

**MINUTES OF THE SELECTMEN'S MEETING  
AUGUST 20, 2018**

**PRESENT:** Matthew J. Furlong (Chairman), Willard J. Boulter, Jr. (Clerk), John G. Brown, Jr. (Selectman), Edwin J. Thorne (Town Administrator), Kathleen McCarthy (Treasurer/Collector), Aidan Spakoski, Mike Henry, Sean O'Malley, Paula Colp, Jennifer Matthias, Edward Angleley, Preston Landers, Beth Bailey, Tom Irving, Patty Cuozzi, Nigel Harling, Rob Adams, Sabrina Chilcott (Assistant to the Town Administrator) and others.

**NOT PRESENT:** Arthur P. Boyle, Jr. (Vice-Chairman), Daniel W. Trabucco (Selectman)

At 7:00 pm, Mr. Furlong opened the meeting and advised that this meeting is being made available to the public through a live video and audio broadcast on Comcast Government Access Channel 15 and is also being recorded for airing on the channel at future dates. Comments made in open session will be recorded. Bear Scout Pack 105 members Aidan Spakoski and Mike Henry led the Pledge of Allegiance.

**7:00 CUB SCOUT PACK 105: REQUEST FOR PERMISSION FOR POPCORN SALES**

Aidan Spakoski and Mike Henry asked the Board to permit the Cub Scouts Pack 105 to solicit sales door to door in September and October as the pack's largest fundraiser of the year; proceeds fund their Pinewood Derby, summer camp banquets and more. Mr. Boulter moved to allow the Cub Scouts Pack to go door to door the sell popcorn from September 4<sup>th</sup> through October 24th; Mr. Brown seconded the motion. The vote was unanimously in favor.

**7:05 PAULA COLP: REQUEST TO VACATE JUDGEMENT ON TAX POSSESSION  
PROPERTY AT 31 OAK TERRACE**

Ms. Colp was present to request that the Board vote to allow her to petition the court to vacate the judgement in Land Court case 11TL141749; the town acquired the property on May 11, 2018 for unpaid taxes by virtue of this judgement. Ms. Colp confirmed that she did not bring certified funds for the amount owed but stated that she will have them tomorrow. Treasurer Kathleen McCarthy stated that property has been in tax title since 2008 and advised that the Board may vote to vacate on receipt of certified funds tomorrow; Mr. Brown moved, on the Treasurer's receipt of certified funds in the amount of \$21,447.34 on Tuesday, August 21, 2018 by 4:30 pm, to vacate the judgement in Land Court case# 11TL141749 and additionally release the Town of Pembroke in any interest in 30 Oak Terrace, parcel B5-67 with the understanding that Paula Colp will maintain a current status on all bills due to the Town of Pembroke with regard to the above mentioned property. Mr. Boulter seconded the motion. The vote was unanimously in favor.

**7:10 MARGARET STRUZEK: REQUEST SELECTMEN SPONSOR ARTICLE RE: RETIREE  
HEALTH INS. RATES**

The Town Administrator advised that this item has been withdrawn from the Selectmen's agenda since it's posting on Thursday as a citizen's petition article has been submitted for posting in the warrant on this matter.

**DISCUSSION, POSSIBLE VOTE TO REOPEN THE WARRANT: REDUCTION OF SINGLE-USE  
PLASTIC BAG ARTICLE**

The Town Administrator advised that this item has been withdrawn from the Selectmen's agenda since it's posting on Thursday as a citizen's petition article has been submitted for posting in the warrant on this matter.

**VOTE ANNUAL REAPPOINTMENT OF SPECIAL/AUXILIARY POLICE OFFICERS, SPECIAL  
POLICE OFFICERS, SEMLEC**

Mr. Brown moved to approve the list of annual reappointments as submitted by the Police Chief. Mr. Furlong relinquished the Chair to Mr. Boulter and seconded the motion. The vote was 2/0/1 with Mr. Boulter abstaining from the vote.

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### **VOTE TO DECLARE RECYCLING CENTER FENCING (1 LOT, 35 PANELS/17 POSTS) SURPLUS PROPERTY, SET DATE FOR SURPLUS PROPERTY AUCTION, MINIMUM BID (IF ANY)**

Mr. Thorne advised that the fence at the Recycling Center was damaged by the March storms and has since been replaced. The remaining picket panels and posts are requested to be declared by the Board as surplus property. Mr. Boulter moved to advertise a Surplus Property Auction with a deadline for bid submissions of September 14, 2018; Mr. Brown seconded the motion. The vote was unanimously in favor.

