

**MINUTES OF THE SELECT BOARD MEETING
DECEMBER 30, 2020
REMOTE MEETING HOSTED BY PACTV ON ZOOM PLATFORM**

PRESENT: Daniel Trabucco (Chairman), Jessica M. Rushing (Vice Chairman), John G. Brown, Jr. (Clerk), Rebecca Coletta (Selectman), Tracy Marino (Selectman), William Chenard (Town Manager), Kenneth McCormick (Fire Chief), Lisa Cullity (Health Agent), Cameron Mehr, Thomas Driscoll, Sabrina Chilcott (Assistant Town Manager)

At 7:00 pm, Mr. Trabucco advised that pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §20, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this meeting of the Pembroke Select Board is being conducted via remote participation. No in-person attendance of members of the public will be permitted, but the public can view this meeting while in progress on Comcast Government Access channel 15, and for those without cable, on their PRIME streaming channel by visiting www.pactv.org/prime. Members of the public attending this meeting virtually will be allowed to make comments if they wish to do so, during the portion of the meeting designated for public comment, by registering to login to this webinar at <https://www.pembroke-ma.gov/select-board/meetings>. All votes taken during this meeting will be roll call votes.

CONSIDERATION AND VOTE OF SELECT BOARD'S 2021 PROPOSED CALENDAR OF MEETINGS AND EVENTS

Ms. Rushing moved to approve the Select Board 2021 calendar of meetings and events; Ms. Marino seconded the motion. Mr. Brown asked to amend the motion and moved to accept the calendar as presented with the day and times of future meetings being altered due to in person or hybrid meetings due to Governor Baker's Orders being rescinded or altered in 2021. Ms. Rushing seconded Mr. Brown's motions. By roll call vote: 5/0: Brown – yes; Coletta – yes; Marino – yes; Rushing – yes, Trabucco – yes.

VOTE ACCEPT THE RESIGNATION OF SUZANNE SCROGGINS FROM SCHOOL COMMITTEE

Ms. Marino moved to accept with regret the resignation of Suzanne Scroggins from School Committee. Ms. Rushing seconded the motion. Mr. Brown thanked Ms. Scroggins for her thirteen years of dedication and service and cited the closing paragraph of Ms. Scroggins letter as being valuable to all. By roll call vote: 5/0: Brown – yes; Coletta – yes; Marino – yes; Rushing – yes, Trabucco – yes.

VOTE TO ACCEPT MINUTES OF NOVEMBER 18, DECEMBER 2, DECEMBER 16, 2020

Ms. Coletta moved to accept the minutes of November 18, 2020; Ms. Marino seconded the motion. By roll call vote: 5/0: Brown – yes; Coletta – yes; Marino – yes; Rushing – yes, Trabucco – yes. Ms. Marino moved to accept the minutes of December 2, 2020; Mr. Brown seconded the motion. By roll call vote: 5/0: Brown – yes; Coletta – yes; Marino – yes; Rushing – yes, Trabucco – yes. Ms. Coletta moved to accept the minutes of December 16, 2020; Ms. Marino seconded the motion. By roll call vote: 5/0: Brown – yes; Coletta – yes; Marino – yes; Rushing – yes, Trabucco – yes.

OLD BUSINESS

Curtis Crossing Dam at Luddam's Ford

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Mr. Trabucco requested a motion to create a subcommittee to investigate the feasibility of the Curtis Crossing Dam removal and Ms. Rushing so moved. Ms. Coletta seconded the motion. Ms. Rushing amended her motion to create a subcommittee to discuss the Curtis Crossing Dam at Luddam's Ford and nominate Becky Coletta and Tracy Marino to be the members of that subcommittee. Ms. Marino seconded the motion. By roll call vote: 5/0: Brown – yes; Coletta – yes; Marino – yes; Rushing – yes, Trabucco – yes.

Review, 172/Off Washington St Nature Preserve, Housing Lots D13-47A, D14-29A, F9-1

Mr. Trabucco advised that these lots are owned by Richard "Doc" Iacobucci and have been discussed previously as he has expressed interest in selling these properties to the town. They are separate but adjoining parcels with a nature preserve on one and affordable housing units on the other. Mr. Trabucco stated he would like to set up another site walk and invite board members, Open Space and Conservation Commission members to join. Mr. Trabucco stated it may be a good site for a wellhead. Mr. Trabucco advised the public that they may sign up to join by contacting the Town Manager's office.

