

**MINUTES OF THE SELECTMEN'S MEETING
JULY 24, 2017**

PRESENT: 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), Richard Madden, Arthur Egerton, Charles Mathewson (WATD), Hayley Johnson (Pembroke Mariner), Bonnie Pajick, Sabrina Chilcott (Executive Assistant), and others.
NOT PRESENT: Willard J. Boulter, Jr. (Chairman)

At 7:00 pm Mr. Furlong 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 ANNOUNCEMENT, VOTE TO AWARD SURPLUS PROPERTY AUCTION BIDS

Mr. Furlong announced that there were no bids received on item numbers 1, 2, 4, 5, 7, 8, and 12. Item #3 received two bids with the highest bid from Thomas Kelly of 47 Old Washington Street in Pembroke in the amount of \$565.37; item #6 received two bids with the highest bid from Corkery Tractor Trailer of 868 Turnpike Street in Canton in the amount of \$1,987.00; item #9 received one bid from Corkery Tractor Trailer in the amount of \$267.00; item #10 received one bid from Corkery Tractor Trailer in the amount of \$267.00; item #11 received one bid from Corkery Tractor Trailer in the amount of \$155.00 and item #13 received one bid from John Baragwanath of 803 Long Pond Road in Plymouth in the amount of \$87.00. Mr. Trabucco moved to award item #3, a 2004 Chevy Blazer, to Thomas Kelly of 47 Old Washington Street in Pembroke for \$565.37. Mr. Stone seconded the motion. The vote was unanimously in favor. Mr. Trabucco moved to award item #6, a 1998 Chevy 1 Ton Dump Truck, to Corkery Tractor Trailer of 868 Turnpike Street in Canton for \$1,987.00. Mr. Stone seconded the motion. The vote was unanimously in favor. Mr. Trabucco moved to award item #9, One Large Generator, As Is, to Corkery Tractor Trailer of 868 Turnpike Street in Canton for \$267.00. Mr. Stone seconded the motion. The vote was unanimously in favor. Mr. Trabucco moved to award item #10, One Large Generator, As Is, to Corkery Tractor Trailer of 868 Turnpike Street in Canton for \$267.00. Mr. Stone seconded the motion. The vote was unanimously in favor. Mr. Trabucco moved to award item #11, Small Police Trailer, to Corkery Tractor Trailer of 868 Turnpike Street in Canton for \$155.00. Mr. Stone seconded the motion. The vote was unanimously in favor. Mr. Trabucco moved to award item #13, 3 point spreader, to John Baragwanath of 803 Long Pond Road for \$87.00. Mr. Stone seconded the motion. The vote was unanimously in favor.

7:05 TOWN ACCOUNTANT MICHAEL BUCKLEY: VOTE OF YEAR-END TRANSFERS

Mr. Buckley was present before the Board with five transfers totaling \$74,122.03; he advised that \$17,865 would be transferred from short term interest to the Route 53 Engineering account; \$17,193.00 from the Reserve Fund to the Legal Expenses; \$11,990.67 from Fire Wages and Salaries to Fire General Expenses; \$3,510 from the Reserve Fund to Street lighting; and \$23,563.36 from Veteran's Benefits to Medicare Tax. Mr. Boyle moved the Town Accountant recommendation; Mr. Stone seconded the motion. The vote was unanimously in favor.

CONSIDER A VOTE TO AUTHORIZE THE USE OF TOWN COUNSEL FOR THE CONSERVATION COMMISSION AND CONSERVATION CHAIRMAN

Vice-Chairman, Acting Chairman Richard Madden was present before the Board on his request for the use of legal counsel to help the Board conduct a meeting in an appropriate way. Mr. Madden stated when the Conservation Commission meets it "turns into chaos" and he needs help sorting it out. Mr. Thorne advised that Selectman Boulter has requested that Conservation's appointment requests be continued to the next meeting in his absence, and that this item can follow suit and Mr. Thorne will contact town counsel for a recommendation on an appropriate attorney and timeframe in which to assist the Conservation Commission with this request. Mr. Madden stated that there are "other things" that he would want to speak with town counsel about; Mr. Stone cautioned that legal counsel should be directed through the Town Administrator's office for fiscal accountability. Mr. Boyle concurred. Mr. Furlong recommended that the Board take the matter under advisement and revisit the request at the Board's next meeting. Mr. Trabucco moved to table

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this request until the meeting of August 7th; Mr. Boyle seconded the motion. The vote was unanimously in favor.

VOTE TO ACCEPT THE RESIGNATION OF ANDREW STEVENSON FROM THE CONSERVATION COMMISSION

Mr. Trabucco moved to table this item and the requests for appointment that follow until the meeting of August 7th; Mr. Boyle seconded the motion. The vote was unanimously in favor.

REVIEW OF SELECTMAN STONE'S REPORT: BOARD MINUTE AND AGENDA POSTINGS TO TOWN WEBSITE

Mr. Stone presented his report of the data from the town website from 2016 and the first six months of 2017; he stated that 315 agendas were posted in 2016 with 217 sets of minutes, or 69%. Thus far in 2017, there are 163 agendas posted and 103 sets of minutes, or 63%. Mr. Stone stated that he understands that some agendas posted were amended agendas or for meetings that were never held due to lack of quorum. Discussion ensued. Consensus was achieved in authorizing Mr. Stone to work with the Town Administrator to prepare a letter to each board member in Pembroke regarding compliance with the by-law to post meeting minutes. Mr. Boyle suggested including language to the effect that votes must be accurately recorded with notes on the board's discussion highlights; Mr. Trabucco reminded the board that the minutes are not intended to be a transcript of a meeting.

