

MINUTES OF THE SELECTMEN'S MEETING
JUNE 4, 2012 (amended 6/18/2012)

PRESENT: Gregory M. Hanley (Chairman), Lewis W. Stone (Vice Chairman), Willard J. Boulter, Jr. (Clerk), Arthur P. Boyle, Jr. (Selectman), Daniel W. Trabucco (Selectman), Stephen Curley (Advisory Chairman), Donal Anderson, Paul Dwyer, Brett Williams, Cara Williams, Sabrina Chilcott (Executive Assistant), John Mattinson (PMB Cable), Mike Melanson (Pembroke Mariner Express) and others.

Mr. Hanley announced that a sign in sheet was being circulated and comments would be taken for fifteen minutes regarding Pembroke Media Broadcast.

Dan Nelson read a prepared statement stating that the public has had no input in the PMB Directors decision to move to PACTV and the Selectmen should prevent them from doing so.

Matt Rindini read a prepared statement asking questions he would like answered by the PMB Board of Directors; Mr. Hanley requested they be catalogued: 1. During the transition phase, what exactly is going to happen? 2. How can everyone who is part of the PMB community continue to create programming? 3. The contract that is in place with Comcast; where does that money go? He feels that the community should have a "say in that". He believes that he has heard a studio will be built at the High School and he wants to know how that process will be fulfilled and wants to ensure other schools will have access to that studio. 4. How will people without access to the school easily broadcast with the Plymouth facility 12 miles away with the cost of gas? Brian Jones of 481 Washington St stated that 5,000 residents pay toward public access channels and read page 49 of the December 2008 Comcast contract which states the locations where PEG access programming may originate and page 26 which states "said franchise fee shall be made to the issuing authority..." which would be the Town of Pembroke. Mr. Jones states that the community members want this station to stay where it is with no merge or would like the money back; he also states studio time at PACTV in the evenings is not possible to book and the equipment at the local studio is better. Mr. Donal Anderson stated that the community access channel should stay in town; this is local money that should stay in Pembroke.

Mr. Hanley requested five minute recess. Meeting was in recess at 7:09 pm.
Meeting resumed at 7:15 pm.

7:15 PUBLIC HEARING: CVAA TRANSFER, ECCOLO, INC. D/B/A ORTA; BRETT AND CARA WILLIAMS, 75 WASHINGTON ST, COMMON VICTUALLER LICENSE APPLICATION REQUEST
Brett and Cara Williams of Eccolo, Inc. d/b/a Orta were present before the Board requesting a Common Victualer All Alcohol license transfer at 75 Washington Street. James Burke, the current holder of the license with Joan Burke under Cucina Pazza d/b/a Orta was also present to speak on their behalf. The new manager, Cara Williams introduced herself to the Board. No one appeared to speak against the license transfer. Mr. Boyle moved to grant the application of Brett and Cara Williams of Eccolo, Inc. d/b/a Orta for a transfer of CVAA license to be exercised at 75 Washington Street with manager Cara Williams. Mr. Stone seconded the motion; the vote was unanimously in favor. Mr. Boyle moved to grant the application of Brett and Cara Williams of Eccolo, Inc. d/b/a Orta for a common victualler's license to be exercised at 75 Washington Street. Mr. Boulter seconded the motion; the vote was unanimously in favor.

APPLICATION TO RENEW ANNUAL ROADSIDE STAND PERMIT

The Board reviewed the application submitted by David Nash to renew his annual roadside fruit and vegetable stand at 47 Mattakeesett Street, hours requested from 8:00 am to 8:00 pm until September 30th and from 8:00 am to 6:00 pm from October 1 to October 31. Mr. Boyle moved to renew Mr. Nash's application as requested. Mr. Trabucco seconded the motion; the vote was unanimously in favor.

CONSIDER ONE DAY LIQUOR LICENSE REQUEST: RTC, LOBSTER SUPPER, JUNE 15

Mr. Boyle moved to grant the Pembroke Republican Town Committee's request for a one day liquor license to serve beer and wine for their Flag Day Lobster Supper on June 15th from 6:00 pm to 12:00 am at the Historical Society Building. Mr. Stone seconded the motion. The vote was unanimously in favor.

CONSIDER APPLICATIONS WAGE AND PERSONNEL BOARD: PAUL DWYER, ROBERT DEMARZO, JAMES MUSCATO – JOINT APPOINTMENT

The Wage and Personnel Board has had three vacancies since Mr. Keeley's term expired on June 30, 2011, leaving the Board of Selectmen to act in place of the Board. There are currently three applicants; Paul Dwyer of 47 Hill Farm Road, Robert DeMarzo of 8 Stage Stop Lane and James Muscato of 170 Forest Street. Mr. Hanley read email correspondence from Stephen Dodge, Town Moderator. His email read "Due to a scheduling conflict, I may not be able to attend tonight's discussion and appointments relative to the Wage and Personnel Board. If I am not able to attend in person, please accept my recommendation that James Muscato, Robert DeMarzo and Paul Dwyer be appointed to the Wage and Personnel Board. The three are outstanding appointees whose experience and knowledge will, I believe, be a great asset to the Town." Advisory Committee Chairman, Stephen Curley, was present before the Board. Mr. Curley moved in favor of the appointment of James Muscato, Robert DeMarzo and Paul Dwyer to the Wage and Personnel Board. **(amended: Mr. Trabucco stated that the Wage and Personnel Board does not negotiate union contracts).** Mr. Boyle inquired about the staggering of terms; Mr. Hanley confirmed that Mr. Dwyer would fill the term expiring in 2013, Mr. DeMarzo would fill the term expiring in 2014 and Mr. Muscato would fill the term expiring in 2015. Mr. Hanley seconded Mr. Curley's motion. Mr. Curley voted in favor; Mr. Hanley voted in favor.

