

Board of selectmen Meeting

Library Meeting room

October 27, 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. by Vice Chairman Duncan Ross.

Chairman Coogan was delayed by Parent/Teacher Meetings.

Accept Minutes

October 13, 2009

Selectman DiOrio motioned to accept the Minutes of October 13, 2009 with corrections, seconded by Selectman Burton. Vote was unanimous.

Town Administrator's Report

Mr. Dutton reviewed the issues with the Nova Vida Church. A Cease and Desist order was issued by the Building Inspector and Church then filed a timely appeal with the ZBA. The ZBA upheld the Building Inspector's decision; the Church then appealed to Superior Court. A pre trial conference was scheduled for July. The Church then dropped the appeal. The Cease and Desist is still in effect. Town Counsel recommends filing suit in Superior Court seeking an Order of Compliance.

Selectman Scott motioned to proceed with litigation, seconded by Selectman Burton. Vote was unanimous.

In order to pay for the water distributed during the water emergency, a vote of the Board is necessary.

Selectman DiOrio motioned to declare an emergency for the dates that water was dispensed, seconded by Selectman Burton. Vote was unanimous.

Discussions will be held with the Water District concerning their reimbursing the Town for the water.

The following issues are also being addressed:

How MVC decisions are enforced.

Outdoor entertainment

Derelect buildings

Containers

Emergency Planning Draft

E-mail addresses and phone numbers can be e-mailed for inclusion in a warning notice.

Waiting for vaccine for H1N1

The Seasonal Flu clinic will be held 8:00 a.m. to Noon, November 11, 2009 at the High School. It is necessary to register at Waban Park first.

Harbor Management has announced that six slips will be reserved for residents. These will be for one, three, or five year period awarded on a lottery basis.

Selectman Scott motioned to create a handicapped space at Saco and Circuit Avenue, Ext., seconded by Selectman DiOrio. Vote was unanimous.

Selectmen's Update

Selectman Burton thanked Shellfish Constable Grunden for his efforts in opening the Farm Pond culvert. She further congratulated Constable Grunden and Conservation Agent Liz Durkee for their video, Oak Bluffs, the storm smart town, a documentary that is being shown on Channel 13.

Selectman Ross reported that on October 20, 2009, the Army Corp of Engineers put out public notices on the dredging of Sengekontacket Pond. After thirty days, the Corp should be issuing the final permit.

The town is also in negotiation with both the town of Edgartown and Cow Bay for the placement of sand.

October 31, 2009, there will be a clean-up of Eastville Beach, weather permitting.

Selectman DiOrio said that there will be an RFP advertised in the newspaper this week for the old library. Also, the negotiations continue with Conroy Pharmacy.

Selectman Scott reported that the rocks had been removed from Sunset Lake which improved the flow to the Harbor.

The Conservation Commission Estuary Report will be ready sometime in November.

Town Administrator Dutton explained the process that NSTAR uses for spraying under the power lines. It is approved by the State and does not require the approval of the Selectmen. They are trying to convert the area to self-sustaining grass lands.

Selectman Scott inquired about the lack of building activity on the Corey Kupersmith property. The building permits have expired.

Old/New Business

Pursuant to MGL, Chapter 12, the Board of Selectmen will hold a Public Hearing on Tuesday, October 27, 2009 at 5:30 p.m. in the Library Meeting Room, 56R School Street regarding an application from Park Corner, Inc. dba The Cottage City Tavern for a new Officer/Director, new stockholders, pledge of license and change of dba. This application is on file in the Selectmen's Office for review Monday through Friday, 8:30 a.m. to 4:00 p.m.

Attorney Marcia Cini represented Jesse Martin owner of the restaurant and explained the reasons for the requests to change the name and the stockholders etc.

No one spoke in favor or against the request.

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

Selectman DiOrio motioned to grant the requests, seconded by Selectman Burton. Vote was unanimous.

Chairman Coogan entered the meeting.

Request for permission to transfer Seasonal Stationary Peddler's License. Kathy and Andy Farrissey.

There was also a request to use the stand to take kayak reservations.

Selectman Ross motioned to approve the request for a transfer of a Seasonal Stationary Peddler's License with the addition of taking kayak reservations, seconded by Selectman DiOrio.

There was a discussion about storage of the food van and whether or not food and kayaks are two separate businesses, which would conflict with her "home business license".
Vote was unanimous.

Discussion of the Island Plan. MVC, Mark London.

Mr. London explained that input from the various Committees and Boards was necessary prior to printing the Plan. Some observations and suggestions were made. Mr. London encouraged people to go "on line" to make additional suggestions or comments. It is also possible to mail or fax ideas.

Report on the Lake Street project and the sidewalk at Nancy's Restaurant. Highway Superintendent Richie Combra.

Mr. Combra outlined the work that is being done on Lake Street. He also discussed the parking possibilities at Nancy's Restaurant and the Harbor. The MVC prepared three options for parking plans. These options will be reviewed by the Roads and Byways Committee for their suggestions.

Adjourn

Selectman Ross motioned to adjourn at 7:15 p.m., seconded by Selectman Burton, Vote was unanimous.

Respectfully submitted,

Alice Ryan Butler
Administrator

