

**TOWN OF WEBSTER
BOARD OF SELECTMEN
DON BOURQUE, CHAIRMAN
DEBORAH KEEFE, VICE CHAIRMAN
JEFFREY DUGGAN
MARK DOWGIEWICZ
ROBERT J. MILLER**

A Board of Selectmen's Meeting was held in the Selectmen's Meeting Room at the Town Hall on Monday, July 9, 2012. Chairman Bourque called the meeting to order at 7:02 P.M.

Attendance: Don Bourque, Deborah Keefe, Mark Dowgiewicz, Robert Miller

Absent: Jeffery Duggan

Pledge of Allegiance: Chairman Bourque led the Selectmen in the Pledge of Allegiance.

APPROVAL OF MINUTES

Motion: made by Selectman Miller and seconded by Selectman Keefe to accept the meeting minutes of June 4, 2012.

Vote: Mr. Miller – yes, Mr. Dowgiewicz –yes, Ms. Keefe – yes, Chairman Bourque - yes.

Motion: made by Selectman Miller and seconded by Selectman Keefe to accept the meeting minutes of June 11, 2012.

Vote: Mr. Miller – yes, Mr. Dowgiewicz –yes, Ms. Keefe – yes, Chairman Bourque - yes.

Motion: made by Selectman Miller and seconded by Selectman Keefe to accept the meeting minutes of June 18, 2012.

Vote: Mr. Miller – yes, Mr. Dowgiewicz –yes, Ms. Keefe – yes, Chairman Bourque - yes.

Motion: made by Selectman Keefe and seconded by Selectman Miller to accept the Executive Session meeting minutes of June 18, 2012; which will be held until the issue is resolved.

Vote: Mr. Miller – yes, Mr. Dowgiewicz –yes, Ms. Keefe – yes, Chairman Bourque - yes.

Cathleen Liberty – Intern's Project

Cathleen Liberty introduced Tanya Baker. She stated Ms. Baker just graduated from Worcester University with her Bachelors in Science. During the last year she did an internship with the Board of Health. Ms. Baker stated that as part of her internship she made 20 short videos to promote health and safety in the home. She showed the Board of Selectmen her videos. Mrs. Liberty stated the videos are linked to the town's website. Chairman Bourque stated the videos were a great informational tool. Selectman Keefe asked if Mrs. Liberty will have another intern this year. Mrs. Liberty stated she hoped to as they are a great asset.

Public Hearing – Transfer of License – Nimz 17, Inc dba Talk of the Town Pub 7 Grub

Attorney Mark Erlich came forward. He stated they are requesting to have the liquor license transferred from the Fencuccio Group, Inc dba Isabella's to Nimz 17, Inc dba Talk of the Town Pub 7 Grub.

Motion: made by Selectman Dowgiewicz, seconded by Selectman Miller to approve the transfer of license from Fencuccio Group, Inc dba Isabella's to Nimz 17, Inc dba Talk of the Town Pub 7 Grub.

Vote: Mr. Miller – yes, Mr. Dowgiewicz –yes, Ms. Keefe – yes, Chairman Bourque - yes.

Attorney Erlich asked if the agreement for the parking area on the side of the restaurant was close to being finalized. Mr. McAuliffe stated there were minor issues to be worked out. Selectman Keefe asked if there was an opening date scheduled. Attorney Erlich stated that they were waiting until the liquor license transfer was approved by the ABCC.

Pole Hearing – Westwood Road

Chairman Bourque asked if anyone was present for the Pole Hearing for Westwood Road. Seeing none, Chairman Bourque tabled the Pole Hearing until the next Selectmen's Meeting on July 23, 2012.

