

Selectmen's Meeting
October 24, 2011
4:00 pm

A meeting of the Board was held on the above date in the Fred B Morgan Jr. Meeting Room, Town Hall. Members present were: Arthur Smadbeck, Chairman and Margaret E. Serpa.

At 4:00 p.m. Mr. Smadbeck opened the meeting and recognized Ms. Joanne Resendes, Principal Assessor. Ms. Resendes was in to ask the Board of Selectmen to sign a letter to the Bureau of Local Assessment to request permission to send preliminary 3rd quarter bills for FY12 instead of actual, due to revaluation causing the tax rate to be delayed.

Ms. Serpa asked when Ms. Resendes anticipated having a tax rate.

Ms. Resendes replied she was hoping for February but it would probably be March.

Ms. Serpa asked if the 4th quarter bills would then be significantly larger.

Ms. Resendes replied that there shouldn't be a significant change. The only difference is that instead of the difference between FY11 and FY12 amounts being spread between two quarter bills it would all be on one. People should be prepared however, for the 4th quarter bill to be a bit more.

Ms. Serpa moved to sign the letter to the Bureau of Local Assessment. Mr. Smadbeck seconded. Unanimous.

Mr. Smadbeck then recognized Mr. Paul Mohair, Administrator of the Council on Aging.

Mr. Mohair had a request to accept a gift of \$500 from the Rotary Club earmarked for a new television for the Anchors. It was a thank you from the Rotary Club for allowing them to host the annual Pancake Breakfast at the Anchors Building.

Ms. Serpa moved to accept the gift. Mr. Smadbeck seconded. Unanimous.

Mr. Smadbeck then recognized Mr. Carl Watt. Mr. Watt is the co-chair of the Library Building Committee and wanted to give an update on the recent meeting with the Massachusetts Board of Libraries.

Mr. Watt stated that representatives from the Library Building Committee, the Library Director, the Project Manager, and the architects had a meeting recently with representatives from the MA Board of Libraries. It was a friendly meeting and went well. The Board stated that the town does have the grant and are well placed on the waiting list. They explained that the waiting list was due to the Governor's plan to spread the fund distribution over a few years. They also complimented them on the quality of the application and the details. It was an extremely optimistic meeting.

Mr. Smadbeck thanked Mr. Watt for the update and congratulated him on such a successful meeting.

The Board then approved the following items:

The minutes from October 3, 2011 and October 17, 2011.

Appointed William Veno to the MV Cultural Council as an Edgartown Representative.

Accepted the surrender of Détente's annual liquor license and closing date of October 31, 2011. They plan on applying for a seasonal license in the spring and opening seasonally.

A Yard Sale Permit for Rush and Fisher for the Woodger Family Trust at North Neck Rd. on October 30, 2011.

Two Travel Vouchers: one for the Wastewater Department and one for Animal Control.

There being a few minutes before the next scheduled item, Mr. Smadbeck asked Mr. Russell Smith, County Manager, if there was anything he would like to address with the Board.

Mr. Smith replied that he had just come to the meeting to observe and not on any particular mission.

Ms. Serpa asked Mr. Smith for an update on the courthouse window project.

Mr. Smith replied that they were having three done at a time and that there were twenty-eight windows total. They were about halfway through.

Ms. Serpa then recognized Police Chief Tony Bettencourt and Detective Sergeant Chris Dolby and stated that on a side note that the luncheon held by the Police Department for the senior citizens was very nice.

Chief Bettencourt stated that they had 34 participants and it was a good day.

Mr. Smadbeck then opened discussion about the application of RW Bryant Contracting to drill under Clevelandtown Rd. to run a new cable. The Board received a letter from Highway Superintendent, Stuart Fuller approving the project and stating that they should not disturb the road surface in any way drilling under it.

Ms. Serpa moved to approve the request with the stipulation that the Highway Superintendent is satisfied with any restoration to the road that is done after the project. Mr. Smadbeck seconded. Unanimous.

At 4:15pm Mr. Smadbeck opened the hearing for Sophia's One Stop Mart. Present for the hearing were: Det. Sgt. Dolby; Chief Bettencourt; Attorney Marilyn Vukota; Owner of Sophia's, Sastenes Souza; and Manager of Sophia's, Paulo Rodrigues.

Ms. Serpa recognizing Ms. Vukota stated that she wanted to divulge that she and Ms. Vukota were working on an estate together that it was unrelated to Sophia's and would not effect the hearing.

Mr. Smadbeck stated that they were all here because of sales to minors and that it is of the most importance that the underage people do not acquire alcohol. It is important to work effectively with the Police Department.

Det. Sgt. Dolby stated that in July the Police Department and the Youth Task Force (YTF) had a test of liquor establishments by having minors attempt to buy alcohol. Some did not pass by selling to minors and Sophia's was one of them. The establishments were spoken with and offered training by the YTF. It was recommended to Mr. Rodrigues that he talk to other liquor store owners for ideas and purchase of an id scanner of some type. Det. Sgt. Dolby stated that he followed up and observed the establishments. In mid-August he recognized a situation as a typical underage buy where one person in a group of young people parked in front of Sophia's went in. The young person came out of the establishment with two thirty packs of beer. Det. Sgt. Dolby approached the purchaser and upon further questioning discovered that the person was 18 years old. He handled all of this outside of the store. Afterwards, he approached the clerk who sold the alcohol. According to Det. Sgt. Dolby she seemed to not take him seriously. He stated that she should know how to spot a fake id and didn't seem to grasp the seriousness of the situation.

Ms. Vukota introduced herself as Sophia's representation and stated that her client was extremely apologetic. She noted that at the incident in question the clerk had called over another clerk to look at the identification and that they could not indicate whether it was a fake. Her clients are taking preventative measures and retraining their employees. They have also bought an identification scanner, as recommended, for the store. She stated that they take this issue very seriously.

Mr. Smadbeck stated that it is important that we all work as a team with the liquor license holder, the Police, and the Board of Selectmen. He hopes that the partnership gets stronger. The Police are ready to assist in any questionable identification issue. Just give them a call. It would be best to err on the side of caution.

Ms. Serpa pointed out that the first incident was in July and the second in August. There had not been any incidents since then.

Det. Sgt. Dolby pointed out that the establishment can refuse any sale that it deems suspicious. Other establishments have been known to do so.

Mr. Smadbeck stated that the Board could suspend Sophia's liquor license but, that he was more inclined to ask for co-operation with the understanding that if this were to happen again that there would be a hearing and possible suspension.

Ms. Serpa stated that it was unfortunate. She has heard that they understand the seriousness of this issue by what they have said and done afterwards by retraining the staff and ordering the machine. Also, there have been incidents since the one in August. She agreed with Mr. Smadbeck that the Board issue a stern warning. If it happens again they will definitely get a suspension of license. They should work together with the police and call them if there is any question of a piece of identification.

At 4:35pm Ms. Serpa moved to continue the meeting to the following day at 1:00pm to prepare for town meeting by going over the warrant. Mr. Smadbeck seconded. Unanimous.

Approved:

Arthur Smadbeck, Chairman

Not Present

Michael J. Donaroma

Margaret E. Serpa
Board of Selectmen

Respectfully submitted,

Kristy Rose
Assistant