



**Board of Selectmen
Town Hall Hearing Room
Regular Meeting
May 22, 2012**

The meeting was called to order at 7:00p.m. by Chairman Erik Tolley. Selectmen present: Norman Holcomb, Tracy Post and Curt Sears. Selectman Jim Quirk arrived late to the meeting. Also Attending: Town Administrator William G. Hinchey. The Board of Selectmen gave the pledge of allegiance.

Town Clerk Jane Hibbert swore in the newly elected members of the Selectmen and Housing Authority.

Mr. Tolley welcomed Norm Holcomb, and thanked Ms. Suzanne McAuliffe for her years of service to the Town as a Selectman and School Committee member.

Board Reorganization

1. Goals Update

MOTION: To move that the Board of Selectmen appoint Erik Tolley as Chairman.

Motion by: Tracy Post **Seconded by:** Norm Holcomb Yea 5 Nay 0

MOTION: To move that the Board of Selectmen appoint Curt Sears as Vice Chairman.

Motion by: Erik Tolley **Seconded by:** Jim Quirk Yea 5 Nay 0

MOTION: To move that the Board of Selectmen appoint Tracy Post as Clerk.

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

MOTION: To move that the Board of Selectmen appoint Curt Sears as Licensing Chairman.

Motion by: Tracy Post **Seconded by:** Jim Quirk Yea 5 Nay 0

MOTION: To move that the Board of Selectmen appoint Jim Quirk as Appointments Chairman.

Motion by: Tracy Post **Seconded by:** Curt Sears Yea 5 Nay 0

MOTION: To move that the Board of Selectmen appoint Norm Holcomb as Ambulance Waiver Administrator.

Motion by: Tracy Post **Seconded by:** Jim Quirk Yea 5 Nay 0

MOTION: To move that the Board of Selectmen appoint Tracy Post as DY Liaison.

Motion by: Norm Holcomb **Seconded by:** Curt Sears Yea 5 Nay 0

MOTION: To move that the Board of Selectmen appoint Erik Tolley as DY Contract Negotiations Team.

Motion by: Curt Sears **Seconded by:** Jim Quirk Yea 5 Nay 0

MOTION: To move that the Board of Selectmen appoint Jim Quirk as Scholarship Committee.

Motion by: Tracy Post **Seconded by:** Curt Sears Yea 5 Nay 0

MOTION: To move that the Board of Selectmen appoint Curt Sears as Affordable Housing Trust.

Motion by: Tracy Post **Seconded by:** Jim Quirk Yea 5 Nay 0

Public

1. Spring Projects Update [Parks & Recreation, and Natural Resources]

Represented by Pat Armstrong and Karl vonHone. Ms. Armstrong updated the Board on new projects that are being worked on since the joining of Parks and Recreation divisions 50+ days ago. Ms. Armstrong also spoke about the beach clean-up schedule. Mr. vonHone described some of the nourishing and dredging projects that have been worked on over the Winter and Spring.

Mr. Peter Kenney spoke about the disappointment with the Board on their discussion and actions at the May 8th meeting. He has removed his name from the Talent Bank. Mr. Kenney also spoke about

the electric contract with the Cape Light Compact. Ms. Post and Mr. Tolley commented on their remarks made on May 8th and their decision to not vote in favor of the recommendation to appoint Mr. Kenney to the Planning Board. Mr. Tolley requested that a document be given to them in the next few weeks regarding the process in which the Town entered the contract with the Cape Light Compact.

Public Hearing

1. **New Annual Weekday Entertainment License:** Giardino’s Restaurant, 242 Route 28, West Yarmouth, Edward Giardino, mgr.

Chairman Tolley read the legal ad into the record. Application represented by Edward Giardino who explained the proposed entertainment for a one piece band.

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

Motion by: Tracy Post **Seconded by:** Curt Sears Yea 5 Nay 0

MOTION: To move that the Board of Selectmen approve the Weekday Entertainment License.

Motion by: Tracy Post **Seconded by:** Curt Sears Yea 5 Nay 0

2. **Special Wine & Malt License:** Ryan Family Amusements, 1067 Route 28, South Yarmouth, Peter Campbell, mgr.

