

**MINUTES OF THE SELECTMEN'S MEETING  
OCTOBER 3, 2011**

**PRESENT:** Daniel W. Trabucco (Chairman), Lewis W. Stone (Vice Chairman), Gregory M. Hanley (Clerk), Arthur P. Boyle, Jr. (Selectman), Edwin J. Thorne (Town Administrator), Sabrina Chilcott (Executive Assistant), James Neenan (Fire Chief), Gabriel Daher, Kate Dahlquist, Christine Morrison, Scott MacInnes, Dorothy MacInnes, John Mattinson (PMB Cable), Mikaela Slaven (Pembroke Express), and others.

**ANNOUNCEMENTS**

There will be a joint meeting of the Capital Planning and Cash Management committees in room #13 in Town Hall, 100 Center Street on Wednesday, October 5<sup>th</sup> at 6:30 pm. The topic of this meeting will be fiscal planning for Special Town Meeting.

Bryantville United Methodist Church is hosting a free concert by Elisabeth Von Trapp, granddaughter of Maria and Baron Von Trapp on Saturday October 8 at 7:00 pm at 546 Mattakeesett Street. Contact 781-293-2025 or [bryantvilleumc@gmail.com](mailto:bryantvilleumc@gmail.com).

Message from the Town Clerk: Special Town Meeting is November 1, 2011 at 7:30 pm at Pembroke High School on Learning Lane. Last day to register to vote is October 14, 2011 and the Town Clerk's office will be open from 8:30 am to 8:00 pm for that purpose only. MaryAnn Smith would also like to remind everyone there are no federal, state or town elections this November and the redistricting map is out and in front of the Town Clerk's office for everyone to view.

**7:00 GIRL SCOUT TROOP 80169**

Kate Dahlquist and Christine Morrison brought several girls from Girls Scout Troop 80169 before the Board. Last spring they held a bake sale at the soccer fields to raise money for the Pembroke 300<sup>th</sup> Anniversary celebrations. The girls presented a large check to Selectman Boulter for \$150.00 and photos were taken.

**7:05 GABRIEL DAHER: FIRE DEPARTMENT RESPONSE ISSUE**

Mr. Gabriel Daher, resident of 48 Pine Tree Lane, appeared before the Board to discuss his experiences with Pembroke Fire Department's response to a fire on his property on Friday, September 16, 2011. The gasoline in his motorcycle inside his shed caught on fire while he was working on it. He went to get a fire extinguisher; fire was too large to handle so he called 911. He said he was told by 911 to stay in front of his house. While outside he heard sirens and he felt they were coming closer and then going away again. He speculated which direction they were traveling; via Mattakeesett instead of Oldham. He noted the arrival of the fire truck from Mattakeesett, said the windows rolled up and firefighter wouldn't look out the window. Mr. Trabucco requested that Mr. Daher refrain from using any names; Mr. Daher agreed, mentioning that the firefighter in question was a captain. Mr. Daher knocked on the window of the truck, requesting he roll the window down. The captain exited the vehicle, removed the hose, laid it on the ground and stood waiting. Mr. Daher stood with him. He said "several" minutes later, another fireman came and they put the fire out in less than five minutes. The captain took his information on a post it notepad which Mr. Daher found unprofessional.

