

Minutes of the Board of Selectmen Meeting of Wednesday, November 3, 2021. Present were Anthony J. Kinahan, Chairman; Meredith L. Anderson, Vice Chairman; and Denise R. Reyes, Clerk. Also present was David L. Gagne, Town Administrator. The meeting convened at 6:30 p.m. in the Eldon F. Moreira Board of Selectmen Meeting Room.

Chairman Kinahan called the meeting to order at 6:30 p.m.

Chairman Kinahan stated that the meeting would be recorded and that some or all parts of the meeting may be used by our local access company to be shown on local access along with internet feeds and clips which may be used separately from the video of the entire meeting. A full recording of the meeting will be posted on the West Bridgewater Community Access Video On Demand website at <https://wb-cam.org/vod/>.

The Board led the Pledge of Allegiance.

Chairman Kinahan stated first on the agenda was Treasurer/Collector, Scott Golder's request for the Board to sign the Borrowing/Bond Documents.

Mr. Gagne stated Treasurer/Collector, Scott Golder, welcomed his 3rd son into the world this morning and would not be present to discuss the Bond rating as noted on the agenda. Mr. Gagne stated this is the traditional debt roll over they sign off on year after year. Mr. Gagne stated the winning bidder of the \$2,255,632 note is Newburyport Five Cents Savings Bank with a Net Interest Cost of .40% .

Ms. Anderson **MOVED** to sign the Bond documents as requested, Ms. Reyes seconded, and so voted unanimously.

Chairman Kinahan stated next on the agenda was approving the meeting minutes of September 1, 2021.

Ms. Anderson **MOVED** to approve the meeting minutes of September 1, 2021, Ms. Reyes seconded, and so voted unanimously.

Chairman Kinahan stated next on the agenda was accepting the meeting minutes of September 15, 2021 for review.

Ms. Anderson **MOVED** to accept the meeting minutes of September 15, 2021 for review, Ms. Reyes seconded, and so voted unanimously.

Chairman Kinahan stated next on the agenda was ratifying the appointment of the new Library Director, Laura Williams.

Former Library Director, Ellen Snoeyenbos, stated that it is bittersweet to be retiring from her position. Ms. Snoeyenbos stated she appreciated all of the support throughout her years here in West Bridgewater and was thrilled to present, Ms. Williams, as the top candidate of a very

thorough and comprehensive interview process conducted by the Library Trustees to find her replacement.

Ms. Williams stated she is very happy and proud to have landed the position. Ms. Williams stated West Bridgewater is a great community to work for. Ms. Williams stated the West Bridgewater Library is truly a community space she is honored to be a part of, interacting and servicing individuals of all ages and abilities. Mr. Williams thanked the Library Trustees and Ms. Snoeyenbos for their support. Ms. Williams stated her goals are to maintain staff morale and offer high quality services. Ms. Williams would like to keep the library services and material as up to date as possible and hopes to maintain the programs offered during the afterschool hours.

The Library Trustees recognized and thanked Ms. Snoeyenbos for her years of dedicated service to the Town and stated they were happy to have Ms. Williams as her replacement.

The Board thanked Ms. Snoeyenbos for all of her hard work and efforts on behalf of the Town throughout her years of service and welcomed Ms. Williams on board.

Ms. Anderson **MOVED** to ratify Ms. Williams appointment as the new Library Director, Ms. Reyes seconded, and so voted unanimously.

The Library Trustees, Ms. Snoeyenbos and Ms. Williams exited the meeting room.

Chairman Kinahan stated next on the agenda was voting to approve a grant of land – Lot 2A Manley Street- to the Conservation Commission. Chairman Kinahan stated the land is owned by the Snell family and they are donating it to the Town with the intent that people will be able to enjoy the river and land at no cost. Chairman Kinahan stated the deed is clear and ready to be transferred.

Ms. Reyes **MOVED** to accept the land grant of Lot 2A Manley Street to the Town's Conservation Commission, Ms. Anderson seconded, and so voted unanimously.

