

Selectmen Present: Karen Quigley, Chairman
Edwin G. Carr
Frederick Koed
Paul Carlson
Leland H. Jenkins

Others Present: Steve Lombard, Interim Town Manager
Jennifer Brennan Oram, Selectmen’s Clerk

Chairman Karen Quigley called the meeting to order at 7:00PM.

Interim Town Manager, Steve Lombard, announced that Town Counsel, Attorney Paul DeRensis, was named New England’s Super Lawyer and that he has received this honor for the past seven years.

Mr. Lombard stated that he had met with Stuart Ivimey, Chairman of the Community Preservation Committee. Mr. Ivimey has asked that anyone interested in seeking funds from the CPC at the Annual Town Meeting file their applications by February 15, 2011.

Selectmen’s Comment Period

Selectman Paul Carlson stated that the Coalition of Over flights has reached an agreement. Former Selectman Ralph Dormitzer spent a terrific amount of time and effort on this study group.

Selectman Leland Jenkins asked that the Board of Selectmen and the Advisory Committee be given the Management Letters from the Town Auditor for the past five years. Mr. Lombard stated he would get the letters to them.

Chairman Quigley stated that she had the privilege of attending an event for Jennifer Curly and Meghan Salerno who both achieved the highest level in Girl Scouts, the Gold Award.

Chairman Quigley asked the Board if they would like to move the Board meetings to Tuesday nights. Selectman Carlson stated that Monday nights are very busy in the area and parking is difficult. Chairman Quigley stated they could move the meetings to Tuesdays in January.

Public Comment – Mr. Merle Brown updated the Board on the status of The Meeting House Pond project. He stated they will be putting a clay bottom in and hope to be finishing up the project in a few weeks. Mr. Brown said they hope to put a bronze plaque on the pudding stone showing the dates of all of the upgrades.

Licenses & Permits – Mr. Ralph Constantine, owner of Constantine’s Restaurant located at 156 King Street, has requested an Entertainment License for Monday – Saturday. He addressed the Board and stated the music would be more for background and would not go later than 11:30 or 12:00. **Selectman Carr moved to approve and sign the license. Selectman Koed seconded the motion and the vote was unanimous (5-0).**

Tax Classification Hearing - Deputy Assessor, Mary Quill, addressed the Board. Ms. Quill explained that calculations are done to see if the Town would want to do a uniform tax rate for the residents and businesses, or split it and have the businesses pay a higher tax rate. **After a brief discussion, Selectman**

Frederick Koed moved to adopt a uniform tax rate. Selectman Edwin Carr seconded the motion and the vote was unanimous (5-0). Selectman Koed moved to not adopt the Small Commercial Exemption. Selectman Carlson seconded the motion and the vote was unanimous. (5-0). The Board will have to set the rate at a future date due to the possible need of a transfer at a Town Meeting. Selectman Carlson moved to continue the hearing. Selectman Koed seconded the motion and the vote was unanimous (5-0).

Review of Emergency Selectmen’s Meeting held on 11.22.10 –The Board and Mr. Lombard reviewed for the community the discussion held at this meeting (minutes are available online at www.townofcohasset.org and in the office of the Board of Selectmen).

Set Date for 2011 Annual Town Meeting & Election – Mr. Lombard explained to the Board that by law, they have to set a date for the Annual Town Meeting and the Election by December 1st. In the past, the ATM has been held in March or April. Mr. Lombard suggests they hold the ATM on Saturday, April 30, 2011 and the Election a week later on May 7, 2011. He stated that by having the ATM later, it will give more time for firmer figures for the budget. After a brief discussion, **Selectman Carr moved to have the Annual Town Meeting on Saturday, April 30, 2011 and the Town Election on Saturday, May 7, 2011. Selectman Jenkins seconded the motion and the vote was unanimous (5-0).**