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The next day Mr. Daher went to the fire station and met with Fire Chief James Neenan; procedure states that returning firefighters complete a response report. Mr. Daher states that the captain claimed that he got to Mr. Daher's house in two minutes. Mr. Daher asked the Chief to pull the call logs; the calls were logged seven minutes apart. Mr. Daher claims at this point Chief Neenan told Mr. Daher that he should come and speak before the Selectmen. Mr. Daher said the last thing he planned to add was an interview with the chief in an article that Mr. Daher found from March of 2011. The article alludes to budget issues with a quote "we'll become reactive instead of proactive". Mr. Daher summarized many details included in the article and distributed three copies. He questioned the response times being marked down accurately since he feels his wasn't recorded properly. He had asked the Chief if the fire department has GPS and the answer was no; the firefighters know their way around town. Mr. Daher ended his remarks by saying there were two other calls out at the time of his fire but this was his fire and he asked the Board to look at it as though it were their fire. Mr. Boulter pointed out to Mr. Daher that with emergency calls and only six personnel, it takes time to get people to a call. It is budgetary; you can't run a larger staff all year long. They also back up Hanson, Halifax, Hanover; we are used to very good service here in Pembroke. The response times for the police and fire are very good. It shows if a captain shows up at your fire that he's out working the job because his men are out working. Mr. Daher says he's not looking for excuses. Mr. Hanley asked if Mr. Daher filed a complaint at the station; the response time issue of 14 minutes versus two. Mr. Hanley asked Chief Neenan to respond. Chief Neenan started by stating that Mr. Daher only thinks that a fire truck was passing; he heard sirens. Chief Neenan doesn't dispute two phone calls placed seven minutes apart; they go to police station then are transferred to fire station. The fire department takes the information and responds. Chief Neenan says the two minutes relates to the time the call came in and was responded to; when the fire truck left the building to head to Mr. Daher. The captain didn't deviate from procedure. It was approximately eight minute's response time, it was not fourteen. Mr. Trabucco remarked that it was fortunate to have a chief who doesn't always think first about the budget; he is doing a great job with the budget he has. Public health and safety is his paramount concern. Mr. Hanley asked the chief if he disputes the allegation of Mr. Daher that Chief Neenan told him to come before the Board of Selectmen. Chief Neenan said their conversation lasted for an hour and twenty minutes, during which many things were said, including if Mr. Daher's call had been the first call there would have been more trucks and men. Mr. Hanley asked the Chief what the expectations of coming to the Board of Selectmen are. Chief Neenan replied, "public recognition of problem that is out there due to the lack of staffing". Mr. Hanley asked what actions would you like the Board of Selectmen to take? Chief Neenan stated he didn't know what could be done. He'll be presenting his budget at the annual Town Meeting in April. Mr. Hanley made the same inquiries of Mr. Daher; what are the expectations of coming in tonight and what action can be taken. Mr. Daher said there was nothing, he wanted to be heard.

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Chief Neenan did thank Mr. Daher for helping the Town identify a time clock discrepancy in the 911 system; although calls are immediately transferred, when they are time stamped, there was a six minute discrepancy recorded by the computer that has been rectified. He also explained to Mr. Daher that one firefighter in a truck is sent to a scene because there are on-call firefighters who respond from home to join the truck and the single firefighter to fight a fire. To summarize, Mr. Hanley identified response time, the difficulty in finding Mr. Daher's home and one firefighter in the truck as the primary issues that Mr. Daher was bringing forward.

**7:55 PUBLIC HEARING: ERICKSON LANE AS A TOWN WAY**

In support of Article 8, to see if the Town will accept as a Town Way, Erickson Lane as shown on the street layout plan displayed at the hearing and distributed dated July 15, 2011 prepared by Keefe Associates, and to see if the Town will further vote to authorize the Board of Selectmen to accept any and all property interests and appurtenances to use said street for all purposes for which public ways are used in the Town; or take any other action relative thereto. Mr. Boyle made the motion to accept Article 8 in the special town meeting warrant; Mr. Hanley seconded. The vote was unanimously in favor.

**8:00 MINUTES**

Mr. Hanley moved, and the Selectmen voted four in favor, to accept the minutes of the meeting of September 26, 2011 as presented. Mr. Trabucco abstained; none opposed.

**OLD BUSINESS**

Mr. Stone discussed the Pembroke Public Library technology open house that was held on Saturday, October 1<sup>st</sup>. There were ten new laptop computers purchased by the Friends of the Library and residents can sign up to take computer classes. Mr. Stone commended Deborah Wall for setting up the event; it was well attended.

Mr. Trabucco wanted to update the Board on the Route 14 Corridor Project; he spoke with Gerry Dempsey, the Pembroke member of the OCPC. They plan to come before the Board to provide an update of Route 14 and where it is on the TIPS list for the state DOT.

