

SELECTMEN'S MEETING – May 24, 2010

Mr. Murphy, Mr. Silvia and Dr. Bowcock were present.

Also in attendance was Jeffrey Osuch.

Mr. Murphy called the meeting to order at 6:30 pm.

Mr. Silvia motioned to approve the minutes of May 7, 2010. Dr. Bowcock seconded. Vote was unanimous.

Mr. Silvia motioned to approve the minutes of May 10, 2010. Dr. Bowcock seconded. Vote was unanimous.

Mr. Silvia motioned to approve the minutes of executive session of May 10, 2010. Dr. Bowcock seconded. Vote was unanimous.

Mr. Silvia motioned to approve the minutes of May 13, 2010. Dr. Bowcock seconded. Vote was unanimous.

EXECUTIVE SECRETARY'S REPORT

Meeting Schedule:

May 25, 2010 @ 10:00 am TMobile cell tower meeting.

May 26, 2010 @ 9:30 am Job meeting with West Construction.

@ 11:00 am Mr. Simon regarding Stimulus money.

Time not confirmed meeting with Brown & Caldwell-discuss in executive session.

May 28, 2010 @ 9:00am SEMASS meeting

May 31, 2010 – Parade

June 1, 2010 @ 6:30 pm Selectmen's meeting.

Mr. Osuch presented the BOS with a contract from Village Forge to execute for work to be done at the Rec. Ctr./Senior Ctr. The contract originally stated a signature of Jeffrey Osuch; the Board has to vote authorization for Jeffrey Osuch to sign on behalf of the BOS or vote to cross out Mr. Osuch's name and replace with the Chairman's name.

Dr. Bowcock motioned to Have Mr. Osuch's name eliminated and replaced with Mr. Murphy's, Chairman, and to sign the contract. Mr. Silvia seconded. Vote was unanimous.

Mr. Osuch also presented the BOS with a copy of a proposal from Altus Dental for a dental contract. The company is offering all the same benefits the Town's plan currently offers but at a lower cost to both employee and the Town. Mr. Osuch stated that he is meeting with BC/BS on June 3, 2010 to discuss the Town's present dental contract. Mr. Osuch stated that if the Board should want to proceed with Altus, the Insurance Advisory Committee would have to convene for discussion.

Executive session would have to be convened to discuss CCI Wind Turbines.

ANIMAL SHELTER GIFT ACCOUNT

The gratefully accepted donation totaling \$155.00.

SELECTMEN'S OFFICE

Mr. Murphy stated that the Principal Clerk's position within the Selectmen's Office had been posted and whereas only one applicant applied, Erika Correia, the position would be appointed to her.

Mr. Silvia motioned to appoint Erika Correia to Principal Clerk beginning July 1, 2010 in the Selectmen's Office. Dr. Bowcock seconded. Vote was unanimous.

SHELLFISH DEPARTMENT

Mr. Murphy read the letter from Mr. Cox, Shellfish Warden into the record. (See attached) Mr. Cox then proceeded to explain the reasoning for requesting the shellfish regulation with a minor change to read as follows, "When flags are displayed as red or no flags are displayed all shell fishing is prohibited in the rain areas as shown on the map." Discussion ensued.

Dr. Bowcock motioned to approve the regulation, "When flags are displayed as red or no flags are displayed all shell fishing is prohibited in the rain areas as shown on the map". Mr. Silvia seconded. Vote was unanimous.

APPOINTMENTS

6:50 pm – Director of Planning & Economic Development

- A. Mr. Silvia motioned to appoint Amy Tupikow as CDBG Intern. Dr. Bowcock seconded. Vote was unanimous.
- B. FY10 & FY11 Salary Memorandum presented for approval as voted at Town Meeting, May 1, 2010. Mr. Silvia motioned to sign FY10 & FY11 Salary increase. Dr. Bowcock seconded. Vote was unanimous.
- C. Request for Legal Services discussed; Mr. Silvia motioned to approve. Dr. Bowcock seconded. Vote was unanimous.
- D. Tree removal at 50 Bridge St. discussed. Mr. Roth noted that approximately 20 trees will be planted to replace the 7 that have been removed during the course of the Green Street project. Mr. Silvia motioned to approve the request of the tree removal at 50 Bridge St. Dr. Bowcock seconded. Vote was unanimous.
- E. NSTAR property at Doane St. was explained to the BOS and that the Town had offered \$150,000 for purchase and that NSTAR refused and wants to proceed with a subdivision plan. Discussion ensued.
- F. Mr. Roth presented the BOS with a application for a Subordinate Loan request. Due to privacy laws the name or location can not be made public but Mr. Roth assured the Board that everything was in order. Mr. Silvia motioned to sign the Subordinate Loan. Dr. Bowcock seconded. Vote was unanimous.

