

**MINUTES OF THE SELECTMEN'S MEETING
OCTOBER 15, 2012**

PRESENT: Gregory M. Hanley (Chairman), Lewis W. Stone (Vice Chairman), Arthur P. Boyle, Jr. (Selectman), Daniel Trabucco (Selectman), Edwin J. Thorne (Town Administrator), Michael Ohrenberger (Police Chief), Richard Wall (Police Sergeant), Stephen Dodge (Town Moderator), Linda Peterson, Art Edgerton, Sabrina Chilcott (Executive Assistant), Erika Christianson (PACTV Cable), Mike Melanson (Pembroke Mariner Express), and others.

Mr. Hanley requested a moment of silence for Brooks Kelly to commemorate his passing.

7:00 POLICE CHIEF MICHAEL OHRENBERGER'S RECOMMENDATIONS

Chief Michael Ohrenberger was present before the Board to request that the Board appoint former Lieutenant Russell Jenness and retiring Police Chief Michael Ohrenberger as Special Police Officers. Mr. Boyle so moved; Mr. Stone seconded the motion. The vote was unanimously in favor. Chief Ohrenberger additionally requested that the Board appoint eight members of the Plymouth County Sheriff's Department as Special Police Officers. Pembroke is a member of the South Eastern Massachusetts Law Enforcement Council (SEMLEC); as such Pembroke has a SWAT group and a Negotiators group. Lieutenant Jenness was the charge person for both of those groups and requirements state that all members who participate be municipal police officers. The appointment would be for the express and limited purpose of serving as crisis negotiators for SEMLEC negotiators team. They are Isabel Eonas, John Tamoosh, Nicole Callahan, James Michael Loring, Alan Klammer, Antonio Furtado, Michael Hartigan and James Muscato. Chief Ohrenberger requested that the Board move to appoint these eight officers as Special Police Officers for the express and limited purpose of acting as crisis negotiators on the SEMLEC negotiators team. Mr. Boyle so moved; Mr. Stone seconded the motion. The vote was unanimously in favor. Chief Ohrenberger requested that the Board grant a step increase to Kathy Tierney, elevating her to the top step of her position as Secretary in the Police Department to maintain equity in her position. This was part of a long range plan developed with the Town Administrator and the Advisory Committee when the position was reclassified. Mr. Boyle moved the recommendation of Chief Ohrenberger to grant an extra-ordinary step increase to Kathy Tierney, Secretary in the Police Department. Mr. Stone seconded the motion. Mr. Trabucco inquired as to the dollar impact; Chief Ohrenberger stated the annual amount is approximately \$2,000 and has been budgeted for by the department. The vote was unanimously in favor.

7:15 LONGHORN STEAKHOUSE: CHANGE OF MANAGER REQUEST TO BRITTAINY HOUGH

Ms. Hough was present before the Board as the new General Manager for the 125 Church Street location of Longhorn Steakhouse. RARE Hospitality International d/b/a Longhorn Steakhouse has submitted a complete application for a change of manager from Marcus Andriotti to Brittainy R. Hough. Ms. Hough is Servsafe Alcohol certified. Mr. Boyle moved to grant the application of RARE Hospitality International, Inc. d/b/a Longhorn Steakhouse for a change of manager at 125 Church Street, CVAA license # 0960 00056. Mr. Stone seconded the motion. The vote was unanimously in favor.

TOWN ADMINISTRATOR'S REPORT

Mr. Thorne stated that the Recycling Center will be closed all day on Saturday, October 20th for the set up of the Pembroke 300th Anniversary fireworks. The Pembroke Recycling Center will reopen on Sunday, October 21st from 9:00 am to 3:00 pm provided that the fireworks are not postponed due to rain.

ANNOUNCEMENTS

Message from the DPW: tree trimming will be occurring on the following roads in preparation for the winter months: Hill Farm Road, Center Hill Road, Verna Hall Drive, Lady Slipper Lane, Little Ave and Allen Street. Bryantville Methodist Church announces its annual "Seasons of the Heart" church fair on Saturday, November 10th from 10:00 am to 2:00 pm at 546 Mattakeesett Street.

Town Clerk MaryAnn Smith: Absentee ballots are now available for the November 6th election. Voting hours are from 8:30 am to 4:00 pm Monday through Friday and Monday evenings from 7:00 pm to 8:30 pm.. Please call 781-709-1403 with any questions.

CONSIDER TITANS TRACK CLUB/PHS REQUEST ROAD RACE NOVEMBER 22: 6:00 AM

Mr. Boyle moved to grant the use of the Towns roads for the PHS Cross Country/Track and Field and Titans Track Club Thanksgiving Day 5K Turkey Trot Road Race on November 22, 2012 from 6:00 am to 10:00 am pending the approval of the Chief of Police. Mr. Stone seconded the motion; the vote was unanimously in favor.

Mr. Hanley advised that the Civil War Encampment and Military Weekend is this weekend, October 20 and 21 on Learning Lane.

