

Minutes  
**BOARD OF SELECTMEN'S  
REGULAR MEETING  
JULY 1, 2008**

**Present: Selectmen – Suzanne McAuliffe, Jim Hoben, Bud Groskopf, Dr. William Marasco, Jerry Sullivan; Town Administrator – Robert C. Lawton Jr.**

**Public:**

**1. Cub Scout Troop, Pack 59, Den 1 - Brian Carey**

Mr. Carey – He introduces the Cub Scouts and informs the Board that the troop has been awarded the World Conservation Merit Badge because of their efforts in learning about protecting the environment, recycling and saving energy. He describes the award and states that the troop has participated in two clean up days including the Yarmouth Pride Day. He states that the troop has also learned about the American Flag. The troop demonstrates the proper folding of the American Flag. The troop reads a statement about the American Flag's history. Mr. Carey states that since Mr. Lawton the Town Administrator has worked tirelessly for the Town of Yarmouth and the troop would like to present him with the American Flag.

Ms. McAuliffe – She thanks the troop for their flag ceremony and for all their help in the Yarmouth Cleanup Day.

**2. Boy Scouts – Presentation of Certificate - Michael Riley**

Mr. Riley – He states that the Boy Scouts own approximately 330 acres of land in the town (Camp Greenough). Mr. Riley wants to acknowledge all the support from the town in working with Camp Greenough. He thanks the employees at the Building Department for all their help with permits for the new construction at the camp.

Two members from the Boy Scouts present a certificate of appreciation to the Town of Yarmouth for all the town's help.

**3.** Ms. McAuliffe – She calls Mr. Alan Delany before the Board to congratulate him and the Skipper Restaurant for competing in the Newport RI Chowder Festival and taking 1<sup>st</sup> place at the festival. She states that they are tremendously proud of the Skipper Restaurant and for representing the Town of Yarmouth in a great manner.

**4.** Ms. McAuliffe – She thanks Mr. John Sears and John G. Sears Landscaping for volunteering to do landscaping at the Simpkins School fields. She presents John G. Sears Landscaping with certificate of appreciation.

**5. Presentation 2008 Scholarship Committee Awards**

Sandra Femino Representing the Yarmouth Town Scholarship Committee – She states 2008 marks the 16<sup>th</sup> year of awarding scholarships to Town of Yarmouth residents. She says that the Committee is awarding 15 scholarships for this year. She presents the awards to the students. She says that anyone who would like to donate to the scholarship fund can send a check to the Town of Yarmouth Scholarship Fund.

Ms. McAuliffe – She thanks all the students who received the scholarships.

6. Ms. McAuliffe – She presents Mr. Brain Carey with a certificate of appreciation for the Cub Scouts for them picking up the most trash at the Yarmouth Pride Day.

7. Mr. Brain Carey – He brings up the Finance Committee meetings not being televised. He would like to see the Finance Committee to meet possibly in a larger room and if the meetings could be televised when larger town issues are being discussed such as town budgets and the school budget.

### Licenses:

#### **1. New Class II Cape Cod Auto; Christopher Taloumis, Owner 1253 Rt. 28 South Yarmouth**

Dr. Marasco – He states that Cape Cod Auto has withdrawn their petition for a Class II License. He indicates that he has a letter from the petitioner, he reads the letter from Christopher Taloumis. He asks for a motion to withdraw without prejudice. Mr. Groskopf motions to withdraw the application without prejudice. Seconded. **VOTE 5-0**

#### **2. Cable TV Renewal Hearing**

Dr. Marasco – He asks Peter Johnson-Staub to come forward along with Gerry McMahon the Chairman of the Cable Advisory Committee to speak about cable in the Town of Yarmouth.

Mr. Johnson-Staub – He states that the hearing is for the renewal of the license with Comcast. He introduces the members of the Cable Advisory Committee. He states that the purpose is for the town to present on the record and explain and express the viewpoints of Yarmouth residents with regards to specifically the local access channels. He also states that the licensing process also entails a random survey which is being mailed to residents in Yarmouth.

Mr. McMahon – He thanks Peter Johnson-Staub for all his help with the Committee. He reads a statement regarding the current contract and the rapid changes in technology in the future of Comcast. He states that residents will have a chance to speak about Comcast's service.

Mr. Edwards – He says that there was a mailing in the last bill from Comcast explaining that 6 basic channels will be removed from the basic cable service. He speaks about the lack of control the citizens have regarding the change over to digital cable.

Mr. Contos – He states that he has concerns with NECN and their news coverage.

Dr. Marasco – He acknowledges the problems with Comcast in the past and with the new technology coming forward he hopes that the new contract will be settled amicably with Comcast and sort out the issues with new technology.

Chief Almonte – He says that the public access channel has been a great resource for the Yarmouth Police Department.

Mr. McMahon – He states that any resident who is interested in television broadcasting can come to the community media center use the facilities.

The discussion continues with regards to the opportunities at the community media center and community television.

