

## **MINUTES – SELECTMEN’S MEETING**

**Monday, September 14, 2015**

**Selectmen’s Hearing Room**

Present: Matthew J. McDonough; Stephen G. Robbins; Michael G. Bradley; Rocco J. Longo, Town Administrator

Matthew McDonough opened the meeting at 7:30 p.m. and announced that the meeting is being recorded by MCTV and WATD. Mr. McDonough took a moment to thank the Historical Commission for the great 375<sup>th</sup> birthday celebration that they hosted for the Town on Sunday.

Town Administrator Report – Rocco Longo provided the Board with his weekly brief as follows:

- Will be presenting information about the effects of this past winter with Scituate Town Administrator at the MIIA Fall Conference tomorrow.
- The joint public hearing regarding the warrant for the Special Town Meeting will be held on Tuesday, October 6, 2015 at the Ventress Library Program Room.
- The Attorney General’s office has received 22 ballot questions for the November ballot; Mr. Longo gave a brief explanation of some of these questions.
- The Governor has announced that excess revenue will be distributed to towns and cities through Chapter 90 funding to help with storm damage from last winter.
- Attended a Safety Committee meeting last week, School Department did not attend.
- Working on a seawall grant with the Town Accountant and Interim Finance Director.
- Jeremy Stanford and Greg Guimond have put together a permitting guide that will be available to the public soon to help streamline the process of obtaining Town permits.
- Re-advertised the Finance Director position as Treasurer/Collector, hoping for a better pool of candidates with this second search.
- Interviewing Systems Analyst candidates this week. Will be looking at the applications for Local Building Inspector next week.

Ming Dynasty – Request to Close Restaurant for Additional 90 Days – Matthew McDonough noted that the restaurant has been closed since February due to a roof collapse. Mr. McDonough read the letter from Henry Wong giving the Board an update on their progress and stating that he hopes to reopen within 90 days. After a brief discussion, Steve Robbins moved, seconded by Mike Bradley, to approve this request to remain closed for an additional 90 days. The vote was unanimous.

Boys & Girls Club – Marshvegas Thanksgiving Classic Road Race – Matthew McDonough read through the request for permission to hold this race on Thursday, November 26, 2015 beginning at 7:30 a.m. Mr. McDonough noted that the Safety Officer has recommended approval with conditions. Steve Robbins moved, seconded by Mike Bradley, to grant permission for this road race with the conditions set forth by the Safety Officer. The vote was unanimous.

Historic Winslow House – Temporary Liquor License – Matthew McDonough read through the application for a one day Wine & Malt License for the Haunted Tavern Night at the Winslow House on Saturday, October 17, 2015. Steve Robbins moved, seconded by Mike Bradley, to grant this license. The vote was unanimous.

North River Arts Society – Temporary Liquor License – Matthew McDonough read through the application for a one day Wine & Malt License for the Members Show Opening Reception at the GAR Hall on Saturday, October 3, 2015. Steve Robbins moved, seconded by Mike Bradley, to grant this license. The vote was unanimous.

New Appointments to Historical Commission – Matthew McDonough read the letter from the Historical Commission requesting that Donna Beals be appointed to their committee and that Brendan Coyne be appointed as an associate member. After a brief discussion, Steve Robbins moved, seconded by Mike Bradley, to appoint Donna Beals to the Historical Commission for the remainder of a three year term that expires on June 30, 2016. The vote was unanimous. Steve Robbins moved, seconded by Mike Bradley, to appoint Brendan Coyne as an associate member of the Historical Commission for the remainder of a three year term that expires on June 30, 2017. The vote was unanimous.

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Temporary Entertainment License – Diva Dash – Matthew McDonough read through the application for this event which is scheduled to take place at the Fairgrounds on September 26, 2015. After a brief discussion, Steve Robbins moved, seconded by Mike Bradley, to grant this license contingent on a positive recommendation from the Police and Fire Departments and the Board of Health. The vote was unanimous.