### **VOTE ANNUAL LIST OF SPECIAL MUNICIPAL EMPLOYEES (STATE ETHICS COMMISSION)**

Mr. Boulter moved to assign Special Municipal Employee status to the roles on the list as submitted; Advisory Committee, Board of Registrars, Election Workers and Town Meeting Workers, Members of the Planning Board, Planning Board Assistant, Conservation Commissioners, Conservation Commissioners Assistant, Herring Fisheries Commission, Gas/Plumbing Inspector, Alternate Gas/Plumbing Inspector, Wiring Inspector, Alternate Wiring Inspector, Assistant Wiring Inspector, Building Inspectors, Alternate Building Inspectors, Council on Aging Board of Directors, School Committee, Emergency Management Personnel, Special/Auxiliary Police Officers, Board of Assessors, DPW Commissioners, and Zoning Board of Appeals. Mr. Brown seconded the motion. The vote was unanimously in favor.

### **7:20 HILL BOG PROJECT UPDATE: JENNIFER MATTHIAS, EDWARD ANGLEY**

Mr. Angley, Ms. Matthias' attorney, was present to advise that Ms. Matthias is slowly getting the bogs into shape but it takes a significant amount of money to do so. Mr. Matthias was going to do the work himself; Ms. Matthias has hired P.A. Landers to perform the excavation of Head Water Pond. The pond needs to be fully excavated and restored. Mr. Angley advised that 40,000 square yards were excavated from the Tail Water Recovery Pond which was completed in October 2012. The second phase of the project at Head Water Pond, also known as West Chandler Pond, was approved by the Board in 2013 and involved minor excavation with soil stockpile stump removal, cleaning and extensive channeling. In mid-October of 2016 Landers began major excavation with small stockpile and the status is ongoing. Mr. Angley reiterated that on September 30, 2013, the Selectmen approved the second phase, cranberry restoration project at site #2 known as Hill Pond and the Board reaffirmed existing conditions of a 7:30 am to 4:30 pm workday, no weekends or holidays, with no idling of trucks, and subject to the street being swept and a police detail if the Police Chief so determines. The plan approved work operations at site #2 from 7:00 am to 4:30 pm with Saturdays as needed, from 7:30 am to 4:30 pm on-site work only for excavation. In regards to off-site trucking: the Board approved off-site trucking commencing at 7:30 am and ceasing at 4:30 pm Monday through Friday with Saturdays as needed. Trucks would enter and exit the site on Valley Street from the direction of Route 53 and no excessive truck traffic would utilize the 4-way intersection of Forest and Valley Streets. Appropriate signage was ordered and erected on Valley Street relating to truck traffic, summary included a peak average of six trucks daily making six loads per day or 36 trips leaving the bog (full) and returning to the bog (empty). Mr. Angley stated that Landers has placed flumes to control the cleaning and flushing of the ditches, and confirmed that the site closes at 3:00 pm with operations running eight months per year. Mr. Boulter stated that neighboring residents have been confused by the type of truck movement they see and Mr. Boulter explained that this project is an allowed use of the land; further, with the type of project this is, no permit by the Board of Selectmen is actually required. Mr. Angley stated that Ms. Matthias does not mind working under the town's permit. Neighboring resident Beth Bailey of 206 Valley Street stated that the Landers trucks are generally respectful and follow the travel route of the permit but questioned the duration remaining on the project. Mr. Landers stated that the project is approximately 25% complete. Ms. Bailey stated that 36 round trips is 72 truck appearances. Mr. Angley stated that this is an agricultural project. Discussion ensued on the cost of creating water channels with an ultimate cost of \$25,000 per bog acre as a restoration cost. Further discussion ensued on nearby project Copperwood Estates and their haul road; Mr. Landers confirmed that the proximity of the haul road to the playground was not optimal for trucking on that route. Tom Irving of 275 Valley Street asked for the expected duration remaining on the project. Mr. Landers advised that there are approximately 270,000 yards left of the original 387,000 yards, so several more years.