Mr. Roth informed the BOS as to the State review for the Block Grant Audit and all was satisfactory. The Town is rated by the State as a Category 3 which is a very high rating. The Board thanked Mr. Roth for all the hard work.

7:00 pm – Liquor License Hearing/Mermaid's Seafood Restaurant

Mr. Nicholas Psychopaidas and Katherine Psychopaidas were present.

The BOS emphasized to the Psychopaidas' of the importance that all servers must be Tips or Safe Serve approved; a list of names of all servers and the manager must be submitted to the Selectmen's office along with certification documents. Dr. Bowcock motioned to approve the license pending the certifications of all servers and manager. Mr. Silvia seconded. Vote was unanimous.

7:10 pm – Allen Decker (Proposed Conservation Restriction – New Boston Rd.) See attached.

Discussion regarding proposed restriction and questions concerning future amendments to the restrictions ensued. Mr. Decker indicated that future amendments could be done in the future to strengthen the proposed restrictions but complicated procedures to weaken any restrictions in place. Mr. Silvia motioned to sign and for a copy of the document by submitted to the Selectmen's office. Dr. Bowcock seconded. Vote was unanimous.

7:25 pm – Shellfish Warden

Tim Cox was present to request that a letter from the BOS be sent to Neil Churchill, DMF, requesting his participation at a meeting to be held the first week of June with the commercial shell fishermen regarding several shell fishing regulations that are of concern to the commercial fishermen. Mr. Cox also requested the participation of the Board or at least one member at the meeting.

Dr. Bowcock motioned to request of the letter. Mr. Silvia Seconded. Vote was unanimous.

7:30 pm – Deborah Jenkins requested that she be heard in executive session.

COMMON VICTUALLER LICENSE

Application was in order for the Common Victualler License for Zhang Brothers, Inc., d/b/a "A Kitchen". 142 Huttleston Avenue. Mr. Silvia motioned to grant the license. Dr. Bowcock seconded. Vote was unanimous.

The application was in order for a Common Victualler License for Asia Cuisine, 14 Fairhaven Commons. Mr. Silvia motioned to grant the license. Dr. Bowcock seconded. Vote was unanimous.

SEAPORT INN

Mr. Morra was present to request that the BOS amend the Music License for Seaport Inn. (See attached.) Discussion ensued. The BOS pointed out that every other establishment has the same operating hour for music has the Seaport and that no exceptions will be granted. If Mr. Morra has knowledge of any other establishment operating outside of the designated times, he should contact the police dept. No action taken.

NSTAR

Mr. Silvia motioned to approve the petition for gas line maintenance at intersection of Sakonet Avenue and Weeden Road. Dr. Bowcock seconded. Vote was unanimous.

OTHER BUSINESS

Mr. Silvia mentioned how he and Mr. Roth recently attended a meeting at UMA Dartmouth concerning the creation of projects between the Town and the students of UMA to improve and or generate new tourism ideas and economic development.

Dr. Bowcock reminded the public of the upcoming Memorial Day Parade.

Mr. Murphy congratulated Det. Pamela Bourgault on receiving the 2010 Unsung Heroine Award presented to her at the State House on May 19, 2010 for her work with the elderly within the Town.

Mr. Murphy also commented on the function that was held last Wednesday at the COA for Volunteer Appreciation.

Mr. Murphy stated that David Darmofal had recently sent a letter to N.B. Voke in appreciation for the work their students provided on some of the Natural Resource Department's marine vehicles and complemented the outstanding workmanship. By providing these services it has saved the Town a substantial amount.

NFIA wants everyone to know that they will be again holding several Cruise Nights and the schedule can be obtained on their web site.

Dr. Bowcock expressed the condolences of the BOS on the passing of Linda Smith's father and retired Sgt. Antone Frates' son.

Mr. Murphy reminded everyone of the wonderful job being done for all those who are serving in the Armed Forces and to remember all those that have fallen in service for our country this upcoming Memorial Day.

At 7:45 pm Mr. Silvia motioned to go into executive session to discuss matters with Deborah Jenkins, Wind Turbine, copy machine, Brown & Caldwell and land swap and not reconvene in open session. Dr. Bowcock seconded. Vote was unanimous. Roll Call Vote 3-0

Meeting adjourned at 7:45 pm.

Submitted by,



Bernice Alves
Principal Clerk