**TOWN ADMINISTRATOR'S REPORT**

Mr. Thorne provided a brief discussion of the Town Meeting articles. Regarding Article One, Mr. Thorne referred the Board to the Capital Plan FY12 and the October 5<sup>th</sup> meeting of Capital Planning. More information to follow re: Article One. No action taken.

Mr. Trabucco wanted clarification on the timetable for decision on these articles; decisions must be made by October 11<sup>th</sup> and the warrant must be signed October 17<sup>th</sup>. Brief discussion ensued on articles.

On Article Two, Mr. Thorne advised there are no unpaid bills; no action taken. Mr. Thorne provided a brief description of Article Three, the mid year transfers; Mr. Trabucco wanted to clarify that the Veterans benefit transfer of \$100,000 in Article Three is reimbursable by the state per David McPhillips.

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Mr. Thorne explained that Article Four is procedural governing Town Meeting and submitted by the Town Moderator. Article Five will be concerns separation pay benefits and will be decided by the Cash Management Committee at the October 5<sup>th</sup> meeting. Article Six is where money is set aside from the snow and ice deficit to balance the budget so we can set the tax rate; that amount is going to be \$545,000.00. Article Seven pertains to the Stabilization Fund; Cash Management will make that determination October 5<sup>th</sup>. Article Eight has already been recommended by the Board. Article Nine is the cell tower lease; it will be a new lease at 380 Washington Street for an additional twenty years. Article Ten is an Article to fund an agreement with the Police Union if an agreement is reached. Article Eleven is a request from the Conservation Commission and the Pembroke Watershed Association to fund \$12,800 to continue hydrilla control on Hobomock Pond. Article Twelve is a request from the Historic Commission to fund publication of a commemorative book for the Pembroke 300<sup>th</sup> Anniversary for \$20,000.00. Mr. Boulter stated that they may request that the Board of Selectmen transfer the funding from the Camp Pembroke account and then pull Article Twelve from the warrant. The Board decided to finish the Article review then return to Article Twelve. Mr. Hanley inquired as to the return of the funds; Mr. Boulter stated expected proceeds of the sale of the books are double the requested amount, so all of the money will be returned. Mr. Boyle commended Mr. Boulter's efforts thus far.

Mr. Thorne then advised the Board that Articles Thirteen, Fourteen and Fifteen have been submitted by the Board of Health for \$50,408.00 to update their filing system; Article Sixteen for \$19,000.00 to update the filing archives for the rest of Town Hall. Article Seventeen has been submitted by the DPW Commissioners in the amount of \$25,000.00 to replace the failing culvert on Monroe St by Tubbs Meadow. Article Eighteen is submitted by the DPW Commissioners to add the amount of \$60,000.00 to the previously voted amount from April 2011 Town Meeting to make improvements to drainage on Oldham Street. Article Nineteen is a request from the Community Preservation Committee to reserve revenue allocations. Article Twenty is a request from the CPC on several projects; Lydia Drake Library, \$15,000.00 to Historical Commission, \$20,000.00 to Town Clerk to preserve Town records, \$82,500.00 for work on the Community Center, and \$25,000.00 to be granted to the East Pembroke Community Club. Article Twenty-one is a bookkeeping article from the CPC to appropriate \$70,000.00, which is their fund balance, into their reserve fund.

Mr. Trabucco requested a better synopsis of Articles Thirteen through Sixteen from the Board of Health regarding the filing system; more documentation will help support the articles. Mr. Thorne said he will get that information.

**8:15 SCOTT AND DOTTIE MACINNES: FIRE PREVENTION WEEK GRANT**

Mr. MacInnes appeared before the Board to present information on Liberty Mutual Insurance Company's \$10,000.00 grant. The top four winners who get their citizens to complete a short quiz and designate **Pembroke** as their town at [www.BeFireSmart.com](http://www.BeFireSmart.com) will receive \$10,000.00 for their Fire Department. The program ends October 31, 2011.

