

**MINUTES OF THE SELECT BOARD MEETING
FEBRUARY 17, 2021
REMOTE MEETING HOSTED BY PACTV ON ZOOM PLATFORM**

PRESENT: **Panelists:** Daniel Trabucco (Chairman), Jessica M. Rushing (Vice Chairwoman), John G. Brown, Jr. (Clerk), Rebecca Coletta (Selectwoman), Tracy Marino (Selectwoman), William Chenard (Town Manager), Andrew Sullivan, Joel Bargmann, Andrew Herman, Eric Herman
Attendees: Linda Peterson, Thomas Driscoll, Michael Guimares, Lance Kennedy, Vincent Coyle, 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, via livestream at: <https://www.pactv.org/pactv/towns/pembroke>. 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>. While no in-person attendance of members of the public will be permitted, every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that we are unable to do so, despite best efforts, we will post on the Pembroke website an audio or video recording, transcript or other comprehensive record of proceedings as soon as possible after the meeting. All votes taken will be roll call votes.

ANDREW SULLIVAN, COMMUNITY CENTER TASK FORCE: COMMUNITY CENTER PROJECT UPDATE

Mr. Sullivan was present before the Board with an update on the progress with the plans for a new Community Center. Mr. Sullivan is the chairman of the Community Center Task Force who has been working with architects BH&A; the Committee had sponsored an article for the 2020 annual town meeting to fund the building, but the town meeting was scaled down for execution during the pandemic, and the Committee has re-submitted the article for this town meeting. The Committee has been meeting to review the plan and a few minor changes have been made in response to public comment received prior to the pandemic. Mr. Bargmann stated that they have re-validated the community survey, explored value engineering, and re-validated the budget for the project. Mr. Bargmann concluded by stating that an affirmative town meeting vote will allow for the completion of the project and building design, cost estimates, utility grant opportunities and more. Mr. Bargmann reviewed details reviewed at last spring's meeting with layout and plans as before: https://www.pembroke-ma.gov/sites/g/files/vyhlf3666/f/minutes/mins_05_20_2020_0.pdf. Mr. Bargmann highlighted the differences that resulted in delaying the town meeting vote for the project and explained that BH&A has reset the feasibility study to 2021 market conditions. Pandemic restrictions resulted in fewer public sector bidding opportunities in 2020 and are expected to be even lower in 2021, resulting in heavy competition for the few projects being bid and attendant lower bid values. Using Sandwich and Falmouth as examples, bids received from general contractors were below estimated costs, with bids consistently 15% lower than the anticipated amount; the successful bid was 20% lower with estimated construction costs based on the same 2020 pre-pandemic values as Pembroke's and by the same estimator. Mr. Bargmann stated that the

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result to the town of resetting the Pembroke Community Center project to reflect 2021 market conditions yields a total project cost of \$18,872,000 versus 2019's \$23,000,000 estimated cost. Mr. Bargmann explained that the total project cost includes the cost of hazardous materials abatement in the existing structure, demolition, new construction, furniture, audio visual equipment, fees, moving costs, contingencies and other related costs. Mr. Bargmann provided the following detail for projected project costs to be bid in summer of 2021 for a 33,240 square foot building:

Hard Costs = \$15,720,000

General Contractor

Estimated cost for abatement, demolition and construction: \$15,400,000

Furniture, Fixtures & Equipment

Furniture: \$200,000

Equipment (audio, visual, phones, computers, etc) \$120,000

Soft Costs = \$1,894,000

Permits & Approvals

Conservation, Planning Bd Site Plan review, town meeting \$5,000

Architecture & Engineering

Architecture & Engineering % of cost \$1,400,000

Equipment Specifications & Purchasing \$30,000

Geotechnical Engineering \$15,000

Survey & layout Updated \$10,000

Testing & Inspections

Concrete, steel, soil required inspections \$20,000

Project Management OPM and Clerk \$399,800

Moving

Move Rec once to temp space, once to final space \$10,000

Advertising & Bidding

Public Bidding: Advert, Print & Document Website \$5,000

Legal - contracts

0

Other – Bonding Costs

0

Contingency = \$1,257,200

Owner's Contingency on Hard Costs

\$1,257,200

Project Total

\$18,872,000

At 7:32 pm Mr. Chenard's connection was lost; he returned to the meeting at 7:34 pm. Mr. Trabucco requested Mr. Chenard's input; Mr. Chenard stated that preliminary facilities review has revealed that the town has inadequate buildings in several areas; heading the list is the police station, fire station, DPW garage and the Community Center. Mr. Chenard stated that he has standard review questions but saving \$4M is a large incentive to consider proceeding with the project ahead of a comprehensive capital plan. Mr. Chenard advised that the project will require a debt exclusion vote at the ballot, and he confirmed that bond rates now are favorable. Mr. Chenard stated that he would like to see a solar component capacity to make the operation of the building affordable to residents. Ms. Rushing stated that she supports the concept and concurred that the savings is attractive but would like to see the full picture of the towns capital building plan. Discussion ensued on the difference of the Recreation fee-for-programming structure versus free-to-low-cost-programming structure at the Senior Center. Ms. Rushing inquired as to feedback from the Recreation Director regarding current and future programming opportunities. Ms. Coletta asked about current operating costs; Mr. Chenard stated that operating costs reflect waste as the building is not adequate and at the end of its useful life, is costly to heat, repair, to maintain and to operate. Ms. Coletta stated that a new facility could be a lynchpin of economic development in town and

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could incorporate a small business incubator space to support economic development. Discussion ensued on community mater planning, possible grant opportunities and the current funding climate. Mr. Bargmann stated that the town will have issues bidding and bonding a project that has private components. Ms. Rushing recommended obtaining more concrete numbers and an idea of how this fits into an overall capital plan before taking the project to town meeting. Discussion ensued on the pros and cons of proceeding to town meeting with preliminary plans and figures; further discussion was held regarding debt structuring options over time. Ms. Rushing requested debt service numbers in the next 90 days. Mr. Trabucco advised that there will be two votes required; a town meeting vote, then a ballot vote for a debt exclusion and recommended the Committee host public forums to show presentation. At 8:20 pm, Mr. Sullivan and Mr. Bargmann exited the meeting.

