

**MINUTES OF THE SELECTMEN'S MEETING  
JANUARY 9, 2017**

**PRESENT:** Lewis W. Stone (Chairman), Willard J. Boulter, Jr. (Vice-Chairman), Arthur P. Boyle, Jr. (Clerk), Daniel Trabucco (Selectman), Carolyn Murray (Town Counsel), Benjamin Bastianelli III (DPW Commissioner), Ashley Fall, Benjamin Bastianelli IV, Adam Silva (Pembroke Mariner Express), Sabrina Chilcott (Executive Assistant), and others.

**Not Present:** Matthew J. Furlong (Selectman)

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.

**7:00 TRANSFER OF COMMON VICTUALLER'S LICENSE #CV-52 FROM SAM WANNA'S, INC. TO VINCENT VENTURE INC. D/B/A BRYANTVILLE PIZZA KITCHEN**

Vincent Venture Inc. Treasurer Ashley Fall was present on behalf of Kenneth Fall in regards to a transfer of Common Victualler's license #CV-52 at 8 Main Street. They request to serve prepared food to the public daily as currently licensed at the property from 10:00 am to 10:00 pm Sunday through Thursday and from 9:00 am to 11:00pm on Friday and Saturday. No structural or internal design changes were performed and no building permits were pulled. There is no change of use as this will remain Bryantville Pizza Kitchen, and the ZBA has waived the need for a new special permit. Current health inspection, food permits and required certifications through the Board of Health are in place and a business certificate was filed with the Town Clerk. Mr. Boulter moved to grant the application for a transfer of Common Victualler's license #CV-52 from Sam Wanna's Inc. to Vincent Venture, Inc. d/b/a Bryantville Pizza Kitchen at 8 Main Street; Mr. Boyle seconded the motion. The vote was unanimously in favor.

**CONSIDER REQUEST OF POLICE CHIEF: APPOINT JAMES L. MACDONALD AS SPECIAL POLICE OFFICER FOR SEMLEC**

Chief Wall has requested that the Board of Selectmen appoint Plymouth County Deputy Sheriff James L. MacDonald as a Pembroke Special Police Officer for the express and limited purpose of serving as Special Tactics Vehicle Operator on the South East Massachusetts Law Enforcement Council SWAT Team. Mr. Boyle moved to appoint James L. MacDonald as a Special Police Officer to serve on SEMLEC SWAT Team at the recommendation of the Police Chief. Mr. Boulter seconded the motion. The vote was unanimously in favor.

**CONSIDER RESIGNATION OF ROB ADAMS FROM HERRING FISHERIES COMMISSION**

Mr. Boulter moved to accept the resignation of Rob Adams from the Herring Fisheries Commission effective immediately and with regret. Mr. Boyle seconded the motion. The vote was unanimously in favor.

**CONSIDER RESIGNATION OF TOM WILKERSON FROM COMMISSION ON DISABILITIES**

Mr. Boulter moved to accept the resignation of Tom Wilkerson from the Commission on Disabilities effective immediately and with regret. Mr. Boyle seconded the motion. The vote was unanimously in favor.

**CONSIDER SPECIAL EVENTS PERMIT REQUEST OF MASSACHUSETTS KAYAK BASSIN' ON SEPTEMBER 16, 2017**

Mr. Boulter moved to grant a Special Use, Summer Events Permit to Ken Wood of Massachusetts Kayak Bassin' to hold a fishing tournament on Oldham Pond on September 16, 2017 from 6:00 am to 3:00 pm conditionally upon the approval of the Conservation Commission. Mr. Trabucco seconded the motion. The vote was unanimously in favor.

**VOTE TO APPROVE MINUTES OF DECEMBER 12, 2016**

Mr. Boyle moved to approve the minutes of December 12, 2016 as written; Mr. Boulter seconded the motion. The vote was unanimously in favor.

## **MINUTES OF THE SELECTMEN'S MEETING**

### **OLD BUSINESS**

Mr. Boulter presented the record of approved bills and payrolls for December 20, 2016 and Mr. Stone presented the record of approved bills and payrolls for December 27, 2016 and January 3, 2017.

Mr. Stone stated that the Selectmen's survey of staff and boards regarding by-law compliance with the posting of meeting minutes will be reviewed at the next meeting on January 23<sup>rd</sup>.

