



Board of Selectmen
Town Hall Hearing Room
June 22, 2010
Informational/Targeted Issue Meeting

The meeting was called to order at 7:00 p.m. by Selectmen Erik Tolley. Selectmen present: Suzanne McAuliffe, Bud Groskopf, Tracy Post and Curt Sears. Also Attending: Town Administrator Robert C. Lawton, Jr. The Board of Selectmen gave the pledge of allegiance.

Public

1. *Charlie Kelliher stated that he met twice with Rob Angell regarding his complaint that Town Employees are using the Disposal Area with which Mr. Angell agreed that he would issue a memo to employees stating the rules requiring a sticker. Mr. Kelliher asked the Board to consider building a big enough sewer plant to allow residents and property owners the capability to expand their structures if they choose to do so in the future. Mr. Kelliher also requested that Town employees be prohibited from protesting any cause during Town time. Mr. Kelliher requested the Selectmen consider not opting to use the Health Care offered by the Town in order to save some expenses which he suggested could be used by other departments.*

Chairman Tolley turned the meeting over to Licensing Chairman McAuliffe.

Public Hearings

1. **Special Entertainment License – Chase Bank at Bass River Beach Hearing withdrawn by applicant**

Chairman McAuliffe informed the Board that the applicant withdrew their application to hold a special event at the Bass River Beach due to a change in location to Coney Island.

The meeting was turned back to Chairman Tolley.

Wastewater Financing Review [George Allaire]

Represented by Director of Public Works George Allaire, Program Manager and Vice President of CDM David Young, Chair of Kingston Sewer Commission Elaine Fiore and Vice President of CDM and Municipal Finance Analyst Joe Ridge. Mr. Young presented a Power Point to the Selectmen over viewing the planned sewer program. Mr. Ridge described the background on what options are available to fund the project and what other towns have done. Ms. Fiore spoke about the Town of Kingston's experiences from the past ten years in which the sewer has been operating. Ms. McAuliffe asked about percentages on taxes other communities charge and spoke about concerns has received from residents, primarily Barnstable's sewer discharge being dumped into Lewis Bay. Ms. McAuliffe asked about neutral zoning to prohibit increase of development if they do not want it. Ms. Fiore stated that there is a waiting list for existing properties to expand even though there is no additional capacity for additional flow. Mr. Sears stated that everyone benefits from a sewer system even if everyone doesn't hook up. Ms. Post asked Ms. Fiore the make up of the Sewer Commissioners. Ms. Fiore described the history and make up of the Commission consisting of 3 members. Mr. Sears suggested a ration program for fertilizer. Mr. Allaire stated that both Falmouth and Orleans has begun educational programs for alternative landscapes. Mr. Kelliher suggested that the Board of Health stop granting variances to those properties which are in the queue for hook up to the sewer. Mr. Lawton informed the Board that Wastewater will be on the 3rd meeting in August's agenda to continue the discussions.

Chairman Tolley turned the meeting over to Appointment Chairs Post & Sears.

Board & Committee Appointments/ Resignation

1. Appointments

- Planning Board [2 unexpired terms]

MOTION: To move that the Board of Selectmen appoint Norm Weir and Brad Goodwin to the Planning Board.

Motion by: Suzanne McAuliffe **Seconded by:** Bud Groskopf Yea 5 Nay 0

- Agricultural Commission

MOTION: To move that the Board of Selectmen appoint Cathy Kerras (Regular), Sharron Fiedler (Regular) and Kathy O'Neil (Alternate) to the Agricultural Commission.

Motion by: Suzanne McAuliffe **Seconded by:** Bud Groskopf Yea 5 Nay 0

- Recreation Commission

MOTION: To move that the Board of Selectmen appoint Debbie Clark (Regular) to the Recreation Commission.

Motion by: Suzanne McAuliffe **Seconded by:** Erik Tolley Yea 4 Nay 1

- Personnel Board

MOTION: To move that the Board of Selectmen appoint John Moylan (Regular) to the Personnel Board.

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

- Energy Committee

MOTION: To move that the Board of Selectmen appoint Marilyn Holle (Regular) and Steve Krintzman (Regular) to the Energy Committee.

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

- Board of Assessors

MOTION: To move that the Board of Selectmen reappoint Joe Sullivan (Regular) to the Board of Assessors.

