

At 7:00 pm, Mr. Stone opened the meeting.

Mr. Thorne advised that Mr. Glauben has submitted a letter to the Selectmen stating that he is not resigning from the Commission and that he was unable to be in attendance at this meeting. Mr. Boulter stated that he verbally stated his intention to do so at the Conservation Commission meeting of April 18<sup>th</sup>. Discussion ensued. Mr. Boulter moved that Scott Glauben be placed on administrative leave until the North River Commission, the Division of Marine Fisheries and the DEP have looked into the violation at Luddum's Ford. There was no second. Mr. Boulter stated that DEP requested that a cease and desist order be issued by the Pembroke Conservation Commission and that this is the second time that Mr. Glauben has been working in the streams while the fish are migrating. Mr. Boulter stated that Mr. Glauben made remarks at the aforementioned meeting regarding the fish that were unacceptable. Mr. Boulter stated that he feels that Mr. Glauben should not be an active Commissioner while the facts of the matter are being determined and the violation is investigated.

Mr. Boulter stated that he spoke with the DPW Tree Foreman who stated that the Conservation Agent gave him permission to cut what was cut at Luddam's Ford, and Mr. Boulter stated that a state statute was violated. Rick Madden stated that he attempted to reach the Conservation Agent on Friday afternoon and the Agent "wouldn't take calls" so the members seeking a cease and desist could not execute one. Mr. Madden stated that Mr. Glauben became irate (at the April 18<sup>th</sup> meeting) and walked out of the meeting, and Mr. Glauben brought up the fish. Mr. Boulter stated that he has no issues with the DPW workers. Mr. Boulter stated that he serves as the North River Commission representative from Pembroke. Mr. Boulter stated that he observed the DPW clearing land with large equipment on April 14<sup>th</sup> at 1:00 pm. Mr. Boulter contacted the North River Commission secretary and asked if she had received information regarding a project at this location; she stated that she had not. Mr. Boulter contacted the DPW Director and advised him that there was no permit in place and that the observed work was in violation of the North River Protection order. Mr. Boulter stated that Judy Grecco has sent a letter to the Pembroke Conservation Commission requesting information about this project to be reviewed at the NRC meeting on May 25<sup>th</sup>. Ms. Grecco stated that she spoke with the Conservation Agent and he stated that he will take responsibility for the project with the NRC. Mr. Boulter stated that this is not the first time he has spoken with Mr. Clarke about cutting in stream areas. Mr. Boulter stated that the fish are in migration period now, and it is a real problem to have loam and silt going into the North River.

Materials or other exhibits used by the public body in an open meeting are available to the public within 10 days upon request.  
Prepared by S. Chilcott May 1, 2017 Page 1 of 2

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

Mr. Boulter read the NRC Protective order regarding Vegetative Cutting Standards and stated that the Town could apply for and receive a permit to remove brush and dead trees upon the submission of a plan to the NRC. Mr. Clarke stated that the Protective Order also states that any area already disturbed is not covered under the Protective Order, and the foundations from the original factory are still in place at Luddam's Ford. Mr. Clarke clarified that the DPW has a blanket permit issued by the Pembroke Conservation Commission 20 years ago for the performance of normal maintenance and improvements within the Town of Pembroke, such as filling potholes near wetlands, mowing, brush cutting and on occasion, tree removal. Mr. Clarke stated that this system has worked well and allows for the maintenance of the town to be performed as it is needed, and Mr. Clarke stated that the work performed at Luddam's Ford was normal maintenance. Mr. Clarke stated that, if the NRC wants to exercise its jurisdiction, he will discuss it with them at the meeting of May 25<sup>th</sup>. Weymouth's Assistant Herring Warden Phillip Lofgren was present to advise the Board that he observed substandard practices for river protection in that hay bales and silt socks should have been used in the area and they were not. Mr. Lofgren stated that herring were present and observed at the location, and he wanted to express his concern to the Board.

Mr. Stone advised that the Board is due at the Advisory Committee's financial forum, but he will schedule a meeting Monday, May 8<sup>th</sup> to continue this discussion. Mr. Boyle moved to continue the discussion on May 8<sup>th</sup> as recommended by the Chairman; Mr. Furlong seconded the motion. The vote was unanimously in favor.

The Selectmen recessed at 7:45 pm to the Pembroke Public Library to attend the Advisory Committee's financial forum.

### **MATERIALS & EXHIBITS**

North River Protection Order (NRC/BOS/TA Office)

Letter, E. Thorne re: May 1 Scheduled Meeting (BOS/TA Office)

Letter, S. Glauben re: Availability (BOS/TA Office)

TA Summary of Conservation Commission/Open Space Projects (BOS/TA Office)

ATM Warrant, Article 27 Recommendation B (CPC/BOS/TA Office)