



**Board of Selectmen
Town Hall Hearing Room
February 23, 2010
Regular Meeting**

The meeting was called to order at 7:00 p.m. by Selectmen Jim Hoben. Selectmen present: Bud Groskopf, Jerry Sullivan, Suzanne McAuliffe and Erik Tolley. Also Attending: Town Administrator Robert C. Lawton Jr. The Board of Selectmen gave the pledge of allegiance.

Public

1. Red Jacket Resorts – Request for letter of support

Represented by Paul Rommel and Trevor Myer. Mr. Rommel presented a PowerPoint Presentation regarding the goals of the South Shore Drive Concept Plans.

MOTION: To move that the Board of Selectmen authorize the chairman to sign a letter of support to the Cape Cod Commission.

Motion by: Jerry Sullivan Seconded by: Bud Groskopf Yea 5 Nay 0

Chairman Hoben turned the meeting over to the Licensing Board Chair Sullivan

Public Hearing

1. Brockton Johnny's, 731 Route 28 W.Y. – Change in Weekday and Sunday Entertainment License to add Live Entertainment and amplification.

Represented by manager and owner John Webby. Mr. Webby gave a brief description of the plans for the expansion of the entertainment license due to requests by patrons. Mr. Sullivan reviewed the Noise By-law regulations. There was discussion regarding occupancy.

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

Motion by: Suzanne McAuliffe Seconded by: James Hoben Yea 5 Nay 0

MOTION: To move that the Board of Selectmen approve the amendment with conditions of occupancy review when entertainment is occurring.

Motion by: Suzanne McAuliffe Seconded by: James Hoben Yea 4 Nay 0 Abstain 1

2. Ryan Family Amusement, 1067 Route 28 S.Y. – Change in Hours of Wine & Malt Alcohol service from 11pm to 12AM midnight, begin entertainment at 6PM and add Karaoke to Entertainment license, and new Sunday Entertainment License.

Erik Tolley disclosed that Mr. Tardoff and Mr. Tolley are involved in ongoing projects. No one in the public or the board had any issues with the disclosure.

Represented by Atty. Paul Tardoff and mgr. Peter Campbell. Mr. Tardoff gave a brief description on the requested changes to the licenses. Atty. Tardoff requested a change in Corporate Name, as well, from Ryan Family Amusement to Ryan Family Amusements, Inc. due to a merger. Mr. Lawton requested that the applicant file the appropriate paperwork and that the Board approve the change in d.b.a.

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

Motion by: Suzanne McAuliffe Seconded by: James Hoben Yea 5 Nay 0

MOTION: To move that the Board of Selectmen approve the requested amendments and the change in corporation name.

Motion by: Bud Groskopf Seconded by: Suzanne McAuliffe Yea 5 Nay 0

3. Yarmouth Lodge #2270 Loyal Order of Moose, 834 Route 28 S.Y. – Change in location of their All Alcohol Club License to 769 Route 28 South Yarmouth.

Represented by Atty. Tardoff and mgr. Hugh Sheridan. Atty. Tardoff notified the Board that the Moose Lodge is planning on moving to the Christopher's location. Atty. Tardoff

discussed the facility and floor plan and possible changes in the operation due to the increase of size.

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

Motion by: Bud Groskopf **Seconded by:** Erik Tolley Yea 5 Nay 0

MOTION: To move that the Board of Selectmen approve the request.

Motion by: Bud Groskopf **Seconded by:** James Hoben Yea 5 Nay 0

The Meeting was turned back to Chairman Hoben

ATM Article Recommendations

Mr. Lawton reviewed the proposed Town Meeting articles with the Board. There was discussion with the article on regarding removal of a member of a board appointment by the Selectmen, the Historic Commission Demo Delay Article, Chapter 70 Article.

MOTION: To move that the Board of Selectmen make recommendations on the articles that were approved by consensus.

Motion by: Jerry Sullivan **Seconded by:** James Hoben Yea 5 Nay 0

Selectmen Items

1. Individual Items

- Jerry Sullivan notified the Board that Betsy Rogers is willing to serve on the Agricultural Commission. She has turned in a Talent Bank Form.

