



**SELECT BOARD  
MEETING MINUTES  
MARCH 19, 2013**

- 1.0 5:00PM - BUDGET WORKSHOP -** Review CIP and Operating Budget with Budget Review Committee and Town Manager

The Select Board and Budget Committee met to review the Capital and Operating Budgets for the June Annual Town Meeting.

**7:00PM - CALL BUSINESS MEETING TO ORDER**

Members present: Barbara Dailey, Chair  
David Barton, Vice Chair  
John Daley  
Christopher Jarochym  
Robert Winn, Jr.

Others present: Thomas A. Fortier, Town Manager

**2.0 PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Vice Chairman Barton.

**3.0 REQUEST TO APPROVE SELECT BOARD MINUTES**

- 3.1 March 5, 2013 - the minutes of the March 5, 2013 Select Board meeting were approved as presented.

**4.0 TOWN MANAGER'S REPORT**

- Reminded those in attendance that tomorrow is the first day of spring.
- Gearing up for the upcoming season, advertising for CEO position, Visitor Services, Reserve Police Officers, Seasonal Public Works and Lifeguards.
- Will be starting the seawall project at Main Beach in a couple of weeks.
- Wharf Lane Bridge was lost during the storm; this will be repaired and/or replaced by June.
- Busy budget season, everyone is doing a good job.

## 5.0 PUBLIC INPUT

There were no comments or questions during Public Input

## 6.0 APPOINTMENTS, RESIGNATIONS, PROCLAMATIONS, RESOLUTIONS

## 7.0 PUBLIC HEARINGS, PRESENTATION

Motion made by Robert Winn and second by David Barton to open the Public Hearing.

### 7.1 Anchorage by the Sea - Malt, Spirituous & Vinous License Renewal

Recommended for Approval by the Police Chief, Fire Chief and Code Enforcement Officer; there were no comments from the public.

Representation was present for Anchorage by the Sea.

**031913-01** Motion made by Robert Winn and second by Chris Jarochoym to approve the Malt, Spirituous & Vinous License Renewal for Anchorage by the Sea; approved 5-0.

### 7.2 Anchorage by the Sea- Amusement License Renewal

Recommended for Approval by the Police Chief, Fire Chief and Code Enforcement Officer; there were no comments from the public.

**031913-01** Motion made by Robert Winn and second by to approve the Amusement License Renewal for Anchorage by the Sea; approved 5-0.

### 7.3 Caffe' Prego - Malt, Spirituous & Vinous License Renewal

Recommended for Approval by the Police Chief, Fire Chief and Code Enforcement Officer; there were no comments from the public.

Representation was present for Caffe' Prego.

**031913-02** Motion made by Robert Winn and second by Chris Jarochoym to approve the Malt, Spirituous & Vinous License Renewal for Caffe Prego; approved 5-0.

### 7.4 Caffe' Prego - Amusement License Renewal

Recommended for Approval by the Police Chief, Fire Chief and Code Enforcement Officer; there were no comments from the public.

**031913-02** Motion made by Robert Winn and second by Chris Jarochoym to approve the Amusement License Renewal for Caffe Prego; approved 5-0.

- 7.5 Credit Card Presentation – *Thomas A. Fortier, Town Manager*  
Presentation by Peoples United Bank on a Credit Card System for Town Parking Lots

This presentation was postponed due to inclement weather.

- 7.6 Heritage Museum Committee – *Carole Lee Carroll, Chair*  
Committee report on accomplishments & future goals

This committee report was postponed due to inclement weather.

- 7.7 Public Hearing on Proposed Ordinance for Town-wide Ban on the Use of Chemical Pesticides – *Michael Horn, Conservation Commission*

Michael Horn, Conservation Commission Chair, was in attendance to explain the proposed ordinance to the residents of the town. Also presenting were Madeline Brown and Doug Mayer.

Comments by:

- Donald Simpson
- Robert Winn
- David Barton
- Chris Jarochoym
- John Daley
- Everett Leach

Motion made by Robert Winn and second by Chris Jarochoym to close the Public Hearing; approved 5-0.

- 8.0 ADMINISTRATIVE ITEMS – UNFINISHED BUSINESS

- 8.1 Update of New DPW Building – *Selectman Jarochoym & Town Manager Fortier*  
Review of project to date and project time lines

Town Manager Fortier stated that the building committee has completed its findings with much deliberation. On Thursday, March 28<sup>th</sup>, there will be a Public Forum at 6:00pm, at which time the committee will present their findings and recommendation. This forum will be televised. The Fire Marshall has approved the final design of the building.

The Select Board will be presented with the recommendation at the April 2<sup>nd</sup> meeting, at which time a vote will be taken. Once approved by the Select Board, the project will go to the Planning Board for Design Review.

9.0 ADMINISTRATIVE ITEMS – NEW BUSINESS

9.1 Marginal Way Preservation Fund – *Ben Hershenson*

To request Select Board approval of the design for the proposed recognition plaques on the Marginal Way

Ben Hershenson was in attendance to review the proposed design. Mr. Hershenson gave a brief history of the project.