Motion by: Suzanne McAuliffe **Seconded by:** Bud Groskopf Yea 5 Nay 0

2. Resignation – Energy Committee [1 member]

MOTION: To move that the Board of Selectmen accept with regret the resignation of Lee Britton from the Energy Committee.

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

Selectmen

1. Review Article 5 of July 26, 2010 Special Town Meeting

Ms. McAuliffe reviewed her proposed changes to Article 5. Government Oversight Committee Chairman Charlotte Strieble spoke about the revised Open Meeting Law going into effect July 1st, is in agreement that "Cause" needs to be defined in the bylaw and requests that a unanimous vote be required to remove a Board member. There was discussion on what constitutes "for cause" and also how many board members would suffice in voting on removal. It was decided that 4 Selectmen voting would be sufficient.

2. Discussion of other Articles and Location of Town Meeting

The Government Oversight Committee will be meeting with the Selectmen on July 20th to discuss their review of Article 4 and 5.

3. Approval Minutes

- April 13, 2010 Informational/Targeted Issue Meeting
- April 27, 2010 Regular Meeting

MOTION: To move that the Board of Selectmen approve the minutes as submitted.

Motion by: Bud Groskopf **Seconded by:** Suzanne McAuliffe Yea 3 Nay 0 Abstain 2

4. Individual Items

- Curt Sears witnessed a bicycle getting hit by a vehicle yesterday and wanted to stress to everyone that it is summer time and a lot of bicycles on the road which aren't necessarily obeying the traffic rules. Please be aware of everyone out on the road. Mr. Sears announced that there will be an immunization clinic held this weekend and to contact the Health Department for more details. Mr. Sears wanted to know if any of the board members wanted to discuss a letter from Mr. Niall Hopkins which was on the table which addressed concerns with appointments to boards and committees. It was a consensus that no one wanted to speak about the letter.
- Ms. Post spoke about the new Open Meeting Laws going into effect July 1st. Mr. Lawton stated that an email was going out to all boards and committees explaining the new rules and that the Town was equipped in the 24 hour/day posting requirement. Ms. Post announced the spaghetti dinner occurring at the Red Cottage which will benefit the DY students. Ms. Post wanted to thank Cape Cod Fence for adopting an island and improving it.
- Ms. McAuliffe updated the Board on Airport issues before the Cape Cod Commission. Ms. McAuliffe spoke about Cape Wind rates and potential increases. There will be a hearing regarding noxious fumes and credits which Cape Wind can purchase.
- Mr. Tolley would like a formal Appointment Policy in place defining term limits and asked the Appointments Co-Chairs to begin work on it. Mr. Tolley reminded the Board that goals are due in order for them to be reviewed this summer. Ms. Post stated that she felt her biggest goal was to focus on the Marina. There was discussion on the Marina and Mr. Lawton gave an update on where it is on the State level.

Town Administrator Items

1. Consent Agenda

- Approval of Local Initiative Program Application Motion
- New Encroachment Policy #10-4
- Donations

1. Fire Department

- Lore Kates

\$25.00

\$25.00

2. DPW

- Sandra Tannozzini – Streetlight 678/5
- Joseph & Holly Maclelland – Streetlight
- Donna Tomaselli – Bench Donation
- Richard Finn – Bench Donation

\$80.00

\$80.00

\$50.00

\$50.00

\$260.00

3. Police Department

- John St. Ives
- Kevin Brace
- Michael Huse
- City of Brockton
- Manchester-By-The-Sea Town Hall
- Town of Somerset
- Estate of Wilhelmina I Gomes
- Town of Dartmouth
- Town of East Bridgewater
- Town of Norton
- University of MA Dartmouth

\$60.00

\$60.00

\$60.00

\$60.00

\$120.00

\$480.00

\$416.96

\$270.00

\$135.00

\$145.00

\$120.00

\$1,086.96

Total

\$2,211.96

Mr. Lawton briefed the Board on the Consent Agenda Items. Mr. Sears would like to revisit the Encroachment Policy in six months.

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

Motion by: Bud Groskopf **Seconded by:** Suzanne McAuliffe Yea 5 Nay 0

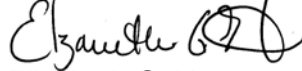
2. Other Items

Adjourn

MOTION: To move that the Board of Selectmen adjourn at 9:33pm.

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

Respectfully submitted,



Elizabeth G. Hartsgrove