

**MINUTES OF THE SELECTMEN'S MEETING  
AUGUST 21, 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), Richard Wall (Police Chief), TJ Gallagher, Daniel Gallagher, Mimi Gallagher, Elizabeth Gallagher, Joel Sugarman, Nancy Kindregan, Dan Pelletier, Mark Sotir, David Babb, Mike Galla, Benjamin Bastianelli, Jason Federico, Paul Whitman, Susan Roche, Sabrina Chilcott (Executive Assistant), and others.

At 7:00 pm Mr. Boulter opened the meeting. Cub Scout Pack 105 members TJ and Daniel Gallagher led the Pledge of Allegiance.

**7:00 CUB SCOUT PACK 105: REQUEST FOR PERMISSION FOR POPCORN SALES**

TJ Gallagher asked the Board to permit the Cub Scouts Pack 105 to solicit sales door to door in September and October as the pack's largest fundraiser of the year. Daniel Gallagher explained that proceeds fund their Pinewood Derby, summer camp banquets and more. Mr. Trabucco moved to allow the Cub Scouts to sell popcorn this year; Mr. Boyle seconded the motion. The vote was unanimously in favor.

**JOEL SUGARMAN, ROCKLAND TRUST**

Mr. Sugarman was present before the Board on behalf of Rockland Trust; he has lived in Pembroke for 32 years and worked for the bank for 15 years. He stated that Rockland Trust has 88 branches and their customer service scores lead the industry standard. Mr. Sugarman stressed the banks strengths and innovative digital service offerings in mobile technology. He introduced local branch manager Nancy Kindregan and stated that the local branch in Pembroke center holds \$45million in personal deposits and \$15million in business. Mr. Sugarman stated that the 1730 Burton homestead was renovated and houses the Pembroke branch in the center. Mr. Sugarman stated that the Chamber of Commerce's Pembroke Day raised \$4,500 for the Firehouse Food Pantry and \$3,000 for Pembroke Titans Against Drugs. For more information about Rockland Trust's offerings, please visit their website at: [www.rocklandtrust.com](http://www.rocklandtrust.com) or call (781) 293-9561.

**ANNOUNCEMENT**

Fall Special Town Meeting will be held on October 24, 2017 at 7:00 pm at PHS, 80 Learning Lane.

**7:15 DANIEL PELLETIER: REQUEST FOR APPOINTMENT AS SELECTMEN'S REPRESENTATIVE TO COMMUNITY RESERVATION COMMITTEE**

Mr. Pelletier was present on his application for appointment to the CPC; he stated that he has lived in Pembroke for 30 years and works as the Harwich Water Superintendent. Mr. Boyle moved to appoint 233 West Elm Street as a Selectmen's representative to the Community Preservation Committee, term to expire 2020. Mr. Stone seconded the motion. The vote was unanimously in favor.

**VOTE TO APPROVE APPLICATION FOR CHANGE IN CVAA: 99 RESTAURANT OF BOSTON, LLC FOR CHANGE IN DIRECTORS AND OFFICERS**

Mr. Trabucco moved to approve the application of the 99 Restaurants of Boston, LLC d/b/a the 99 Restaurant & Pub at 166 Church Street, license # 00051-RS-0960 for a change of officer and directors. Mr. Boyle seconded the motion; the vote was unanimously in favor.

**VOTE TO ACCEPT THE RESIGNATION OF HSUI-ANN TOM FROM ELECTED LIBRARY TRUSTEE POSITION**

Mr. Boyle moved to accept the resignation of Hsui-Ann Tom from her elected position as Library Trustee as she has moved out of Pembroke; Mr. Stone seconded the motion. The vote was unanimously in favor.

**CONSIDER VOTE TO APPROVE REQUEST FOR LIVE MUSIC AT PRIVATE PARTY: 199 PLEASANT ST ON SEPTEMBER 16**

Mr. Trabucco moved to table this item for two weeks; Mr. Stone seconded the motion. The vote was unanimously in favor.

