

**TOWN OF WEBSTER
BOARD OF SELECTMEN
DEBORAH KEEFE, CHAIRMAN
ROBERT MILLER, VICE CHAIRMAN
WILLIAM STARZEC
JEFFREY DUGGAN
MARK DOWGIEWICZ**

A Board of Selectmen's Meeting was held in the Selectmen's Meeting Room at the Town Hall on Monday, August 5, 2013. Chairman Keefe called the meeting to order at 6:10 p.m.

Attendance: Jeffrey Duggan, Mark Dowgiewicz, William Starzec, Robert Miller, Deborah Keefe

Conservation Commission: Paul Brodeur, Jeff Dowgiewicz, Richard Franas, Joseph Kabala, Marissa McCann and Bennett Smith

Pledge of Allegiance: Selectman Keefe led the Selectmen in the Pledge of Allegiance.

**Conservation Commission Joint Meeting – Indian Princess
Conservation Commission Submittal/Wetland Protection Act**

Mr. McAuliffe stated the Board of Selectmen and the Conservation Commission were holding a joint meeting in order for everyone get on the same page with fully understanding the substantial undertaking for the Notice of Intent. He stated the Conservation Commission voted to have Webster Ventures submit a Notice of Intent for the proposed paddle boat. He stated the Notice of Intent would have a full set of engineering plans. He stated the Conservation Commission has yet to receive the Notice of Intent from Webster Ventures. Attorney Goldrosen from Kopelman and Paige stated he had been in contact with Attorney Sullivan who represents Webster Ventures and they have indicated the boat will be launched without a Notice of Intent. Chairman Keefe stated a Notice of Intent is needed in order to launch the paddle boat. She stated the Board of Selectmen are the Water/Sewer Commissioners and need to see a full set of plans for the connection layout. Selectman Miller stated as Water/Sewer Commissioners their main concern is that there isn't a rupture in the sewer line. Chris Roberts came forward. He stated the Notice of Intent would be filed within a week. He stated they are working on this very aggressively. He stated he can't give a date when the boat will be launched. He stated he did not have time to meet with his Attorney because his attorney is on vacation and he just found out about the meeting on Monday. Mr. McAuliffe stated he spoke with the Department of Environmental Protection and they stated the project should not move forward until a Notice of Intent is filed. Mr. Roberts stated he needs his Attorney to review the documents before commenting on them. He stated at this time there is no legal president that would stop the launching of this boat. Bennett Smith stated the Notice of Intent is required.

Conservation Commission Vote

Motion: made by Richard Franas, seconded by Marissa McCann to send a letter of enforcement to Webster Ventures stating the Notice of Intent must be filed and that the project should not move forward.

Vote: Paul Brodeur, Jeff Dowgiewicz, Richard Franas, Joseph Kabala, Marissa McCann and Bennett Smith

Motion: made by Selectman Miller, seconded by Selectman Starzec to approve the legal costs associated with the enforcement of the Notice of Intent issued by the Conservation Commission.

Vote: Mr. Duggan – yes, Mr. Dowgiewicz – yes, Mr. Starzec - yes, Mr. Miller – yes, Chairman Keefe – yes.

Attorney Goldrosen stated Webster Ventures needs to file a Notice of Intent with the Conservation Commission. Once that notice is filed the Conservation Commission needs to review the documents. Chairman Keefe emphasized that everything should be included in the Notice of Intent when it is filed. She stated this will allow the Conservation Commission to move forward without delay.

Chairman Keefe called for a five (5) minute recess.

APPROVAL OF MINUTES

Motion: made by Selectman Miller, seconded by Selectman Dowgiewicz to approve the meeting minutes of July 8, 2013.

Vote: Mr. Duggan - abstain, Mr. Dowgiewicz – abstain, Mr. Starzec – yes, Mr. Miller – yes, Chairman Keefe – yes.

Motion: made by Selectman Miller, seconded by Selectman Dowgiewicz to approve the meeting minutes of July 22, 2013.

Vote: Mr. Duggan - yes, Mr. Dowgiewicz – abstain, Mr. Starzec – yes, Mr. Miller – yes, Chairman Keefe – yes.

Cindy Johnson – National Night Out

Chief Bent and Officer Ela came forward. Chief Bent stated Officer Johnson was unable to attend the meeting due to prior commitments. He stated National Night Out will be held on Tuesday, August 6, 2013 from 5:00 p.m. to 8:00 p.m. at Memorial Beach. He stated this program is designed to build better relationships with the community and the Police Department. Officer Ela stated the Hoops for Hope Program started its seventh (7) year. He stated Officer White, Officer Reed and himself have all been very active in this program. He stated the program is being held at the Boys and Girls Club in Dudley. Chief Bent stated the Junior Police Academy will also start Monday, August 12, 2013.