Discussion of Increase of Facility Sticker Fee – Chairman Quigley asked if the Board would want to keep the Facility Sticker Fees at their current rate of \$50 and \$15 for seniors, or raise each by \$10 as proposed by the Budget Planning Group. Selectman Jenkins stated that he wants to see the operational costs of the dump before he would vote on a \$10 tax increase. Chairman Quigley stated that she recalled that during her first year on the Board, the costs were looked at and at that time, the Town was only covering 60% of the cost to run the facility. After a brief discussion, it was agreed to look at the costs and what the revenues the RTF is taking in with the sale of bags etc. Ms. Adrienne MacCarthy of 85 Doane Street addressed the Board. She stated that she felt they should not be looking at a senior discount, but more as an equity piece. She stated that the schools have implemented fees in all area and that Cohasset is becoming a fee for service town. She stated that many people in Town can’t afford the sticker but there should be a mechanism to address that issue. She would like to see equity for all people paying fees.

Cultural Council Appointment – Chairman of the Cultural Council, Diane Kennedy, and Council member, Alex Adkins addressed the Board. Ms. Kennedy gave a background on the council for the Board. There are 260 Town Cultural Councils in the state of Massachusetts. Every year the Cohasset Cultural Council gives grants to varying programs in the community. She stated that they get about \$3,700 from the State for which they accept applications. After further discussion, Ms. Kennedy asked that Mr. Adkins be reappointed to the Board. **Selectman Carr moved to reappoint Alex Adkins to the Cultural Council. Selectman Jenkins seconded the motion and the vote was unanimous (5-0).**

Cat Dam NOI Discussion – Chairman Quigley asked for the Board’s input as to what they would like to do with this issue. Selectman Koed asked if it would be more efficient to have a committee to review the NOI. Chairman Quigley asked who would be on the committee. Selectman Koed said the areas on each side. Chairman Quigley asked if he meant the citizens. Selectman Carlson stated that they have the report from the citizens (committee that was established in the past) and the report from CLE Engineering. He suggests the Board start with that. Selectman Carr stated that he would support a committee. Selectman Jenkins stated that he would support Selectman Koed has been saying and get a committee from both sides. Selectman Jenkins said that the Town cannot spend any more money on

this issue as it is a no win for the Town. He feels that both sides could work together and put together an NOI that is acceptable to both sides. He does not think the Town itself should be involved with this. Selectman Carlson stated that the Board has to get something back to the Conservation Commission. Once that occurs, then Conservation holds their hearings. Chairman Quigley stated that the only Town entity that has any regulatory jurisdiction on this issue is Conservation. She stated that the citizens and the Board have tried in the past to work on this issue. Significant information has been presented by both sides outlining their concerns and their recommendations; the most recent of them being submitted the day of this meeting. She stated that if this is the course that has been chosen, then she suggests that it is time to deal with it. Chairman Quigley added this issue has been discussed since 2007 and here it is 2010 and it's back before the Board. She would be opposed to starting the process all over again. She feels it would be a waste of both the Board's and Citizen's time. If the Board feels it is in their jurisdiction to make a decision regarding this, then the Board should move it forward. Selectman Koed asked to go to page 27 of the NOI where it addresses the Committee. He would like the Committee to be formed before the NOI is recommended to Conservation and he would like Citizen input on the make up of the committee. There was an extensive conversation about the proposed committee in the NOI and what the Board would like to recommend to the Conservation Commission. Chairman Quigley stated that the make-up of the proposed Advisory Committee in the NOI was based on the Straits Pond model. Selectman Koed stated that he would like a group of citizens to review the NOI and compile their comments. Chairman Quigley stated that except for the most recent letters submitted, the Conservation Commission everything has already been provided to the Conservation Commission.

