



Board of Selectmen **Public Meeting Minutes** **January 8, 2019**

The regular meeting was called to order at approximately 6 p.m. in the Town Hall Hearing Room by Chairman Holcomb. Selectmen present: Erik Tolley, Tracy Post, Mark Forest, and Michael Stone. Also attending: Yarmouth Town Administrator Dan Knapik and Yarmouth Assistant Town Administrator Chris Dwelley.

1. Public Announcements & Comments

Vida Morris, resident, questioned the legality of the combined district-wide school vote and bemoaned the fact that Yarmouth taxpayers were being taxed without having their votes properly represented.

Tom Sullivan, resident, voiced his opinion that the vote for the new school should have been done separately by each town, as opposed to a combined district-wide vote.

2. School Building Project Discussion and School Agreement

Attorney Jay Talerma, Yarmouth Town Counsel, answered questions from the Board of Selectmen regarding the recent district-wide vote taken to approve the new Mattacheese Middle School. Attorney Talerma explained that there is a state statute which allowed for the DY School Committee (by a 2/3rds vote) to override the DY District Agreement and allow for a district-wide vote for the approval of a new Middle School building. Attorney Talerma stated that given this fact, any litigation challenging the school vote would be unlikely to succeed in overturning the results. He also added that the Town would have to seek an injunction to stop the project in order to file litigation.

Selectmen Tolley and Post stated that they did not believe the provision in the District Agreement allowed for a district-wide vote as Yarmouth voters did not intend for that to be the case. Ms. Post asked Attorney Talerma if there were any other regional school districts who voted on a new project as a district as opposed to at Town Meeting and Mr. Talerma could not recall an example. Selectman Post stated that if residents set up a process that they believe needs to be followed, it is the obligation of the Selectmen to see that process through. She also noted that no one from the School District or School Committee was present at the meeting to discuss this issue.

The Selectmen agreed to discuss the issue of potential litigation in executive session at their next meeting on January 15th, 2019.

3. Joint Presentation on Age and Dementia Friendly Efforts

Kathi Bailey, Director of Senior Services, gave a presentation on the Town's age and dementia friendly plan. Ms. Bailey explained that 'age friendly' is a community that is livable for residents of all ages inclusive of older adults and those living with dementia. 'Age friendly' communities strive to be equitable and accessible with walkable streets, housing and transportation options, access to services, and opportunities for residents to participate in community activities.

6. Board of Selectmen

a. Committee Appointments

MOTION: To move that the Board of Selectmen accept the resignation of Rob Angell from the Water Resources Advisory Committee.

Motion by: Tracy Post

Seconded by: Michael Stone

Yea 5 Nay 0

MOTION: To move that the Board of Selectmen reappoint Joyce Flynn as the Town of Yarmouth's Cape Light Compact representative through December 2019 and to reappoint Dan Knapik as the Town's alternative representative to the Cape Light Compact through December 2019.

Motion by: Michael Stone

Seconded by: Erik Tolley

Yea 5 Nay 0

b. Upcoming Agenda Review. The next Board of Selectmen meeting will take place on January 15th and will start at 5:00pm.

c. Individual Items. Selectman Post suggested adding an article at Town Meeting to get a sense from Town residents as to their appetite for School de-regionalization. The Selectmen agreed that cost estimates for de-regionalization would also have to be presented at the same time as this question so that residents can have an informed opinion on the topic.

7. Town Administrator Items

a. Consent Agenda. Dan Knapik reviewed the Consent Agenda and explained that there are requests for donations to the Town and that there is an application to have an Irish Festival at the Drive-In site on March 9th.

MOTION: To move to approve the Consent Agenda as presented.

Motion by: Erik Tolley

Seconded by: Mark Forest

Yea 5 Nay 0

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 9:30 pm.

Respectfully submitted,



Linda Dennehy

DISTRIBUTED MATERIAL AGENDA PACKET

- Age-Friendly Yarmouth – Inclusive of Dementia Friendly Plan
- Professional Management of Bass River and Bayberry Hills Golf Courses Request of Proposal
- Memo to BOS from Director of Community Development and Director of Finance dated January 2, 2019 re: Land Disposition Policy
- Letter to BOS from Mr. Curt Sears, undated, re: Resignation from Water Resources Advisory Committee
- Memo to BOS from Appointments Chair dated January 2, 2019 re: Reappointments to Cape Light Compact
- 2019 BOS Upcoming Agenda Items Schedule
- Memo to BOS from Recreation Division dated December 14, 2018 re: Donations
- Applications for Special Alcohol and Entertainment Licenses for Irish Festival on March 9, 2019