James Vasil – Pledge of License – Talia Inc. dba Tal's Place

James Vasil came forward. Selectman Miller stated he asked Mr. Vasil to attend the meeting because he was not on the Board when they initially voted to approve the pledge of license. He stated he is not in favor of a bank holding a liquor license. Mr. Vasil stated this is a form of protection for the bank. He stated the owner was behind on his mortgage payments and when the mortgage was refinanced there was a provision in the contract where the owner had to pledge the liquor license. He stated the property is worth more with the liquor license. Selectman Keefe asked how many other establishments have pledged their liquor licenses to the bank. Mr. Vasil stated his bank probably has four or five establishments that have pledged their liquor license to them. He stated the bank is trying to work with the owner. He stated the bank doesn't want to own the liquor license they just want to use it as collateral. Selectman Keefe stated she has had some reservations about pledging the liquor license because if he defaults on the mortgage it would take a significant amount of time to file bankruptcy and the Town will lose that license. She stated the Town doesn't want to lose another license. Selectman Dowgiewicz asked if the bank will find him in default if the Board does not approve the transfer. Mr. Vasil stated yes. Selectman Keefe requested that the bank release the liquor license back to the Town if they are unable to sell the building with the license before the next renewal period. Mr. Vasil stated he will get a letter for the next Selectmen's meeting. Chairman Bourque stated this will be tabled until the next Selectmen's meeting.

Nancy Lorenczykoba – Fundraising for 2013 Fireworks

Nancy Lorenczykoba stated she would like to form a group to start raising money for the fireworks for next year. She stated she had some great ideas and would like to plan ahead so that the Town isn't scrambling around at the last minute like this year. Selectman Keefe stated this was a great idea and that she would love to see this turn into something great.

Motion: made by Selectman Keefe, seconded by Selectman Miller to appoint Nancy Lorenczkoba as the Chairman of the 2013 Firework Committee.

Vote: Mr. Miller – yes, Mr. Dowgiewicz –yes, Ms. Keefe – yes, Chairman Bourque - yes.

Town Administrator's Report

Mr. McAuliffe stated that with a generous donation from Mapfre Insurance the Town of Webster was able to host a spectacular Forth of July Fireworks Celebration. He stated he is greatly appreciative of their generosity. He stated the residents of Webster love and enjoys this special event.

He stated the Webster Dudley Business Alliance held their second annual sidewalk sale. He stated this would be another great project that Nancy Lorenczykoba could promote.

He stated the residents of Webster approved the Park Avenue Elementary School Debt Exclusion through a ballot vote. He stated the project is moving forward.

He stated he attended the Finance Committee Meeting.

He stated he attended the Police/Fire Building Committee Meeting.

He stated the demolition is underway for the former Dr. Garg property. He stated the lower back building will be down within two days. He stated the front building will be down the following week.

He stated the Board received copies of the 2011 Audit & Management Letter. Selectman Keefe asked to have this on the August agenda so that she would be present. This will also give the Board adequate time to review the documents.

Mr. McAuliffe stated he has a need for Executive Session.

Motion: made by Selectman Miller, seconded by Selectman Keefe to approve the Town Administrator's Report.

Vote: Mr. Miller – yes, Mr. Dowgiewicz –yes, Ms. Keefe – yes, Chairman Bourque - yes.

Old Business

Selectman Keefe stated she received the reports from the Town Treasurer and the Town Accountant. She stated she would like more details on what services were rendered for the payments. She stated she has a letter from an Attorney stating the trust cannot be changed.

New Business

Chairman Bourque stated Mike Stelmack from the TSKK is requesting a “one day” liquor license. Selectman Keefe explained that an establishment that has an existing liquor license cannot be granted a “one day” liquor license. An individual can apply for a “one day” liquor license in their own name to have liquor on the grounds of an establishment. They must carry their own liability insurance and purchase the alcohol separately from the establishment. Selectman Keefe asked if Mr. Stelmack can be notified of the requirements before the Board takes any action.

Chairman Bourque stated Thomas Bachand has pulled his request for a “one day” liquor license.

Chairman Bourque stated the Board of Selectmen received a letter from Carol Cyr in Community Development requesting the Board approve the School Street Parking Lot and Mechanic Street Sidewalk Projects. Chairman Bourque stated he would have to abstain from the vote due to being familiar with someone who put in a bid on this project.

Motion: made by Selectman Keefe, seconded by Selectman Miller to approve Selectman Keefe to sign on the Chairman's behalf for the School Street Parking Lot and Mechanic Street Sidewalk Projects Contract.

Vote: Mr. Miller – yes, Mr. Dowgiewicz –yes, Ms. Keefe – yes, Chairman Bourque - yes.

Motion: made by Selectman Miller, seconded by Selectman Dowgiewicz to award the School Street Parking Lot and Mechanic Street Sidewalk Projects Contract.

Vote: Mr. Miller – yes, Mr. Dowgiewicz –yes, Ms. Keefe – yes, Chairman Bourque - abstain.

