

Board of Selectmen Meeting  
Sailing Camp Park  
July 14, 2009

Present: Chairman Gregory Coogan, Selectmen Kathleen Burton, Ronald DiOrio, Duncan Ross, Kerry Scott. Also present: Town Administrator Michael Dutton, Administrator Alice Ryan Butler.

**Meeting called to order at 5:00 p.m.**

**Town Administrator's Report**

1. The Harbor fuel issued has been resolved.
2. As of August 1, 2009. sales tax and meals tax has been increased to 6 ¼ % ; Taxes will also be placed on alcohol and poles and wires. Two local option taxes have been forwarded to the Finance Committee, ¾% meals tax and 2% rooms tax. It would then have to be approved at Town Meeting. A public hearing may be held at the August 23, 2009 Meeting.
3. The Firehouse exhaust and ventilation bids were opened on July 10 and the lowest bid was \$42,000. The bid will be awarded within the next week.
4. The Holy Ghost parade will be held on July 19, 2009, 11:00 a.m.
5. The Building Inspector and the Board of Health will make some by-law changes concerning dumpsters and trailers. Also, scofflaws who continue to dump their household trash in public trash barrels will be fined up to \$300 per offense.
6. The County Manager says that the road work at State Beach will begin again in the fall with no road closures.
7. The parking lot at Eastville Beach is complete.
8. A committee handbook is being prepared, outlining responsibilities etc. for the various committees.

**Selectmen's Update**

Selectman Burton reported that several people at the Senior Center have complained about the lack of lifeguards at the beach.

Selectman Ross said that several groups are concerned about the disposition of the sand that will be dredged from Sengekontacket Pond. The Save Sengekontacket Committee and the Conservation Commission will decide and present their findings to the Board of Selectmen for approval. Selectman Scott requested that the Seaview Waterfront Committee be included in the decision making process.

Selectman DiOrio announced that the State had reported a \$180M shortfall in local aid. The Board should monitor what cuts were being made.

Selectman DiOrio will attend the teacher negotiations.

He requested that Police Chief Blake report on the plans for the impending Presidential visit.

Selectman Scott reported that the infiltration is working at Inkwell Beach, also the handicapped walkway is successful. A group of children have volunteered to clean Inkwell Beach.

Next meeting for Seaview Waterfront Committee is August 17, 2009.

The producers of the “Carry in, Carry out” posters were thanked.

Chairman Coogan asked if the CDC could identify a place for light industrial parking.

Summer Taxpayers Meeting will be held on July 28, 2009.

The Building Inspector’s office will follow up on unlicensed businesses.

The pedicabs were thanked for their participation in the July 4<sup>th</sup> parade.

**Public Hearing:** The Board of Selectmen will hear an application for a special permit for a residential accessory use to have a Contractor’s Yard on a parcel of land that is less than 2 acres. The petition is submitted by Benjamin Kelley, 28 Sea Glen Road.  
The applicant was not initially present at the hearing. However, because so many neighbors were present to testify, the hearing was held.

As the Hearing was starting, Benjamin Kelley arrived and requested a contractor’s yard to accommodate his trucks and tools while they were not being used at a site. He also discussed converting his garage into an apartment, which is likely not possible under the zoning regulations.

Several neighbors spoke in opposition to use of the property as a contractor’s yard. No one spoke in favor of the request.

***Selectman DiOrio motioned to close the Hearing, seconded by Selectman Ross. Vote was four in favor, Selectman Scott voted no (people still wanted to speak)***

***Selectman DiOrio motioned to deny the application, seconded by Selectman Burton. Vote was unanimous.***

Despite the fact that Mr. Kelley was denied, the Selectmen will make an effort to find a place for him to temporarily leave his equipment.

### **Old/New Business**

Director’s Report on Council on Aging. Roger Wey.

Mr. Wey reported on a busy year at the Senior Center. He thanked both the staff and the volunteers, and especially noted volunteer Glenna Barkan, who not only prepares the Newsletter but also teaches quilting.

End of year transfers. Town Administrator

*Selectman DiOrio motioned to approve the End of Year transfers, seconded by Selectman Ross. Vote was unanimous.*

Wastewater Department Update and Report on Ocean Park. Wastewater Commission.

Manager Joe Alosso reported that the Commissioners have voted to appropriate \$400,000 from retained earnings to refurbish the wastewater beds in Ocean Park. The work will probably start by October and be completed by the end of November. That will resolve the issue in Ocean Park and satisfy the DEP. No taxpayer money will be spent. The “ponding” in the park has improved. The storm drain will be replaced in the fall.

The Wastewater Commission has applied for a USDA grant of \$1.7 million dollars for the Leonardo project. If granted, it will also be used for the High School corridor. The grant should be awarded within forty five days.

There will be a MEPA review at the Wastewater Department on July 22, 2009 at 3:00 p.m.

Request for public performance permit. Daniel Tostado.