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Mr. Hanley asked to revisit Article Twelve; Mr. Boulter said that for two years the Pembroke 300<sup>th</sup> Anniversary Committee has been trying to get money from the state. They surrounding towns had money available in years past during their celebrations but these days no money available. The book Article Twelve addresses is a beautiful, historic book that requires initial money for the publisher in order to acquire the books for sale and distribution for additional fundraising for the Anniversary Committee. There is a non-profit fund set up strictly for this purpose that all of these monies go through; after the sale of the book, the money is returned and the profit funds the Anniversary activities. Mr. Trabucco asked if the Anniversary Committee would like the article to go to the Town Meeting floor anyway to have conversation as the transfer option would still be available at a later date; Mr. Boulter stated time is critical. The sooner it is published the sooner the funds are raised. Mr. Boulter made the motion that Article Twelve be dismissed from the Special Town Meeting warrant and the Board of Selectmen approve a transfer of funds from the Camp Pembroke Fund \$20,000.00 to fund the publication of a commemorative book for the Pembroke 300<sup>th</sup> Anniversary under the direction of the Pembroke 300<sup>th</sup> Anniversary Committee. Mr. Boyle seconded; so voted unanimously. Mr. Boulter said he hopes the books will be available by the first of the year or at least by the kick off celebration in March; check the website for more details. Each month there is more information about new events planned.

**ASK THE SELECTMEN**

Mr. Stone presented correspondence concerning brush pickup delays; he read from statement from DPW explaining the many issues with weather, excessive brush and other factors causing delays and thanked the residence for their patience. They cannot stay with the schedule. Anyone who cannot wait for pick up may drop off their brush to the DPW Garage at 387 Mattakesett Street, Monday through Friday 7:00am-2:30pm. Mr. Stone has received a call from residents at Courtyard Condos who would like pick of recyclables from the town. Mr. Stone wants residents to know that condominium management needs to invite the town in; he will speak with BOH Agent and Town Administrator about the possibility of reaching out to these management companies. Mr. Stone also wanted to remind residents that the Historical Commission has a vacancy; anyone who is interested may contact Libby Bates or contact the Selectmen's office. There are also two vacancies on the Affordable Housing Committee; they currently sit three members and committee holds five. There is a new issue; Pembroke was over 10% affordable housing and has dropped to 9.5%. The committee would like to become more active to raise this level back up to over 10%. Finally, Mr. Stone would like to confirm meeting for next week on Tuesday, October 11, 2011 as articles are due.

Mr. Trabucco confirmed; Mr. Boyle moved that meeting be recessed until the Wednesday, October 5 to attend the Capital Planning – Cash Management meeting; Mr. Hanley seconded; so unanimously voted. The meeting was in recess at 8:38pm.

**MINUTES OF THE SELECTMEN'S MEETING  
CAPITAL PLANNING – CASH MANAGEMENT  
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**PRESENT:** Daniel W. Trabucco (Chairman), Lewis W. Stone (Vice Chairman), Gregory M. Hanley (Clerk), Arthur P. Boyle, Jr. (Selectman), Edwin J. Thorne (Town Administrator), Eugene Fulmine (DPW Director), Michael Ohrenberger (Police Chief), Frank Hackett (School Superintendent), Cathy Salmon (Chief Assessor), Matthew McNeilly (Advisory Chairman), Mary Willis (COA Director), Paul Bosworth (School Committee Chairman), Suzanne Scroggins (School Committee Vice Chairman), Sabrina Chilcott (Executive Assistant)

The October 3, 2011 Selectmen's Meeting resumed at 6:30 pm.

Mr. Thorne presented five year F12 capital plan by department for the town in a seven page handout and explained that the requests mirror those of this year with the exception of the fire department as they didn't put in a request for this year. Mr. Thorne then presented the free cash calculation that brings the certified free cash total of the town to \$ 1,063,538.00, comprised of the following items:

Unexpended Balance from FY2010	\$ 295,363	
Surplus Property Tax Collections	\$ 48,637	(sales of surplus property)
Surplus Local Receipts	\$ 245,646	
Returned Appropriations	\$ 456,279	(includes \$ return by school)
Dept of Revenue Adjustments	\$ 17,613	

Once the snow and ice deficit of \$ 545,218 is backed out of that figure, available free cash becomes \$ 518,320. When the amount in the capital fund, \$ 67,440 and the anticipated amount of additional local aid from the state, \$ 103,000 is added, the total of available funds is: **\$ 688,760.00.**

Mr. Thorne then reviewed the capital requests submitted by various departments for the Special Town Meeting. The summary included a subtotal submitted of: \$ 411,473 with recommended funding reduced to \$ 147, 390.