MOTION: To move that the Board of Selectmen appoint Betsy Rogers to the Agricultural Commission.

Motion by: Suzanne McAuliffe **Seconded by:** James Hoben Yea 5 Nay 0

- Mr. Sullivan notified the Board and public that an Advisory position on the Barnstable County HOME Consortium is available, as well as vacancies on Old Kings Highway.
- Mr. Sullivan announced the passing of the Former Police Chief Ted Reynolds.
- Bud Groskopf spoke about a possible State legislature called the "Right to Die" bill.
- Erik Tolley updated the Board on the DY School Committee meetings. The Board voiced their concern with the estimated \$1.7M the Town is assessed. Discussion revolved around closing of a school, contract agreements and the DY Agreement.
- Mr. Lawton reviewed the settlement of the Police Contract and mentioned that the Police Union will be at the next Board meeting to officially sign the contract.
- Ms. McAuliffe notified the Board that a Working Group Airport meeting will be tomorrow, and suggested placing gates or camera at Summer Street to monitor the illegal dumping.

2. Approval of Minutes

- December 8, 2009 – Informational Meeting
- December 15, 2009 – Regular Meeting
- January 5, 2010 – Regular Meeting
- January 12, 2010 – Informational Meeting
- February 2, 2010 – Open Session
- February 2, 2010 – Executive Session

MOTION: To move that the Board of Selectmen approve the above listed minutes and hold the executive session minutes.

Motion by: Suzanne McAuliffe **Seconded by:** Bud Groskopf Yea 5 Nay 0

Town Administrator Items

1. Consent Agenda

Donations

1. Town Hall Rental

- Joseph & Linda Conley

\$150.00

\$150.00

2. Division of Senior Services	
▪ Bruce A. Scott	\$50.00
▪ Priscilla Crosby	\$25.00
▪ Jean B. Jackson	\$4.80
▪ Mary E. O'Connell	\$50.00
▪ Phyllis C. Campbell	\$35.00
▪ Joan M. Kingsbury	\$25.00
▪ The Garden Club of Yarmouth	\$26.88
▪ Charles Kelliher	\$100.00
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	\$316.68
3. Fire Department	
▪ AAUW Cape Cod MA Branch	\$50.00
▪ Dr. & Mrs. Joseph Ravalese III	\$211.84
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	\$261.84
4. Police Department - Wages & Overtime	
▪ Town of Brewster	\$240.00
▪ Town of Eastham	\$60.00
▪ Town of Hudson	\$120.00
▪ Town of Marion	\$60.00
▪ Town of Pepperell	\$60.00
▪ Town of Sandwich	\$60.00
▪ Town of Swansea	\$60.00
▪ City of Taunton	\$120.00
▪ Peter Booth	\$40.00
▪ Public Defender Division	\$60.00
▪ Town of Freetown	\$120.00
▪ Robert J. Tuohy	\$60.00
▪ Worcester State College	\$120.00
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	\$1,180.00
5. Department of Public Works	
▪ National Grid – Chip Seal	\$38,875.20
▪ Eleanor Igoe Bench Donation	\$50.00
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	\$38,925.20
Total	\$40,833.72

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

Motion by: Suzanne McAuliffe **Seconded by:** Jerry Sullivan Yea 5 Nay 0

2. Other Items

- *The Local Option Tax meeting will take place at the Senior Center on March 8th at 7pm.*
- *Mr. Lawton notified the Board of the Snow and Ice Deficit of \$22,000 and ask that the Board approve the deficit spending for Snow and Ice in FY10.*

MOTION: To move that the Board of Selectmen approve the Snow and Ice Deficit authorization for spending in deficit.

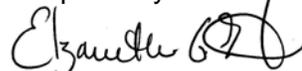
Motion by: Bud Groskopf **Seconded by:** Jerry Sullivan Yea 5 Nay 0

Adjourn

MOTION: To move that the Board of Selectmen adjourn at 8:53pm.

Motion by: Bud Groskopf **Seconded by:** Jerry Sullivan Yea 5 Nay 0

Respectfully submitted,



Elizabeth G. Hartsgrove