

## Selectmen's Meeting

April 13, 2009

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, Margaret E. Serpa, & Michael J. Donaroma. Town Administrator Pamela M Dolby was present.

At 4:00 p.m. Mr. Smadbeck opened the Public Tree Removal Hearing for Peter Seigle of 54 Cooke St. to remove two Norway Maples #592 & #593 on the Tree Inventory. His next door neighbor, Bill Hudgins, was present to represent himself and the applicant. Stuart Fuller the Town Tree Warden was also present. Mr. Hudgins began by saying how dangerous the trees were to his and Mr. Seigle's homes and that a good storm was all it would take to end up with damage. They would like to remove the trees and replace with new ones.

Mr. Fuller was in agreement to removing and replacing the trees. They are in an advanced state of decline and should be replaced. The stumps will have to be ground with the stump grinder to be able to replace in the same spot.

Christina Miller spoke to save the trees. She was concerned about the appearance of downtown changing and Cooke. St not having as many trees as it used to. She would like the town to preserve trees instead of chopping them down.

Mr. Smadbeck pointed out that an arborist had reported that these trees are in poor and deteriorating condition. He understood the aesthetic issue. This is a safety concern. The Town doesn't want anyone hurt. Wanted to know when the last tree inventory was done and when the next would be taken.

Mr. Fuller said the last inventory was done in 2000. The next would probably be done in 2010. They happen about every 10 years.

Ms. Serpa pointed out that this process allows the trees to be replaced and to maintain the appearance of downtown. Without it the trees would just fall down and not be replaced.

Mr. Donaroma supports replacement. He went to see the trees and the one on the driveway has a soft trunk and is on its way out.

Mr. Smadbeck closed the Public Hearing at 4:12 p.m.

Ms. Serpa moved to approve removal of the trees and replacements of at least 4 1/2"-5" caliper. Placement and species to be approved by the Tree Warden. Mr. Smadbeck seconds. Unanimous.

The Board voted the following:

To approve the minutes of March 6, 2009 and February 17, 2009.

To approve a Permit to Occupy a Sidewalk for Michael Creech from April 14, 2009 to May 14, 2009 with the restriction that no chemicals, paint, or liquids of any kind be dumped down any street drain or left in the street to wash down a drain.

To approve six Livery licenses for the Trustees of Reservations.

To approve three Steamship vouchers: One for the Highway Department, one for the Water Department, and one for the Fire Department.

To approve the MV Goes Pink Walk on May 9, 2009.

To approve two yard sales: One for Stewart Robinson (Kusinitz) on Puwal Lane for the 18<sup>th</sup> and 19<sup>th</sup> of April and one for Thad and Cassandra Hyland on Herring Creek Rd. for the 9<sup>th</sup> and 10<sup>th</sup> of May.

Ms. Dolby then brought up the issue of The Right Fork Diner. They have failed to get their safety inspection done in time to renew their Liquor License. The Board cannot have any action without a hearing. The Building Inspectors office and the Selectmen's office have both called the applicant many times in an attempt to rectify the matter.

Ms. Serpa moved to set for the hearing April 27, 2009 at 4 p.m. Mr. Smadbeck seconded. Unanimous vote.

Ms. Dolby reminded the Board that there was no meeting on the following week and the next meeting would be April 27, 2009. She also wanted to recognize Mike Hathaway and the nice work he did on the benches down by the harbor and all his help moving around the furniture in the Town Hall while it was under construction and after.

The Board decided to send Mike Hathaway a letter of recognition and thanks.

At 4:18 Ms. Serpa moved to go into Executive session to discuss pending litigation and to return to general session at 9am the following morning to discuss the Annual Town Meeting with Town Counsel and the Town Moderator. Mr. Smadbeck seconds and the vote is unanimous.

At 9 am on April 14, 2009 Mr. Smadbeck reconvened general session. Present was Arthur Smadbeck, Margaret Serpa, Michael Donaroma, Ron Rappaport, Pam Dolby, & Jeff Norton to discuss the Annual Town Meeting. The Town Meeting Warrant was reviewed by all present. It was reviewed who would speak to each article from each department. Specifics were discussed on the following articles: #18 was misprinted. It should say that FINCOM did *not* recommend. #22 there was a legality issue where the requestor did not have the RFP to use the facility it was requesting money for. Would add stipulation of approved RFP on town meeting floor. #24 was going to be amended to \$6000. FINCOM has said it would recommend based on new amount. #45 a petitioned article is not a legal article.

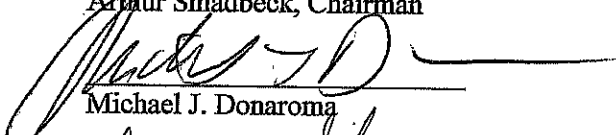
The Budget was then discussed. The items were discussed: Line #14 the Collector's longevity is missing from the amount and it will be amended at the meeting. #91 Dukes County Regional Housing had no appropriation in 2009. Line #33 would be explained by Adam Darack at the beginning of Town Meeting in his report. The bottom line of the budget is correct.

Ms. Serpa moves to adjourn at 9:28 am. Mr. Smadbeck seconds. Unanimous.

Respectfully submitted,

Approved:

  
Arthur Smadbeck, Chairman

  
Michael J. Donaroma

  
Margaret E. Serpa  
Board of Selectmen

Kristy Rose  
Temporary Assistant