MINUTES OF MAY 14, 2012 AND MAY 21, 2012

Mr. Stoned moved the minutes of May, 14, 2012 as presented; Mr. Mr. Boyle seconded. The vote was unanimously in favor. Mr. Stone moved the minutes of May 21, 2012 as presented; Mr. Boyle seconded. The vote was unanimously in favor.

TOWN ADMINISTRATORS REPORT

Mr. Thorne reported a successful South Shore Managers Conference ten days ago at the Pembroke Country Club. Seventeen towns attended to consider topics varying from regionalization, joint purchasing, etc. Mr. Thorne requested the Selectmen set a date for a public hearing regarding questions on the ballot for the override special election on June 23. Mr. Hanley read the three questions: "1. Shall the Town of Pembroke be allowed to assess an additional \$343,000 in real estate and personal property taxes for the purposes of hiring four (4) additional full-time firefighter/paramedics for the Fire Department? 2. Shall the Town of Pembroke be allowed to assess an additional \$686,992 in real estate and personal property taxes for the purposes of hiring eight (8) additional full-time firefighter/paramedics for the Fire Department? 3. Shall the Town of Pembroke be allowed to assess an additional \$61,074 in real estate and personal property taxes for the purposes of funding a line item for a Generalist Reference Librarian salary in the Library's FY13 budget?" Discussion ensued. The Town Administrator recommended Monday, June 18 at 7:30 pm. Mr. Hanley set the date and time as June 18 at 7:30 pm. Mr. Thorne advised the Board that June 8th Boy Scout Pack 43 will be in the Bandstand and Town Green for their bridging ceremony and on June 14 the American Legion Post 143 will retire American flags from 4:00 pm to 8:00 pm at the same location.

ASK THE SELECTMEN

Mr. Stone received a letter from Donald Kernan inquiring as to why the flowers were removed from the Memorials at Veteran's Memorial Park immediately after the Memorial Day Ceremony. Mr. Stone has spoken with the Veteran's agent and will get back to Mr. Kernan. Mr. Hanley read an email of inquiry

from Andrew Pongrantz with three questions regarding the Old Home Days Fair. He asked if the pre-walk through had been conducted, the post walk through had been conducted and stated he had observed grease trap refuse on the side of the building. Mr. Hanley requested that the status of the walkthroughs be reported and that the Health Agent check the side of the building for the grease trap cleanup. Mr. Stone reported on the status of the Plymouth County Advisory Board meeting in Halifax; they presented and voted the \$9.5m 2013 budget. If additional money comes in under budget, they will make it available to the Registry of Deeds.

ANNOUNCEMENTS

Friday, June 8 is the last day to register to vote for the June 23rd special election. The Town Clerk's office will be open until 8:00 pm for that purpose only. Absentee ballots for the election are now available in the Town Clerk's office; voting hours are from 9:00 am to 4:00 pm. If you have any questions, please contact the office at (781) 709-1403. Mr. Boulter announced that the cost of the tickets for the Pembroke 300th Costume Ball have now been reduced to \$45 per person on June 16th at the Pembroke Country Club. Tickets are available at the Town Hall and the Pembroke Public Library. Public Safety Night is June 19th on Learning Lane on the High School field. Mr. Hanley congratulated the graduating class of 2012 and their parents and faculty of PHS for a wonderful ceremony on Saturday. Mr. Boyle moved that more public comment be heard regarding PMB, provided comments remain in order. Mr. Trabucco seconded; Mr. Hanley noted executive session need at 8:15 pm. Vote was unanimously in favor.

Bob Ryerson requested Selectmen consider residents comments. Kevin O'Keefe requested the Selectmen intervene. Paul Brigitte asked who appoints the PMB Board of Directors. Mr. Boyle stated the original Board was the Selectmen, then as people stepped in to volunteer, Selectmen would then resign. Mr. Brigitte as if there was oversight by the Selectmen over the PMB Board due to the transfer of funds; Mr. Boyle stated not over day to day operations. Mr. Brigitte stated that being part of a regional district doesn't compare to what we can do for ourselves and the Board isn't representing the resident's best interests. Art Egerton requested that the Selectmen withhold any decisions. John Mattison read from a prepared statement; he submitted a copy for attachment.

Mr. Boulter moved, seconded by Mr. Boyle, to go into executive 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 on the public body and the chair so declares – Town v. McAdams, and to consider the purchase, exchange, lease or value of real estate, if the chair declares an open meeting may have a detrimental effect on the negotiating position of the public body - Schneider Electric; T-Mobile
Roll call vote: Boulter, yes - Boyle, yes - Stone, yes - Trabucco, yes – Hanley, yes.