7:15 CAMERON MEHR D/B/A WASHINGTON STREET MOTORS: TRANSFER OF LICENSE, KINGS HIGHWAY MOTORS AT 239 WASHINGTON ST, LICENSE # CII-70

At 7:15 pm, Mr. Trabucco opened the public hearing to consider the application of Cameron Mehr for a Transfer of Washington Street Auto Sales' License #CII-70 from Bijan Mehr, Kings Highway Motors, his father, exercised at 239 Washington Street. The current Class II License Number CII-70 is defined as 239 Washington Street, Pembroke, MA, a business operated from wood frame building at #239 Washington Street containing an office including storage room, bathroom and parking for (19) nineteen vehicles. Mr. Mehr was present before the Board to present his complete application with addenda, explaining that there is no change of use, change of site plan, change of hours or change of operating model. Mr. Mehr seeks to formalize his running of the 239 Washington Street location since the beginning of 2020 with a proper license transfer. Mr. Trabucco asked if there was anyone present to speak in favor of the application; there were none. Mr. Trabucco asked if there was anyone present to speak in opposition of the application; there were none. Ms. Rushing moved to approve the application of Cameron Mehr for a Transfer of Class II Used Auto Dealer's License CII-70, Washington Street Auto Sales, from Bijan Mehr, Kings Highway Motors, exercised at 239 Washington Street, an office including storage room, bathroom and parking for (19) nineteen vehicles.

REVIEW OF UPDATED PUBLIC COMMENT POLICY FOR POSSIBLE VOTE

Ms. Marino presented the current draft composed of amendments to the original draft from the last discussion and from town counsel. Ms. Coletta stated she would like to see two items changed; she feels it needs to be clearer that topics raised for discussion in advance will be placed on an agenda, and number twelve goes too far in stating that no matter shall be discussed if it is not on an agenda. Ms. Marino stated that number twelve was an addition from town counsel and was not in the original draft. Discussion ensued on amending number five by adding a sentence to clarify that any item is submitted to the agenda without question. Ms. Marino recommended replacing the words "request to be added" to "be added" to change the meaning and removing number twelve. Mr. Brown, Ms. Rushing, Ms. Marino and Mr. Trabucco agreed. Ms. Rushing requested proofreading for consistency. Ms. Rushing moved to approve this updated Public Comment Policy with the amendments as suggested. Ms. Marino seconded the motion. By roll call vote: 5/0: Brown – yes; Coletta – yes; Marino – yes; Rushing – yes, Trabucco – yes.

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NEW BUSINESS

Town Manager Appointment – Fire Chief

Mr. Chenard announced his intention effective January 1, 2021 to appoint Kenneth McCormick as the Fire Chief for the Town of Pembroke. Mr. Chenard advised that Chief McCormick has held every rank in the Department over 32 years from call firefighter, firefighter, captain, deputy chief and has been Interim Chief for the last eight months. He has completed Level 1 and 2 Firefighter training, Fire Officer training, Fire Instructor training, Fire Prevention Officer training, Public Information officer training, National Incident Management Courses, ICS 100, 200, 300, 400 and 700 courses. He holds a degree in Fire Science and is working on his degree in Public Administration; he has completed over 300 hours of Fire Academy classes, has participated in Fire Prevention Code Enforcement, Public Relations, served as the Advanced Life Support Coordinator, the HIPAA Compliance Coordinator and the Emergency Services Coordinator. Recently, he has prepared the Fiscal 2022 budget with the same constraints and preparing and managing a COVID action plan and has addressed two vacancies with great success. He has shown great leadership as the PEMA Co-Director throughout the event including working with local businesses and now is working with the Health Agent towards a successful vaccination plan for first responders. Mr. Chenard concluded by stating that he has spent a lot of time considering this role's appointment, evaluating comparably qualified individuals across the industry, and reviewing his work product and can report that Chief McCormick is first to respond with a consistently high-quality work product.

Chief McCormick thanked Mr. Chenard for his support from the very first day, easing the transition. He thanked the Select Board individually, and Ms. Rushing for her work with PEMA. He thanked the residents for their cooperation during this event, the men and women of the Fire Department for their professionalism and diligence. Chief McCormick thanked his wife and two children for their support and commitment.

Town Manager's Surplus Equipment Policy

Mr. Chenard advised that M.G.L. Chapter 30B (Uniform Procurement Act) governs how municipalities dispose of surplus supplies and the town is required to adopt a Surplus Property Policy. The rules apply to all tangible surplus supplies with a resale or salvage value including motor vehicles, machinery, computer equipment, furniture, and other materials and supplies. Disposal of real property is governed separately. All purchases made through the general operating budget, enterprise funds, grants and revolving funds must abide by the disposal of surplus property rules. The term "Supplies and Equipment" for the purposes of this policy shall include all furniture, fixtures, equipment, vehicles, supplies, and materials. The Town of Pembroke will review all furniture, fixtures, equipment, vehicles, supplies, and materials at least once annually for status in accordance with this policy. This policy does not apply to real property assets of the Town. The Town should surplus the item when it is: a. Surplus – Excess or No longer required or needed. b. Obsolete – No longer functions for its intended purpose c. Replaced – The Town has replaced the item with a new or updated item. The department head seeking to dispose of surplus supplies or obsolete equipment shall submit a Property Disposal Request Form to the Town Manager. On this form, the good faith estimated value of the surplus supplies or obsolete equipment shall be listed. Disposal of surplus supplies or obsolete equipment shall be in accordance with General Laws Chapter 30B. The Inspector General of the Commonwealth notes "As there is strong evidence that online auctions may significantly increase revenue, it is the opinion of the Inspector General that local governments may choose to benefit financially by using online auctions when disposing of surplus supplies provided that they follow the requirements set forth in Chapter 30B, §§5(c) and 15".

