

**MINUTES OF THE SELECTMEN'S MEETING
JUNE 27, 2016**

PRESENT: Lewis W. Stone (Chairman), Willard J. Boulter, Jr. (Vice-Chairman), Arthur P. Boyle, Jr. (Clerk), Daniel W. Trabucco (Selectman), Matthew J. Furlong (Selectman), J. Michael Hill (Fire Chief), Linda Peterson, Donna Bagni, Gary Fine, Robert Schnibbe, Courtney Vercollone, Laurinda Nickerson, Eric Bain, Rob Adams, Sabrina Chilcott (Executive Assistant), and others.

At 7:00 pm Mr. Stone 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.

ANNOUNCEMENTS

Mr. Stone congratulated Selectman Boyle on his re-election to the executive committee of the Plymouth County Emergency Preparedness Coalition. Mr. Stone stated that the DPW Water Division Consumer Confidence Reports were mailed to residents and are available in the DPW office.

7:00 SUSAN ROCHE, RECREATION DIRECTOR: SPECIAL EVENTS PERMIT, SUMMER CONCERT SERIES

Mr. Boyle moved to grant the Special Events permit application of the Pembroke Recreation Commission to coordinate and host food service at their Concerts on the Green for ten consecutive Sundays from July 3rd through September 4, 2016 subject to the approval of the Board of Health. Mr. Boulter seconded the motion. The vote was unanimously in favor.

7:05 ARTHUR EGERTON: INTRODUCTION TO "PEMBROKE TOWN NEWS"

Mr. Egerton and Mr. Adams were present before the Board to announce their new endeavor. They have begun a Facebook and YouTube video offering entitled "Pembroke Town News" whereby they record special features of interest to residents, including the recording of board and committee meetings.

CONSIDER THE APPOINTMENT OF FREDERICK CASAVANT IV TO THE ZBA AS FULL MEMBER

The Zoning Board of Appeals has submitted a request to the Board to appoint Rick Casavant as a full member; he currently serves as an alternate. Mr. Boyle moved to appoint Frederick Casavant IV to the ZBA for a three year term to expire June 30, 2017; Mr. Trabucco seconded the motion. The vote was unanimously in favor.

CONSIDER THE RESIGNATION OF KYLE HARNEY FROM THE HERRING FISHERIES COMMISSION

Mr. Boulter moved to accept the resignation of Kyle Harney from the Pembroke Herring Fisheries Commission effective immediately; Mr. Boyle seconded the motion. The vote was unanimously in favor.

CONSIDER THE APPOINTMENT OF LINDA MCCOLLUM TO THE CULTURAL COUNCIL

Mr. Boyle moved to appoint Linda McCollum to the Cultural Council for a term to expire June 30, 2019; Mr. Boulter seconded the motion. The vote was unanimously in favor.

VOTE ANNUAL RE-APPOINTMENTS

Mr. Stone read the candidates for re-appointment to town boards, committees and commissions; Mr. Boyle disclosed that he is related to two of the candidates for reappointment, but these are non-paying roles and no financial conflict exists. Mr. Furlong moved to reappoint the slate of candidates as presented for the terms to expire as listed. Mr. Boyle seconded the motion. The vote was unanimously in favor.

VOTE THE MINUTES OF JUNE 6, 2016

Mr. Boyle moved to accept the minutes of June 6, 2016 as written; Mr. Boulter seconded the motion. The vote was unanimously in favor.

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VOTE THE MINUTES OF JUNE 13, 2016

Mr. Boyle moved to accept the minutes of June 13, 2016 as presented; Mr. Boulter seconded the motion. The vote was unanimously in favor.

OLD BUSINESS

Mr. Boulter advised the public that he and Mr. Stone met with Division of Aeronautics inspector Andrew Mihaley; the Police Chief and Lieutenant were present as well. The Selectmen presented the questions that were compiled from submission by abutters, and many were answered and a few were referred to the FAA for more detailed answers. The Selectmen's office is compiling a report and will present it when the answers are complete.

