



**Board of Selectmen
Town Hall Hearing Room
Regular Meeting
June 7, 2011**

Executive Session – Bargaining

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

Public

1. Government Oversight Committee Proclamation

Represented by Jack Greebe, requesting the Board of Selectmen honor the service Jessie Mazzur by approving and signing a proclamation.

Redistricting [Town Clerk]

Represented by Town Clerk Jane Hibbert. Ms. Hibbert updated the Board on how results from the 2010 Census showed slight changes to the population with the Town creating the need for redistricting the voting precincts.

MOTION: To move that the Board of Selectmen accept the redistricting as presented by the Town Clerk.

Motion by: Suzanne McAuliffe **Seconded by:** Tracy Post Yea 5 Nay 0

The Meeting was turned over to Licensing Chairman Suzanne McAuliffe

Public Hearing

1. Special Entertainment License – South Yarmouth United Methodist Church for Sunday morning Services at the Bass River Beach, 220 South Street between June 26th and September 4th, 2011.

Chairman McAuliffe read the Legal Ad into the record. Application represented by Rev. David Hoyt, pastor of South Yarmouth United Methodist Church.

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

Motion by: Erik Tolley **Seconded by:** Tracy Post Yea 5 Nay 0

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

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

2. Transfer of Annual All Alcoholic General on Premise License and Weekday & Sunday Entertainment, pool table, and automatic amusement licenses from Molly's Restaurant, James Murzic, mgr at 585 Route 28, West Yarmouth to Red Face Jack's, Inc. d.b.a. Red Face Jacks, Robert Gott, mgr

Chairman McAuliffe read the Legal Ad into the record. Application represented by Atty. Steven Pizzuti, Robert Gott and Ted Zambelis. Atty. Pizzuti gave a brief description of the intentions of the new establishment and notified the Board that Mr. Gott is going to be certified in Crowd control. Mr. Gott described the menu and services that will be offered at the new establishment.

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 transfer of all the licenses to Red Face Jacks with the condition that window and doors must be closed when Entertainment is occurring.

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

The meeting was turned back to Chairman Tolley

3. Second Reading - Fee Increases

Mr. Peter Kenney asked that a list of all required additional fees are made aware of when a person applies for any sort of permit which would trigger additional permits and fees.

MOTION: To move that the Board of Selectmen approve fee increases as published.

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

Wastewater Issues [WIC]

1. Wastewater Implementation Committee Charge

Represented by Tom DiPersio, Peter Kenney, Bob DuBois and Tom Durkin. Mr. DiPersio read the proposed amended charge. Mr. Tolley asked for clarification of the role of the Committee; implementation vs. education. Mr. Hinchey provided a timeline on how the Committee will implement the CWMP within the next 90 days.

MOTION: To move that the Board of Selectmen approve the charge as read.

Motion by: Suzanne McAuliffe **Seconded by:** Curt Sears Yea 5 Nay 0

SAFER Grant, Cont. Discussion

Represented by Chief Walker who updated the Board on the SAFER grant that a federal deadline could not be met while trying to complete a financial plan requested by the Board of Selectmen.

MOTION: To move that the Board of Selectmen deny the acceptance of the SAFER Grant.

Motion by: Curt Sears **Seconded by:** Suzanne McAuliffe Yea 5 Nay 0

Selectmen Items

1. Old Business

2. New Business

- Appointment - Agricultural Commission [2 member]

MOTION: To move that the Board of Selectmen appoint Charlie Adams and Thomas Howes to the Agricultural Commission

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

MOTION: To move that the Board of Selectmen accept with regret the resignation of Sharron Fiedler from the Agricultural Commission

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

MOTION: To move that the Board of Selectmen accept with regret the resignation of Ed Bullock from the Energy Committee

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

- Review of Farmers Market Policy

Represented by Nancy Cavanaugh and Martin Rivero. Ms. Cavanaugh stated that the Agricultural Commission is trying to separate its self from the farmers market. The Board discussed the Farmers Market Manager and decided to add a new requirement to the policy having the Market Manager be introduced to the Board of Selectmen and his/her contact information be provided with the Administration Office.

MOTION: To move that the Board of Selectmen revise the Farmers Market Policy to include 1) All contact information of the Market Manager shall be given to the Town Administration Office and 2) Prior to the Market opening for the season, the Market Manager shall meet at a public meeting, individually, with the Board of Selectmen and the Board of Health.