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The Town of Pembroke will use online auction services as the primary means for the sale of the supplies or equipment. Alternate auction processes may be used such as sending vehicles to the auto auction held in the region. The sale of scrap and/or salvaged materials at best prices shall be undertaken by affected departments as necessary with all funds paid into the General Fund. Surplus supplies or obsolete equipment may be traded in towards the purchase of new supplies and equipment as allowed under General Laws Chapter 30B. Under no circumstance may an employee take an item or offer an item outside of this procedure. Failure to follow this procedure may result in disciplinary action. The removal of surplus materials, outside of this procedure is considered theft and will be referred to the Town Manager and the Pembroke Police. Ms. Coletta asked which auction firm the town is considering; Mr. Chenard answered that it is Public Surplus. Discussion ensued on advertising locally, working with regional partners and posting online via the town website and other sources. Mr. Chenard stated that as the process unfolds, he will be sharing all data with the board and the town.

TOWN MANAGER'S REPORT

COVID 19 Update

Mr. Chenard advised that December's reported cases exceed all previous month's cases combined; 284 from March through November with 320 cases in December alone. Health Agent Lisa Cullity was present before the Board explaining some of the factors involved in the spike in cases and the fact that a quarter of the cases are coming from the medical community. Messaging is needed to remind residents to adhere to the travel policy, the social distancing policy, limit get togethers, wear facial coverings and explore all testing options. Ms. Cullity stated that cases are getting more serious and medical services are starting to feel the strain, so now is the time to redouble efforts. Ms. Cullity stated that vaccine rollout is in planning stages with first responder clinics being explored now with several other towns. Planning includes securing front line personnel for a tentative launch date of January 10th for first responders and front facing medical personnel. Ms. Cullity stated that she is working with the Superintendent of Schools and the Chair of the School Committee to resolve some issues surrounding testing products and services available, but they hope to resolve these issues to enable a round of testing to be brought to the student population. Mr. Trabucco requested clarification on what constitutes a "close contact". Ms. Cullity stated that a close contact is an individual who is within six feet of a COVID positive person for more than fifteen minutes. Ms. Cullity advised that a person exhibiting symptoms of COVID should stay home unless seeing a physician or being tested. Ms. Coletta stated that she supports testing but that studies show higher efficacy in systematic, random testing versus whole body, one time testing. Mr. Chenard stated that the finance team will be finalizing CARES funding remaining balances next week to be ready to support the School Committee if they vote to explore testing.

CARES Submissions Deadline Extended

Mr. Chenard advised that the President signed into law December 27th that provides an extension of the deadline for CARES Act submissions to December 31, 2021. Mr. Rushing acknowledged that the town has exhausted most of the funding available to the town to date, and asked if the County is making more funding available. Mr. Chenard stated that other towns would need to release their unexpended funds back to the County for more funding to be available, and future available funding would be to support testing measures. Ms. Coletta advised the Board that she has spoken with an epidemiologist who will consult with the town at no cost; Mr. Chenard thanked Ms. Coletta and stated that the assistance will be invaluable.

ASK THE SELECT BOARD

Ms. Marino stated that the Public Comment policy working group discussed renaming this segment

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“Community Comment” as the segment has undergone changes. Mr. Trabucco requested that this item be place on the next agenda for discussion.

Ms. Coletta stated that a resident has requested signs be erected to denote Safe Baby Haven locations at manned stations. Mr. Chenard stated that he will look into the feasibility.

At 8:45 pm, Mr. Trabucco read the upcoming issues from the agenda. Mr. Brown moved to adjourn; Ms. Marino seconded the motion. By roll call vote: 5/0: Brown – yes; Coletta – yes; Marino – yes; Rushing – yes, Trabucco – yes.

MATERIALS & EXHIBITS

Draft 2021 Calendar (TM Office)

Class II Application and Addenda, C. Mehr for Washington Street Motors (TM Office)

Draft Minutes of November 18, December 2, December 16, 2020

Town Manager’s PowerPoint, Surplus Property Disposal Policy (TM Office)