

**MINUTES OF THE SELECTMEN'S MEETING
DECEMBER 4, 2017**

PRESENT: Willard J. Boulter, Jr. (Chairman), Matthew J. Furlong (Vice-Chairman), Lewis W. Stone (Clerk), Arthur P. Boyle, Jr. (Selectman), Daniel Trabucco (Selectman), Edwin J. Thorne (Town Administrator), Michael Buckley (Town Accountant), Margaret Struzik, George Emanuel, Kathleen Keegan, David Babb, Nigel Harling, Gary Fine, Lisa Cullity, Sheila Landy, Bonnie Pajik, Sabrina Chilcott (Executive Assistant), and others.

At 7:00 pm Mr. Boulter opened the meeting.

KATHLEEN KEEGAN

Ms. Keegan was present before the Board with an update on yesterday's tree lighting festivities. Activities included a horse drawn hayride, photo booth, live nativity, food concessions, luminaries, crafts, touch a truck opportunities and more. Santa arrived on a Pembroke fire truck at 5:00 pm; and the lights were lit. This event is free to all and there were approximately 1200 people in attendance. Ms. Keegan thanked the DPW, Police Department and Fire Department for all of their hard work and the volunteers who help make the event a success.

7:00 MARGARET STRUZIK FOR EARLY/NON-MEDICARE ELIGIBLE RETIREES HEALTH INSURANCE RATES

Ms. Margaret Struzik and Mr. George Emanuel were present before the Board to request reconsideration of the Board's vote of March 27, 2017 to increase early retirees/non-Medicare eligible health insurance contributions to 19% on July 1, 2017, to 22% on July 1, 2018 and to 25% on July 1, 2019. Ms. Struzik stated that a previous Board on April 18, 2006 voted that the current HMO rates be retained at 15% contribution for the employees under 65 and retired with the understanding that the future retirees will go out at the participation rate they were paying at the time they retired until age 65. Discussion ensued on the amounts that retirees receive in their pensions versus how much they pay for health insurance. Ms. Struzik stated that twenty percent of their pension goes to their health insurance costs and they are the smallest earners with poverty level pensions, therefore the most adversely affected. Mr. Trabucco asked if there was new information available for the Selectmen to consider since the September meeting. Ms. Struzik stated that the group under discussion is only the early retirees and non-Medicare eligible employees; retirees pay 25% toward their health insurance premiums. Mr. Boyle stated that an analysis of the South Shore towns revealed that only Halifax at 90%/10% town/retiree is lower than Pembroke's current 81%/19%. All other towns are higher with a significant amount being 50% or higher. Discussion ensued on possible consequences to rolling back one group's rate. Mr. Trabucco stated that it is the Selectmen's decision to raise rates and, while difficult, it was done appropriately. Ms. Struzik agreed, but stated that they would like to be notified when discussions surrounding the issue are planned. Mr. Trabucco proposed that the Board consider creating a hardship pool for which people could apply and be considered for a reduction based on income and circumstance. Mr. Boyle concurred but cautioned that there must be very specific criteria for qualification. Mr. Boulter asked Mr. Thorne to speak with Town Counsel to determine whether the decision that the Board makes regarding this class of retirees would affect the rest of the town and school subscribers. Mr. Stone stated that it is unfortunate that people everywhere in both the public and private sector across the country are paying more for health insurance and he would like to hear a legal opinion to determine whether a hardship reduction could be done. Mr. Trabucco moved to table this item for one week; Mr. Boyle seconded the motion. The vote was unanimously in favor.

VOTE TO ADOPT AMENDMENT TO TRAFFIC RULES AND ORDERS OF THE TOWN TO ADD VALLEY STREET AND BIRCH STREET HCVE

Mr. Stone advised that MassDOT has approved Pembroke and Duxbury's request for a 24 hour Heavy Commercial Vehicle Exclusion on Valley Street and Birch Street. Mr. Stone explained that DPW will be responsible for signage and the Police Department will be responsible for enforcement. Mr. Stone further explained that the projects at Hill Bog on Valley Street and the Copperwood 40B development on Birch Street will not be affected by this exclusion, as there permits have been in place since before the exclusion was granted.

MINUTES OF THE SELECTMEN'S MEETING

Mr. Stone thanked the Town Administrator, the Police Chief and Representative Cutler for their assistance in this endeavor. Mr. Stone moved to amend the Traffic Rules and Orders of the Town of Pembroke, Section 15 "Operation of Heavy Commercial Vehicles" to add Valley Street from Plain Street to the Duxbury Town Line and Birch Street from Pelham Street to the Duxbury Town Line. Mr. Boyle seconded the motion. The vote was unanimously in favor.

CONSIDER COMCAST REQUEST TO RENEW DOOR TO DOOR SOLICITATION PERMIT

Applicant David Babb was present before the Board on his renewal application to solicit and distribute materials door to door for Comcast/Xfinity services; the previous permit expired on November 21, 2017. Mr. Babb confirmed that there were no issues in the previous 90 days. Discussion ensued on protocol, the by-law and the No Solicitation list. Mr. Trabucco moved to approve the application of David Babb on behalf of Comcast for a door-to-door solicitation permit authorizing sales from 10:00 am to 5:00 pm, Monday through Friday and from 9:00 am to 3:00 pm on Saturday and Sunday, license eligible for renewal on its expiration on February 21, 2018, subject to approval and permit card issuance by the Chief of Police. Mr. Boyle seconded the motion. The vote was 4/1 in favor of the motion with Mr. Stone opposed.

