



Board of Selectmen Public Meeting Minutes April 24, 2018

The regular meeting was called to order at approximately 5:15 p.m. in the Town Hall Hearing Room by Chairman Tracy Post. Selectmen present: Erik Tolley, Norm Holcomb, Mark Forest (entered at approximately 5:45 PM), and Michael Stone (entered at approximately 6:00 PM). Also attending: Yarmouth Town Administrator Dan Knapik; Yarmouth Assistant Town Administrator, Chris Dwelley; Conservation Administrator, Kelly Grant; and Director of Natural Resources, Karl von Hone.

1. Public Announcements & Comments

The meeting opened with a moment of silence for fallen Yarmouth Officer Sean Gannon. Chairman Post read a statement thanking the Yarmouth Police and Fire Departments for all the great work they do for the Town. The statement also thanked residents and Town officials for their strong support of the YPD in recent weeks and expressed optimism that the Town will persevere through these tough times. Chairman Post also read a statement from the Massachusetts Office of Elder Affairs which highlighted all of the great work Officer Gannon did with the organization.

Vida Morris, resident, voiced her full support for the Yarmouth Police Chief and stated that whatever he wants for the Police Department in these tumultuous times should be given full consideration.

Joyce Flynn, resident, voiced support for the Town adopting the Stretch Code and spoke of the benefits of being a Green Community.

Tom Nickinello, resident, spoke about the recent Annual Yarmouth Clean-Up Day which has a record number of volunteers. A volunteer appreciation breakfast will take place on May 2nd at St. Pius Church.

2. Public Hearing

a. Change of Manager for Yarmouth Lodge #2270 Loyal Order of Moose. Eric Josselyn presented the application for a change of manager. Chairman Post noted that Mr. Josselyn had his TIPS notification. Mr. Josselyn also noted that he is aware of the Yarmouth Liquor Rules and Regulations.

MOTION: To move that the Board of Selectmen approve the application as presented.

Motion by: Norm Holcomb

Seconded by: Erik Tolley

Yea 3 Nay 0

Selectmen Forest entered the meeting room at approximately 5:45 PM

b. Yarmouth Licensing Rules and Regulations. Officer Magnuson presented proposed changes to the Yarmouth Licensing Rules and Regulations. Officer Magnuson explained that the changes are primarily to maintain consistency and clarity within the rules and to clean up some confusing language.

MOTION: To move to strike the portion of Chapter 60 of the Yarmouth Code entitled “Yarmouth Board of Selectmen acting as the local Licensing Authority Rules and Regulations.”

Motion by: Erik Tolley Seconded by: Mark Forest Yea 4 Nay 0

MOTION: To move to strike Chapter 155 of the Yarmouth Town Code entitled “Yarmouth Liquor Regulations” and replace with: “Yarmouth Board of Selectmen Acting as Yarmouth Licensing Authority Rules and Regulations Chapter 155 of the Yarmouth Town Code”

Motion by: Erik Tolley Seconded by: Mark Forest Yea 4 Nay 0

Selectmen Stone entered the meeting room at approximately 6:00 PM

3. Bass Hole Beach Update

Karl von Hone, Director of Natural Resources, introduced David Bennett, Bennett Environmental, who presented plans for the Town to maintain 50’ of (current bathing beach) Bass Hole Beach frontage as public access to water for recreational use. It was explained that the Town is seeking to limit the salt marsh encroachment in order to salvage the remaining water access for swimming while enhancing the aesthetics of the area.

Five possible solutions were analyzed:

- a. Do nothing;
- b. Open the enveloping sand bar to the Bay and reroute the mouths of Chase and Clay Creeks;
- c. Stabilize the beach area with bracketing jetties;
- d. Relocate the westerly section of salt marsh; and
- e. Stabilize the east and west salt marsh areas with wash-over bulkheads. Mr. Bennett expressed that option (5) is currently the most viable/likely to be approved.

Director von Hone spoke of the challenges for some of these approaches and specifically noted the challenges the Town would face to get some of the proposed projects permitted by the state. He also raised concerns about the amount of maintenance a wash-over bulkhead would require.

Some Board members voiced their support for the containment with wash-over bulkheads idea. It was noted that the cost for the project was not extreme and the chances for its success were high. Selectman Forest expressed his current preference for the ‘Do Nothing’ approach but also wanted to visit the site with Town staff.

Kelly Grant, Conservation Administrator, noted that the Conservation Commission has not had any discussions regarding which alternative they prefer. Ms. Grant also expressed her belief that option (5) would have closer to a 50% chance at success (as opposed to the previously stated 85%).