TOWN ADMINISTRATOR'S REPORT

Mr. Thorne advised that the Municipal Aggregation Program rules and regulations required posting of the entire plan to the website for three weeks to allow for public comment. At the conclusion of the public comment period, the plan will be placed on the Selectmen's agenda for a vote to accept the plan. The plan allows residents to buy electricity cheaper than they can now, and individual homeowners may opt in or out of the plan. Mr. Thorne also updated the Board on the automated trash rollout to occur on July 11, 2016. The Toters began to be delivered to the staging area today, and they are being assembled for delivery over the course of the next two weeks. Mr. Thorne reminded residents that small changes were made to the Monday collection route, and the affected residents are receiving two mailers, and a flier will be posted on their Toters at the time of delivery notifying them of these important changes. Mr. Thorne stated that two PACTV television shows were recorded and are airing regarding the automation program, two mailers are going out to all residents, two WATD radio shows have been broadcasted and flyers are being distributed throughout town through the schools, COA, Library, Town Hall, Recreation Department and other locations. Mr. Thorne was pleased to announce that the Town of Pembroke was rated the #32 safest community in Massachusetts by CreditDonkey; ratings are based on the amount of violent crimes per thousand people.

NEW BUSINESS

Mr. Boyle introduced Robert Schnibbe of Green Harbor Dispensary; he is seeking time before the Board to discuss his licensure through the Commonwealth to open a medical marijuana dispensary, and will be asking the Board of Selectmen to provide him with a letter of non-opposition or of support for his proposal. He stated that 80 firms are seeking a total of 180 licenses available in the state. His company is considering several towns and has not selected a site in Pembroke; the letter from the Board would be the first step for Green Harbor Dispensary to consider locating their dispensary in town. Discussion ensued. Mr. Furlong asked how Pembroke would benefit from Mr. Schnibbe's proposal. Mr. Schnibbe stated that residents who need treatment would have it available locally; additionally, though his group is a not-for-profit group and do not pay state sales taxes, they would enter into a community share agreement whereby the town would receive a percentage of gross revenue. Mr. Boyle asked for examples of possible revenue amounts that could be realized; Mr. Schnibbe gave examples of schemes that pay out quarterly in fixed amounts around \$50,000 per quarter for the first year and could increase based on the relationship to a percentage of gross revenue. Mr. Boyle qualified that Mr. Schnibbe is seeking a letter of non-opposition from the Board; Mr. Schnibbe stated that he would prefer a letter of approval and exclusivity. Mr. Trabucco stated that the overlay district created to house this business is very specific so there would be no question of where a facility could go. Mr. Boulter voiced opposition to a dispensary in Pembroke, stating that he is a career law enforcement professional that recognizes that the town has opiate concerns that would not be improved by placing a dispensary in town. Mr. Schnibbe stated that the current law allows for individual prescription holders to claim a hardship provision if there is no local dispensary, whereby they would then be allowed to grow six plants at their home. Growing plants at home would be illegal if a dispensary was opened. Mr. Stone stated that he does not support a Pembroke facility and cited reports that the system is being abused by physicians who do not examine patients that they prescribe; he stated that the regulations are not being followed and the Pembroke Police Chief is opposed as well. Mr. Boyle moved to table this discussion until July 11; Mr. Furlong seconded the motion. The vote was unanimously in favor.

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7:30 PKWM CHANGE OF MANAGER: VERC ENTERPRISES, INC. D/B/A/ PEMBROKE MOBIL #0960 00060 145 CHURCH ST

Courtney Vercollone was present with new manager Laurinda Nickerson on Verc Enterprises application for a change of manager at 145 Church Street. Mr. Boyle moved to grant the request Verc Enterprises, Inc. d/b/a Pembroke Mobil for a change of manager for Package Store Wine and malt license# 0960 00060 to be exercised at 145 Church Street Pembroke from Richard Cleary to Laurinda Nickerson; Mr. Boulter seconded the motion. The vote was unanimously in favor.