Chairman Tolley read the legal ad into the record. Application represented by Peter Campbell, Y-D Red Sox General Manager Jim Martin and Paul Ronty from Red Jacket Resorts. Mr. Ronty reviewed the Summer Kick-Off Celebration Schedule. Mr. Campbell described the event that will requires the Wine & Malt license and the public safety precautions that have been taken for that particular event.

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

Motion by: Curt Sears **Seconded by:** Tracy Post Yea 5 Nay 0

MOTION: To move that the Board of Selectmen approve the Special Wine & Malt License.

Motion by: Curt Sears **Seconded by:** Tracy Post Yea 5 Nay 0

Mr. Quirk joined the meeting.

3. **Special Entertainment Licenses:** YD Baseball Club, Inc., for Yarmouth Summer Celebration Kick-Off events.

Chairman Tolley read the legal ad into the record. Application represented by Paul Ronty from Red Jacket Resorts and Y-D Red Sox General Manager Jim Martin.

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

Motion by: Tracy post **Seconded by:** Curt Sears Yea 5 Nay 0

MOTION: To move that the Board of Selectmen approve the Special Wine & Malt License.

Motion by: Tracy Post **Seconded by:** Curt Sears Yea 5 Nay 0

New Business

1. Yarmouth Housing Authority - Update on Forest Road Project

Represented by Ed Roderick, Ed Blackman and members of the Housing Authority. Mr. Roderick updated the Board on the progress of the Forest Road Project RFP. They are working with DHCD and their counsel to ensure the best development is proposed while keeping in mind the neighbors comments and concerns. The number of units has not yet been determined. Mr. Blackman stated that the Housing Authority has been in contact with the neighbors and is open to cooperation with the Town for what is best for the citizens. Mr. Sears is encouraged to hear that the Housing Authority is willing to work with the neighbors and their questions and concerns will be answered, and included in the process. Mr. Blackman stated that the Housing Authority has invited representative from the neighbors to their public meetings. Also informal conversations have taken place. Ms. Post asked where the meeting notices are posted. Mr. Roderick stated that the meetings are posted at Town Hall and at their office. The Housing Authority does not have the funds to host a website. Mr. Roderick explained that the CPC funds were approved for incidental soft costs such as pre-development. Those funds have not been expended yet. Ms. Post expressed concern that the

Housing Authority has not committed to a number of units. Mr. Quirk asked what was encompassed in the RFP. Mr. Roderick explained that it would be architectural design, survey, zoning issues and state requirements. Site testing were done a couple of years ago which no wetlands or environmental issues that would interfere with the development. Mr. Quirk expressed concerns with going forward with an RFP on a project that they can't describe what they want. Mr. Roderick stated that when the RFP is ready to go forward those concerns will be addressed and decided upon. Mr. Quirk asked what the timetable is for them to get to an RFP process. Mr. Blackman stated that the timetable is not set in stone because the State has to review each step. Mr. Holcomb asked about the neighborhood meetings. Mr. Blackman explained some of the meetings that have been held. He felt that those meetings have opened up communication. Mr. Holcomb reiterated the original vote back in 1985 where the Housing Authority stated the development would be for 30 units of senior housing using grants from the Massachusetts Dept. of Communities and Development. Mr. Holcomb asked if all the construction will be financed by grants. Mr. Blackman stated that since that time the Town has expressed interest in having mixed income and family housing. Mr. Holcomb asked if the Housing Authority was receptive to alternative locations that would relocate the development on the Forest Road property. Mr. Blackman stated that this project is no different than other developments in the state. It is a process that must be done cooperatively. Mr. Roderick stated that the land was given to the Housing Authority by the Town with the plan to have affordable housing on that property. Nothing has been offered to the Housing Authority but welcome a conversation. There was discussion between the Board and the Authority on how to get the answers if the water table and quality would be an issue with a development at the Forest Road property. Mr. Tolley asked why the Authority wouldn't want to redevelop a hotel into affordable housing because the Town has voted twice against this project at Forest Road.