Gregory Vasale – Building Permit Request

Gregory Vasale came forward. Mr. McAuliffe stated the Fire Chief, Building Inspector, Health Agent and himself did a site visit on Mr. Vasale property located at 25 Fifth Street. Mr. Tetreault stated the building needed exterior and interior repairs. He stated Mr. Vasale needs to immediately repair the hole in the exterior wall at the rear of the property. He stated repairs must also be made to the dormer and roof. He stated the gutters need to be replaced. He stated the inside ceiling was also in need of repairs. Chief Hickey stated Mr. Vasale needed smoke detectors and carbon monoxide detectors. He stated Mr. Vasale needed to unblock the egresses. He stated there was a considerable amount of debris inside the dwelling that needs to be removed. Cathleen Liberty stated Mr. Vasale needs to remove all of the excess debris from inside the porch area and remove all of the overgrown vegetation at the exterior of the property. Selectman Miller asked the length of time needed to have the improvements completed. Mr. Tetreault stated he was looking into granting Mr. Vasale a thirty (30) day building permit. He said this would allow the Fire Chief, Health Agent and himself to see if Mr. Vasale is making progress. Selectman Miller stated this building project has been going on for over ten (10) years. He stated the property has been getting progressively worse. He stated neighbors are complaining. Chairman Keefe stated the Board needed to know if repairs can be done within thirty (30) days. She stated there needed to be expectations. Mr. Tetault stated the house needed to be cleaned out. He stated the exterior needed to be repaired and the interior be cleaned out. Chairman Keefe asked if this building permit undertaking would be realistic based on his financial hardship. Mr. Vasale stated he is trying to get this house rehabbed so that he can rent the property for income.

Motion: made by Selectman Dowgiewicz, seconded by Selectman Duggan to approve a 30 day building permit to Mr. Vasale with the stipulation that he completes all the areas disclosed in the Hazard Mitigation Plan.

Vote: Mr. Duggan - yes, Mr. Dowgiewicz – abstain, Mr. Starzec – yes, Mr. Miller – yes, Chairman Keefe – yes.

Selectman Keefe asked to have this on the September 9, 2013 agenda for an update.

Price Chopper – Request for a Full Liquor License

Attorney Howard Lane came forward. He stated that at the May Annual Town Meeting there was an article that granted the Board of selectmen the authority to petition Legislation for an additional full liquor license. He stated Price Chopper hired Atlantic License Brokers to identify any potential current license holder willing to sell. He stated out of the four full liquor license holders in Town only two of them are willing to sell. He stated one license holder is willing to sell for one million five hundred dollars (\$1,500,000) and the other one is willing to sell for two million five hundred dollars (2,500,000). He stated the last license sold in Town for roughly four hundred fifty thousand (\$450,000) He stated because Price Chopper is a large corporation license holders are quadrupling the price. He stated he would like to have the Board of Selectmen uphold the vote taken at Town Meeting. Selectman Starzec asked why Price Chopper wanted a full liquor license. He stated they had their beer and wine license for a very long time. Attorney

Lane stated Price Chopper has a brand new store and would like to offer their customers the convenience of one stop shopping. He stated three other Price Chopper's in New England have full liquor licenses. Mr. McAuliffe stated Price Chopper is a first class business and holds them in the highest regards but believes this would impact the small individual owned package stores. Chairman Keefe stated she is not in favor of granting this license. She stated the liquor licenses are granted by population. She stated the small local businesses would suffer because of this approval. Selectman Miller stated the Board received a letter from Attorney Lane and would recommend the Board send the letter to the Town's legal counsel for review.

Motion: made by Selectman Miller, seconded by Selectman Starzec to send the letter from Attorney Lane to Kopeleman and Paige for review.

Vote: Mr. Duggan - yes, Mr. Dowgiewicz – abstain, Mr. Starzec – yes, Mr. Miller – yes, Chairman Keefe – yes.

Leslie Baker – Recreation Committee Update

Leslie Baker came forward. She stated the Recreation Committee has run several events and she wanted to give a quick update. She stated the Recreation Committee hosted the 1st Annual Easter Egg Hunt, which was a learning experience. She stated they gained useful information which they will use next year. She stated they held a family movie night at the Town Hall. She stated the Summer Concert Series was very successful. She stated August 14, 2013 will be the last concert of the series. She stated the Committee has open positions for anyone that is interested.

Henry Konkel – Dock Complaint

Mr. McAuliffe stated he has been in contact with Mrs. Dery regarding Raymond Regis's dock. She stated the Building Inspector has gone out to the property and a notice has been sent out to Mr. Regis. He stated this is something the Town needs to work on. He stated the Attorney General's Office has ruled that Webster Lake is a great pond. He stated that the Town has been waiting for over a year to hear from the Massachusetts Department of Environmental Police to see who regulated the lake. He stated right now it is a tangled mess. He stated this is a situation that won't get resolved this year but would love to form a Committee in order to address these issues. Chairman Keefe stated the Town is working on getting together a Committee to review dock regulations for Webster Lake. Mr. McAuliffe stated the Town does not have a clear answer to who has authority of the lake. Mrs. Dery stated she just doesn't understand why a business is being run in a residential zone. Mr. McAuliffe stated that there is a difference between a police issue and a zoning issue. He stated a letter has already gone out to Mr. Regis.

