

**Selectmen's Minutes
Senior Center**

July 11, 2016

Present: Chairman Lisa J. O'Donnell, Selectman Susan Gould-Coviello, Selectman David A. Doane, Town Administrator Brendhan Zubricki, and Selectmen's Assistant Pamela J. Witham.

Also present: Curt Bergeron, Helen Brown, Richard Denton, Debbie French, Jodi Harris, Robert Jerin, Diane Kotch, Tina Lane, Frank McClelland, Robert Teel, and several others.

The Chairman called the meeting to order in the second floor meeting room of the Senior Center at 7:00 p.m. and announced that the Board would hear Public Comment. Mr. Denton asked a question about the correct procedure to alter something voted at Town Meeting that may have been presented based on faulty information. Both the Chairman and the Town Administrator said that in order to change the item, it would need to be considered by another Town Meeting.

Jodi Harris said that she would like to ask the Board to deny the request for an alteration of premises by the Riversbend Restaurant. She presented a petition with 87 signatures to the Board in favor of her request and reviewed the reasons and concerns behind the request.

The Chairman noted that it was 7:05 p.m. and said that the Board would now continue the hearing regarding a request by Curt Bergeron for an alteration of premises for the Riversbend Restaurant. The restaurant already has an annual all alcohol restaurant license, but is seeking to expand the licensed premises to include a lawn area. The Chairman read the suggested new description of the licensed premises and said that she would like the description to instead read as follows: "Full service restaurant with 98 seats, including 31 outdoor deck seats and an 18,900 s.f. lawn area. Limitations on the lawn area include: Use of only (1) propane fired fireplace fixture, signed approval from the Fire Department for the use of the fixture in the selected location, no seating on the lawn (deck only), and, use by seated diners only (i.e. people on the lawn are included in the 98 permitted seats). A motion was made, seconded, and unanimously voted to close the hearing. The Selectmen were in agreement, and a motion was made, seconded, and unanimously voted to approve the request for an alteration of premise as amended by the Chairman. The Board will sign the revised Form 43 tomorrow morning and the request package will be forwarded to the ABCC for their final approval. The Board is still waiting for the ABCC's approval on Mr. Bergeron's request to change the name from Tides to Riversbend.

All left the meeting except for the Board, the Town Administrator, the Selectmen's Assistant, Deborah French, Diane Kotch, and Tina Lane.

Mr. Zubricki began the presentation of his Town Administrator's Report for the period June 18th through July 8th, 2016, regarding the following:

Library Lighting Coordination Meeting, Potential Change Order: Mr. Zubricki reported on the recent meeting between himself, Selectman Doane, Electrical Inspector Reader, the Project Architect, Library Designer Smith, the Librarian, and the Library Trustees regarding light fixtures, data jacks, and outlets for the Library. The Librarian and the Library Trustees will work with their designer on suggesting lighting fixtures that can use the existing or slightly modified

lighting wiring in the Library for which the Trustees will solicit estimates. In the meantime, the Project Architect will prepare a master electrical change order specification for the Library that will handle all wiring issues during the current project and, after the approval of the specification by Trustees, the Project Architect will get the contractor's price proposal for the Selectmen's review. The fixture change may be able to be funded once the rest of the Town Hall/Library Renovation Project is completed or it could be funded at a future Town Meeting.

Library Built-in and Custom Furniture/Shelving Pieces: Those present discussed the options for library furniture. The Project's Construction Company will be responsible for the built-in circulation desk, the low shelving below the windows, and a counter. The Trustees would like to have additional custom pieces made by a local craftsman and Mr. Zubricki will also include some standard furniture for the Library in his list of other Town Hall furniture that will be released for quoting. Once the exact cost of all the items has been determined, funding will be addressed. Since the Town Hall/Library Project has limited funding, additional funding sources may be needed to eventually provide all the items that the Library would like.

Deborah French and Diane Kotch left the meeting.

Town Hall/Library Renovation Project Coordination Meetings: Mr. Zubricki reviewed the colors that have been chosen by the architect and consultant Rebecca Jones for the various offices at the Town Hall. A motion was made, seconded, and unanimously voted to approve the selected colors pending agreement from the Historical Commission. Mr. Zubricki also reported that Town Counsel has indicated that it likely will be possible to use the money in the Ryder Trust to fund the third floor meeting room renovation.

