

Members Present: Paul Carlson, Chairman
Karen Quigley
Frederick Koed
Ralph Dormitzer
Edwin G. Carr

Others Present: William R. Griffin, Town Manager
Jennifer Oram, Selectmen’s Clerk

Chairman Paul Carlson called the meeting to order at 6:15 PM. Selectman Frederick Koed moved to go into Executive Session to discuss Collective Bargaining. Selectman Ralph Dormitzer seconded the motion.

**Selectman Quigley – Aye
Selectman Carr – Aye
Selectman Dormitzer – Aye
Selectman Koed – Aye
Chairman Carlson – Aye**

The meeting came back into open session at 7:15PM.

Sheila Sullivan – Ovarions for a Cure Charity Walk – Ms. Sullivan addressed the Board and reviewed the plans for her walk. She stated she expected about 100 walkers and has worked with Safety Officer, Lieutenant Quigley on the route and safety issues. The walk will take place on Sunday, September 13, 2009. **Selectman Ralph Dormitzer moved to approve the walk. Selectman Frederick Koed seconded the motion and the vote was unanimous (5-0).**

Consideration of DiNero’s Keno License Appeal – The Board must decide if they want to appeal the decision from the State Lottery Commission granting DiNero’s a Keno License. The Board needs to file the appeal by May 7, 2009. Mrs. Maria Plante of 18 Grace Drive and direct abutter to the restaurant reviewed her reasons she is opposed to the license and hopes the Board will appeal it. Mrs. Mary Olson of 800 Jerusalem Road also spoke against the decision of granting the license and asked the Board to appeal it. Attorney Gregory Sullivan spoke on behalf of the restaurant. He stated that the Board has the right to object, but that ultimately it is up to the Lottery. He stated that the area is a business district and that the owner’s have complied with all of the Board’s previous requests. The Board reviewed their options. Town Manager, William Griffin, said that the estimated cost for this appeal was \$4,000. Chairman Carlson stated that he felt the chances of the Town winning are slim and that he feels it would be a waste of money for the Town. He feels DiNero’s is a well run restaurant. Selectman Koed stated that he voted against the granting of the license twice. Selectmen Edwin Carr and Karen Quigley also agreed the Board should appeal the decision. **Selectman Dormitzer moved to appeal the decision of the State Lottery Commission granting DiNero’s restaurant a Keno License. Selectman Carr seconded the motion. (4 -1, four in favor, Chairman Carlson against).**

Budget Planning Group – Designation of Selectmen Representative – Chairman of the Advisory Committee, Sam Wakeman, addressed the Board. Selectman Dormitzer stated that where this Group is creating policy, it should report to an elected Board. He recommends the Group report to the Board of Selectman. Mr. Sam Wakeman of the Advisory Committee, agreed. After a brief discussion, **Selectman**

Carr moved that Chairman Carlson and Selectman Quigley be designated as the Group's Selectmen Representatives. Selectman Koed seconded the motion and the vote was unanimous (5-0).

Sandy Cove Access Easement – Selectman Dormitzer recused himself and moved to a seat in the audience. Town Manager, William Griffin, gave a bit of background on the situation stating that for years the Town has been accessing the pipe via Lothrop Lane which the Town does not have the right to do. The Board has now had the proposed easement location surveyed and he and Board members have been working with the six property owners affected for several months adjusting and adding language with Town Counsel to the proposed easement. Selectman Koed stated that he was concerned about signing a document that he feels could come back and hurt the Town. He feels that as written, the Town would not be able to fix the pipe should it need maintenance. Selectman Quigley stated that she would not sign it as written. She said that she is frustrated by all of the changes and additions made by the land owners. She said that she feels the Town should take the front end loader down the original [Bigelow] easement. Selectman Koed asks that the language prohibiting the Town to fix the pipe be removed. Chairman Carlson stated that he too did not want any restrictions on the Town when it comes to maintaining the pipe. Chairman Carr asked if anyone in the audience wished to speak. Mr. Peter Whittemore of 47 Elm Court feels the Board should use the Bigelow easement. He stated that if they did so, they would only need the permission of the Houghtons at 91 Atlantic Avenue and the Sceerys at 95 Atlantic Avenue. Mr. Michael Sceery of 95 Atlantic Avenue stated that he wanted the Town to be able to maintain the pipe. Dr. John Connolly of 85 Atlantic Avenue arrived at the meeting. He stated that he has worked very hard with the Town to reach a common ground and get the Town access to the pipe. He said that in respect to the fixing of the pipe, if the pipe should require that, he feels that would be fine, he said they just want to be asked by the Town first. Chairman Carlson asked if Dr. Connolly would he be OK if the verbiage of allowing the Town to fix the pipe, with proper notification to abutters, were added to the easement. Dr. Connolly said they would have no objections to that. Selectman Quigley suggested there be another draft adding the language about the Town being able to fix the pipe if needed and she feels that language should be incorporated that clearly states that the new agreement does not affect the 1964 Bigelow Easement. Selectman Quigley read aloud excerpts from an email from Attorney Lou Ross, she read “the only way to make certain that the new easement agreement is not to have any effect upon or otherwise diminish Town rights under the original Bigelow easement is to have a provision in the new easement to make that clear, as the Town originally requested”. Selectman Quigley asked Dr. Connolly if the language about the Bigelow Easement was acceptable to him. He stated that the language sounded good to him and added that he agreed the two easements should be kept separate. Mr. Charles Higginson on 159 Atlantic Avenue stated that he too thought the two easements should be kept separate and to just get the new easement completed. Mr. Eli Manchester of 83 Atlantic Avenue then joined the meeting. He stated that he thought this agreement had been agreed upon. He said that he agrees the Town should be able to fix the pipe if need be. He just wants to make sure the Town does not extend it. Mr. Griffin and Town Counsel will draft a new version that incorporates these changes and forward to all parties for review.