Arlene Lowentha – She is a resident in Yarmouth Port. She feels that Comcast has been manipulating what residents can and cannot see regarding news channels.

Dr. Marasco – He states that these are issues that the Town of Yarmouth cannot control. But these comments are important to put in package of information for Comcast when the Town negotiates the new contract.

George Payoli – He is a resident at 166 Ocean Ave. He asks about the HD channels and the need for an HD box in order to receive channels.

Dr. Marasco – He states that for the next 14 days comments can be sent to Peter Johnson-Staub at the Town Administrator’s Office and those comments will be put into permanent record.

Ms. McAuliffe – She says that she is very please with the individuals on the Cable Advisory Committee because they are very determined individuals.

Mr. Groskopf – He mentions the government coupon available for a cable box through the Federal Government.

The website for the Federal coupon for the converter box is: <https://www.dtv2009.gov/>

Mr. McMahon – He is states that in Michigan Comcast moved the public access channel from the basic service to the digital service. He explains that the state had Comcast reinstate the public access channels to the basic service.

### **John Simpkins Review – Update**

Ms. McAuliffe – She welcomes the John Simpkins Review Committee including, David Reid, Curt Sears, Brian Carey and Tom Roche.

Mr. Reid – He indicates that the Committee is before the Selectmen to present their findings with regards to the Simpkins School. He states that the Committee has reviewed the situation of the vacant Simpkins School and has come to the conclusion that the building should be used for municipal purposes. He also informs the Board that they do not have economic figures for the possible uses because of the failed Town Meeting Article in April which would have given funding to the Committee to hire an outside source to look at the cost of possible uses. He says that the Committee has concluded that the building is very significant to the community because it is centrally located in the town. He states that the building should be used as a Recreation Center and to be shared by the Yarmouth Recreation Department and other outside sources such as the Boys and Girls Club. In addition he says that portions of the building should be used for a Town Hall annex. He states that the community should spend money to rehabilitate the Simpkins School.

The discussion continues with regards to the Simpkins School being used as a community center/recreation building.

Jim Hoben – He thanks the John Simpkins Review Committee. He asks if the there is a digital copy of the report. Mr. Reid states that he can get a digital copy to the Selectmen. Mr. Hoben says that even though the town is in dire financial straights he wants to ensure that the access to the building remain public including the fields. He also indicates that if the building would have to be disposed of that the purpose be of a public service nature.

Ms. McAuliffe – She states that the field in front of the Simpkins School is town property and will stay town property even if a new tenant occupies the building.

Mr. Reid – He discusses a schematic of the possible town green proposal. He states that the proposal includes several properties with a town gazebo/band stand as well as a walking path around the site. He suggests the events such as the Pops by the Sea utilizing the property. He says that there is economic benefit from investing in our community with this property.

Mr. Sullivan – He states that the location is marvelous but he is concerned about the cost of such a project. He says that until there are firm numbers with regards to the renovations of the Simpkins School he is skeptical to agree to renovations when a new building could be built on the site that would cost far less, and would be a much greener building.

Ms. McAuliffe – She states that there is no money currently for this type of town green project. She indicates that the town needs to first look into the real costs of mothballing the building until there are funds available for repair or if someone wants to lease the space.

Dr. Marasco – He states that it is vitally important to keep the historic value in Yarmouth. He says that it is much more economical to tear down the building but the town loses historic value. He thinks that this is a great opportunity to create a town center and a mixed use for the building. He says that the voters in Yarmouth are not afraid to invest in buildings. He uses the example of the Police Station, Fire Station and the High School renovations.

Mr. Groskopf – He speaks about the National Preservation Trust as a source for funding. He suggests a group form a 501C3 (non-profit) to raise funds for the building. He says that there could be public/private funding for the project.

Ms. McAuliffe – She states that the Simpkins School will be placed on the agenda of a future BOS meeting for further discussion. She welcomes Mr. Art DeBonville a representative from the prior John Simpkins Re-use Committee.

Mr. DeBonville – He says that the town will be faced with huge financial issues in the near future and the cost of these projects is staggering. He states that the Committee's presentation was well done but the one omission to the presentation was that senior housing was not discussed.

Mr. Hoben – He states that he would like to see the town green option explored even if the school building is not discussed.

### **Renie Hamman – Cape Cod Commission Update**

Ms. Hamman – She states that she is before the Board to discuss the changes in formula business thresholds at the Cape Cod Commission. She says that the proposed threshold would include automatic DRI reviews and a zero threshold for business franchises and restaurants/bars for example the GAP, Linens and Things, Dunkin Donuts, CVS and other national businesses.

Mr. Groskopf – He states that this change is patterned after the Nantucket bylaw.

Ms. Hamman – She states that the Nantucket bylaw has not been tested in court. She says that she would like the BOS's opinion to this change.

Mr. Sullivan – He says that this change goes against everything the Board has been working towards in the past 15 years. He agrees that local businesses should be considered but as Yarmouth is a tourist location, tourists are comfortable with national businesses. He states that he is opposed to this possible threshold change.

