, to be funded by the DPW budget. A hydrant maintenance program has been implemented and in two to three years, all hydrants should be cleaned and painted. Mr. Colby explained the relationship between DPW and Parks & Recreation, which includes weekly staff meetings, and capital planning.

**MOTION: To move that the Board of Selectmen recommend Articles 4, 5, 10, 22, 45, 46, and delete Article 17.**

**Motion by: Erik Tolley**

**Seconded by: Mark Forest**

**Yea 5 Nay 0**

## 7. Board of Selectmen

- a. Approval of Meeting Minutes of June 5, 2018

**MOTION: To move that the Board of Selectmen approve the Minutes of June 5, 2018.**

**Motion by: Tracy Post**

**Seconded by: Mike Stone**

**Yea 5 Nay 0**

b. Upcoming Agenda Review: updates on the Stronger Shield operation, opioids; discussion on DNR Group 4; and review of the Golf RFP.

c. Individual Items: Selectman Post announced the One Billion Rising event at the Senior Center on February 15<sup>th</sup>. Selectman Forest advised that there will be five members of the Disability Committee, and appealed to anyone who is interested to step forward.

## 8. Town Administrator Items

a. Consent Agenda: late addition: Old Yarmouth Inn will be closing February 17<sup>th</sup> thru February 23<sup>rd</sup>.

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

**Motion by: Mark Forest**

**Seconded by: Tracy Post**

**Yea 5 Nay 0**

b. Town Administrator Updates: The DHY Group will meet on Friday with Representatives Crocker, Whelan, and Peake, and Senator Cyr. Staff will seek out funding for the PA system at Mattacheese prior to Town Meeting.

c. Water Resources Planning: None.

d. Dennis-Yarmouth School Agreement: None.

e. Mattacheese School Project: None.

f. Cape Tech: None.

g. DPW Facility: None.

## 9. Adjourn

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

**Motion by: Mark Forest**

**Seconded by: Erik Tolley**

**Yea 5 Nay 0**

**Meeting adjourned at approximately 8:35.**

Respectfully submitted,



Linda Dennehy

## **DISTRIBUTED MATERIAL AGENDA PACKET**

- New Annual All Alcohol Restaurant License from T.N.T. Family Enterprises, dba Ropes End Family Restaurant, 908 Route 28, South Yarmouth
- DPW Budget and ATM Article Review Presentation
- Board of Selectmen Meeting Minutes of June 5, 2018
- 2019 BOS Upcoming Agenda Items Schedule
- Application for Special Entertainment License from Chamber of Commerce for Annual Cleanup Day on April 13, 2019
- Memo to Town Administrator from YFD dated January 30, 2019 re: Gift
- Ready Renter Flyer
- Chinese Lantern Festival Flyer
- Fifth Annual One Billion Rising Event Flyer
- Intergenerational Model UN – Women Flyer