



**Board of Selectmen
Town Hall Hearing Room
Regular Meeting
August 21, 2012**

Executive Session

1. Strategy with respect to collective bargaining with Police Department unions
2. Strategy with respect to Bay Colony Railroad Corp Litigation

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

Public Comment

1. Commendation for Lifeguard Henry Baker

Pat Armstrong and Michael Bovino spoke about Mr. Baker and the incident on August 15th where Mr. Baker used CPR on an unconscious woman. Mr. Tolley awarded Mr. Baker with a certificate of appreciation for his valor.

Joyce Flynn updated the Boar on the Cape Light Compact energy audit competition. Yarmouth is still in the lead for number of votes. Brochures can be picked up at the Library and the Council of Aging.

Bob DuBois announced the 2nd Annual Cape Cod Festival of Magic starting on Tuesday Augsut 28th – 30th. 25 magicians are sponsored by the Yarmouth Tourism Preservation Fund and the Boy Scouts of America. Yarmouth residents will receive a \$5 discount.

George Allaire spoke about work at the intersection of Forest Road and Old Town House will be begin after Labor Day and continue until 2013. This is a MassDOT project.

Mr. Allaire also announced that the Town will be applying for a National Fish and Wildlife Grans for the Parkers River Bridge.

The meeting was turned over to Appointment Chair Jim Quirk.

Board & Committee

1. Reappointments

- Planning Board – 2 Regular Members

Mr. Sears voiced concern over the planning Board in general, not specific to these two individuals.

MOTION: To move that the Board of Selectmen reappoint Brad Goodwin and Tom DiPersio to the Planning Board.

Motion by: Norm Holcomb Seconded by: Curt Sears Yea 4 Nay 0

2. Resignations

- Capital Budget Committee – 1 Member

MOTION: To move that the Board of Selectmen accept the resignation with much regret from Lu Matrascia.

Motion by: Curt Sears Seconded by: Norm Holcomb Yea 4 Nay 0

The meeting was turned back to Chairman Tolley.

- Finance Committee – 1 Member

MOTION: To move that the Board of Selectmen accept the resignation with regret from Carlene Veara.

Motion by: Norm Holcomb Seconded by: Jim Quirk Yea 4 Nay 0

Open Cape [Dan Gallagher]

Mr. Gallagher described how Open Cape was formed, the concept, the funding, the system and status of the project with the assistance of a PowerPoint. The project will allow public safety

services, smarter government, and infrastructure, regional delivery of common services, applications and data. Mr. Gallagher touched base on regional umbrella services for government, universal utility planning, and moving the work to the people. The Board spoke favorable of the project. Work is scheduled to be completed by January 31st, 2013. A governance meeting will be held on September 7th. Mr. Hinchey thanked Mr. Gallagher for all his hard work bringing this project to Cape Cod.

Special Town Meeting

1. Article Review

- ~~D-Y School District Agreement Amendment (De-Regionalization)~~
- Installation of Solar Arrays on Wellfields

Mr. George Allaire updated the Board on the CVEC Solar Array project which will require Town meeting vote to authorize the filing of special legislation for Chapter 97 conversion. Mr. Holcomb was concerned with the impact of removal of trees and lack of water absorption which could affect abutters. Mr. Allaire reassured that there would be little to no impact on the property and abutters. Mr. Tolley asked if the Town would be held liable on this project if the relationship between the Cape Light Compact and the CVEC dissolved in the future. Mr. Hinchey stated that the Town could then issue a lease to a different vendor to manage the solar arrays. The Board did not have enough time to review the proposed article wording therefore postponed making a recommendation on the article.

- Land Transfer – settlement of suit by J.T. Wiggin

Town Counsel Bruce Gilmore updated the Board on the purpose for this article which would authorize Mr. Wiggin to receive 1/3 of the property the Town took by eminent domain years prior.

MOTION: To move that the Board of Selectmen place and recommend the Land Transfer article.

