



## **Board of Selectmen** **Meeting Minutes** **June 17, 2014**

*The regular meeting was called to order at 7:00p.m. in the Town Hall Hearing Room by Chairman Erik Tolley. Selectmen present: Tracy Post, Jim Quirk and Michael Stone. Mr. Norm Holcomb was absent. Also Attending: Town Administrator William Hinchey. The Board of Selectmen gave the pledge of allegiance.*

### **Scholarship Awards**

#### **1. Yarmouth Scholarship Committee**

*Represented by Scholarship Committee member Tom Kerr who awarded the students with their 2014 awards. Ms. Carol Woodbury thanked the Yarmouth residents for their generous support in donating towards the scholarships.*

#### **2. Yarmouth Chamber of Commerce**

*Represented by Linda Jean, the new Executive Director for the Yarmouth Chamber of Commerce. The Board welcomed her as the new Ex. Director. Ms. Jean presented a scholarship to Conor Coughlin.*

### **Bridgewater State University Lease Update**

*Ms. Karen Greene updated the Board on the lease, highlighting the use of the field and having bathroom facilities available during the special events, and the insurance provision. Ms. Greene recommended the Board's approval to authorize the Town Administrator to sign the lease as presented. Ms. Post was concerned with the insurance liability. Mr. Johnson-Staub spoke about that provision and the terms. He is comfortable with the terms of the lease. The Board expressed concern with possibly having a service in-kind in exchange of the insurance liability.*

*President Dana Mohler-Faria from Bridgewater State University spoke to the Board about the plan of facility use, the needs of the Cape residents, with the plans to stay on the Cape for a very long time. Mr. Fred Clark thanked the Board, Mr. Hinchey and Ms. Greene for their support in the lease process. Mr. Clark stated over 18 meetings were held all over the Cape, working cooperatively with Cape Cod Community College and the proposed paid internship portfolio. Anna Bradfield spoke to the Board about the course offering beginning in January 2015. Ms. Karen Jason updated the Board on the facility upgrades that will be made to the building in each proposed phase, developing a property management RFP, service contracts. Approximately 1000 students are expected to be enrolled at this location when the final phases are complete. A website has been created providing all the course and enrollment information.*

*The Board spoke favorably of the University and its plans for the facility, as well as made suggestions as to what areas the town dedicated paid interns could focus on, such as a land use management plan. Mr. Clark stated there are many resources Bridgewater can assist with.*

*The meeting was turned over to Licensing Chairman Mike Stone.*

### **Licensing Discussion**

#### **1. Annual All Alcoholic Package Store License**

*Twilight Spirits, Inc. dba **Becker's Package Store**, Cheryl Johnson mgr., 55 Route 28, West Yarmouth, MA 02673: To discuss an incident occurring on May 28, 2014 and to determine whether or not there is cause to hold a formal hearing to modify, suspend or revoke the Annual All Alcoholic Package Store license issued in accordance with Chapter 138, section 15 of the General Laws of Massachusetts.*

*Represented by Cheryl McCarren, owner of Becker's and Tracy Ennes. Mr. Stone reviewed and summarized the certified letter sent by the Town Administrator regarding an intoxicated person*

taken into custody after purchasing alcohol from Becker's Package Store. Mr. Stone reiterated that this is an informal hearing/discussion to decide if a formal show cause should be held. Ms. McCarren stated Becker's does not sell Gordan's 100 proof, but they do sell 80 proof Gordan's vodka. She also looked at the security camera tape and he does not appear to be intoxicated. She brought a copy of the tape to the meeting but there was difficulty in broadcasting the tape. Mr. Tolley stated that the bottle hadn't been opened at the time of the stop therefore the consumption of alcohol happened prior to the purchase. The Board discussed the police report. Chief Frederickson stated that he has not yet seen the video yet never has had an issue with Becker's. The issue revolves around the individual blowing a .34 only 3 minutes after purchasing the bottle of alcohol. Mr. Quirk read c.138 section 69. Ms. Tracy Ennes reviewed the occurrence with the customer and she said that he appeared to be fine to her. The Board discussed the relation of this occurrence with the one for Red Face Jack's. Ms. McCarren stated this is the first possible violation in the years she has been in business and a number of intoxicated people are turned away.

**MOTION:** To move that the Board of Selectmen hold a show cause hearing due to sufficient evidence of a violation of chapter 138 at which time the Board will review the video and make the determination of a violation.

**Motion by:** Erik Tolley                      **Seconded by:** Mike Stone                      Yea 4    Nay 0

The meeting was turned back to Chairman Tolley.

## Board of Selectmen

### 1. Call & Open Special Town Meeting Warrant

Mr. Hinchey reviewed the status of the need for a special town meeting regarding the FY15 budget and asked the Board to call it for July 28<sup>th</sup>.

