

A weekly meeting of the Board of Selectmen was held on Monday, September 19, 2011 at 6:30 pm.

Present: Joseph L. Miksch, Chair; Robert Condon, Clerk; Brian Connors; George G. Samia, Town Administrator; Daniel Brown, Town Counsel; Christine White, Principal Clerk

M/Connors, s/Miksch, move to close Open Session and go into Executive Session for the purpose of discussing potential discipline of an employee and to return to Open Session at 7:30 pm.

Pledge of Allegiance

Point of Order

M/Connors, s/Miksch, no/Condon; a majority vote to table action items 4 – 9 because they involve subject matter appropriate for Executive Session, and if discussed in Open Session could open the Town to significant liability.

Appointment

Diane Carey - Discussion on Skate Park

Diane Carey expressed her concerns over the demolition of the skate park next to the fire station and her wish that a new location could be chosen and that a new skate park could be built; Ms. Carey described what she and others have envisioned: a more inclusive, larger space with biking trails and benches and a more family-friendly atmosphere. She explained that there has been a grassroots effort to form a new committee to plan, build and maintain the park. Brian Connors stated that he felt that coming to the Selectmen is not the first step toward her goal, that speaking with the Recreation Commission would be more appropriate. George Samia explained the liability issues involved in a skate park. Robert Condon encouraged Ms. Carey to keep the momentum going on the project.

Action Items

M/Condon, s/Connors, a unanimous vote, approve the request of Peter P. Spagone Sr and the Skylur J. Spagone Memorial Fund to use the Town Common on Monday, October 10, 2011 from 7 am to 2 pm for the start and end of the Annual 3.5 Mile Walk.

M/Condon, s/Connors, a unanimous vote, approve the request of the Finance Committee to appoint William Dowling to the Finance Committee, effective immediately through June 30, 2014.

M/Condon, s/Connors, a unanimous vote, approve the request of Town Clerk Marcia Weidenfeller for the Board to instruct Dog Officer Donna Morris to issue non-criminal violations to dog owners that to date have not licensed their dogs for the 2011/2012 period.

Town Administrator Report

Town Administrator George Samia reported that the Town is close to doing the Tax Recap and stated that the Town's growth has been a bit better than anticipated. The Board of Assessors will be setting the tax rate soon, and will report to the Board of Selectmen at that time.

Board Discussion

Robert Condon expressed his displeasure that the action items that he had put on the agenda were tabled, as claimed they were requests for information and tabling them was inconsistent with a policy adopted by the Board previously. Town Counsel Daniel Brown reminded Mr. Condon that his point of discussion related to action items 4 – 9, which had been voted on.

Mr. Connors reiterated that the Board was advised by Town Counsel not to discuss the items in question. Mr. Condon asked Mr. Connors how he was to request information of the Town Administrator and Mr. Connors suggested he confer with Town Counsel or make the request directly to the Town Administrator.

Open Forum

Dominic D'Angelo of 5 Michael Road asked if it would be possible to have a question-and-answer session after the meeting. Mr. Condon suggested that at a later date something could be arranged. Mr. D'Angelo also gave an update on the progress of the construction at the Center at Sachem Rock.

Myles Heger of 318 West Union Street inquired about a protocol for snow-and-ice removal and also the current status of the Emergency Management team in town. Mr. Connors responded by stating that both the snow-and-ice removal and emergency management issues cannot be discussed in Open Meeting at the advice of Town Counsel because they involve personnel issues.

Paula Lewis of 669 Washington Street expressed dismay over how long the snow-and-ice investigation is taking. She also admonished Chair Joseph Miksch, stating that she felt he wasn't running the Board of Selectmen meetings properly and yielding too much of the running of the meetings to Mr. Connors. She also expressed her desire to see the Board work together better and answer the citizens' questions. Mr. Connors reminded Ms. Lewis that the Board cannot discuss items outside the advice of Town Counsel.

Jim Lorrey of 354 Bedford Street asked about the progress on the Eastern State Steel site. Mr. Samia stated that the Town is in talks with the DEP, EPA, the Treasurers Office, the OCPC and the Planning and Zoning Boards. Samia also stated that the Town has been approached by several different industries interested in the site, such as the solar farming industry, that would not necessitate digging into possibly contaminated soil. Mr. Lorrey also had several concerns about the loam/dirt from the new high school construction site. Mr. Samia stated that the building inspector has submitted a report on same. Mr. Lorrey inquired about department heads coming to the Selectmen meetings. Mr. Samia assured Mr. Lorrey that on the first meeting of the month, several department heads would be in attendance.

Robert DiFazio of 35 Stonebridge Way expressed his frustration that there has not yet been a hearing on the snow-and-ice issue. He also decried the public dissention between the Board members.

Alex Santilli of 57 Pearl Street inquired about what toxins were found at the Eastern State Steel site. Mr. Samia explained that PCPs had permeated the soil. Mr. Connors stated that the surrounding areas were not affected. Mr. Santilli also inquired as to when Central Street would be under construction for the school septic system, citing traffic concerns. Mr. Samia did not have a time frame and suggested residents watch the Town Website and DPW Website for updates.

Sandra Ockers of 549 Plymouth Street urged the Board to move forward on the investigation.

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

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

Meeting adjourned at 8:40 pm

Clerk
Board of Selectmen