Masonry Change Order Request, Town Hall/Library Renovation Project: Mr. Zubricki said that he would like to table discussion of this item pending receipt of additional information.

Northern Conomo Point Public Access Design Update: Mr. Zubricki discussed possible dates for implementing various steps in the creation of two public access areas on northern Conomo Point. On July 19, he will be meeting with the Conservation Commission to discuss permission to perform exploratory work behind the retaining wall at 153 Conomo Point Road. A coordination meeting among various Town entities will be scheduled the week following Labor Day (preferably September 8), with a public forum scheduled later in the month (preferably September 20, 21, or 22). Additionally, Mr. Zubricki informed the Selectmen that someone has suggested reversing the traffic flow around the northern portion of the Point to facilitate access to the boat ramp. The Selectmen said that they would take the matter under advisement during the public input phase.

VOIP Phone System Contract: Mr. Zubricki said that ShoreTel has confirmed startup costs and a monthly cost for the VOIP phone system at the temporary Town Hall which will be moved to the renovated Town Hall upon completion. The new system will be less expensive than the present arrangement with Verizon. A motion was made, seconded, and unanimously voted to authorize

Mr. Zubricki to sign the contract with ShoreTel at the appropriate time. It is anticipated that the system will be installed sometime in the fall.

Change Order for Installation of Town Hall/Library Sprinkler Line: Mr. Zubricki said that the plan supplied by the consultant for bidding the installation of the sprinkler line was not accurate and as a result, the bids received do not reflect the scope of work necessary for the job. The company that was awarded the contract, based on their low bid, has indicated that the job will cost an additional \$8,491. A comparison of the other bids still demonstrated that the Town was in a fair position, even with the necessary changes. The Selectmen agreed to the change order and a motion was made, seconded, and unanimously voted to approve the additional cost which will not be paid with project money, but with FY16 left over Town Property money.

Application for Community Compact for Economic Development: The Selectmen reviewed a list of options for community compacts for economic development offered by the State and were in agreement that the most appropriate one to apply for would be "Preparing for Success". Mr. Zubricki said that he will forward the Board's recommendation to the Strategic Planning Committee for consideration at their next meeting.

Downtown Parking Open House, MA Downtown Initiative Grant: Mr. Zubricki reported that both he and Selectman Doane had attended the recent Open House sponsored by the Town's consultant. The consultant has completed a downtown parking inventory and plans to conduct a field utilization survey as well. The Open House was well attended and several suggestions were made regarding operation of the Town Landing. Some suggestions included restricting the landing to residents only and raising the launch fee from \$20 for non-residents to \$60.

In other business, a motion was made, seconded, and unanimously voted to approve the weekly warrant for FY2016 in the amount of \$30,757.51 and the weekly warrant for FY2017 in the amount of \$262,889.24.

A motion was made, seconded, and unanimously voted to approve the exemption from Section 20 of Chapter 268A of the General Laws, the contracts and amounts for the individuals listed below contained within this week's warrant pursuant to subsection (d) of said Section:

| <u>NAME</u> | <u>VENDOR</u> | <u>DATE</u> | <u>AMOUNT</u> | <u>DEPT'S BILL</u> |
|----------------|---------------|-------------|---------------|--------------------|
| Ernie Nieberle | Nieberle's | 6/24/16 | 526.90 | Police |
| Ernie Nieberle | Nieberle's | 6/24/16 | 534.80 | Fire |

A motion was made, seconded, and unanimously voted to approve the minutes for the Selectmen's June 21, 2016, Open Meeting and Executive Session and for the June 24, 2016 Open Meeting.

A motion was made, seconded, and unanimously voted to ratify the Town Administrator's approval of a MGL Chapter 44 Section 33b transfer in the amount of \$100.00 from Blanket Insurance to Town Custodian.

A motion was made, seconded, and unanimously voted to approve a MGL Chapter 44 Section 33b transfer in the amount of \$38.96 from ECO Salaries to ECO Office Expense.

A motion was made, seconded, and unanimously voted to ratify a Line Item Transfer in the amount of \$100.00 from Blanket Insurance to Building Inspector Training.

A motion was made, seconded, and unanimously voted to ratify a Line Item Transfer in the amount of \$51.30 from Blanket Insurance to Building Inspector Misc. Expense.