Patrick’s Harborview Restaurant – Public Hearing to Consider Suspension or Revocation of Liquor License – Matthew McDonough opened the hearing at 7:45 p.m. Mr. McDonough read into the record the notice that was sent to Patrick Flaherty notifying him of this hearing and noted that Mr. Flaherty is not present at the hearing. Mr. McDonough explained the reason for the hearing and swore in all parties interested in speaking. Michael Bradley read into the record the letter that the Board of Health sent to Mr. Flaherty on August 21, 2015 notifying him of the revocation of his food establishment permit. Lt. Arthur Shaw of the Marshfield Police Department gave an overview of his dealings with Mr. Flaherty over the past month and said that Mr. Flaherty told him that he would not sign for any letters delivered from the Town. John Taylor, owner of the property that was leased by Mr. Flaherty at 95 Central Street, gave the Board some details on the business. Mr. Taylor said that he started the process for eviction of Mr. Flaherty in early April for non-payment of rent. Mr. Taylor said that he had an order to vacate from the district court and a restraining order preventing Mr. Flaherty from entering the building or selling any property that remains in the building. Rocco Longo gave the Board some details on the change of hours that was granted to Mr. Flaherty by the Board of Selectmen on August 3, 2015, along with a verbal warning regarding liquor license violations. Mr. Longo said that he received an email from Patrick Flaherty today stating that he wants six months to sell the liquor license, but he did not indicate that he had an interested buyer. At 8:00 p.m. Steve Robbins moved, seconded by Mike Bradley to close the public comment portion of this hearing and begin deliberation as to whether or not there is credible evidence of a violation. The vote was unanimous. Steve Robbins said that he believes there is evidence of numerous violations. Matthew McDonough noted that even though Mr. Flaherty is asserting the right to sell the license, he has given no indication of who he would sell it to. Mike Bradley agreed that there are numerous violations and said that it is very telling that Mr. Flaherty is not present tonight. After some discussion, Steve Robbins moved, seconded by Mike Bradley, to conclude that Patrick Flaherty is in violation of the rules and regulations of a pouring license. The vote was unanimous. Matthew McDonough recommended revocation of the license. After a brief discussion, Steve Robbins moved, seconded by Michael Bradley, to revoke the alcoholic beverages pouring license held by Patrick’s Restaurant LLC d.b.a. Patrick’s Harborview Restaurant effective immediately. The vote was unanimous.

Commercial Parking Permit for Diva Dash - MHS Girls Soccer Boosters – Matthew McDonough read through the application from Nuet de Grasse. After a brief discussion Steve Robbins moved, seconded by Mike Bradley, to grant this license for commercial parking at the South River School contingent on receipt of a field use permit from the Recreation Department. The vote was unanimous.

Marshfield Yacht Club – Request for Change of Hours – Steve Robbins recused himself from this discussion and vote as he is on the Board of Directors of the Marshfield Yacht Club. Matthew McDonough read through the application for a change of hours that would allow the Marshfield Yacht Club to begin serving alcohol at 10:00 a.m. on Sundays. After a brief discussion, Matthew McDonough moved, seconded by Mike Bradley, to approve this request for a change of hours. The vote was unanimous.

Appointment of Tree Warden – Matthew McDonough read the letter from the Board of Public Works requesting that Tom Reynolds be appointed as Tree Warden for FY16. Steve Robbins moved, seconded by Mike Bradley, to make this appointment for a one year term that expires on June 30, 2016. The vote was unanimous.

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Chamber of Commerce Oktoberfest - Application for Entertainment & Common Victualler Licenses – Matthew McDonough read through the applications for licenses for the Chamber of Commerce Oktoberfest scheduled to take place at the fairgrounds on Sunday, September 27, 2015 from 12:00 p.m. until 5:00 p.m. After a brief discussion, Steve Robbins moved, seconded by Mike Bradley, to grant an entertainment license for this event. The vote was unanimous. Steve Robbins moved, seconded by Mike Bradley, to grant a common victualler license for this event. The vote was unanimous.

Creation of Drug Task Force – Matthew McDonough gave some background on the reason he brought this discussion forward, and spoke briefly about what has been done in Town and what he feels needs to be done moving forward. Steve Robbins thanked Mr. McDonough for his efforts and agreed that this is a very important initiative. Mr. Robbins asked what the next steps would be. Matthew McDonough said that he has seen what other Towns are doing and has attended meetings in neighboring communities. Mr. McDonough added that there is grant money available but that a formal committee must be in place to qualify for this funding. Mike Bradley agreed that this is long overdue and said that he feels it is the obligation of Town leaders to keep this issue in the forefront. Mr. McDonough said that he would like the Board’s permission to meet with Mark McDonald, the police and fire chiefs, and Melissa O’Hearn to discuss committee makeup and develop a mission statement. Steve Robbins moved, seconded by Mike Bradley, to have Matthew McDonough move forward with this initiative on behalf of the Board. The vote was unanimous.

Acceptance of Minutes – Steve Robbins moved, seconded by Mike Bradley, to accept the minutes of August 19, 2015; August 20, 2015; and August 31, 2015 as written. The vote was unanimous.

The meeting was adjourned at 8:30 p.m. There was no executive session held.

Respectfully submitted,

Catherine Burke

*The following documents and exhibits were presented at the meeting: information regarding Patrick’s Harborview Restaurant hearing; letter from Henry Wong requesting permission to close restaurant for an additional 90 days; letter and accompanying information from Boys & Girls Club requesting permission to hold road race; application for temporary wine & malt license from Historic Winslow House and copy of liquor license liability; application for temporary wine & malt license from North River Arts Society and copy of liquor liability insurance; email from Historical Commission requesting appointment of Donna Beals and Brendan Coyne, and appointment applications from both; application for temporary entertainment license for Diva Dash and accompanying information; commercial parking permit application from MHS Girls Soccer Boosters; application for change in hours from Marshfield Yacht Club; letter from Board of Public Works requesting that Tom Reynolds be appointed as Tree Warden; application for temporary entertainment license from Chamber of Commerce for Oktoberfest; application for common victualler license from Chamber of Commerce for Oktoberfest;*