Chairman Kinahan stated next on the agenda was voting to approve the Tighe & Bond Contract for the Municipal Vulnerability Preparedness Planning Services and Hazard Mitigation Plan update.

Mr. Gagne stated DPW Director, Chris Iannitelli, did a great job in applying for this grant. Mr. Gagne stated the Town was awarded \$22,000 to hire an engineering firm to look at climate issue concerns of the Town. Mr. Gagne stated this money would be used to hire Tighe & Bond, who was the most responsive and responsible bidder. Mr. Gagne stated once the area of concerns are identified the Town will then apply for the action grant to implement Tighe & Bond's recommendations.

Ms. Anderson **MOVED** to approve the Tighe & Bond contract for the Municipal Vulnerability Preparedness Planning Services and Hazard Mitigation update, Ms. Reyes seconded, and so voted unanimously.

Chairman Kinahan stated next on the agenda was voting to appoint Berta Grossman to the Open Space & Recreation Commission.

Ms. Grossman introduced herself and said she is from Vermont and has always had a passion for volunteering within her community. Ms. Grossman stated she is excited to use her experience to help improve the trails in West Bridgewater.

Ms. Anderson **MOVED** to appoint Ms. Grossman to the Open Space & Recreation Commission, Ms. Reyes seconded, and so voted unanimously.

Chairman Kinahan stated next on the agenda was a Public Hearing to discuss Three Guys Enterprise LLC dba Southern Comfort Bar & Grill, located at 320 West Center Street, violations of the Town's Alcohol Policy reported by Sergeant Werner, Liquor License Agent.

At 6:45 p.m. Chairman Kinahan read the public hearing into the record.

At 6:46 p.m. Ms. Anderson **MOVED** to open the public hearing, Ms. Reyes seconded, and so voted unanimously.

Liquor License Agent, Sergeant Werner, read aloud his police report outlining events that took place on November 9, 2021 at Southern Comfort Bar & Grill. Sergeant Werner stated he witnessed 1 egregious violation of the Town's Liquor License Policy: sale of alcohol, or having served alcohol out past closing time.

Mr. Wiggins, part owner of Southern Comfort Bar & Grill, stated that night he was hosting a private event celebrating his birthday. Mr. Wiggins stated they did close and stop serving friends and family at 1 p.m. but admits that people were still on the premise finishing their drinks while helping clean up. Mr. Wiggins stated when Officer Werner arrived he informed him that they were cleaning up and not serving alcohol anymore. Mr. Wiggins stated once Officer Werner explained to them that by 1 a.m. everyone must be off the premises, they cleared the building and parking lot of all individuals. Mr. Wiggins stated they were not aware that it was a violation since they were not serving alcohol past 1 a.m. and were not open to the public. Mr. Wiggins stated they are now fully aware of the dos and don'ts of operating and serving after hours and will make sure it does not happen again.

Sergeant Werner stated when he spoke to Mr. Wiggins he was very cooperative and as they were speaking, people were leaving the premises.

Mr. Gagne stated there is 1 alleged egregious violation and the Board must decide if it is in fact an egregious violation. Mr. Gagne stated if the Board determines the violations to be egregious, the Alcohol Policy dictates their course of action, which would be a 2 day minimum suspension of their Alcohol License. Mr. Gagne stated he believes the facts are clear and that alcohol was being consumed on the premises well after both last call and closing time.

Ms. Reyes **MOVED** to deem the findings reported by the Liquor License Agent to be egregious violations of the Town's Alcohol Policy and to suspend Southern Comfort Bar & Grill's Alcohol License for 2 days, effective Thursday, November 4, 2021 through Friday, November 5, 2021, Ms. Anderson seconded, and so voted unanimously.

Chairman Kinahan stated Southern Comfort Bar & Grill is authorized to stay open and serve food during the suspension but are forbidden from serving any alcohol during that time. Chairman Kinahan thanked the representatives from Southern Comfort Bar & Grill for coming in.