**MOTION:** To move that the Board of Selectmen open the warrant for a Special Town Meeting on July 28<sup>th</sup>, 2014.

**Motion by:** Tracy Post                      **Seconded by:** Mike Stone                      Yea 4    Nay 0

Mr. Hinchey stated that there is an option to have a meeting next week to discuss the school budget. He asked the Board to decide if the board wished to have an article contingent upon a special ballot question or cut the town budget in some way to accommodate the assessment. The Stabilization Fund is just barely \$2M, which the Board discussed options of where cuts could be made if a ballot question for an override was not chosen. The Board agreed to hold an additional meeting on the 24<sup>th</sup> to discuss those options and make a decision.

### 2. China-Yarmouth MOI

Mr. Tolley reviewed the Chinese delegation visit. Mr. Johnson-Staub then reviewed the MOI. Ms. Post asked if there is any fiscal commitment which Mr. Johnson-Staub stated not at this time.

**MOTION:** To move that the Board of Selectmen authorize the Chairman and Town Administrator to the sign the MOI.

**Motion by:** Jim Quirk                      **Seconded by:** Tracy Post                      Yea 4    Nay 0

The meeting was turned over to Appointments Chairman Jim Quirk.

### 3. Board & Committee Actions

- Appointments
  - Mid Cape Cultural Council (1 T.O.Y. rep)

**MOTION:** To move that the Board of Selectmen appoint Jeanmarie O'Claireas the Mid Cape Cultural Council.

**Motion by:** Tracy Post                      **Seconded by:** Erik Tolley                      Yea 4    Nay 0

- Community & Economic Development Committee (1 rep)

**MOTION:** To move that the Board of Selectmen appoint Linda Jean as the Chamber of Commerce rep to the CEDC.

**Motion by:** Tracy Post                      **Seconded by:** Erik Tolley                      Yea 4    Nay 0

- Reappointments
  - Golf Enterprise Committee (2 regular)

**Appointments Held till next agenda.**

- Barnstable County Wastewater Collaborative (1 T.O.Y. rep)

**MOTION:** To move that the Board of Selectmen reappoint Mr. Bill Hinchey.

**Motion by:** Tracy Post                      **Seconded by:** Mike Stone                      Yea 4    Nay 0

*The meeting was turned back to Chairman Tolley.*

**4. Approval of Minutes**

**MOTION:** To move that the Board of Selectmen approve the Minutes as submitted in the packet.

**Motion by:** Jim Quirk                      **Seconded by:** Tracy Post                      Yea 4    Nay 0

**5. Individual Items**

*Mr. Stone congratulated the graduating class of 2014.*

*Mr. Quirk stated that his comments regarding the school budget does not reflect the programs offered in DY schools.*

*Ms. Post reminded viewers of the Yarmouth Summer Celebration.*

*Mr. Tolley stated the Special Town Meeting revolves more around the principal of budgeting and being on the same page. He also reminded the viewers that the Board is pro-business but safety of the community comes first.*

**Town Administrator's Items**

**1. Director of Inspectional Services Appointment**

*Mr. Hinchey recommended Building Commissioner Mark Grylls to be promoted to Director of Inspectional Services. Mr. Hinchey stated paying for this promotion will be determined through future economies within the two joining divisions. In addition, the window will be open full office hours starting July 1<sup>st</sup>. The Board voiced concern with customer service issues within each of the two divisions.*

**MOTION:** To move that the Board of Selectmen appoint Mark Grylls as Director of Inspectional Services.

**Motion by:** Tracy Post                      **Seconded by:** Jim Quirk                      Yea 4    Nay 0

**2. Consent Agenda**

▪ Donations

1. Parks & Recreation – Flax Pond Scholarship Program

▪ Yarmouth Police Relief Association	\$2,000.00
	<u>\$2,000.00</u>

2. Parks & Recreation – Golf Program

▪ Wendy's (20-\$5 Gift Certificates)	\$100.00
	<u>\$100.00</u>

3. Fire Department

▪ TOPS MA#0487	\$50.00
	<u>\$50.00</u>

**TOTAL            \$2,150.00**

▪ Fee Waiver Requests

1. Yarmouth Port Library

▪ Tent Fee	\$50.00
	<u>\$50.00</u>

2. St. Patrick's Parade

➤ Police Admin Costs	\$322.73
	<u>\$322.73</u>

**TOTAL \$372.73**

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

**Motion by: Jim Quirk**

**Seconded by: Tracy Post**

**Yea 5 Nay 0**

**Adjourn**

**MOTION: To move that the Board of Selectmen adjourn the meeting at 9:30pm**

**Motion by: Jim Quirk**

**Seconded by: Tracy Post**

**Yea 5 Nay 0**

Respectfully submitted,



Elizabeth G. Hartsgrove