<u>Department</u>	<u>Item</u>	<u>Total Request</u>	<u>Recommend Funding</u>
Assessors	Server	\$ 5,050.00	\$ 5,050.00
DPW	1 Ton Dump Truck	\$ 50,000.00	\$ 50,000.00
DPW	1 Ton Dump Truck	\$ 60,000.00	0
DPW	Asphalt Box	\$ 42,500.00	\$ 21,900.00
Board of Health	Filing System	\$ 50,408.00	0
Police	Cruisers (2)	\$ 72,000.00	\$ 36,000.00
Police	Vests	\$ 20,440.00	\$ 20,440.00
Police	Radar Trailer	\$ 14,000.00	\$ 14,000.00
Recreation	Ballfields Drainage	\$ 30,000.00	0
Town Hall	Servers/Computers	\$ 25,000.00	0
Town Hall	Filing System	\$ 18,075.00	0
Town Landing	Docks	\$ 24,000.00	0
<b>Subtotal</b>		<b>\$411,473.00</b>	<b>\$147,390</b>

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Mr. Thorne then asked Cathy Salmon to speak to item one, Assessors server. Item self explanatory; old one is outdated and holds tax bills but all costs included (backup plans, licensing). Gene Fulmine spoke to the DPW requests stating that the only dump truck they have was donated to them by the Recreation Commission and the last truck purchased was in 1989. They are scaling back to request a smaller dump truck purchased through the state's bid list and a more modest model of asphalt box for hot mix repair in all weather for the town's roads. Second truck is on FY13 list. Mr. Thorne briefly addressed BOH filing system by saying at this time recommendation is not to fund but to put this in for FY13. Chief Ohrenberger stated that the department will scale back to requesting one cruiser with second on for ATM April 2012. Clarified will be a Crown Vic. The vests will replace all current officers as the vests age out at five years of use. New officers are issued vests out of a different budget and the retiring officers won't be affected by the aging. These are reimbursable as funds become available. The Chief explained that the radar trailer the town currently has will go to the DPW and he will try to seek grant money to reimburse the expense. Mr. Thorne began the discussion of the Recreation ballfield drainage item by stating that the recommendation is to not fund this item, but Mr. Hanley wanted to speak on behalf of the request. Mr. Hanley explained that this project is an \$80,000 project that Bob Morrisette will make available to Pembroke for \$30,000 now because of the timing. He suggested telecommunications revenue from the Birch Street cell tower as a funding source. Mr. McNeilly asked if this will definitely solve the problem. Mr. Hanley said no project has guarantees but there is money in this request set aside for engineering. Mr. McNeill requested commitment that \$30,000 finishes the drainage issue. Mr. Fulmine said without site engineering, it is impossible to know. Mr. Hanley said the money is included for engineering and the water that is penetrating the ballfield. Mr. Stone confirmed the source of revenue that Mr. Hanley suggested; Mr. Hanley stated dedicated telecommunications revenue from the Birch Street cell tower if not funded from free cash. Mr. Thorne said that originally there was around \$100,000 generated in revenue from cell towers; now we are somewhat over \$200,000. He will have a more specific figure by the Selectmen's October 11 meeting. The goal is to have as much money after Town Meeting as possible for FY13 capital plan funding. There is \$335,000 in the regular stabilization fund and \$800,000 in the special stabilization fund. Cathy Salmon wanted to call attention to the BOH article for document storage; there are many important documents in the attic and the vault, all of which no one would want to lose. Everyone agreed; Mr. Hackett inquired as to whether plan called for microfiche backup; appeared from documentation as though that would be the next step but all documents and files would be organized and ready for that process if this system were adopted. Mr. Thorne wanted to call attention to the three articles at the bottom of the page; Article Three calls for \$100,000 for Veteran's Services, or benefits that are reimbursable by the state in 2013. Article Eleven is the hydrilla in Hobomock Pond at \$12,800 and Article Seventeen is the Monroe Street Culvert. Mr. Fulmine explained that in the spring \$9000 worth of emergency repairs to an old stone culvert were necessary when Monroe and Rebecca Streets flooded. This will solve the problem.