Selectman Duggan excused himself.

David and Tammy Nigro – Sewer Connection

David and Tammy Nigro came forward. Mr. Nigro stated he and his wife purchased a new home in Webster very recently. They quickly found out they weren't connected to the sewer. Mr. McAuliffe stated the prior owner pulled a permit to connect to the Town's sewer, but never completed the project. He stated the prior owner was billed quarterly for the sewer connection and the bills were always paid. When the property was purchased it was marked on the Town's books as being connected to the sewer line. Mr. Nigro stated they were seeking an exemption of the balance for the sewer connection since it was the Town's error.

Motion: made by Selectman Miller, seconded by Selectman Dowgiewicz to waive the unpaid balance for the Town's sewer connection to David and Tammy Nigro.

Vote: Mr. Dowgiewicz – abstain, Mr. Starzec – yes, Mr. Miller – yes, Chairman Keefe – no.

Chairman Keefe stated she voted no because she believes the Nigro's should be given credit for the amount already paid towards the sewer bills, but should still owe the balance for the connection.

Town Administrator's Report

Mr. McAuliffe stated he held a Financial Team Meeting.

He stated he held a DPW Team Meeting.

He stated he attended a meeting with Tata & Howard. He stated they are the Water Department Consulting Engineers.

He stated he attended a Master Plan Steering Committee.

He stated he attended the Police Station Building Committee Meeting.

He stated he met with Rawson Road neighbors.

He stated the Board of Health Agent, Building Inspector and himself did a two week site visit to the Vasale property. He stated Mr. Vasale is making some progress.

He stated he attended the Cable Committee Meeting. He asked to have this topic on the next agenda.

He stated he would like to have Deputy Chief Jolda come to the next Selectmen's Meeting for his official swearing in. He stated Deputy Chief Jolda will be full time.

He stated he attended a WRTA Stakeholders Meeting. He stated they went over what direction the WRTA was heading in the next couple of years.

He stated he did have a need for Executive Session.

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

Vote: Mr. Duggan – yes, Mr. Dowgiewicz – yes, Mr. Starzec - yes, Mr. Miller – yes, Chairman Keefe – yes

Old Business

Selectman Duggan recused himself.

Mr. McAuliffe stated the Board already voted the new Memorandum of Agreement for the DPW and Clerical Union Contracts. He stated the Memorandum of Agreement and the old contract has been combined into one document. He stated the Board just needs to ratify the documents.

Motion: made by Selectman Dowgiewicz, seconded by Selectman Miller to ratify the Memorandum of Agreement and for the old contract to be put into one document.

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

Selectman Duggan returned.

Mr. McAuliffe stated there are outstanding taxes owed on the Loveland property. He stated someone wants to purchase the property but would like the house demolished. He stated he would suggest the Board grant the demolition permit in order to get the property back on the tax roll. Chairman Keefe stated there was fifty-five thousand (\$55,000) owed in taxes. She asked if the Town would get the back taxes owed. Mr. McAuliffe stated the Town will get the taxes owed. He stated this is a very large parcel. Chairman Keefe stated the Board authorized the Town Administrator, at a prior meeting, to grant demolition permits at his discretion.

Chairman Keefe stated the Board received a letter from Saint Louis Parish requesting a "One Day" liquor license for Saturday, September 14, 2013.

Motion: made by Selectman Dowgiewicz, seconded by Selectman Miller to approve the "One Day" liquor license for Saint Louis Parish on Saturday, September 14, 2013.

Vote: Mr. Duggan – yes, Mr. Dowgiewicz – yes, Mr. Starzec - yes, Mr. Miller – yes, Chairman Keefe – yes

Chairman Keefe asked to have the letter forwarded to the Clerk's Office because they also requested a raffle permit.

Informational Mail

Selectman Miller stated the Board received a letter from Stanley Sumrall owner of The Page Turner Bookstore. He stated Mr. Sumrall is requesting that signs be put up near the parking lot behind Dunkin' Donuts which read "Municipal Parking." Chairman Keefe asked to have this forwarded to the Safety Committee.

Selectman Miller stated he would like to give a brief update on the Polish American Citizens Club. He stated the ABCC had revoked their liquor license indefinitely.

Adjournment

Motion: made by Selectman Miller, seconded by Selectman Dowgiewicz to adjourn the regular session meeting at 9:48 p.m.

Vote: Mr. Duggan – yes, Mr. Dowgiewicz – yes, Mr. Starzec - yes, Mr. Miller – yes, Chairman Keefe – yes

Respectfully Submitted,
Courtney Friedland