

Selectmen's Meeting – May 27, 2005

Mr. Silvia, Mr. Eckenreiter and Mr. Manzone were in attendance.

Also present were Jeffrey Osuch, Chief Souza, Patricia Fowle, Delores Caton, Charlie Murphy, Peter DeTerra, Marianne DeSouza, Cheryl Sbarin, and Dan Depina.

Mr. Silvia called the meeting to order at 9:10 am.

Mr. Murphy requested access to Town Counsel from the Board of Selectmen and asked Ms. Fowle to explain the necessity for the request.

Ms. Fowle explained that the BOH was forced to bring the Old Oxford Pub to court to enforce the smoking ban. The court upheld the BOH and the court's decision was that the BOH can collect the fines totaling \$3600 which are payable within 21 days. Ms. Fowle stated that the Old Oxford Pub has sought an injunction and is appealing the court's decision and that is why the BOH needs the assistance of Town Counsel.

According to Atty. Sbarin, MA Asso. Of Health Boards, this establishment is not in compliance and that the State has revoked the establishment's cigar bar license stating that the pub could not verify that 51% of its sales were that of tobacco.

Chief Souza stated that the only problem he has with this establishment is that of failure to comply with the smoking ban and that other establishments who do comply are calling with inquiries on how this is going to be settled and how it is unfair to their patrons.

Mr. DePina spoke on behalf of the establishment and stated the intention to follow to file an appeal and how it is his opinion that the Old Oxford Pub is being targeted and harassed by the BOH. Mr. DePina denied the accusation that the cigar license has been revoked for failure to comply but rather due to failure to complete forms correctly and stated that the fines do not have to be paid within 21 days.

After further discussion, Mr. Eckenreiter motioned to approve the request of legal services. Mr. Manzone seconded. Vote was unanimous.

Mr. Eckenreiter motioned to adjourn the meeting. Mr. Manzone seconded. Vote was unanimous.

Meeting adjourned at 9:25 am.

Submitted by,

Bernice Alves,  
Principal Clerk