Motion by: Jim Quirk **Seconded by:** Curt Sears Yea 4 Nay 0

- Leasing Space on Water Towers (OpenCape)

George Allaire explained the purpose of the 20 year lease for OpenCape. The Board spoke favorably of the purpose.

MOTION: To move that the Board of Selectmen place and recommend the 20 year water tower lease article.

Motion by: Jim Quirk **Seconded by:** Curt Sears Yea 4 Nay 0

2. Discussion on Article Review Schedule

Mr. Hinchey described the public hearing schedule for the Zoning Articles. The Board discussed in length having multiple meetings and when they should take place. Mr. Sears was concerned that the Planning Board would not meet the deadline and therefore postpone bringing articles to a town meeting vote until the Annual in April. He also asked if the Planning Board would consider 1 article rather than splitting the district into 4 separate articles.

MOTION: To move that the Board of Selectmen hold a public meeting on September 11th, a workshop meeting on September 18th and a joint public hearing on September 25th with the Planning Board.

Motion by: Jim Quirk **Seconded by:** Curt Sears Yea 4 Nay 0

Board of Selectmen

1. Approval of Minutes

MOTION: To move that the Board of Selectmen approve the minutes of August 7th, 2012.

Motion by: Jim Quirk **Seconded by:** Curt Sears Yea 4 Nay 0

2. Individual Items

Mr. Holcomb asked if an update of the ARC issue could be brought before a future agenda. Mr. Hinchey stated that the Board will receive an update in next meeting packet and will be scheduled for a future meeting. Mr. Holcomb requested that the Town be more diligent in maintaining properties or look at closing those facilities from public access if a level of high standard is not met. Mr. Hinchey reminded the board of the staff layoffs that were required to meet budget restraints from the past 5 years and that those reductions have over-extended current staff. Either a

public/private partnership will need to made (which is being looked at), or a lowering of the expectations of staff's capabilities to manage additional properties at a higher level than possible to achieve. Mr. Quirk suggested having a Town-wide Facility Management Plan created so staff support could be guaranteed to existing properties.

Mr. Sears spoke about the Chamber of Commerce Summer Concert Series that will be held at the Mattacheese Middle School next week.

Mr. Tolley announced the Housing Authority Public exchange regarding the Forest Road property will take place on August 22nd. The CPA annual hearing will be in September. The Wilbur Park ribbon cutting ceremony will take place on August 29th and the Yarmouth Police Department will be holding a blood dive on August 29th from 12-6.

Town Administrator's Items

1. Consent Agenda

- Special Entertainment License – Cape Cod Festival of Magic
 - Donations
 - 1. Boardwalk Plank Program
 - Cynthia Watson \$300.00
 - Philip Santora \$150.00
 - Linda Pulaski \$150.00
 - Heidi Gallo \$150.00
 - Shelia Patterson \$150.00
 - Jane Spallina \$600.00
 - Megan Homer \$150.00

 - \$1,650.00**
 - 2. Police Department
 - Estate of Wilhelmina I Gomes \$416.96

 - \$416.96**
3. Town Libraries
 - Denis Jennsen \$25.00
 - Craig Johnson \$25.00

- \$50.00**
4. DPW - Veteran Memorial Gardens
 - Anita Caruso \$30.00
 - Fred & Frances Jaros \$25.00

- \$55.00**

TOTAL \$2,171.96

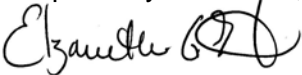
MOTION: To move that the Board of Selectmen accept Consent Agenda.
Motion by: Jim Quirk **Seconded by:** Norm Holcomb Yea 4 Nay 0

2. New Business

Mr. Hinchey mentioned the motel; memo in the packet following up on public comments from previous meetings.

Adjourn

MOTION: To move that the Board of Selectmen adjourn the meeting at 8:45pm
Motion by: Curt Sears **Seconded by:** Jim Quirk Yea 4 Nay 0

Respectfully submitted,

 Elizabeth G. Hartsgrove