

**MINUTES OF THE SELECTMEN'S MEETING  
JUNE 5, 2017**

**PRESENT:** Willard J. Boulter, Jr. (Chairman), Matthew J. Furlong (Vice-Chairman), Lewis W. Stone (Clerk), Arthur P. Boyle, Jr. (Selectman), Daniel Trabucco (Selectman), Edwin J. Thorne (Town Administrator), Michael Buckley (Town Accountant), Deborah Wall (Library Director), Hsui-Ann Tom, Bill Boyle, Neal Orczyk, Adam Silva, Hayley Johnson, Bonnie Pajick, Sabrina Chilcott (Executive Assistant), and others.

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

**ANNOUNCEMENT**

The Bryantville United Methodist Church is having a ham dinner on Saturday, June 24, at 6 pm. The cost is \$8 for adults and \$5 for children. Please call the church office, 781-293-2025 to purchase tickets. The James "Tiny" Brown Memorial dedication ceremony will be held on June 23, 2017 at 10:00 am.

**7:00 WAGE AND PERSONNEL BOARD: LIBRARY DIRECTOR'S REQUEST FOR EMPLOYEE STEP INCREASE**

Ms. Wall was present before the Board requesting a step increase for a part-time library employee on their first year anniversary; Ms. Wall explained that the Wage & Personnel By-laws reflect two different and possibly conflicting directions for employee step increases on their anniversary dates. It is stated that "all" employees receive a step increase on their anniversary, but later the document states that part-time employees benefits are pro-rated. Additionally, Ms. Wall stated that the clerical contract is worded to allow department heads to use their discretion to make this decision versus the W & P Bylaws which does not. Discussion ensued. Mr. Trabucco stated that he would rather leave the language as it is but support the department heads petition of the Wage & Personnel Board as their judgement allows; he agreed that this issue merits further discussion. Mr. Boyle concurred with Mr. Trabucco. Mr. Furlong inquired as to the position and the qualifications of the candidate. Ms. Wall stated that this role represents the department to the public through facilitation at the main desk and children's desk, explaining offerings, programs, and fully assisting the public with research and editing of projects. Mr. Boyle recommended that the Town Administrator address potential changes in the Wage & Personnel By-laws, and moved the recommendation of Library Director Deborah Wall to increase the step of the specified employee. Mr. Trabucco seconded the motion. The vote was unanimously in favor.

**BILL BOYLE OF KEITH, MEADOWS AND DUNN, LLC**

Mr. Boyle was present before the Board and thanked them for the opportunity for the Chamber of Commerce's local businesses to address the public in this forum; the Chamber's motto is "Buy Local, Buy Pembroke". Mr. Boyle stated that he represents Keith, Meadows and Dunn, LLC in this spotlight on local businesses. Mr. Boyle stated that he provides estate and retirement planning, and Keith, Meadows and Dunn is affiliated with New York Life and MassMutual and Guardian. Mr. Boyle explained that the Chamber works locally within the community, and works together with town government for the benefit of all residents. Mr. Boyle concluded with support for the Chamber of Commerce's second annual Pembroke Day on August 19<sup>th</sup>.

**7:20 NEAL ORCZYK, RENEWAL BY ANDERSON: DOOR-TO-DOOR SOLICITATION PERMIT APPLICATION**

Mr. Orczyk was present regarding his application to solicit door-to-door. Mr. Orczyk stated that he and his group seeks to go door to door in Pembroke for the purpose of handing out materials and scheduling future appointments for free estimates on windows and doors to residents from 3:30 pm to 7:30 pm Monday through Thursday and from 10:30 am to 3:00 pm on Saturday and Sunday for a period of 90 days. The members of his group have satisfied the CORI requirements and the Selectmen's office has forwarded the Chief of Police his application in preparation for the next permitting step which includes a comprehensive background check, with final permit to be issued by the Chief of Police. The group members include Neal Orczyk, Donald Williams, Dakota Ward and Rinaldy Maldonado. Mr. Trabucco moved to approve the

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application of Neal Orczyk and group on behalf of Renewal by Anderson for a door-to-door solicitation permit authorizing sales from 3:30 pm to 7:30 pm, Monday through Thursday and from 10:30 am to 3:00 pm on Saturday and Sunday, license eligible for renewal on its expiration on September 5, 2017, subject to approval and permit card issuance by the Chief of Police. Mr. Boyle seconded the motion. The vote was 4/1 in favor with Mr. Stone opposed.