VOTE TO ACCEPT THE MINUTES OF NOVEMBER 20, 2017

Mr. Boyle moved to accept the minutes of November 20, 2017 as written; Mr. Trabucco seconded the motion. The vote was 4/1 in favor with Mr. Stone abstaining.

CONSIDER THE RENEWAL OF 2018 COMMON VICTUALER'S LICENSES

Mr. Boulter stated that the Board, as the local licensing authority, is required to review and take action on all pending 2018 license renewals in the Town of Pembroke, subject to the approval of the inspectional divisions and Treasurer. Mr. Trabucco moved to approve the renewal of the list of 2018 Common Victualer's licenses as submitted, subject to the approval of the Town Treasurer and Health Agent; Mr. Stone seconded the motion. The vote was unanimously in favor.

OLD BUSINESS

On August 9, 2016, Governor Charles Baker signed An Act to Modernize Municipal Finance and Government whereby the Board of Selectmen may designate any one of its members for the purpose of approving bills or payrolls provided, however, that the member shall make available to the board, at its next meeting, a record of such actions. Mr. Boulter reported that on November 28th he personally reviewed 9 accounts payable warrants totaling \$841,304.22 and 2 payroll warrants totaling \$1,411,191.21 as prepared by the Town Accountant, and authorized the itemized expenditures for payment. Mr. Boyle moved to accept the report; Mr. Stone seconded the motion. The vote was unanimously in favor.

TOWN ADMINISTRATOR'S REPORT

Mr. Thorne updated the Board on the status of the solar project at the landfill. Mr. Valenti has received an email from Brian DeMaio from Onyx Renewable Partners confirming that the utility witness verification test was successfully completed on November 30, 2017; they anticipate formal permission from the utility by the end of next week and operations will then begin. Mr. Thorne confirmed that Nicole Rivers is working on the survey that resulted from the Strategic Planning Retreat and Mr. Thorne will present when completed.

NEW BUSINESS

Mr. Boulter advised that he met with one of the members of the Brockton Water Commission at the site of the diversion and discussed the issues that have been unresolved to date. Brad Chase of the DMF received a call from them as well and a meeting is being scheduled to discuss the necessary repairs. Mr. Boulter also advised that a resident contacted the Selectmen's office regarding concerns she has about her property and the Route 14 project; she feels that trees removed for the project were hers and not the towns. Mr. Stone confirmed that this issue was discussed at the meeting that he attended with the Town Administrator, DPW and MassDOT on Friday and a team has been assigned to resolve her concerns.

MINUTES OF THE SELECTMEN'S MEETING

OLD BUSINESS (continued)

Mr. Stone inquired into the membership of the new Capital Funding Study Committee; Mr. Thorne advised that a member of the public is still being sought but the remaining members were already designated or are being designated this evening. Mr. Stone asked for an update at an upcoming meeting of the status of items addressed in the DOR Financial Management Review. Mr. Furlong updated the Board on the progress of the public private partnership for maintenance of town property; he is working with the DPW, Historic District Commission and Zoning Enforcement Officer and will report back. Mr. Boyle stated that he hopes residents take advantage of patronizing local businesses this holiday season. Mr. Stone stated that Board has received an email with an agenda for the meeting of the Plymouth County Advisory Board on Thursday, December 7th. Mr. Furlong confirmed that he will be in attendance. Mr. Trabucco stated that the Town Government Study Committee met this week and has decided to proceed to an article for the spring town meeting supporting a Town Manager. Mr. Trabucco stated that research is ongoing and he will provide updates as they become available. Mr. Stone would like to contact the chairman of the Energy Committee to ask them to research additional sites for solar panels.

Mr. Boulter read the upcoming issues from the agenda.

At 8:30 pm, Mr. Stone moved to enter executive session under M.G.L. c.30A, Sec. 21(a) (1) to discuss complaints or charges brought against a public officer, employee, staff member or individual and (7) to comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements; specifically G.L. c. 268A, Sec. 20; and (2) to conduct strategy sessions in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions or contract negotiations with non-union personnel; Assistant to the Town Administrator. Mr. Trabucco seconded the motion, and Mr. Boulter declared it so be so and stated that the Board will return to open session at the conclusion. By roll call vote: Boyle – yes, Furlong – yes, Stone – yes, Trabucco – yes, and Boulter – yes.

At 8:55 pm, Mr. Boyle moved to offer a contract as specified to Sabrina Chilcott to become the Assistant to the Town Administrator; Mr. Stone seconded the motion. The vote was unanimously in favor.

At 9:00 pm, Mr. Trabucco moved to adjourn; Mr. Boyle seconded the motion. The vote was unanimously in favor.

MATERIALS & EXHIBITS

Summary and Minutes: 3/27/06,4/3/06,4/10/06,4/18/06,1/23/17,3/20/17,3/27/17,9/18/17 (BOS/TA Office)

Letter 5/28/08 (BOS/TA Office)

Application, D. Babb RE: Door-to-Door Solicitation Permit (BOS/TA Office)

Letter, MassDOT; Amendment to Traffic Rules and Orders of the Town of Pembroke (BOS/TA Office)

Record of Approved Bills and Payrolls, November 28, 2017 (BOS/TA Office)

Draft Minutes of November 20, 2017 (BOS/TA Office)