Postponed

**Public Hearing:** Request to obtain a new entertainment license. Deon’s

Attorney Robyn Nash presented the request for an entertainment license for Deon’s. Recorded music would be provided during dinner, with “live” amplified music from 11:00 p.m. to 1:00 p.m. featuring jazz, reggae, Motown etc. Two people spoke in favor of the license, five or more spoke in opposition, citing lateness of the hour, noise etc. However, most people spoke favorably of the restaurant’s ambience and food etc.

*Selectman DiOrio motioned to close the hearing, seconded by Selectman Ross. Vote was unanimous.*

*Selectman Ross motioned to grant an entertainment license for one month on a trial basis (until August 11, 2009), seconded by Selectman DiOrio. Vote was unanimous.*

### **Appointments**

SHELLFISH COMMITTEE (5 positions)

Paul Humber

Ray Moreis, Jr.

Earl V. Peters

Mark Landers

Gregory B. Skomel, PhD

Fred Rick Huss

*Chairman Coogan motioned to appoint Earl V. Peters (3 years) Mark Landers, Greg Skomel (2 years) Paul Humber, Fred Rick Huss (1 year ) to the Shellfish Committee, seconded by Selectman Ross. Vote was unanimous.*

ENERGY COMMITTEE (unlimited)

Ronald H. Mechur

***Selectman DiOrio motioned to appoint Ronald Mechur to the Energy Committee, seconded by Selectman Burton. Vote was unanimous.***

SPECIAL INSPECTOR OF BUILDINGS (1 position)

Lenny Jason

***Selectman DiOrio motioned to appoint Lenny Jason as a Special Inspector of Buildings, seconded by Selectman Ross. Vote was unanimous.***

HISTORICAL COMMISSION (7 positions)

Joyce Dresser

Pamela Melrose

Alison Shaw

Priscilla Sylvia

Susan Thompson

Nicholas M. Catt

***Selectman Ross motioned to appoint Joyce Dresser, Pamela Melrose, Alison Shaw, Priscilla Sylvia, Susan Thompson and Nicholas Catt to the Historical Commission for one year, seconded by Selectman Scott. Vote was unanimous.***

CONSERVATION COMMISSION (2 positions)

Caleb Nicholson

John R. Breckenridge

***Selectman Ross motioned to re-appoint Caleb Nicholson and John R. Breckenridge to the Conservation Commission for three years, seconded by Selectman Scott. Vote was unanimous.***

BOARD OF ASSESSORS (1 position)

Jesse B. Law, III

***Selectman Ross motioned to re-appoint Jesse B. Law, III to the Board of Assessors for a three year term, seconded by Selectman DiOrio. Vote was unanimous.***

LIBRARY BOARD OF TRUSTEES (2 positions)

Beatrice J. Green

Lloyd A. Henke

***Selectman Ross motioned to re-appoint Beatrice J. Green and Lloyd A. Henke to the Library Board of Trustees for three years , seconded by Selectman DiOrio. Vote was unanimous.***

COTTAGE CITY HISTORIC DISTRICT COMMISSION (3 positions)

James Westervelt

Lisa M. Stewart

Gregory M. Ehrman

Shelley Christiansen

Renee Balter

Barbara Baskin

***Selectman Scott motioned to appoint James Westervelt (1 year), Renee Balter (3 years), Barbara Baskin (3 years), Shelley Christiansen (3 years – alternate), seconded by Selectman Ross. Vote was four in favor, Selectman Burton abstained.***

ZONING BOARD OF APPEALS (3 positions)

Andrea Rogers

Peter Palches

Jevon Rego

John W. Rogers

Gail Barmakian

Derek N. Tipton

Peter W. Yoars

Joseph Re

***Selectman Ross motioned to appoint Peter Palches (3 years), Derek N. Tipton (2 years), Joseph Re (3 years), Andrea Rogers (3 years alternate), Peter W. Yoars (2 years alternate) Seconded by Selectman DiOrio. Vote was four in favor, Selectman Scott was opposed.***

BOARD OF REGISTRARS (1 position)

Patricia A. Ingalls

***Selectman Ross motioned to re-appoint Patricia A. Ingalls to the Board of Registrars, seconded by Selectman DiOrio. Vote was unanimous.***

COMMUNITY PRESERVATION COMMITTEE

Peter Martell

Stephen Durkee

***Chairman Coogan motioned to appoint Jevon Rego and re-appoint Stephen Durkee to the Community Preservation Committee for three years, seconded by Selectman Ross. Vote was four in favor, Selectman Scott was opposed.***

HARBOR MANAGEMENT ADVISORY COMMITTEE (2 positions)

Jim Fraser

Stephen Morris

***Selectman Ross motioned to appoint Jim Fraser and re-appoint Stephen Morris to the Harbor Management Committee for three years, seconded by Selectman DiOrio. Vote was unanimous.***

Selectman Scott requested that her opposition to the choices for the Zoning Board of Appeals and the Community Preservation Committee was due to the failure to re-elect incumbents.

Chairman Coogan commented that as previously discussed, new members were important to committees.

**Adjourn**

*Selectman Ross motioned to adjourn at 8:30 p.m., seconded by Selectman DiOrio.  
Vote was unanimous.*

Respectfully submitted,

Alice Ryan Butler  
Administrator