CONSIDER PERMIT FOR USE OF TOWN ROADS BY PHS SPORTS BOOSTERS 5K ROAD RACE ON LEARNING LANE ROUTE OCTOBER 22, 2017

Mr. Boyle moved to approve the use of the Town's roads on October 22, 2017 at 9:00 am for the Pembroke High School Sports Boosters Titans 5K road race fundraiser pending the approval of the Chief of Police and the DPW. Mr. Stone seconded the motion; the vote was unanimously in favor.

VOTE TO ACCEPT THE MINUTES OF JULY 10, 2017

Mr. Stone moved to accept the minutes of July 10, 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. Furlong stated that Mr. Boulter reported that on July 18th he personally reviewed 12 accounts payable warrants totaling \$ 1,206,843.05 and 1 payroll warrant totaling \$ 225,873.11 as prepared by the Town Accountant, and authorized the itemized expenditures for payment. Mr. Stone moved to accept Mr. Boulter's report and Mr. Boyle seconded the motion. The vote was unanimously in favor. Mr. Trabucco requested that the Town Administrator schedule a less formal meeting between the Planning Board, the ZBA and Board of Selectmen for a date to be determined.

TOWN ADMINISTRATOR'S REPORT

Mr. Thorne updated the Board on the Luddam's Ford review conducted with Steve Ivas of Ivas Environmental, the consultant recommended by the North River Commission. The project is broken into four areas, of which Mr. Ivas has informed the town that Areas 1 and 3 are acceptable as they are now. Area 1 has had its vegetation grow back is providing a natural habitat for the species that have settled in it. Area 3 is fine and regular mowing will maintain it acceptably. The remaining two areas are the items that remain to be discussed. Area 2 is the waterfront area toward the bridge and is covered with invasive vegetative species; the town's two choices are to leave it as it is, or remove the invasive vegetation and plant new vegetation using a professional consultant. Mr. Thorne cautioned that this could cost in excess of \$10,000 to do. Mr. Thorne advised that Area 4 will be addressed with borrowed material from DPW to hydro seed the area in the fall, so he is preparing to file a Notice of Intent (NOI) to the Conservation Commission to do so. Mr. Thorne will update the North River Commission of these plans at the July 27th meeting.

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Mr. Thorne updated the Board on the upcoming public hearing continued by the Planning Board regarding the Selectmen's Zoning article prohibiting retail marijuana sales in town on July 31 in the Veteran's Hall. Mr. Stone stated that he will be in attendance and recommended that other Board members attend as well. Mr. Boyle stated that a large rock was moved at Luddam's Ford and now it blocks the horse crossing at the narrowest part of the stream. Mr. Thorne will speak with the DPW Director regarding this issue.

Mr. Furlong read the upcoming issues from the agenda.

At 7:40 pm, Mr. Stone moved to enter Executive Session under M.G.L. c.30A, Sec. 21(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 public body and the chair so declares: Pembroke Permanent Firefighters Association, Local 2351 of the IAFF, MOA for 7/1/2016 - 6/30/2019 and DPW Union Grievance. Mr. Furlong declared it to be so, and advised that the Board will return to open session. Mr. Trabucco seconded the motion.

Mr. Boyle requested that the Town Administrator send a letter to the Conservation Agent and copy the Building Department and Board of Health regarding the builder at 70 Toole Trail; he took down sixty foot pine trees and dropped them into Little Sandy Pond. Mr. Boyle wants to ensure that no further permits are issued to this builder until the trees and debris are cleared from the pond.

The vote to enter executive session by roll call: Mr. Boyle – yes, Mr. Stone – yes, Mr. Trabucco – yeas, Mr. Furlong – yes.

At 8:00 pm, Mr. Furlong advised the public that the Board has approved a Memorandum, of Agreement with the Pembroke Permanent Firefighters Association. Mr. Boyle moved to accept the Memorandum of Agreement as presented; Mr. Trabucco seconded the motion. The vote was unanimously in favor.

At 8:05 pm, Mr. Trabucco moved to adjourn; Mr. Boyle seconded the motion. The vote was unanimously in favor.

MATERIALS & EXHIBITS

Surplus Property Advertisement, original bids and Bid Sheet (BOS/TA Office)
Memorandum, M. Buckley RE: FY17 Year End Transfers (Acct/BOS/TA Office)
Email, A. Stevenson RE: resignation (BOS/TA Office)
Vacancy Application, M. Sotir, J. Keller (ConCom/BOS/TA Office)
Report, L. Stone RE: Website Data on Agenda and Minutes Postings by Boards (Web/BOS/TA Office)
Email, K. Smith RE: Road Race Request October 22 (BOS/TA Office)
Draft Minutes of July 10, 2017 (BOS/TA Office)
Record of Approved Bills & Payrolls, W. Boulter 7/18/2017 (BOS/TA Office)
Memorandum, Map E. Thorne RE: Luddam's Ford (BOS/TA Office)