### **VOTE TO EXECUTE PAYMENT IN LIEU IN TAXES AGREEMENT WITH ONYX DEVELOPMENT GROUP, LLC**

Mr. Thorne updated the Board on the status of the drafted PILOT agreement between the town and Onyx Development; two issues remain outstanding but are being addressed. An easement is required by National Grid to connect the power lines to the poles at the site, and the town must execute this easement. Regarding payment terms of the agreement, Onyx requires that the solar field be commercially operable before initiating payments, and operations are not slated to begin until August or September. Chief Assessor Catherine Salmon has received confirmation from the Mass DOR that payments on partial assessments cannot be accepted during a fiscal year; all four quarters must be billed, or the billing must begin at the start of the next fiscal year. Mr. Thorne advised that the two options for the town are to accept two payments for the complete fiscal year due February 1 and May 1, or to begin billing in August of 2018. Discussion ensued; the Board indicated a preference of accepting two payments in fiscal 2018. Town Accountant Michael Buckley was present to confirm that the agreement will run for twenty years, and payments not realized in the first fiscal year will be realized at the end of the term.

### **VOTE TO AMEND TRASH ABATEMENTS FOR SENIORS**

Mr. Thorne stated that the Board previously voted trash abatement procedures. The senior abatement procedure should have remained the same; the criteria for qualifying seniors was intended to remain the same, and the abatement amount, or half of the bill, was intended to be the same. Mr. Boyle moved to keep the senior municipal user fee abatement qualification, process and abatement amount the same as is currently offered; Mr. Stone seconded the motion. The vote was unanimously in favor.

### **VOTE THE SELECTMEN'S SUMMER SCHEDULE**

Mr. Boulter stated that, for scheduling purposes, it is proposed that the Pembroke Board of Selectmen will meet on the following dates: June: on June 12 and June 26; July: on July 10 and July 24; August: on August 7 and on August 21; and in September, the Board will resume weekly meetings on Monday, September 11<sup>th</sup>. Mr. Boulter advised that, if any major issue arises, the Chairman of the Board will call a special meeting of the Board. Mr. Trabucco moved to adopt the summer schedule as presented; Mr. Stone seconded the motion. The vote was unanimously in favor.

### **VOTE UNPAID RE-APPOINTMENTS TO TOWN BOARDS, COMMITTEES AND COMMISSIONS**

Mr. Boyle moved to approve the list of proposed re-appointments and their terms, and read each one aloud:

Lisa Cullity	Community Preservation Committee (Selectmen's Representative)	2020
Arthur Egerton	Conservation Commission	2020
Linda Osborne	Council on Aging	2020
John Melchin	Council on Aging	2020
Arthur Egerton	Herring Fisheries Commission	2020
Matthew Queenan	Herring Fisheries Commission Alternate	2020
Linda Osborne	Historical District/Historical Commission	2020
William Cullity, Jr.	MBTA Advisory Board Representative	2020
Daniel Trabucco	OCPC Representative	2018
Eugene Fulmine, Jr.	OCPC Joint Transpo Committee	2020
Lisa Cullity	Recycling Committee	2020
Sandra Damon	Registrars, Board of	2020
Linda Osborne	South Shore Community Action Council Rep	2020

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Faith Byrne	Town Landing Committee	2020
Edward Bursaw	Veteran's Neglected Graves Officers	2018
Andrew Pongratz	Veteran's Neglected Graves Officers	2018
Frederick Casavant, IV	Zoning Board of Building Law Appeals	2020

Mr. Stone seconded the motion; the vote was unanimously in favor.

### **ROADSIDE STAND PERMIT/FARM STAND REQUEST: DAVID NASH, 47 MATTAKEESETT ST**

Mr. Boyle moved to grant the application of David Nash for a Roadside Stand Permit for a farm stand at 47 Mattakeesett Street, renewable annually, be exercised daily from 8:00am to 8:00pm June 1-August 31, 8:00am to 7:00pm September 1-September 30 and 8:00am to 6:00pm from October 1-October 31. Mr. Furlong seconded the motion. The vote was unanimously in favor.