A motion was made, seconded, and unanimously voted to approve and sign the agreement for the biennial OPEB valuation update.

A motion was made, seconded, and unanimously voted to refund the Permanent Water Loan in the amount of \$89,000. The Selectmen signed the documents.

A motion was made, seconded, and unanimously voted to approve a request by Kristina Jacobs to rent Centennial Grove for a birthday party on Saturday, July 16th, 2016, between the hours of 10:00 a.m. and 2:00 p.m.

The Selectmen reviewed a letter from Alden Blodget concerning the Riversbend restaurant and Mr. Blodget's concerns about noise. Mr. Zubricki said that the Town has no bylaws concerning noise regulation and will advise Mr. Blodget that the Selectmen may consider this topic with the Planning Board in the future.

The Selectmen reviewed a Police Report from Chief Silva regarding the results of a sting operation the Department conducted. Two restaurants, with no previous violations, had not asked for identification and served minors alcohol. The Board was in agreement that they would like to send a letter to the two restaurants, noting the results of the report and advising more caution when serving alcohol in the future. The letter will be reviewed and approved at the next Selectmen's meeting.

The Selectmen reviewed an updated Ethics Disclosure from the Town Administrator regarding certain activities required as a matter of his responsibilities, which include negotiating wage and salaries and health benefits with union personnel. Mr. Zubricki explained that he had made similar disclosures in the past and was recently advised by Counsel to update those. Following some discussion, a motion was made, seconded, and unanimously voted to accept Town Administrator Brendhan Zubricki's disclosure of his potential financial interest with respect to his participation in the negotiation of health insurance benefits and employee wages and that the Board hereby determines, in accordance with Massachusetts General Laws, Chapter 268A, Section 19(b)(1), that the interest is not so substantial as to be deemed likely to affect the integrity of his services which the Town may expect from him.

Concerning Conomo Point matters, no paperwork has yet been received regarding a proposed request to transfer the leasehold interest in two lots on Robbins Island.

Mr. Zubricki reported that Daniel Mayer will be discussing a request to move the structure at 9 Beach Circle with the Zoning Board of Appeals. Two years ago, the Board agreed to allow the former lessee of 9 Beach Circle (Ms. Thayer Adams) a reasonable amount of time to remove the structure. Apparently, Ms. Adams may be working with Mr. Mayer to move the structure. Mr. Zubricki reviewed a letter drafted by Town Counsel to the former lessee regarding the Town's present position. The Selectmen were in agreement and a motion was made, seconded, and unanimously voted to sign and send the letter to Ms. Adams.

A motion was made, seconded, and unanimously voted to authorize the Board to countersign the Purchase and Sale Agreements offered to Robbins Island tenants outside of a meeting as they are received. The Board countersigned two agreements that have been received so far for 30 and 40 Robbins Island Road.

The Board was in agreement that they intend to offer a 1-year lease for the garage located on Map 108, Lot 14; and may offer some number of successive 1-year leases that would include a transferability clause. The board made clear that the sale of a neighboring property will not include any rights with respect to this annual lease.

A motion was made, seconded, and unanimously voted to approve the following requests for Commercial Shellfish Permits and Waivers of the Application Deadline:

- Kenneth Baker
- Wayne Savoie

A motion was made, seconded, and unanimously voted to approve the following requests for One-Day Wine and Malt Licenses:

- Woodman's Inc., Joan Houghton, for use on Saturday, July 23, 2016, between the hours of 12 noon and 10:00 p.m. within the confines of 125 Main Street.
- Woodman's Inc., Joan Houghton, for use on Thursday, July 28, 2016, between the hours of 12 noon and 11:00 p.m. within the confines of 125 Main Street.

The Selectmen were reminded that their next regular Board of Selectmen's meeting will take place on Monday, July 25th, 2016, at 7:00 p.m. in the second floor meeting room at the Senior Center on Pickering Street.

Mr. Zubricki informed the Selectmen that McGinley Kalsow, and not NETCO, will be responsible for compiling the final punch list for the Town Hall/Library Project, at the end of the project.

Mr. Zubricki said that there was no business requiring an Executive Session.

Therefore, a motion was made, seconded, and unanimously voted to adjourn the meeting at 8:50 p.m.

Documents used during this meeting include the following: None.

Prepared by: _____
Pamela J. Witham

Attested by: _____
Susan Gould-Coviello