Motion by: Suzanne McAuliffe **Seconded by:** Curt Sears Yea 5 Nay 0

- Discussion on Removal Bylaw Policy

The Board discussed the needed policy and decided to bring it before the next meeting.

- Ocean DCPC Update

Ms. McAuliffe updated the Board on the Wind Turbine Ocean DCPC public meeting on June 1st where there was a lack of public participation. She asked that the Board either have a discussion and arrive at a position on the project before June 22nd or give her the authority to go ahead based

upon her position. It was decided that the Board was comfortable with having Ms. McAuliffe represent the Board and asked that she give updates from time to time however they asked that the Cape Cod Commission come before them prior to June 22nd to give a presentation on the Project.

- Scheduling of Board/Committee Updates

The Board discussed bringing Boards and Committees in for an annual review and decided to begin after the Special Town Meeting in September.

- Scheduling of Business Round Table Meeting

It was decided to conduct a Round Table meeting after September Special Town meeting and after the board updates.

- Individual Items

Curt Sears mentioned the Heart-Safe Golf tournament.

Tracy Post would like to see if the Town can share or spare a librarian with the Schools since those positions were cut in the DY budget. Ms. Post asked if the DYHS video can be shown at their next meeting.

Town Administrator's Items

1. Consent Agenda

- Convey 1.22 acres on W. Yarmouth Road (Map 115, Lot 216.3) with all rights and easements and subject to rights and easements of record to the Affordable Housing Trust
- Fee Waiver Requests

1. Yarmouth Summer Celebration Kick-Off Event

- Three (3) parking spaces at Bass River Beach, \$225.00
June 27 – July 1st, \$15/space/day

2. American Cancer Society 2011 Relay for Life

- Tent Permit \$50.00
- Sign Permit \$40.00

3. Cultural Center

- Tent Permit \$50.00

4. South Yarmouth United Methodist Church

- Special Entertainment License \$50.00

\$415.00

- Donations

1. Senior Services Division

- Home Instead Senior Care \$50.00
- Overlook Visiting Nurse Association \$50.00
- Caregiver Homes of MA, Inc. \$50.00
- Epoch Senior Living, LLC \$100.00
- Orleans Convalescent Home, Inc. \$50.00
- Joseph R. Guardino \$170.00
- Jean Jackson \$11.70
- Natalie LaFleur \$100.00
- Shirley Craig \$15.00

\$596.70

2. DPW - Streetlight

- Jack Valluzzo \$80.00

\$80.00

3. Library Division

- West Yarmouth Library Association \$15,000.00

\$15,000.00

	<u>\$15,000.00</u>
4. General Administration - Gazebo	
▪ A. Pankratz	<u>\$100.00</u>
	\$100.00
Total	\$15,776.70

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

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

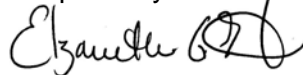
2. Items

Adjourn

MOTION: To move that the Board of Selectmen adjourn the meeting at 8:35pm

Motion by: Suzanne McAuliffe **Seconded by:** Erik Tolley Yea 5 Nay 0

Respectfully submitted,



Elizabeth G. Hartsgrove

Distributed Material at Meeting

Redistricting [Town Clerk]

- Map of Proposed Yarmouth Precincts – 2010 US Census

Public Hearing

2. Transfer of Annual All Alcoholic General on Premise License and Weekday & Sunday Entertainment, pool table, and automatic amusement licenses from Molly's Restaurant, James Murzic, mgr at 585 Route 28, West Yarmouth to Red Face Jack's, Inc. dba Red Face Jacks, Robert Gott, mgr
 - Email from Jim Brandolini to EGH, dated June 7, 2011. Re: 585 Route 28

Wastewater Issues [WIC]

- Wastewater Implementation Committee Proposed Charge, dated June 7, 2011.
- Memo from WGH to BOS, dated June 7, 2011. Re: Wastewater

Selectmen Items

2. New Business
 - Individual Items
 - Board of Selectmen Draft Goals 2011

Town Board/Committee Information and Correspondence

- Letter from Edward Bullock to BOS, dated June 6, 2011. Re: Resignation from Energy Committee
- Letter from Sharon Fiedler to BOS, dated June 6, 2011. Re: Resignation from Agricultural Commission