

A weekly meeting of the Board of Selectmen was held on Monday, September 26, 2011 at 7:30 pm.

Present: Joseph L. Miksch, Chair; Robert Condon, Clerk; Brian Connors; George G. Samia, Town Administrator; Catherine Johnson, Administrative Assistant

Pledge of Allegiance

M/Miksch, s/Connors for discussion, to nominate Mr. Connors as Chairman of the Board of Selectmen to take over for Mr. Miksch as Chair due to personal health reason and Mr. Miksch take over Mr. Connors slot as Selectmen.

NO VOTE TAKEN

A brief discussion was held. The board agreed to postpone the nomination until the board's next scheduled meeting.

Public Hearing

TRANSFER OF COMMON VICTUALER – ALL ALCOHOLIC LIQUOR LICENSE

FROM: Geek, Inc., dba Nutty Irishman, Patricia Bureau, Manager

TO: Jake's Bar and Grille, LLC, Richard D. MacKinnon Jr and Scott Lynn, Managers

Notice is hereby given that pursuant to the requirements of M.G.L. Chap. 138, a Public Hearing will be held relative to the Application for Transfer of a Common Victualer – All-Alcoholic License, as follows:

From: Geek, Inc., dba Nutty Irishman
Patricia Bureau, Manager

To: Jake's Bar and Grille, LLC
Richard D. MacKinnon Jr., Scott Lynn, Managers

Premises: 579 West Street

Premises consists of a one-story block and wood building with one main entrance and two secondary exits, dining room, bar, restrooms, kitchen, stage, dance floor, office and three storage areas.

A Public Hearing will be held at the Town Hall, First Floor Conference Room, 175 Central Street, East Bridgewater on Monday, September 26, 2011 at 7:35 p.m.

Joseph L. Miksch
Robert M. Condon
Brian Connors
Board of Selectmen/Licensing Authority

Richard D. MacKinnon Jr. and Scott Lynn, Managers and their attorney Alan McCarthy were present for any questions the board might have as well as to give their backgrounds in the Common Victualer All Alcoholic License business.

M/Condon, s/Connors, a unanimous vote, approve the transfer of the Common Victualer All Alcoholic License from Geek, Inc. dba Nutty Irishman to Jake's Bar and Grille, LLC, 579 West Street, Richard D. MacKinnon Jr. and Scott Lynn, Managers.

Action Items

M/Condon, s/Connors vote to approve the minutes from the September 12, 2011 Board of Selectmen Meeting.
Abstain - Condon

M/Condon, s/Connors, a unanimous vote, approve the minutes from the September 19, 2011 Board of Selectmen Meeting

Town Administrator Report

Mr. Samia gave an explanation and clarification as to the removal of the dirt removal from the new high school project.

Board Discussion

Mr. Condon read the memo from Board Chair Mr. Miksch which explained that, based on advice of Town Counsel, an agenda item submitted by Mr. Condon was omitted from the evening's agenda. Mr. Condon expressed his disapproval of the omission and asked Mr. Miksch about illegal meetings, specifically one which he claims took place in July. Mr. Miksch and Mr. Connors denied that they have participated in any illegal meetings and asked Mr. Condon to back up his accusations.

Mr. Condon then requested that Mr. Samia read aloud a highlighted section of a newspaper article that Mr. Condon had in his possession. Mr. Samia declined. Mr. Condon then claimed that Executive Sessions were improperly discussed with a reporter.

When Mr. Connors and Mr. Miksch admonished Mr. Condon about incessantly discussing matters which were deemed inappropriate by Town Counsel for Open Session, Mr. Condon then stated that he didn't feel the voters could trust either Mr. Miksch or Mr. Connors. Mr. Connors then countered by pointing out contradictory statements made by Mr. Condon in the form of a strongly worded, highly critical and accusatory statement he read at a previous Selectmen's meeting which, when he requested it be posted on the Town Website, was altered from his original statement. Mr. Condon stated that he stood by both versions of his statements and referred to the statement read at the Selectmen's meeting as his "oral" statement, and the one he wanted on the Website as his "written" statement. Mr. Connors suggested that key elements of the statement read at the Selectmen's meeting were omitted from the one submitted to be posted on the Website, suggesting the alterations inappropriate and dishonest.

A discussion ensued about the appropriateness of meeting and/or calling the Town Administrator on a regular basis, and Mr. Connors and Mr. Miksch admonished Mr. Condon for not doing so. Mr. Condon stated that he preferred to discuss things in public.

Open Forum

Robert DiFazio of 35 Stonebridge Way requested Mr. Condon read the memorandum from Chairman Miksch. Mr. DiFazio asked Mr. Condon why he insists on attempting to speak on issues in Open Session that Town Counsel has advised against, and suggested that someone has a hidden agenda and finds the Monday night meetings a disgrace.

James Weidenfeller of 41 Leo Way spoke to Mr. Condon directly and admonished him to meet with the Town Administrator regularly to be updated on what is happening in the Town.

Tim Cramer of 8 Northville Avenue expressed his feeling that Mr. Condon should meet with the Town Administrator regularly. He agreed with Mr. Miksch that the Board should take the advice of Town Counsel, and that it is inappropriate to keep attempting to discuss matters pertaining to

town employees in Open Session. Mr. Cramer urged the Board to move forward and leave matters in the hands of Town Counsel.

Mr. Weidenfeller returned and stated he felt, in relation to Mr. Condon's frequent references to the Brockton Enterprise, that the Enterprise was not a reliable source for information.

Mr. Connors attempted to make a motion to adjourn the meeting but was interrupted by Mr. Condon, who left his seat at the Board of Selectmens' desk and reseated himself at the Open Forum table, stating that he needed to address Open Forum.

Mr. Condon then announced a meeting he planned on presenting on Thursday as a private citizen in which he would "review public information." Mr. Condon then returned to the Board of Selectmen's desk.

Mr. Connors made a motion to close the meeting but was again interrupted, in this instance by Jay Hurley of 53 Brown Lane, who expressed his opinion that despite claims to the contrary, Mr. Condon seemed well-informed. Mr. Condon explained that the relationship between himself and Mr. Samia is strained, but that George calls him if an issue comes up. He also stated that he comes to the office on Sundays.

Mr. Miksch reiterated that he and Mr. Connors speak and meet with the Town Administrator regularly and Mr. Condon does not.

M/Connors, s/Miksch, motion to adjourn.

VOTE: Yes – Miksch, Condon, Connors; a unanimous vote in favor.

Meeting adjourned at 8:12 pm

Board of Selectmen Clerk