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Mr. Landers stated that the duration of the project is directly impacted by the number of trucks, or loads, per day allowed. Mr. Irving asked when Valley Street would be repaired as it is falling apart. Mr. Irving confirmed that the trucks from the bog are using the Valley Street to Franklin Street route only, but Valley Street requires reconstruction from Franklin Street to Route 27. Mr. Boulter stated that the residents did not support funding road repairs in town at the ballot. Mr. Thorne stated he concurs with Mr. Irving's assessment and has spoken with the DPW Director about the Pavement Management Plan to confirm Valley Street is a priority. Mr. Irving confirmed that he is aware of the fact that the land and the project is a 61A project and that this is an allowed use of the land. Patty Cuozzi of 271 Valley Street stated that she has been home this summer and has counted the trucks daily since June for an average of close to one hundred appearances per day. Mr. Thorne advised that he will ask the Pembroke Police Department to monitor the truck volume as part of routine patrols.

At 7:40 pm, Ms. Matthias, Mr. Anglely, Mr. Landers and the Valley Street neighbors exited the meeting.

### **VOTE SUBMITTED ARTICLES FOR INCLUSION ON THE SPECIAL TOWN MEETING WARRANT**

Mr. Boulter moved to table this action until the next meeting; Mr. Brown seconded the motion. The vote was unanimously in favor.

### **VOTE TO ACCEPT RESIGNATION OF SHARON MCNAMARA FROM CONSERVATION COMMISSION**

Mr. Brown moved to accept the resignation of Sharon McNamara from the Conservation Commission. Mr. Boulter seconded the motion. The vote was unanimously in favor.

### **VOTE TO APPROVE THE MINUTES OF AUGUST 6, 2018**

Mr. Brown moved to approve the minutes of August 6, 2018 as printed; Mr. Boulter seconded the motion. The vote was unanimously in favor.

### **OLD BUSINESS**

#### Record of Approved Bills and Payrolls August 14, 2018

Mr. Boulter reported that on August 14, 2018 he personally reviewed five account payable warrants totaling \$304,713.38 and one payroll warrant totaling \$234,459.25 prepared by the Town Accountant and authorized the itemized expenditures for payment; he moved to accept this report. Mr. Brown seconded the motion. The vote was unanimously in favor.

#### LED Truck Update

Mr. Furlong inquired as to the status of of banning LED trucks in Pembroke; Mr. Thorne advised that he has spoken with a few managers and has some preliminary information to share at a future date.

#### Central Plymouth County Water District Advisory Board

Mr. Boulter advised that he attended the recent meeting of the CPCWDC and that Pembroke had received funds for an engineer to ascertain the daytrim line on the town's ponds to confirm water levels. Mr. Boulter further stated that September is the month of juvenile herring migration although the HFC has been surprised to see that they have been on the move for a while now. He commended the HFC for their hard work in returning Pembroke's runs to one of the top five runs in the state.

### **TOWN ADMINISTRATOR'S REPORT**

#### Town Landing Handicapped Access Plans

Mr. Thorne advised that he is pleased to inform the board that it appears as though the Route 14 Project will resume at the end of this week or beginning of next week as the parties involved in a dispute have resolved their issues. Work will include the milling of the road, raising of the structures then the final paving, and they hope to be finished by mid-September.

### **NEW BUSINESS**

Mr. Furlong asked the Town Administrator to look into getting electronic chair lifts for the Pembroke Housing Authority's property at MacDonald Way in North Pembroke. Mr. Brown inquired into the status of

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the Lake Street and Plain Street intersection challenges; Mr. Thorne advised that there is a request for funding in the warrant for intersection engineering to improve the intersection to the fullest extent allowable by the town.

At 7:55 pm, Mr. Furlong read the upcoming issues from the agenda.

At 7:55 pm, Mr. Boulter moved to adjourn with Mr. Brown seconding the motion. The vote was unanimously in favor.

**MATERIALS & EXHIBITS**

Letter, K. McCarthy and Land Court Decision RE: 30 Oak Terrace (Treas/BOS/TA Office)

Hill Bog Past Events Including Summaries, Minutes, Agendas and Project Submissions (BOS/TA Office)

Letter, R. Wall RE: SPO Annual Reappointments (PD/BOS/TA Office)

Email, M. Valenti RE: Surplus Property Fencing (BOS/TA Office)

Draft STM Warrant (BOS/TA Office)

Draft Minutes of August 6, 2018

Record of Approved Bills and Payrolls August 14, 2018