MOTION: To move that Bennett Environmental further investigate alternative #5, contingent on the fact that the Conservation Commission agrees that option #5 is the most viable.

**Motion by: Erik Tolley Seconded by: Norm Holcomb Yea 4 Nay 1
(Selectman Forest voted in opposition)**

4. School Agreement Discussions

Selectmen Holcomb reviewed the proposed changes to the draft Dennis-Yarmouth School Agreement. One of the major components of the Agreement is that capital costs for a new middle school project will be split 60% to Yarmouth and 40% to Dennis. The Board discussed whether or not a 50/50 split would be more equitable but it was noted that the Town of Dennis would not accept a 50/50 capital cost split. The split between towns for operating costs was also discussed, with the proposed agreement dictating that certain shared administrative operating costs are split 50/50 between the towns. Board members agreed that the next step in the process is to send the proposed agreement to Town Counsel and to make a presentation to the School Committee.

MOTION: To move that the Yarmouth Board of Selectmen decides on the timing and content of the Town meeting vote as it relates to the Middle School vote and funding (as opposed to the School Committee).

Motion by: Erik Tolley

Seconded by: Norm Holcomb

Yea 5 Nay 0

5. Annual Town Meeting Article Assignments

Chairman Post reviewed the Annual Town Meeting Articles and assigned the motions to Selectmen: articles 1-7 will be moved by Selectman Post; articles 8-14 will be moved by Selectman Tolley; articles 16-23 will be moved by Selectman Holcomb; articles 24-31 will be moved by Selectman Stone; and articles 33-39 will be moved by Selectman Forest.

6. Board of Selectmen

a. Board and Committee Actions. Selectman Forest noted that Bob Isadore has resigned from the Barnstable County Human Rights Committee and the resignation will be effective May 1, 2018.

b. Approval of Minutes for November 28, 2017 and December 12, 2017.

MOTION: To move that the Board of Selectmen approve the minutes of November 18, 2017 and December 12, 2017.

Motion by: Norm Holcomb

Seconded by: Mark Forest

Yea 5 Nay 0

c. Upcoming Agenda Review. The next Selectmen meeting will be on May 8 at 8:00 AM (prior to Town Meeting). The Board will also reorganize at the May 22, 2018 meeting.

d. Individual Items. Selectmen Tolley reminded the public that Committee Volunteer Appreciation Day will take place on May 2nd at 8:30 AM at St. Pius Church. He also noted how he was proud of the community's response to the recent tragedy.

7. Town Administrator Items

a. Town Administrator Updates: Selectmen Stone reviewed the additional request on the Consent Agenda for a canine relief fundraiser in West Yarmouth on May 10th.

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

Motion by: Erik Tolley

Seconded by: Tracy Post

Yea 5 Nay 0

Mr. Knapik noted that the Town has begun interviewing potential vendors for the Center Street/Route 6A project.

8. Adjourn

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

Motion by: Erik Tolley

Seconded by: Mark Forest

Yea 5 Nay 0

Meeting adjourned at approximately 8:45 PM.

Respectfully submitted,



Linda Dennehy

DISTRIBUTED MATERIAL AGENDA PACKET

- Change of Manager Application from Yarmouth Moose Lodge #2270 Loyal Order of Moose
- Public Hearing to Consider Proposed Amendments to the Yarmouth Licensing Authority Rules and Regulations Governing Alcoholic Beverages and Entertainment
- Bass Hole Beach PowerPoint Presentation from Bennett Environmental Associates, Inc.
- Background Material from MSBA in support of School Agreement Discussions
- 2018 Annual Town Meeting Article Summary for BOS Assignments
- Email to Pam Barnes from Robert Isadore dated April 4, 2018 re: Resignation from Human Rights Council
- Board of Selectmen Meeting Minutes for November 28, 2017
- Board of Selectmen Meeting Minutes for December 12, 2017
- 2018 BOS Upcoming Agenda Items Schedule
- Memo to BOS from YPD dated April 9, 2018 re: Donation Approval Request
- Memo to Town Administrator from YFD dated April 11, 2018 re: Gift
- Memo to Town Administrator from YFD dated April 12, 2018 re: Gift
- Committee Volunteer Appreciation Day Breakfast Buffet Flyer
- Sharing Housing Workshop Flyer
- Highway Division Open House Flyer
- FAQs on Green Communities and Yarmouth