Hiroko Lindsey, Architect, spoke about the proposed site design.

Helen Horn, Chairman of the Marginal Way Committee, spoke about the project and the Marginal Way.

**031913-03** Motion made by John Daley and second by David Barton to approve the design for the Recognition Plaque fundraising program, as endorsed by the Marginal Way Town Committee, to be located in the “geology sign area” off the Marginal Way. Upon approval, an immediate moratorium on any future signage or recognition site for donors along the Marginal Way will be in effect; approved 3-2, Winn and Jaroachym in opposition.

9.2 Main Beach Stabilization Project RFP – *Thomas A. Fortier, Town Manager*

To award the bid for the Main Beach Stabilization Project

The mandatory site walk was attended by 9 contractors. Two bids were received and opened on February 28, 2013:

Terry Edwards Landscaping	\$35,000.00
Shaw Brothers Construction, Inc.	\$68,800.00

**031913-04** Motion made by Robert Winn and second by David Barton to accept the bid from Terry Edwards Landscaping for \$35,000 for the Main Beach Stabilization Project; approved 5-0.

9.3 Perkins Cove Back Lot Project RFP– *Thomas A. Fortier, Town Manager*

To award the bid for the Perkins Cove Back Lot Project

The mandatory site walk was attended by 9 contractors. Four bids were received and opened on February 28, 2013:

Libby-Scott, Inc.	\$36,446.00
Terry Edwards Landscaping	\$38,916.00
Pike Industries, Inc.	\$46,000.00
Shaw Brothers Construction, Inc.	\$58,500.00

**031913-05** Motion made by Robert Winn and second by Chris Jarochoym to accept the bid from Libby-Scott, Inc. for \$36,446 for the Perkins Cove Back Lot Project; approved 5-0.

- 9.4 Proposed Amendments to the Zoning Ordinance- Don Simpson, Planning Board Chair  
 Amendments to Title X submitted to the Select Board for Review and Consideration
- 6.6 Procedures for Site Plan Review
  - 8.13 Traffic Impacts and Street Access Control

Don Simpson, Chairman of the Planning Board, was in attendance to explain the purpose of this amendment.

- 9.5 Proposed Amendments to the Shellfish Management Ordinance – Shellfish Commission  
 Amendments to Title IV, Chapter 6 submitted to the Select Board for Review and Consideration
- 605.a Type of License/Permit

Everett Leach, Shellfish Conservation Commission, was in attendance to explain the amendments to the Shellfish Management Ordinance.

- 9.6 Proposed Amendment to Title II, Chapter 11, Pesticide/Herbicide Ordinance  
 Amendments submitted by the Conservation Commission to the Select Board for Review and Consideration

Michael Horn, Chairman of the Conservation Commission, presented the proposed amendments during the Public Hearing.

- 9.7 Proposed Article from the Conservation Commission- Douglas Mayer  
 Request from the Conservation Commission for an Article to be placed on the Annual Town Meeting Warrant for a one-time expenditure from the “*Land Conservation Reserve Fund*” for a stewardship contribution to the Great Works Regional Land Trust

Doug Mayer, Conservation Commission, was in attendance to answer questions from the Select Board.

- 9.8 Citizen’s Petition- Judy Dennis  
 A Citizen’s Petition submitted to the Select Board for Review and Consideration regarding Business District Expansion

Judy Dennis, petitioner, was in attendance to give the Select Board and the public the reasoning for the submission of her petition.

- 9.9 Town Manager’s Contract- Chairwoman Dailey  
 Select Board approval of a New Contract for Town Manager Thomas A. Fortier

**031913-06** Motion made by Robert Winn and second by David Barton to approve the new contract for Town Manager Thomas A. Fortier, through 2016; approved 5-0.

10.0 MISCELLANEOUS BUSINESS – ORAL & WRITTEN COMMUNICATIONS – FOLLOW-UP

10.1 Public

**Ben Hershenson**

- Comments about the fundraising efforts for the Marginal Way

10.2 Select Board

**Selectman Daley**

- Comment about the use of OVS as an artist’s “colony”.
- Comments about the wording of warrant articles.

**Selectman Winn**

- Thanked the Marginal Way Committee, the Conservation Committee and the work that everybody does with the Shellfish Commission; a lot of time is put in.
- Comments about the budgetary items that may come down from the State and School District to the local level. Get out and vote.

**Selectman Jarochym**

- Thanked everyone for coming out tonight in the terrible weather, big turnout.
- Reiterate that the Public Forum for the Public Works Building is next week.

**Selectman Barton**

- Comment about the service available from the Chamber of Commerce – “Shredding”, which is free of charge.
- Comments about votes that don’t show on citizen’s petition, the vote just allows it to be on the town warrant.

**11.0 ADJOURNMENT**

Motion made by Robert Winn and second by David Barton to adjourn the meeting at 9:17pm; unanimous vote to adjourn.

Respectfully submitted,

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Cheryl L. Emery, Administrative Assistant to the Town Manager