At 7:04 p.m. Ms. Anderson **MOVED** to close the public hearing, Ms. Reyes seconded, and so voted unanimously.

The Southern Comfort Bar & Grill representatives left the meeting room.

Chairman Kinahan stated next on the agenda was a public hearing to discuss Yangtze Inn Inc., located at 266 South Main Street, violations of the Town's Alcohol Policy reported by Sergeant Werner, Liquor License Agent.

Chairman Kinahan read the public hearing notice into the record.

At 7:05 p.m. Ms. Anderson **MOVED** to open the Public Hearing, Ms. Reyes seconded, and so voted unanimously.

Liquor License Agent, Sergeant Werner, read aloud his police report outlining events that took place on October 22, 2021. Sergeant Werner stated he witnessed 1 egregious violation and 1 non-egregious violation of the Town's Liquor License Policy: sale of alcohol, or service of alcohol to minors, and parties drinking alcohol outside the premises that had been purchased inside the premises, respectively.

Manager of Yangtze Inn, Cristo Wong, apologized for the events and ensured it would not happen again. Mr. Wong stated they recently purchased an ID scanner to check ID's thoroughly. Mr. Wong stated he was not working that night but plans on being present more often on Fridays to supervise the workers. Mr. Wong stated the bartender on duty said he checked IDs and did not serve anyone underage and that maybe friends passed drinks along to those under age, but in the future they are going to try to do as much as possible to prevent that.

Ms. Anderson **MOVED** to deem the findings reported by the Liquor License Agent to be egregious violations of the Town's Alcohol Policy and to suspend Yangtze Inn's Alcohol License for 2 days, effective Thursday, November 4, 2021 through Friday, November 5, 2021, Ms. Reyes seconded, and so voted unanimously.

At 7:17 p.m. Ms. Anderson **MOVED** to close the public hearing, Ms. Reyes seconded, and so voted unanimously.

Chief Flaherty, Sergeant Werner and Mr. Wong exited the meeting room.

Chairman Kinahan stated next on the agenda was voting on the Right of First Refusal – 61A Land Use/Swap Portion of 166 South Street.

Mr. Gagne explained there is a new single house subdivision being built and in order to meet the Zoning requirements the new owner needed to purchase additional land and made a deal with the Asack family. Mr. Gagne stated they intend on swapping equal portions of land. Mr. Gagne stated the land that the Asack family intends on trading, Lot 44B is currently in 61A status and the Town can exercise their right of first refusal to purchase the land. Mr. Gagne stated the Conservations Commission, Zoning Board of Appeals, and Planning Board all recommended not purchasing the land. Mr. Gagne stated if the Board votes to purchase the land it would then have to be appraised and funds would have to be appropriated at Town Meeting to follow through with the purchase.

Ms. Anderson **MOVED** to not exercise the Town’s right of first refusal, Ms. Reyes seconded, and so voted unanimously.

At 7 :21 p.m. Chairman Kinahan opened the public comment period.

Chairman Kinahan stated next on the agenda was the Town Administrator’s Report.

Mr. Gagne stated Library Director, Ellen Snoeyenbos is retiring and the Town is welcoming aboard Laura Williams, as the new Library Director. Mr. Gagne stated there will be a farewell & welcome event hosted at the Library on November 5th.

Mr. Gagne stated the Council on Aging will be hosting a Veterans Day luncheon at 12 p.m. on November 11th. Mr. Gagne stated the Selectmen are more than welcome to attend.

Mr. Gagne stated the Tri-Town Veterans Day Parade will be hosted by Bridgewater this year. Mr. Gagne stated it will begin at 11 a.m. sharp and all those participating in the parade are asked to be there no later than 9:45 a.m. Mr. Gagne stated the parade will conclude at Legion Field and Chairman Kinahan will speak along with other dignitaries. Mr. Gagne stated awards will be given out at the end for best float/parade presence.