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Cathy Salmon expressed reservations about voting to fund the ballfield drainage request when the senior tax Work Off program had been defunded. Mr. Thorne explained that the Work Off program was funded out of the Council on Aging at \$5,000/yr and was cut two years ago. Brief discussion ensued. Mr. Stone stated he doesn't support cell tower dedicated revenue to specific projects; it should go to the general fund and the best project will be approved by residents. Mrs. Scroggins asked if there was a plan to replenish the capital fund; Mr. Thorne listed property held in tax possession as potential source of surplus property revenue for capital fund. Mr. Bosworth verified that free cash is rolled over every year and available for the next year; Mr. Thorne confirmed. Mr. Trabucco inquired where the largest expense in budget was; health insurance at eleven percent (11%) of total budget (\$6.7m of \$54m). Mr. Thorne confirmed this number increases approximately ten percent (10%) annually. Mr. McNeilly recommended favorable action on the ballfield drainage, using free cash as source of funding. Mr. Thorne requested a recommendation on each item on the Capital Plan; there were twelve voting members present:

Item 1: Assessors Server	\$ 5,050.00	unanimously in favor; twelve votes
Item 2: DPW 1 Ton Truck	\$ 50,000.00	unanimously in favor; twelve votes
Item 3: DPW Asphalt Hot Box	\$ 21,900.00	unanimously in favor; twelve votes
Item 4: BOH Filing System	\$ 50,408.00	unanimously opposed; twelve votes
Item 5: Police Cruiser	\$ 36,000.00	unanimously in favor; twelve votes
Item 6: Police Vests	\$ 20,440.00	unanimously in favor; twelve votes
Item 7: Police Radar Trailer	\$ 14,000.00	unanimously in favor; twelve votes
Item 8: Recreation Ballfield Drain	\$ 30,000.00	eleven in favor; one opposed
Item 9: Town Hall Filing System	\$ 18,075.00	unanimously opposed; twelve votes

**Recommendations of Capital Planning – Cash Management Committee for STM:**

<u>Department</u>	<u>Item</u>	<u>Total Request</u>	<u>Recommend Funding</u>
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DPW	Asphalt Box	\$ 42,500.00	\$ 21,900.00
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<b>Subtotal</b>		<b>\$411,473.00</b>	<b>\$177,390.00</b>



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Mr. Thorne stated that this \$177,390.00 added to Article Three's \$100,000.00, Article Eleven's \$12,800.00 and Article Seventeen's \$25,000.00 bring total requests to **\$ 315,190.00. Available funds of \$ 688,760.00 - \$ 315,190.00 = \$ 374,370.00 balance.**

In summary, Mr. McNeilly stated Advisory needs a copy of the closed warrant as soon as it is available; the votes recorded are to recommend the above items to the Board of Selectmen for inclusion Article One. Each department head will be meeting with Advisory soon to go over their budgets; he asked Mary Willis to try to find a way to reinstate the Work Off program and ask for funding if necessary. Ms. Willis agreed and said she would review qualifications for applicants and possible tax changes with the Treasurer. Mr. Trabucco asked if there were additional tax abatements that could be offered to seniors that may be more effective in helping the elderly community; Ms. Salmon said there were none of which she was aware; an article would have to be brought by the Board of Assessors to Town Meeting requesting to raise the income levels or increase the annual exemption amount to change the existing abatements. Mr. McNeilly asked for further issues or questions; there were none. The motion was made to adjourn the Capital Planning - Cash Management meeting by Mr. Fulmine, seconded by Mr. Boyle. All were in favor. The meeting adjourned.

There was a motion to adjourn the Selectmen's Meeting by Mr. Boyle; seconded by Mr. Boulter. It was so unanimously voted. The meeting was adjourned at 7:50 pm.