Lori Langenhagen – Wind Turbine Bylaw – Selectman Dormitzer returned to his seat. Mrs. Langenhagen was not present, her husband Conrad Langenhagen of 24 Sanctuary Pond Road and Mr. Jeffrey Patterson of 10 Sanctuary Pond Road, addressed the Board. Mr. Langenhagen stated that they are before the Board this evening to ask the Board to call a Special Town Meeting to repeal the current bylaw. He stated that the present bylaw has so many issues, i.e. flicker, safety etc., that he feels the bylaw should be repealed. They feel the Town should hold off on permitting turbines until the Green Communities Act is finalized. Mr. Langenhagen suggests that after the bylaw is repealed, a group of people could get together and create a bylaw that everyone can “buy into”. Mr. Langenhagen and

Mr. Patterson asked that until the meeting happens that they vote to put a moratorium on the existing bylaw so that further applications can not be filed with the Planning Board. They realize that all of this would not affect the present application before the Planning Board as it would be grandfathered. Mr. Patterson stated that he knows that his group could get 200 hundred signatures to call a Special Town Meeting on their own, but they feel the Board should call for both the meeting and the moratorium. Selectman Koed stated that there are only a few locations where turbines could be built in Town [as per the bylaw], most of which have been ruled out. He therefore does not see the urgency in calling a meeting or a moratorium. There was further discussion about the energy crisis and if there were or were wind energy provided benefits to the Town in the existing bylaw. Selectman Dormitzer stated that he has been a supporter for wind turbines the Alternative Energy Committee (AEC) from the beginning. He now feels there are questions about the benefits to the Town. Selectman Dormitzer read an excerpt from the proposed Master Plan that states that the aesthetic beauty is what drives the Town. He feels that it is time to take a step back and that the Town needs the moratorium on the bylaw. Selectman Quigley stated that she feels the present application is with the proper elected board and they have given the proposed project a lot of thought and will make their decision at their deliberation. She stated there is a proper mechanism in place for those who want to call the Special Town Meeting and she feels that would be the appropriate route to take. As for the aesthetic beauty, although some people may feel a turbine is blight on the Town, she feels that beauty is in the eye of the beholder. Selectman Carr stated that a Town Meeting costs money and would take some time to coordinate. He asks that they consider putting something like this on a regularly planned meeting so that those who normally attend Town Meetings are present.

Chairman of the Alternative Energy Committee, Andrew Willard addressed the Board. Mr. Willard stated that the only land, in terms of land the Town controls that could support a wind turbine under the present bylaw is at the DPW. As far as the Green Communities act, those laws are constantly being reviewed and are always in a state of flux. He stated that the bylaw went before Town Meeting twice and during the drafting of the bylaw, people from the community did not come forward and help draft it. He stated that Cohasset was one of the first towns to have a bylaw in place and was done so to protect the Town. Also, the AEC used the State's bylaw as its model. Selectman Dormitzer stated that when the bylaw was drafted, perhaps the visual impact was not considered. Mr. Willard stated that most people in Town look east and the proposed turbines are as far westward as can be. Planning Board member, Charles Samuelson, addressed the Board. He stated that he agreed with Selectman Koed that he did not see the urgency because the current bylaw allows the Planning Board to take the issues from all sides. He agrees that many parts are subjective, but he feels that the present bylaw has enough "meat" in it for the members of the Board to make an intelligent decision. Mr. Vaughn Littlejohn of 39 Hill Street and Mrs. Mary Olson of 800 Jerusalem Road asked the Board to put a moratorium on the bylaw. Attorney Kenneth Ingber of 5 Woodland Drive, the Attorney for the Developer that is presently before the Planning Board stated that without his client present, a great deal of information is being omitted.

