

**Town of Mansfield  
Board of Selectmen  
Minutes of June 1, 2011**

**Present:** Chairman Jess Aptowitz, Vice Chairman Olivier Kozlowski, Clerk Douglas Annino, Selectman Kevin Moran, Selectman George Dentino  
William Ross Town Manager

**Absent:**

**Cibo Matto alteration of premises hearing**

Peter Kuplast, Owner of Cibo Matto is present for hearing.

Clerk Annino read the hearing notice into record and a motion was made.

**Motion:** To open hearing. (Moran/Kozlowski) 4:0:1 (Annino abstain)

Selectman Annino abstained from vote and recued himself from the meeting as he was involved with applicant.

Selectmen members asked Mr. Kuplast about the location of the patio, emergency exit from the patio, seating capacity and fencing.

Selectman Moran asked Mr. Kuplast about the visibility of the patio from the restaurant as to control patron activity. The patio will be right next to the building on the side facing Rt. 106. Patrons will not be able to access the patio from the street. They must enter through the restaurant.

Selectman Dentino asked Mr. Kuplast if the building dept. had approved the plans yet. He stated that Mr. Riccio has seen the plans but he has not received final approval yet.

Mr. Riccio was present and stated that he has seen plans and Mr. Kuplast will be pulling building permit soon.

**Motion:** To close public hearing. (Moran/Kozlowski) 4:0 passes

**Motion:** To approve expansion. (Kozlowski/Moran) 4:0 passes

**Precinct Map overview**

Selectman Annino rejoined meeting at this time.

Helen Christian, Town Clerk, presented the Board of Selectmen with the new town precinct maps made by the state. Town Planner Shaun Burke has also reviewed the map and made the appropriate changes.

Once the Board of Selectmen accepts the maps they are forwarded for district review. Anyone who is redistricted is notified by mail of the change.

**Motion:** To accept and sign new town maps. (Moran/Kozlowski) 5:0 passes

### **GT Retail license pledge hearing**

Glenn Thompson, Owner of GT Retail dba Wines and More and his attorney Edward Valanzola are present for hearing.

Atty. Valanzola provided the Board of Selectmen a brief overview of how and why businesses pledge their liquor licenses as part of a financial transaction. He stated that it is a common ABCC transaction.

Both Selectmen Aptowitz and Annino stated that while they recued themselves from the original hearing they feel that they can participate in this particular transaction.

Selectman Moran is uncomfortable with businesses pledging licenses however; he realizes that this is a legal transaction.

Selectman Kozlowski stated that he also was uncertain how a pledge affects the boards control of the license. He confirmed with town counsel that any changes in ownership /management would still have to come back to the bos for approval. However, he also realizes that this is a common and legal business transaction.

Selectman Dentino also stated that while legal, he is not sure it is a wise decision of the board to grant such a pledge. He does not believe that liquor licenses issued by the town should be used as assets to secure funds.

Atty. Valanzola responded to Selectman Dentino's questions about pledges and financing. The license itself is not the value that is securing the loan; it is part of the business just like inventory. If the license transaction is legal and meets the statue's requirements, it should be granted.

Mr. Thompson stated this business is healthy and does not need immediate capital. If the Board of Selectmen does not approve the pledge it ultimately will not matter to him or the continuation of his business. The loan is for working capital not to float the business.

The meeting was continued to next Wednesday, June 8, 2011 at 7:30pm.

## Proclamation for Corey Shea Day

Clerk Annino read the proclamation into record for the viewing audience.

Motion: To accept and sign proclamation (Moran/Kozlowski) 5:0 passes

## Board of Selectmen subcommittee assignments

Chairman Aptowitz asked the board members if they would like to change subcommittees or add/delete ones.

Selectman Annino asked that the strategic planning subcommittee start again soon.

Chairman Aptowitz would like to stay on the Comcast Center license subcommittee for next year.

Selectman Moran stated that he spoke with a school committee member and they were thinking of having each board have a liaison to the other's board. Mr. Ross thought that was a great idea as well. Selectman Annino likes the opening of communication between boards; however he would like to see the boards meeting together so every one can participate.

Selectman Dentino brought up the fact that he would like to see the Board of Selectmen more active in union negotiations. Both Mr. Ross and the previous town manager did not see the charter and opinion from town counsel providing for that avenue. The Town Manager has the role of labor negotiations and the duty to report back to the board his findings.

## Q & C

Wayne Smith, Judy's Lane. He works for Dub's Liquor's and does not believe that businesses commonly pledge their license as part of a loan.

Peter DeTrollo, Elm St. resident and owner of Rum Runner Liquor Store. He does not recall any liquor establishments pledging licenses in town and also does not think it is a good idea.

## Weekly Business

Warrant No. 11048PT in the amount of \$295,629.76

**Motion:** To approve (Kozlowski/Moran) 4:1 passes (Dentino nay)

Warrant No. 11048TV in the amount of \$86,064.69

**Motion:** To approve (Kozlowski/Moran) 5:0 passes

Warrant No. 11048PS in the amount of \$2,790.00

**Motion:** To approve (Kozlowski/Moran) 4:1 passes (Annino nay)

Warrant No. 11048T in the amount of \$330,086.63

**Motion:** To approve (Kozlowski/Moran) 5:0 passes

Warrant No. 11048E in the amount of \$211,709.89

**Motion:** To approve (Kozlowski/Moran) 5:0 passes

Warrant No. 11048S in the amount of \$778,865.39

**Motion:** To approve (Moran/Kozlowski) 5:0 passes

- Meeting minutes of May 25, 2011  
**Motion:** hold for next week
- Water Installer license application from DeGirolamo & Sons  
**Motion:** To approve (Kozlowski/Moran) 5:0 passes

### Correspondence

- Letter from Bungay Rd. resident imploring town to put his street light on.

### Town Managers Report

- Electric Easement approval documents for the bos to sign.  
**Motion:** To authorize bos to sign legal documents for National Grid assignment.  
(Moran/Kozlowski) 5:0 passes
- Mr. Arno, dog owner of Nico, is contesting the decision of the Board of Selectmen to euthanize his dog in district court.
- Question about flag on front of town hall. It is a memorial flag for Corey Shea.

### BOS Updates

- Selectman Kozlowski: Will be able to post warrants on line soon.  
Thank you to Bill for preparing letter of thanks to Charlie the mailman (who helped with a recent dog attack)

- Chairman Aptowitz: Summer schedule is set. Airport Commission will be coming in next week. Transfer requests come in June and he would like to keep up with them.
- Selectman Annino: Question about budget wrap up.
- Selectman Dentino: Congratulations to the youth band on getting \$5000 donation.
- Selectman Moran: Thank to Mr. Ross for doing such a great job at the town meeting. And he would like to structure the meals tax receipts for FY12.

## Adjournment

**Motion:** Adjourn meeting at 9:00pm.  
5:0 passes (Kozlowski)

*Douglas Annino*

Signature of Clerk

*June 22, 2011*

Date of Approval