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

### **CONSIDER VOTE TO APPROVE ONE DAY LIQUOR LICENSE REQUEST OF PEMBROKE RTC: SEPTEMBER 9, 6:00 PM-10:00 PM**

Mr. Boyle moved to grant the application of the Pembroke Republican Town Committee for a One Day Special Wine and Malt license to be exercised at 116 Center Street on September 9<sup>th</sup> from 6-10 pm; Mr. Stone seconded the motion. The vote was unanimously in favor.

### **CONSIDER VOTE TO APPROVE ONE DAY LIQUOR LICENSE REQUEST OF BRIDGES BY EPOCH: SEPTEMBER 13, 4:00 PM – 7:00 PM**

Mr. Boyle moved to grant the application of Barbara Harrison of Bridges by Epoch for a One Day Special Wine and Malt license to be exercised at 49 Cross Street on September 13<sup>th</sup> from 4-7 pm; Mr. Stone seconded the motion. The vote was unanimously in favor.

### **VOTE TO ACCEPT THE RESIGNATION OF ANDREW STEVENSON: CONSERVATION COMMISSION**

Mr. Boyle moved to accept the resignation of Andrew Stevenson from the Conservation Commission effective immediately; Mr. Stone seconded the motion. The vote was unanimously in favor.

### **VOTE TO APPOINT CONSERVATION COMMISSION MEMBER: JURGEN KELLER OR MARK SOTIR**

Mr. Sotir was present before the Board on his application to fill the vacancy on the Conservation Commission. Mr. Boyle moved to appoint Mark Sotir of 42 Prince Way to the Conservation Commission, term to expire in 2018; Mr. Stone seconded the motion. The vote was unanimously in favor.

### **VOTE TO ACCEPT THE MINUTES OF AUGUST 7, 2017**

Mr. Stone moved to accept the minutes of August 7, 2017 as written; Mr. Boyle seconded the motion. The vote was unanimously in favor.

### **7:20 DAVID BABB, COMCAST REQUEST FOR A DOOR TO DOOR SOLICITATION PERMIT**

Michael Galla, Comcast Regional Government Affairs Director, Donna Santacroce, Comcast Sales Development Manager and Comcast applicants David Babb and Tyler Shafer were present before the Board on an application to solicit and distribute materials door to door for Comcast/Xfinity services. Mr. Galla confirmed that Mr. Babb and Mr. Shafer are Comcast employees and not contractors. Discussion ensued on protocol, the by-law and the No Solicitation list. Mr. Trabucco moved to approve the application of David Babb on behalf of Comcast for a door-to-door solicitation permit authorizing sales from 11:00 am to 7:30 pm, Monday through Friday and from 9:00 am to 3:00 pm on Saturday and Sunday, license eligible for renewal on its expiration on November 21, 2017, subject to approval and permit card issuance by the Chief of Police. Mr. Boyle seconded the motion. The vote was 3/2 in favor of the motion with Mr. Stone and Mr. Furlong opposed.

### **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. Boulter reported that on August 15<sup>th</sup> he personally reviewed 2 accounts payable warrants totaling \$348,506.65 and 1 payroll warrant totaling \$ 231,508.37 as prepared by the Town Accountant, and authorized the itemized expenditures for payment. Mr. Trabucco moved to accept Mr. Boulter's report as presented and Mr. Boyle seconded the motion. The vote was unanimously in favor.

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

Mr. Thorne updated the Board on the memo sent to the Planning Board and ZBA requesting a joint meeting, and he will follow up on their response at the next meeting.

## MINUTES OF THE SELECTMEN'S MEETING

### Oldham Pond

Mr. Thorne advised that the DEP tested the pond today and will test again Wednesday. If both tests reflect levels under 70,000 c/ml, the pond will re-open and the end of the week. Mr. Thorne stated that the results three days before the pond was re-treated were 79,000 c/ml so there is reason to believe the results of this round of testing will be acceptable.