Mr. Gagne stated there was no weekly update regarding PFAS. Mr. Gagne stated notification letters did go out to all residents, per Mass General Law, outlining the PFAS issues in Town. Mr. Gagne stated State Rep. Michelle Dubois has secured \$100k as a budget amendment from the State that can be used to hire an engineer or to fund a temporary mobile filtration system. Mr. Gagne stated she originally requested \$350K. Mr. Gagne stated he spoke with Senator Timilty and requested the \$350K amendment be part of the override budget amendment, and if he can get it approved by the Senate, it will go into reconciliation with the house, and then the Town can have funds to start mitigating the PFAS situation.

Mr. Gagne stated lastly, he would like to thank the DPW, Fire Department, Police Department and Building Inspector for all of their efforts during the recent storm. Mr. Gagne stated there were several trees down, and several homes and businesses without power, and each department stepped up taking immediate action. Mr. Gagne also thanked the residents for their patience while they navigated getting all of the power outages back in service.

At 7:30 p.m. Ms. Anderson **MOVED** to adjourn, Ms. Reyes seconded, and so voted unanimously.

The meeting adjourned at 7:30 p.m.

Respectfully Submitted by Lorna J. Carroll, Confidential Secretary.

List of documents included in the November 3, 2021 Meeting Packet:

- *Letter from Treasurer/Collector re: BAN Borrowing*
 - *Municipal Purpose Loan Chart*
 - *Email From Treasurer/Collector re: Bond Docs*
 - *Municipal Note Sale Information*
- *Letter from Assistant Town Administrator to Owners of Southern Comfort Bar & Grill re: Notice of Hearing, November 3, 2021*
 - *Letter from Liquor License Agent to Manager of Southern Comfort Bar & Grill re: Violations of 10/09/2021*
 - *Police Report dated 10/9/2021*
 - *Copy of Southern Comfort Bar & Grill's Alcohol License*
- *Letter from Assistant Town Administrator to Owners of Yangtze Inn re: Notice of Hearing, November 3, 2021*
 - *Letter from Liquor License Agent to Manager of Yangtze Inn re: Violations of 10/22/2021*
 - *Police Report dated 10/22/2021*
 - *Copy of Yangtze Inn's Alcohol License*
- *Alcohol Policy and Rules and Regulations for Liquor License Holders in the Town of West Bridgewater*
- *Meeting Minutes of September 1, 2021*
- *Meeting Minutes of September 15, 2021*
- *Letter from Chair of the Library Board of Trustees re: New Library Director*
 - *Library Director Employment Agreement*
 - *Library Director Job Description*
 - *Library Director Job Posting*
 - *Library Bill of Rights*
- *Letter from Frenette & Associates P.C. re: Lot 2A, Manley Street*
 - *Quit Claim Deed for Lot2A Manley Street*
 - *Maps of Property*
- *Tighe & Bond Contract for Municipal Vulnerability Preparedness Planning Services and Hazard Mitigation Plan Update for the Town of West Bridgewater*
- *Email from Conservation Agent re: Application Form*
 - *Berta Grossman's Volunteer Information Form*
- *Letter from James M. Burke Attorney At Law RE: 166 South Street, a portion of Assessor's Parcel 53 048*

- *Letter from the Planning Board re: Notice to Convert Chapter 61A Land 166 South Street*
- *Letter from the Assessors re: Notice of Intent to Convert Chapter 61A Land Use/Swap*
- *Letter from the Conservation Commission re: Louise M. Asack Revocable Trust M.G.L c. Section 14 – Notice of Intent to Sell and Convert Portion of Map 53, Lot 48 166 South Street*
- *Map of Land*
- *Email from Lara Williams re: Farewell & Welcome Library Event*
- *Council on Aging Veteran’s Appreciation Pot Roast Luncheon Flyer*
- *Tri-Town Veterans Day Commemoration Flyer*