

Selectboard Minutes
May 7, 2012

Meeting opened at 7:05pm

Present: Noreen Suriner, Chair; Alan Vint, Clerk; Mitch Feldmesser
Duane Pease, Administrative Assistant

No warrants to review

Minutes of 3/22/12 were approved on motion by Alan, 2nd by Mitch; vote 3-0

Minutes of 4/30/12 were approved on motion by Alan, 2nd by Mitch; vote 3-0

Maryann Walsh came to the Board with a request to open a business; it would be a General Store type of business offering coffee and baked goods to go and other items from local artisans. She has obtained her business permit and it will be a DBA. Her business will be located in the business district in town. She would like to open by June 1st.

Noreen advised her she should contact Jackie Duda, Health Agent, and have her inspect the premises.

Alan noted she needed to check the By-Laws as there is greater scrutiny when providing food.

She was advised she should also check with the Building Commissioner, Planning Board and make sure the parking will be sufficient. It is best to do all this first rather than have to re-do it later. Just make sure she covers all the bases.

In Open Forum **Marie Pease** asked what is being done about the Petition that was handed in at the Town Meeting.

Noreen said the Board received the petition.

Marie then asked what the procedures are once it is received. Also, Marie said Noreen had stated one of the signees of the petition said he/she did not sign the petition and someone had signed his/her name to it.

Mary Wheeler asked if it could be discussed now.

Noreen said she would rather discuss it next week and run it by Town Counsel and get their comments on the petition.

Mitch motioned to put the petition discussion on next week's agenda, Noreen 2nd.

David Edwards asked if the Town Counsel opinion would be in writing

Marie wanted to know how items are sent to Town Counsel, individually or agreed as a group.

Noreen said Alan is usually the contact and the Board predetermines what the questions to the attorney are going to be.

Alan explained the attorney's responses are emailed to him and Noreen. Mitch does not have a private email and the attorney will not email to his business email so Mitch is provided with a paper copy of the email. All 3 will discuss what is to be asked of Counsel and how to proceed, the questions are formulated in advance and he will take notes of the phone conversation.

David Edwards wanted to know when it would go to Town Counsel and when an answer would be expected.

Noreen said it would be sent tomorrow and the answer would be back by Friday.

Town Clerk, Marge Batorski, certified 73 registered voters on the petition, there were 2 names signed that were not registered voters.

Tim Pease questioned Mr. Harris' letter and he would like that to go to Town Counsel also. He would like to know if it was legal to bring it to the Pre-Town Meeting and make it available by putting it out with the Town Report and other Town documents.

Patricia Baker asked if Kopelman & Paige comes back and says the petition is illegal, the Board needs to make sure there is still a form to express concerns.

Marie said she went around Friday night with her petition, did not go to the elderly, Town employees or their family members. Some of the people she approached to sign felt there would be retribution if they signed and others were afraid to sign. She got about 12 signatures.

Janet Rock said she had 3 people that said they did not know enough about the situation and didn't sign.

Ray Letendre complained about the taxes and the veteran's tax abatement.

Ray Gero, Veteran's Agent, said he was going to Boston with a complaint about the veteran's not getting their exemptions.

Alan explained there was a computer error and as soon as it was discovered the Tax Collector sent letters to all involved explaining the situation and that no one was charged more for their taxes and all received their exemptions.

Noreen said she did not like the resolution and she will do everything she can to appropriately defend the Town against anything that is detrimental to the Town and the people of the Town.

Mitch stated people want us to believe the road was legally closed and that has not been determined yet.

Marie said it was a large majority of voters expressing their feelings.

Alan stated in reality we have a legal and moral duty to defend this and a vast majority of the voters expressed that opinion.

Margaret Said whether it's a Selectboard or Town issue it has become a legal issue now.

David Edwards said a lot of the Townspeople see the Selectboard as acting unprofessional and half of the Town feels the Board is not doing a good job.

Janine Savoy wanted to know if there would be an open forum with Town Counsel regarding the pending lawsuit.

Noreen said that the Board would propose it.

Mary Wheeler said the individual votes to go into Executive Session were not in the minutes of the open session of the minutes.

Alan said the Executive Sessions were to discuss new information that was received from Town Counsel and how to approach it to protect the Town.

Another question from the floor concerned the tabling of the Harry Pease Road article at the Annual Town Meeting. **Alan** said he did not know of anything about the tabling until the day before the ATM.

Ray Gero was given a copy of a letter written by the Tax Collector regarding the Veteran's abatements and he called the letter hearsay and inflammatory.

Gary Wheeler gave the Board a print out of the legal reasons the Board can go into Executive Session.

Mitch motioned to go into Executive Session to discuss strategy regarding the Harry Pease Road lawsuit and not reconvene the regular session of the Selectboard Meeting, Alan 2nd.

Mary Wheeler said any votes taken must be taken in Open Session and the Board can't make decisions in Executive Sessions. She also asked what the Board's position was on the copies of the Harris letter that were allegedly made on the Town copy machine.

Noreen said she asked and was told the copies were made at home.

Vote to go into Executive Session at 8:20pm was: Noreen, Aye; Alan, Aye; Mitch, Aye.

Minutes respectively submitted by:

Duane Pease, Administrative Assistant

Minutes accepted with/without changes

Noreen Suriner, Chair

Alan Vint, Clerk

Mitch Feldmesser