### Response to MassHousing: Amended Application of River Marsh, LLC for Site Eligibility (Water St)

Mr. Thorne presented the Town's response for the Board to consider; Mr. Boyle confirmed that he is adamantly opposed to this site begin developed in this fashion. Mr. Trabucco stated that the Board is unified in their opposition to construction in this area. Mr. Trabucco moved to support the response to MassHousing denying the eligibility of this parcel; Mr. Boyle seconded the motion. The vote was unanimously in favor.

At 7:30 pm, Benjamin Bastianelli, Jason Federico, Paul Whitman and Susan Roche entered the meeting.

### **7:40 DPW COMMISSIONERS: DISCUSSION OF TOWN GROUNDS MAINTENANCE NEEDS**

DPW Commissioner Jason Federico updated the Selectmen on the misunderstanding that arose when the Commissioners asked several facilities directors if they had the means to maintain their own grounds; the inquiry is due to a shortage of manpower in the DPW and they sought additional input from other departments. Mr. Federico stated that the DPW will not cease to maintain the towns grounds, however the scheduling issues that have arisen are due to increased demand for services with no increase in staffing. Discussion ensued on the maintenance of the Town Green and the need for irrigation and a well. Mr. Trabucco commended the Commissioners for communicating a need for shared services, but cautioned that collective bargaining terms may prohibit adding jobs to other employees. Mr. Boulter inquired as to the Commissioners need for summer help, and the Commissioners stated that they have had to reduce or eliminate funding to the line item when level funding is required and there is inflation in other cost centers. Ms. Roche concurred that better communication is needed between the Recreation Department and DPW when work is being done on the Town Green. Mr. Bastianelli stated that the Town Green is heavily utilized and should have a plan beyond basic maintenance. It was agreed that a capital article be submitted for improvements to the Town Green with Mr. Federico agreeing to provide the quotes and article submission by the Town Administrator. Discussion ensued on the new Water Management Act Withdrawal Permit and the resulting water ban to residents. Mr. Bastianelli explained that the town files an intent annually with the state citing an amount of water that the town will withdraw; complex calculations are employed by the state to determine the levels in all surrounding waterbodies, aquifers, basins and streams, and allow withdrawals until the triggers kick in. At this point, mandatory water management restrictions are required. Mr. Boyle asked if the Commissioners have considered allowing private entities to adopt and maintain specific parcels; Mr. Federico stated that the Commission supports this idea, and anyone interested should contact the DPW office. Mr. Federico further stated that a waiver on the water use restriction is available for anyone establishing a new lawn by contacting the DPW office. Mr. Furlong asked for a list of town properties maintained by the DPW, Mr. Boulter advised that the recent count of herring fish is at approximately 360,000, up from 230,000 last year.

Mr. Furlong stated that he supports the raising of the legal age to purchase tobacco of 21.

Mr. Boulter read the upcoming issues from the agenda.

At 8:25 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 if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares: With DPW Commissioners. Mr. Furlong seconded the motion. Mr. Boulter stated that the Board will not return to open session. By roll call: Mr. Boyle – yes, Mr. Stone – yes, Mr. Trabucco – yes, Mr. Furlong – yes, Boulter – yes.

### MATERIALS & EXHIBITS

Vacancy Application, D. Pelletier (BOS/TA Office)

ABCC Application, Letters RE: 99 Restaurants Change of Officer/Directors (BOS/TA Office)

Letter, H. Tom RE: resignation (Library Trustees/Town Clerk/BOS/TA Office)

Letter, K. Baker RE: private party (BOS/TA Office)

**MINUTES OF THE SELECTMEN'S MEETING**

One Day Liquor License Application, B. Harrison (BOS/TA Office)  
One Day Liquor License Application, P. Chilcott (BOS/TA Office)  
Emails, A. Stevenson RE: resignation (BOS/TA Office)  
Vacancy Application, M. Sotir, J. Keller, (ConCom/BOS/TA Office)  
Draft Minutes of August 7, 2017 (BOS/TA Office)  
Application, D. Babb RE: Door-to-Door Solicitation Permit (BOS/TA Office)  
Record of Approved Bills & Payrolls, W. Boulter 8/15/2017 (BOS/TA Office)  
Selectmen's Response to MassHousing on Amended App of River Marsh (BOS/TA Office)