Mr. Patterson then addressed the Board and stated that he and Mr. Langenhagen would be withdrawing their request that the Selectmen schedule a Special Town Meeting to consider a moratorium on the bylaw.

Town Manager's Report

Town Manger, William Griffin, asked the Board to consider a request from the niece of the late Harbormaster Harry Ritter, to affix a memorial plaque on the Harbormaster's building. Chairman

Carlson stated he would be concerned about setting a precedent as many fine people have served the Town and the requests for such tributes could get out of hand. Selectman Carr suggested the offer a proclamation. Selectman Dormitzer felt a proclamation would still be too much. Selectman Koed did not feel it was a big request. Selectman Quigley felt that if they did this one, the Town would see an increase in requests. **Selectman Carr moved to create a proclamation for former Harbormaster Harry Ritter. After a brief discussion, Selectman Koed seconded the motion and the vote was 4-1, Selectman Dormitzer against.**

Mr. Griffin asked the Board to approve a \$50.00 fee to clean the area of the Minot Light Replica prior to a wedding ceremony. **Selectman Dormitzer moved to approve the fee of \$50.00 for the clean up of the replica area. Selectman Carr seconded the motion and the vote was unanimous (5-0).**

Licenses & Permits – One Day Liquor License - Selectman Carr moved to approve a one-day liquor license for the Friends of Juvenile Justice at the South Shore Art Center on May 2, 2009 from 6:30PM-1AM, for beer and wine only. Selectman Dormitzer seconded the motion and the vote was unanimous (5-0).

2009 Junk Collectors Licenses – Selectman Dormitzer moved to approve eight (8) Junk Collectors Licenses for, Richard Ogden/Candlelight Antiques, Victoria King/King Jewelers, Richard M. Karoff/Twin Peaks Antiques, Social Service League of Cohasset/Cohasset Consignment Shop, Mark Cirone/Cohasset Jewelers, Sea Winds Charity Inc./Sea Chest Consignments, Nancy Pereto/Cohasset Antiques and Mathew Shannon/Mathew's Jewelers. Selectman Koed seconded the motion and the vote was unanimous (5-0).

Transient Vendor Licenses – Selectman Carr moved to approve three (3) transient vendor licenses for Susan Franklin/South Shore Refreshments/Del's Lemonade, Ahmad Alkhatahib/Zack's Ice Cream and Thomas S. Donahue/Hingham Yogurt, Inc., Nona's Homemade Ice Cream. Selectman Koed seconded the motion and the vote was unanimous (5-0).

Selectmen Comment Period

Selectman Quigley thanked everyone on Border Street for understanding the road closures.

Selectman Carr thanked everyone for their support during his Chairmanship and wished good luck to Chairman Carlson and Vice-Chairman Quigley.

Selectman Dormitzer asked for two volunteers to march in the Hingham 4th of July parade in honor of the Town's 375th anniversary. Chairman Carlson and Selectman Koed volunteered. Selectman Dormtizer also read a letter aloud from Marjorie Ritter. Mrs. Ritter is concerned that the beach off of Government Island may be eroding away from the wakes of large boats. Mr. Griffin stated he will ask Harbormaster Gibbons look into it.

Minutes – Selectman Koed moved to approve the minutes of March 23, 2009 as amended. Selectman Quigley seconded the motion and the vote was unanimous (5-0). Selectman Koed moved to approve the minutes of April 6, 2009 as amended. Selectman Quigley seconded the motion and the vote was unanimous (3-0, Selectman Carr and Selectman Dormitzer not present).

Citizen of the Year – Selectman Carr moved to sign the proclamation for Citizen of the Year, Joanne Chittick. Selectman Quigley seconded the motion and the vote was unanimous (5-0).

Selectman Dormitzer moved to adjourn the meeting. Selectman Quigley seconded the motion and the vote was unanimous (5-0).

Meeting adjourned at 9:50PM.

Respectfully submitted,
Chairman Paul Carlson