7:40 CVAA CHANGE OF MANAGER: LONGHORN STEAKHOUSE #5310, #0960 00056 125 CHURCH STREET

Eric Bain was present as new manager on the application of RARAE Hospitality International, Inc.'s application for a change of manager. Mr. Boulter moved to grant the request of RARE Hospitality International, Inc. d/b/a Longhorn Steakhouse #5310 for a change of manager for Common Victualer All Alcohol License# 0960 00056 exercised at 125 Church Street from Jennifer Reynolds to Eric Bain; Mr. Boyle seconded the motion. The vote was unanimously in favor.

At 7:50 pm, Mr. Furlong requested a brief recess. Mr. Stone declared the meeting in recess.

At 7:55 pm, Mr. Stone resumed the meeting.

7:55 FIRE CHIEF J. MICHAEL HILL: AMBULANCE FEE REPORT REVIEW, REQUEST FOR FEE INCREASE

The Chief presented his report on the current fee structure, the fund balance, costs associated with the program and a proposed fee schedule with background and detail. Mr. Stone asked if the program currently bills out three rates as other town do; the Chief stated no, Pembroke currently only bills BLS and ALS rates. Based on the number of interventions performed, ALS2 becomes a necessary rate to add. Discussion ensued. The Chief is proposing a rate for BLS of \$1115, a rate of \$1380 for ALS1 and a rate of \$2000 for ALS2. He explained that half of the administrative assistant's salary is paid through the ambulance fund, as is EMT stipends and all related ambulance expenses. The Chief stated the department is on track to hit 3,000 runs this year. Discussion ensued on the addition of an EMS Operations Officer in the form of a second deputy. Mr. Trabucco stated he is concerned about added costs to residents; Chief Hill explained that this will not affect Medicare, Medicaid, Unicare or workman's compensation; private insurance companies would be billed appropriately to offset the losses to the program and those private companies have set premiums and deductibles. Chief Hill summarized by stating that he would review the fund carefully for the first six months if the Board increases rates; then he would propose addressing staffing needs if the number support it. Mr. Boyle moved new ambulance billing rates for BLS services of \$1,115, ALS1 services of \$1,380 and ALS2 services of \$2,000; Mr. Boulter seconded the motion. The vote was unanimously in favor.

ABATE OUTSTANDING, PRIOR YEARS AMBULANCE BILLS

Chief Hill is requesting that the Board vote to abate outstanding bills deemed uncollectable through returned mail or other means of identification. The balances are primarily the result of insurance deficiencies billed four times with several attempts to collect the balances; the amount for FY15 and FY16 is \$23,377.87. Mr. Boulter moved to abate \$23,377.87; Mr. Trabucco seconded the motion.

Mr. Stone read the upcoming issues from the agenda.

Mr. Boyle stated that the residents at Windswept Bogs need intervention with the public littering and adversely impacting the neighborhood by drinking and soiling the beach after hours. Mr. Thorne stated that the Police Department will be adding patrols and vigilantly patrol the area.

At 7:35 pm, Mr. Boyle moved to enter Executive Session (7) To comply with, or act under the authority of M.G.L. c.41, s111F – Police Department; and (3) to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the

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public body and the chair so declares re: strategy, all union contracts; and (6) to consider the purchase, exchange, lease or value of real estate, if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body – 369 Washington Street

Mr. Trabucco seconded the motion. The vote by roll call: Boyle – yes, Boulter – yes, Furlong – yes, Trabucco – yes, and Stone – yes.

MATERIALS & EXHIBITS

Letter, Schedule, Application Special Events: Recreation Comm/Director S. Roche (Rec/BOS/TA Office)

Ambulance Fee Report: Fire Chief Hill (FD/BOS/TA Office)

Email: Abatements, K. Fraser (FD/BOS/TA Office)

Letter, ZBA RE: Casavant Appointment (ZBA/BOS/TA Office)

Email: L. McCollum Appointment Request (BOS/TA Office)

Email: K. Harney Resignation (BOS/TA Office)

Memo from SC: List of Candidates for Annual Reappointment (BOS/TA Office)

Application Change of Manager PKWM: Verc Enterprises (ABCC) (BOS/TA Office)

Application Change of Manager CVAA (ABCC) (BOS/TA/Office)

Draft Minutes of Meeting of June 6 and June 13, 2016 (BOS/TA Office)