CONSIDER 2012 FALL TOWN MEETING WARRANT ARTICLE RECOMMENDATIONS

Mr. Thorne updated the Board on Article 1: there is a change to the dollar amount in "Park Improvements"; the figure is now \$33,500 and includes the Chamber of Commerce request for \$3,000 for Christmas lights, \$2,000 for handicap accessibility improvements to the Herring Run, \$3,500 for handicap accessibility improvements to Birch Street Playground and \$25,000 submitted by the DPW for improvements to the Town Green. Mr. Boyle moved Favorable Action on Article 1. Mr. Stone seconded the motion. The vote was unanimously in favor. Mr. Thorne explained Article 2 is a COLA for non-union employees; Mr. Boyle moved Town Meeting Floor; Mr. Stone seconded the motion. The vote was unanimously in favor. Mr. Thorne explained Article 3 is the transfer of funds article; the Selectmen, the Police Department, the School Department and Property and Casualty Insurance. Mr. Trabucco requested an explanation on the insurance increase; Mr. Thorne stated that there was a large increase in Workman's Compensation claims; normally, the budget is \$400,000. Mr. Stone moved Favorable Action; Mr. Boyle seconded the motion. The vote was unanimously in favor. Mr. Thorne explained that Article 4 is to fund separation pay benefits; Mr. Boyle moved Town Meeting Floor. Mr. Stone seconded the motion. The vote was unanimously in favor. Mr. Thorne presented Article 5; the Town received an accelerated payment for the Hobomock School project of \$249,092 to payoff the borrowing; Mr. Buckley has recommended that the Town use the amount to reduce the tax rate. Mr. Boyle recommended Favorable Action; Mr. Stone seconded the motion. The vote was unanimously in favor. Mr. Thorne stated that Article 6 is the Stabilization Fund article; Mr. Boyle moved Town Meeting Floor. Mr. Stone seconded the motion. The vote was unanimously in favor. Mr. Thorne explained that Article 7 is the unfunded liability and post retirement benefits; there is no dollar amount associated with it at this time. Mr. Boyle moved Town Meeting Floor; Mr. Stone seconded the motion. Mr. Boyle moved to recess the STM warrant review; Mr. Stone seconded the motion; the vote was unanimously in favor.

7:30 PUBLIC HEARING: ROUTE 53 & PLEASANT STREET TRAFFIC SIGNAL

Mr. Hanley opened the Public Hearing regarding the Route 53 and Pleasant Street Traffic Signal. Mr. Stone moved to recess the public hearing and return to the STM warrant review; Mr. Trabucco seconded the motion. The vote was unanimously in favor.

CONSIDER 2012 FALL TOWN MEETING WARRANT ARTICLE RECOMMENDATIONS

Mr. Thorne recommended that Article 8 be considered on Town Meeting Floor as there are no current collective bargaining agreements pending. Mr. Boyle moved Town Meeting Floor; Mr. Stone seconded the motion. The vote was unanimously in favor. Mr. Thorne explained that Article 9 is a transfer from free cash in the amount of \$12,800 to continue the treatment of hydrilla at Hobomock Pond. Mr. Boyle moved Favorable Action; Mr. Stone seconded the motion. The vote was unanimously in favor. Mr. Thorne stated Article 10 is CPC's allocations article; Mr. Stone moved Town Meeting Floor. Mr. Boyle seconded the motion. The vote was unanimously in favor. Mr. Thorne stated Article 11 is CPC's appropriation of funds for various projects; Mr. Stone moved Town Meeting Floor. Mr. Boyle seconded the motion. The vote was unanimously in favor. Mr. Thorne stated Article 12 is the CPC article requesting that any balance of funds be transferred to their budget reserve. Mr. Stone moved Town