Mr. Hoben – He says that there may be some merit to restricting national businesses he does believe that dealing with restrictions should be dealt with at the local level.

Dr. Marasco – He says that the power of corporate businesses is very real. He also says that corporations are not tied to the community. He says that we do need to pursue some type of protection for our local business and we should give the proposal to our local Planning Board for their comments.

The discussion continues with regards to the proposed threshold changes.

Ms. McAuliffe – She informs Renie that thus far there are four Selectmen who do not agree with the new threshold if she would like to inform the Cape Cod Commission at their next meeting on this issue. She also states that she would also like to discuss this issue further.

### **Selectmen's Items:**

#### **1. Selectmen's Goals '08 & '09 First Review**

Ms. McAuliffe – She informs the Board that they have the first draft of the goals for their review to be discussed at a later meeting.

#### **2. Approval of Minutes 6-3-08, 6-10-08 & Special Town Meeting 6-24-08**

Motioned. Seconded. VOTE 5-0 on 6-3-08, 6-10-08 and VOTE 4-0-1 on 6-24-08 (Jerry Sullivan abstains because he was absent).

#### **3. Recap Special Town Meeting 6-24-08 and Election 6-25-08**

Dr. Marasco – He says that he would like residents to know that the town is working earnestly at the possible reductions that will occur if the town is faced with the total number of \$1.5 million is voted at the District Meeting. He also explains that he believes the first cuts will probably be in police, fire and library hours. He says that the town will balance the budget but there will be serious cuts that departments will face.

Mr. Hoben – He says that it is important to set a tone of cooperation and try to not pit groups against each other.

Ms. McAuliffe - She agrees with Mr. Hoben. She also states that the Finance Committee was trying to come to a more balanced number but the suggestion was taken out of context. She says that all town budgets need to be looked at in depth to find more funds to support the school budget.

Mr. Sullivan – He states that he looks forward to working with the School Committee and Finance Committee to try and solve the budget problems before the decision is made to go to a Regional Meeting.

The discussion continues with regards to the School budget.

#### **4. Re – appointments**

**a. TOY County Wastewater Collaborative REP George Allaire, DPW Director**

**b. Council on Aging – Virginia Robinson & Elizabeth Sarnosky**

Mr. Hoben – He recommends the reappointment of George Allaire to the TOY County Wastewater Collaborative REP for a one year term. Moved. Seconded. **VOTE 5-0** He also recommends reappointments of Virginia Robinson & Elizabeth Sarnosky to the Council on Aging for a three year term. Moved. Seconded. **VOTE 5-0** He also states that Rob Granger has resigned from the Capital Budget Committee. He thanks him for his time and service.

#### **Town Administrator's Items:**

**Consent Agenda** – Mr. Lawton reviews the consent agenda and specifically speaks about Stocchetti Road Construction donation for the demolition of the 1750s House. The Selectmen ask for Mr. Stocchetti to come before the Board of Selectmen to thank him for his service.

Mr. Sullivan motions to accept the consent agenda. Seconded. **VOTE 5-0.**

A brief discussion occurs with regards to the Cape Cod Commission's meetings on the Draft Regional Policy Plan.

Mr. Lawton – He indicates that the Linden Tree will be replaced in front of Town Hall.

Mr. Groskopf – He mentions “Tell it to Bud Time” at the W. Yarmouth Library and the Senior Center.

Mr. Hoben – He suggests a committee be formed to help veterans.

Mr. Sullivan – He mentions the Barnstable County Extension Service pamphlet regarding ticks and Lyme Disease.

A brief discussion occurs with regards to the upcoming School Committee Meeting on July 7<sup>th</sup>, 2008. Mr. Morris states that the meeting will probably be at the Station Ave. administration building. He says the official place will be announced with the posting of the meeting.

#### **Adjourn**

Moved. Seconded. **VOTE 5-0** Meeting adjourned at approximately 9:40pm.

**BOARD OF SELECTMEN  
REGULAR MEETING  
JULY 1, 2008  
CONSENT AGENDA**

<b>Donations to Fire Department</b>	
Station II meeting room OE	<b>\$135.00</b>
Station II meeting room OE	<b>25.00</b>
Linda Darbyshire	<b>20.00</b>
Station II meeting room	<b>\$500.00</b>
<b>Donation to Natural Resource Dept</b>	
IFAW	<b>\$17.00</b>
<b>Donation to Dept of Public Works</b>	
Stocchetti Road Construction	<b>\$4072.00</b>
<b>Donation to Senior Services Division</b>	
Weldon & Pricilla Crosby	<b>\$25.00</b>
James R. O'Connor	<b>\$25.00</b>
Mary E. & Kathleen O'Connell	<b>\$25.00</b>
James R. O'Connor	<b>\$25.00</b>
<b>Donation to Police Department</b>	
Training Bridgewater-Raynham	<b>\$250.00</b>

**Date: July 1<sup>st</sup>, 2008**

**Voted: 5-0**