2. Forest Road Affordable Housing Options

The Board discussed what the next steps on how they want to proceed. The board was discouraged with the lack of progress the Housing Authority has made on making decisions towards the project and what they want as a development. Mr. Hinchey updated the Board on several options, such as redeveloping hotels on Route 28. A feasibility study needs to be done either by the Housing Authority or the Board. The Board discussed funding and 40B options. Mr. Quirk mentioned a parcel of land near Weir Road that could be swapped. Ms. Post and Mr. Holcomb agreed that redeveloping an existing property rather than using open space would be more favorable and it was agreed that the Town is in favor of affordable housing but this particular Forest Road property is the wrong location.

3. Captain's Village Water Table Update

DPW Director George Allaire gave a presentation on the history of the water table for Captains Village. The level of flooding is dependent on the amount of rain and ground water. In 1985 a Task Force was formed to review the drainage issues. 15 solutions were evaluated. In 1987 a feasibility study was done, as well as in 2003. Approximately 7.3 million dollars would be required to address the water issues but would not eliminate flooding or water in basements. The water table cannot be lowered.

Board of Selectmen

1. Individual Items

Mr. Tolley reminded Boards that it is a new year so the Board needs to come up with a set of goals. It will be an agenda item at the next meeting. Mr. Holcomb asked questions on strategies and actions in order to achieve the goals. Ms. Post reassured Mr. Holcomb that Mr. Hinchey has done a great job in how the staff needs to implement the goals and see them completed.

Ms. Post spoke about the Chamber's Seaside Auction. \$25 per person and proceeds of the tickets go to the Food Pantry, the Cultural Center and Kaitlyn's Closet. Ms. Post thanked Ms. McAuliffe for all her years and guidance of serving the town.

Mr. Sears spoke about the Spring Pops concert at the DYHS that occurred last week. The Jazz Band will be at the Senior Center next week. The Affordable Housing is looking for homes for the Buy-Down program. Mr. Sears also thanked Ms. McAuliffe.

Mr. Quirk apologized for the way that the appointment process at last meeting was handled.

Mr. Tolley announced that there is a rededication at the Ancient Cemetery for the veterans section that will happen on Friday. The event was planned by the Cemetery Division and Deputy Chief Xiarhos. The Annual Memorial Day ceremony will be on Monday at 11am. There will be a tent provided.

Town Administrator's Items

1. Consent Agenda

- Potential Conflict of Interest Disclosure – Robert C. Lawton, Jr.
- Waiver of Tent Permit Fees

1. Cultural Center	\$50.00
2. Yarmouth Port Library July Book Sale	\$50.00
TOTAL	\$100.00

- Donations

1. Division of Senior Services	
▪ Anonymous	638.00
▪ Natalie LaFleur	\$50.00
▪ Margaret E. Taylor	\$42.50
▪ AA	\$40.00
▪ Sarah Carpenter	\$30.00
▪ Susan McMahon	\$18.00
▪ Maria S & F	\$20.00
	838.50

2. Town Libraries	
▪ Diane Quaid	\$150.00
▪ Selma DaCosto & Francis Barbero	\$20.00
	\$170.00

3. Police Department	
▪ Estate of Wilhelmina I Gomes	\$416.96
	\$416.96

4. Streetlight Program	
▪ J.D. Devlin	\$80.00
	\$80.00

5. Recreation Division	
▪ Used Mooring	\$150.00
	\$150.00

6. Boardwalk Plank Program	
▪ Denise Preston	\$300.00
▪ Patricia Armstrong	\$150.00
▪ Eugene Galvagni	\$150.00
▪ Rene Pecoraro	\$150.00
▪ Philip Greenhow	\$150.00
▪ Clare Hipp	\$150.00
▪ Louis Martinage	\$150.00
▪ Joyce Raiskio	\$300.00
	\$1,500.00

TOTAL \$3,155.46

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

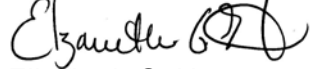
Motion by: Tracy Post **Seconded by:** Curt Sears Yea 5 Nay 0

Adjourn

MOTION: To move that the Board of Selectmen adjourn the meeting at 10:21pm

Motion by: Curt Sears **Seconded by:** Tracy Post Yea 5 Nay 0

Respectfully submitted,



Elizabeth G. Hartsgrove