Meeting Floor. Mr. Boyle seconded the motion. The vote was unanimously in favor. Mr. Thorne explained that Article 13 is an article to purchase 85 acres of land on Monroe Street to purchase for Open Space; the total purchase price is \$400,000. The CPC voted to recommend in Article 11 that \$275,000 of their annual revenue toward this purchase. Article 13 is the balance of \$125,000 that the DPW will fund from water revenue as they will explore the future location of a well site. Mr. Boyle moved Favorable Action; Mr. Stone seconded the motion. Mr. Dodge recommended that, should this article be drawn prior to Article 11, it be postponed until after Article 11 is voted. Mr. Dodge stated that the possibility exists that this article would be affected if the residents do not support this project in Article 11. Mr. Dodge explained that this can be moved on Town Meeting Floor. Mr. Trabucco requested that Mr. Thorne bring this to the joint meeting with Advisory and Town Moderator prior to Town Meeting. The vote on a Favorable Action recommendation was unanimously in favor. Mr. Thorne presented an amended Article 14 concerning the ESCO project; there will be a Special Meeting November 2 to address this further. Mr. Boyle moved Town Meeting Floor; Mr. Stone seconded the motion. The vote was unanimously in favor. Mr. Dodge introduced Article 15 which would require a 150 registered voter requirement to begin Town Meeting but eliminate it after the meeting has begun, even for successive nights. Article 16 addresses the lottery system for calling articles. Mr. Dodge stated that it is his position that the quorum needs to be discussed; there are 11,000 registered voters in town and it is up to the attendees at the meeting to decide. Mr. Dodge additionally stated that the lottery system has been requested for discussion as well. Mr. Boyle, Mr. Stone and Mr. Trabucco supported Article 15 addressing the quorum but not the lottery elimination Article 16. Mr. Boyle moved Favorable Action on Article 15; Mr. Stone seconded the motion. The vote was three in favor with Mr. Hanley present, not voting. Mr. Boyle moved Unfavorable Action on Article 16; Mr. Stone seconded the motion. The vote was three in favor with Mr. Hanley present, not voting. Mr. Thorne introduced Article 17 from the DPW Commissioners to borrow the sum of \$500,000 for pavement management and maintenance of unaccepted roads. Mr. Trabucco moved Town Meeting Floor; Mr. Boyle seconded the motion. The vote was unanimously in favor. Mr. Thorne explained that Article 18 is the Pembroke Affordable Housing Trust article; more information will be forthcoming at a future meeting. Mr. Boyle moved Town Meeting Floor; Mr. Trabucco seconded the motion. The vote was unanimously in favor. Mr. Thorne introduced petition Article 19; Mr. Boyle asked the Town Moderator if the article is out of order. Mr. Dodge stated that it is not and Town Counsel has ruled that the Town has to accept it; although it needs to be heard, it is without consequence and the effect of the article is essentially meaningless. Mr. Boyle moved Indefinite Postponement; Mr. Trabucco seconded the motion. The vote was unanimously in favor.

Mr. Boyle moved to reconvene the public hearing on Rt. 53 & Pleasant St Traffic Signal; Mr. Stone seconded the motion. The vote was unanimously in favor.

7:30 PUBLIC HEARING: ROUTE 53 & PLEASANT STREET TRAFFIC SIGNAL

Mr. Hanley reopened the Public Hearing regarding the Route 53 and Pleasant Street Traffic Signal. Mr. Rob Cahoun from Coler and Colantonio was present before the Board to begin the initial public outreach portion of this project. The goal is to identify opportunities and issues early in the process that may result as part of the improvements and to identify groups and individuals who may be impacted by the project. Mr. Cahoun stated that early public outreach helps to reach out to groups and identify issues early in the process. Mr. Cahoun stated that traffic data collected by the OCPC in March of 2012 identified 16,000 vehicles per day on Route 53 North of Pleasant Street and over 19,000 vehicles per day South of Pleasant Street. Pleasant Street itself has 5,900 vehicles per day. A high percentage of Northbound traffic on Route 53 turns right onto Pleasant Street, and similarly a very high percentage of Pleasant Street traffic turns left onto Route 53 Southbound, exceeding 80% in the evening peak period. The intersection meets three traffic signal warrant published by the Federal Highway Administration. Accident history indicates from 2007-2009 there were 17 reported accidents, or a crash rate 25% higher than the district average. There was a fatality in 2003. There are no pedestrian or bicycle accommodations. The intersection experiences failing levels of service and would make an ideal candidate for a MassDOT TIP project. A project need form has been submitted to Mass DOT; it has been received and MassDOT has requested that the Town contact them to set up a meeting to proceed to the

next step or the Project Initiation Form. The next project review committee is scheduled for November 15th; if the paperwork is not submitted and it is not accepted as a result of this meeting, it will be put off until the next meeting in March 2013. Mr. Cahoun opened the floor to comments and questions. Mr. Thorne stated there is a tentative meeting date of October 24th with MassDOT to approve the next step, the Project Initiation Form. Mr. Trabucco inquired as to what stage of completion the plans are at now; Mr. Cahoun stated that the plans are not being finished until the MassDOT decides to accept the project as the plans and design will require additional expense. Mr. Boyle stated that the intersection needs to be addressed. Mr. Stone agreed this is an extremely critical intersection. Mr. Hanley requested remarks from those present to speak in favor of the Route 53 & Pleasant Street Traffic Signal. Incoming Police Chief Richard Wall, Stacey Road, stated he has had twelve emails today requesting that retired Safety Officer Flannery be replaced to allow the intersection to be passable; he wholeheartedly supports a traffic signal at this intersection. Mr. Hanley requested remarks from those present to speak against the Route 53 & Pleasant Street Traffic Signal. No one was present. Mr. Trabucco moved to support the Route 53 & Pleasant Street Traffic Signal project. Mr. Boyle seconded the motion. The vote was unanimously in favor. Mr. Hanley declared the Public Hearing closed at 8:10 pm.

Mr. Stone moved, seconded by Mr. Trabucco, 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.

Roll call vote: Boyle, yes - Trabucco, yes – Stone, yes - Hanley, yes.