Selectman Miller stated he asked to have the beach stickers put on the agenda because there are minor glitches in the program. He stated many people are confused about the fees. He stated the kids working at the booth might be intimidated by some people giving them a hard time. He stated this needs to be revised and the Board needs to have rules in place. Chairman Bourque stated the money collected is put right back into the beach. Selectman Dowgiewicz asked if cars that have more than five people are still being charged an additional five dollars per person. Mr. McAuliffe stated that fee was eliminated last year.

Motion: made by Selectman Dowgiewicz, seconded by Selectman Miller to charge thirty dollars (\$30.00) a day per car with up to five people. A car which has more than five people will be charged an extra five dollars (\$5.00) per person.

Vote: Mr. Miller – yes, Mr. Dowgiewicz –yes, Ms. Keefe – no, Chairman Bourque – no.

Chairman Bourque stated residents need to see where the money is being spent. Selectman Keefe stated it would be a great idea to have this information printed in the paper.

Motion: made by Selectman Keefe, seconded by Selectman Dowgiewicz to publish the cost of the beach upgrades.

Vote: Mr. Miller – yes, Mr. Dowgiewicz –yes, Ms. Keefe – yes, Chairman Bourque - yes.

Selectman Miller wanted to remind everyone that the Perryville Bridge is now open.

Mr. McAuliffe passed out the year end transfers. He went through each line item.

Motion: made by Selectman Miller, seconded by Selectman Keefe to approve the year end transfers.

Vote: Mr. Miller – yes, Mr. Dowgiewicz –yes, Ms. Keefe – yes, Chairman Bourque - yes.

Mr. McAuliffe stated Pam Regis's contract will be discussed in Executive Session. The Board will need to come back into Regular Session to vote on the contract.

Informational Mail

Selectman Keefe stated the Board received a letter from Joseph Kabala asking to be reappointed to the Conservation Commission.

Motion: made by Selectman Keefe, seconded by Selectman Miller to appoint Joseph Kabala to the Conservation Commission for a term to expire June 30, 2015

Vote: Mr. Miller – yes, Mr. Dowgiewicz –yes, Ms. Keefe – yes, Chairman Bourque - yes.

Chairman Bourque asked to have an updated list of Committee/Commission in the next Board of Selectmen's packet. Selectman Keefe would like all the open position posted on the website and access channel.

Selectman Keefe stated the Board received a letter from Joseph Borski resigning from the position of moderator.

Motion: made by Selectman Keefe, seconded by Chairman Bourque to accept Joseph Borski's resignation.

Vote: Mr. Miller – yes, Mr. Dowgiewicz –yes, Ms. Keefe – yes, Chairman Bourque - yes.

Selectman Keefe stated the Board received a letter from Jean Travis requesting that they post the vacancy for the Library Board of Trustees. She stated this will need to be posted in the newspaper.

Selectman Dowgiewicz asked for an update on North Village. Mr. McAuliffe stated he is working with an Attorney.

Selectman Keefe asked for an update on Ash Street. Mr. McAuliffe stated the town did a negative change order for Tiffany Construction. He stated they needed to re-bid the paving contract. He stated paving will start within two weeks.

Adjournment

Chairman Bourque adjourned the meeting to Executive Session at 9:15 P.M. in accordance with MGL Chapter 30A, Section 21, Item 3, to discuss contract negotiations with union and non-union personnel.

Motion: to go into Executive Session, and to return back into open session made by Selectman Keefe, seconded by Selectman Miller.

Vote: Mr. Miller – yes, Mr. Dowgiewicz –yes, Ms. Keefe – yes, Chairman Bourque - yes.

The Board of Selectmen reconvened their Regular Session Meeting at 9:33 P.M.

Motion: made by Selectman Keefe, seconded by Selectman Miller to approve the Town Accountant's contract as discussed.

Vote: Mr. Miller – yes, Mr. Dowgiewicz –yes, Ms. Keefe – yes, Chairman Bourque – yes.

Motion: made by Selectman Miller, seconded by Selectman Keefe to adjourn the meeting at 9:37p.m.

Vote: Mr. Miller – yes, Mr. Dowgiewicz –yes, Ms. Keefe – yes, Chairman Bourque - yes.

Respectfully Submitted,
Courtney Friedland