Chairman Quigley then opened up the discussion to the audience. Mr. Salvatore Lanuto of 45 Little Harbor Road stated that he did not think the 19 names were not supposed to be a committee but more of a composition of the abutters most directly affected. Chairman Quigley asked to clarify if they would be acting as a Citizen's Group that is hiring a new engineer and filing a new NOI. Mr. Lanuto said that it would be more of a modification of the existing NOI. Mr. George Chamillard of 400 Atlantic Avenue stated that it was more an issue with the governance of the dam and what the governance model going forward would be and that there are many issues that need to be looked at with a group of citizens. They feel the model that the town has enjoyed for years has worked. He stated that the schedule that Mr. McNulty has submitted over the years has worked and that the citizens have paid for the maintenance of the dam. He then handed out a flow chart showing a newly proposed Advisory Committee called the Inner Little Harbor Preservation Association (ILHPA). He stated that this association would have bylaws and would get the community to work together. Mr. Stephen Brown of 275 Jerusalem Road stated that if it were a matter of aesthetics they would all get along. However, it is a matter of law and the Wetlands Protection Act. Mr. Brown stated that the Board could approve the model that Mr. Chamillard presented, but he does not think it has been successful. He added that the Board could submit it and then discover that it does not comply and there would be an appeal and a large expense. He stated that if they want a committee, why not have State and Federal people, people from the regulatory groups and the Board of Selectmen be on the advisory group. Selectman Jenkins asked Mr. Brown if he thought the first NOI covered the government requirements. Mr. Brown stated that he thought it would and he also thought that the recommendations that Mr. Chamillard made were good but that they could work with the existing NOI. Mr. Thomas Killilea of 44 Little Harbor Road addressed the Board. He stated that twenty families wanted to participate so they hired experts and bring forward tonight fresh and current data. He stated they found flaws in the work of CLE Engineering. He stated that they are in a position to present a new NOI before Christmas so that the Conservation Commission will have their time to review it. Mr. Killilea stated that the quality of what they will be submitting is much better and that it is a practical solution. Selectman Jenkins stated that

they should realize that if the Board of Selectmen should accept this proposal and the NOI submission is changed, it should be recognized that a lot of people have already put in a lot of hard work on the existing NOI.

There was then an extensive conversation amongst the Board. Selectman Carlson stated that the Board has heard a proposal from abutters that the dam would be open more often and thus putting less pressure on the gates. He does not know if they could get a committee together and up and running to review both proposals and to come up with a recommendation in the time frame needed. He suggests the Board look at the final report of the abutters and make the comparison themselves between that report and the CLE NOI. Ms. Susan Playfair of 249 Jerusalem Road stated that there is a lot of folk lore about how they got to this point and that everyone should review the history. She stated that she goes back to what Mr. Brown has said and that there are stated people that are paid to protect the dam. Mr. Richard O'Connell of 249 Jerusalem Road stated that he was on the original committee from a few years ago that worked with other abutters to create a schedule. They proposed a schedule that was ultimately rejected by many people. He stated that the issue is aesthetics which he does not mind. He added that the current NOI is based on pre-existing data, but that he would take a look at Mr. Chamillard's proposal. He thinks that people need to keep in mind that in the end, Inner Little Harbor may need to be tidal in its natural state. Mr. Bristol Rogers of 68A Nichols Road addressed the Board stated that he is new to Town and that what he says is a break down in the democratic process. He urged the Board to create a committee as he feels it will help create a happy community.

Selectman Koed that they need to decide if this is the best NOI that they can create. Selectman Carr stated that he felt there are improvements to be made; he would like to tighten up the list (of Advisory Committee members) and look at the new data. Chairman Quigley stated that the Board has two meetings scheduled in December on the 6th and 13th after that the Board can make a decision and file with the Conservation Commission by January 2011.

Selectman Jenkins moved to adjourn the meeting. Selectman Koed seconded the motion and the vote was unanimous. Meeting adjourned at 9:20PM.

Respectfully submitted,
Karen Quigley
Chairman

Documents:

Cat Dam – hand out from George Chamillard dated November 29, 2010.