### **PEMBROKE ARTS FESTIVAL REQUEST: CLOSE CURVE STREET ON AUGUST 12 10AM-5PM**

Mr. Boyle moved to grant the request of the Pembroke Arts Festival Committee to close Curve Street on August 12, 2017 from 10:00 am to 5:00 pm subject to the approval of the Police Department, Fire Department and DPW; Mr. Stone seconded the motion. The vote was unanimously in favor.

### **VOTE TO ACCEPT MINUTES OF MAY 22, 2017**

Mr. Stone moved to accept the minutes of May 22, 2017 as written; Mr. Boyle seconded the motion. The vote was unanimously in favor.

### **OLD BUSINESS**

On August 9, 2016, Governor Charles Baker signed An Act to Modernize Municipal Finance and Government whereby the Board of Selectmen may designate any one of its members for the purpose of approving bills or payrolls provided, however, that the member shall make available to the board, at its next meeting, a record of such actions. Mr. Stone reported that on May 31<sup>st</sup> he personally reviewed three accounts payable warrants for \$1,217,387.75 and two payroll warrants for \$1,292,817.02. Mr. Trabucco moved to accept Mr. Stone's report. Mr. Boyle seconded the motion. The vote was unanimously in favor.

At 7:55 pm, Mr. Boulter 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.

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

Solid Waste Report: Mr. Thorne presented this month's solid waste report, and stated that the town has received payment for recyclable material hauled to Avon for a second month in a row.

Solar Field at the Landfill: Mr. Thorne advised that Onyx is in discussion to set a date for a ribbon cutting ceremony, and more information will be forthcoming.

Municipal Aggregation Program: Mr. Thorne will be attending a meeting on June 8<sup>th</sup> at 6:30 pm for an update from Colonial Power on the aggregation program and bidding process. Mr. Thorne will request that Colonial Power hold a presentation before the Board at a future date.

Hobomock Sidewalk Project: Mr. Thorne stated that the DPW Director has advised that the project will begin at the end of next week, weather permitting.

Mr. Trabucco asked how Pembroke's 25% recycling average compares to surrounding towns; Mr. Thorne stated he will report those figures at the next opportunity, and stated that curbside, automated trash collection has reduced the tonnage of trash at the curb and increased traffic at the Recycling Center. Mr. Furlong inquired into the change from switching from Rochester's facility to New Bedford's; Mr. Thorne stated that the savings by contracting with New Bedford Waste Service's \$56.28/ton versus SEMASS' \$128/ton resulted in a reduction in excess of \$250,000 annually.

Mr. Boulter read the upcoming issues from the agenda.

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At 8:00 pm, Mr. Stone moved to enter Executive Session under M.G.L. c.30A, Sec. 21(2) to conduct strategy sessions in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions or contract negotiations with non-union personnel, Assistant Accountant, and (3) to discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body, meeting the local needs threshold regarding MGL c.40B adjourn; Mr. Boulter declared it to be so, and stated that the Board will return to open session upon conclusion. Mr. Trabucco seconded the motion. The vote was unanimously in favor.

At 8:40 pm, the Board returned to open session. Mr. Boyle moved the recommendation of Town Accountant Michael Buckley to grant the Assistant Town Accountant's contract; Mr. Stone seconded the motion. The vote was unanimously in favor.

At 8:45 pm, Mr. Trabucco moved to adjourn; Mr. Boyle seconded the motion. The vote was unanimously in favor.

### **MATERIALS & EXHIBITS**

Application, N. Orczyk for Renewal by Anderson RE: Door-to-Door Solicitation Permit (BOS/TA Office)

Draft PILOT Agreement (BOS/TA Office)

Draft Summer Schedule (BOS/TA Office)

Unpaid Board Re-Appointment Slate of Candidates Dated June 2 (BOS/TA Office)

Roadside Stand/Farm Stand Permit Application, D. Nash (BOS/TA Office)

Letter, C. Sullivan for PAF RE: Road Closure (BOS/TA Office)

Draft Minutes of May 22, 2017 (BOS/TA Office)

Record of Approved Bills and Payrolls of May 31, 2017 (BOS/TA Office)