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

Mr. Thorne announced the passage of House Bill #4346 which is the Hobomock Sidewalk Special Act allowing the borrowing for the project to be in excess of twenty years; the DPW Commissioners will begin preparation of the project and update the Board as it progresses. Mr. Thorne stated that Mass DEP notified the Town that they have passed the Post Closure Permit process to allow the town to begin construction of the solar project at the capped landfill with anticipated completion date of May of 2017. Mr. Thorne advised that he and several other Town officials met with the Brockton Water Commissioners this morning in regards to the proposed Furnace Pond Dredging Project; town counsel and engineers from Weston and Sampson were also present. The purpose of the meeting was to advise the Commissioners on the intentions of the proposed project; they were very receptive to the proposal. Mr. Thorne stated that the project would take quite some time to complete as there is only a limited window of time each year appropriate to do it, some 3-5 months out of the year.

### **ASK THE SELECTMEN**

Mr. Stone received a telephone call regarding snow removal during the early storm, not the weekend storm. Mr. Stone advised the public that the DPW Commissioners oversee snow removal on the town's roads and do well in the role. Mr. Stone will ensure that communications remain open between the boards and will follow up with the resident. DPW Commissioner Bastianelli stated that a private contractor experienced equipment failure on the West Elm Street route, which required that all other routes maintain their routes and make up the difference in this area as well.

### **NEW BUSINESS**

Mr. Stone stated that the MMA annual business meeting will be held January 20<sup>th</sup> and requested that anyone planning to attend let the office know to reserve their place.

Mr. Stone read the upcoming issues from the agenda. Mr. Boulter cautioned residents not to go out onto ice covered ponds as they are not yet safe.

### **7:30 PUBLIC HEARING: NEW CLASS II LICENSE: ROTARY AUTO REPAIR, INC., BENJAMIN BASTIANELLI IV AT 328 MATTAKEESETT STREET**

Mr. Bastianelli of Rotary Auto Repair, Inc. was present before the Board on his application for a used auto sales license to be exercised at 328 Mattakeesett Street. He has submitted a complete application, a letter from the Zoning Board of Appeals approving his application (the previous ZBA approval ran with the land, not the previous owner). He has satisfied the CORI and tax statement requirements. There were no abutters present to speak for or against this application. Mr. Boyle moved to approve the application of Rotary Auto Repair, Inc. for a New Class II Auto Dealer's License to be exercised at 328 Mattakeesett Street consisting of a two bay garage with attached office and 1,500 square feet of paved land for parking and display of automobiles at the intersection of Mattakeesett and Maquan Streets (Route 14) with the restriction that not more than five (5) vehicles in serviceable condition for sale are to be on the lot at one time (per the ZBA). Mr. Boulter seconded the motion. The vote was unanimously in favor.

At 7:35 pm, Mr. Boulter moved 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 public body and the chair so declares: Clerical/DPW/Police/Fire Unions, Police Union MOA Amendment; and to comply with, or act under the authority of M.G.L. c.41, s111F – Police Department. Mr. Stone declared it so and stated that the Board will return to open session to take a vote. Mr. Trabucco seconded the motion. By roll call vote: Boyle – yes, Boulter – yes, Trabucco – yes, Stone – yes.

## **MINUTES OF THE SELECTMEN'S MEETING**

At 8:50 pm, Mr. Boyle moved that the Board of Selectmen execute the First Amendment to the Memorandum of Agreement with the Police Union; Mr. Trabucco seconded the motion. The vote was unanimously in favor.

At 8:52 pm, Mr. Boulter moved to adjourn; Mr. Boyle seconded the motion. The vote was unanimously in favor.

### **MATERIALS & EXHIBITS**

Application/Related Documents, Common Victuallers License Transfer, K. Fall (BOS/TA Office)

Application/Related Documents, New Class II Used Auto Dealer's License, B. Bastianelli (BOS/TA Office)

Letters, R. Wall re: SPO to SEMLEC Request for Appointment (Police/BOS/TA Office)

Email, R. Adams re: Resignation HFC (BOS/TA Office)

Email, T. Weinreich re: T. Wilkerson Resignation CoD (CoD/BOS/TA Office)

Application, Special Use Summer Events Permit, K. Wood re: Fishing Tournament (BOS/TA Office)

Record of Approved Bills and Payrolls for December 20 and 27, 2016 and January 3, 2017 (BOS/TA Office)

Draft Minutes December 12, 2016 (BOS/TA Office)