SOUNDCHECK STUDIOS, ANDREW AND ERIC HERMAN: REQUEST FOR SPECIAL PERMIT TO HOLD OUTDOOR CONCERTS FROM MARCH 1 TO AUGUST 1, 2021 AT 150 CORPORATE PARK DRIVE

Andrew Herman was present before the Board on Soundcheck Studio's request to resume outdoor concerts from March 1 to August 1, 2021 because of ongoing pandemic restrictions. He advised that they have been closed for 8 out of the last 12 months with their business surviving with the help of the town's outdoor permitting process last year. Discussion ensued on the five complaints received last year regarding the sixty shows they presented. Mr. Herman stated that they identified and resolved issues with sound engineering and there should be no further complaints. Mr. Herman stated that they seek to host shows Thursday, Friday and Saturday nights from 7:00 pm to 10:00 pm but have requested starting at 2pm as they have booked two shows that would occur during the daytime. Ms. Rushing recommended that Soundcheck notify abutters a week in advance if the shows start earlier than 7pm; Mr. Herman agreed. Ms. Rushing moved to approve the request for a Special Outdoor Live Events Permit for Soundcheck Studios at 150 Corporate Park Drive on Thursday, Friday and Saturday nights from 2:00 pm to 10:00 pm from March 1, 2021 to August 1, 2021 in accordance with all Massachusetts and local Mandatory Safety Standards and with all Phase requirements of occupancy limits in effect each day, patrons not to exceed 100 attendees on any day. Ms. Coletta seconded the motion. By roll call vote: 5/0: Brown – yes; Coletta – yes; Marino – yes; Rushing – yes, Trabucco – yes.

REVIEW OF WARRANT ARTICLES; VOTE INCLUSION OF ARTICLES IN THE WARRANT

Mr. Chenard updated the Board concerning the thirty-four articles submitted in the annual warrant and the four articles submitted in the special warrant. Annual warrant articles 1 – 9 are for budgets and funds or necessary, routine articles including pay plan, operating budgets, capital budget, fund allocations, revolving funds, and CBA; articles 10 – 12 and 14 – 15 are Town Manager's articles under final review for both content and sponsor; articles 16 – 28 are Affordable Housing/Planning Board zoning bylaw amendments; article 29 is proposed CPC Project Articles Recommendations A through D; articles 30 – 31 are Library pay increases (Library Page has been incorporated into Article 1); articles 32 – 33 are routine acceptance of town reports and the election article, and article 34 is the proposed Community Center. Special warrant articles include article 1, the necessary, routine article to execute departmental transfers; article 2, the necessary CBA article (Permanent Firefighters, possibly others); article 3 to Create Unemployment Compensation Fund (this may be removed) and article 4, submitted by the Town Clerk to proposed making the Moderator's term a three-year term. Ms. Rushing moved to include the articles as presented here tonight; Mr. Brown seconded the motion. By roll call vote: 5/0: Brown – yes; Coletta – yes; Marino – yes; Rushing – yes, Trabucco – yes.

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REVIEW OF PROPOSED FY2022 BUDGET

Mr. Chenard presented a budget review timeline, and stated that he will begin with debt service, pension assessment and unemployment data. Mr. Chenard stated that the general fund is organized into two categories, excluded principal and interest, and within levy principal and interest; payments must be budgeted to avoid default. Mr. Chenard showed a detailed breakdown of the town's debt position; excluded debt principal is \$1,470,000, excluded debt interest is \$354,350, within levy debt principal is \$835,980 and within levy debt interest is \$197,676 for general fund totals of \$2,305,980 in principal and \$554,026 in interest. Mr. Chenard shared Plymouth County's actuarial valuation of January 1, 2020 for the town and the resulting semiannual payments. Estimated FY22 contributions are \$4,065,919 (a July payment of \$3,990,309) and estimated FY23 contributions are \$4,380,084 (a July payment of \$4,298,632). Mr. Chenard stated that FY21's \$3,699,885 would have been increased once a single year's actuarial valuations were prepared, but Plymouth County performed the calculations two back-to-back years which will result in an increase of \$290,424 in FY22 and an additional increase of \$308,323 in FY23. Mr. Chenard stated to the Board that the town will enter a structural deficit in FY23. Mr. Chenard stated that he is comfortable lowering unemployment compensation to \$120,000 in FY22 from \$150,000 in FY21.

TOWN MANAGER'S REPORT

COVID 19 Update

Mr. Chenard updated the Board on the decline in cases, averaging less than 6.5 per day over the last week with no spikes. Mr. Chenard stated that the Governor's vaccination plan has availability for vaccine at mass vaccinations sights, and the Marshfield Fairgrounds will vaccinate residents of Plymouth County. Mr. Chenard stated that the Commonwealth has announced that vaccine distribution will be limited to these mass vaccination sites and large sites open to all communities. Mr. Chenard stated that phase two, step two begins tomorrow wherein anyone over 65 years old or with two comorbidities is eligible for vaccination. Ms. Coletta asked if there is pushback from cities and towns about the lack of vaccine; Mr. Chenard stated there is, with other city and town managers considering a joint letter to the Governor copied to the legislators, and local Boards of Health and Emergency Management staff are gathering for a press conference tomorrow to ask for vaccine. Mr. Chenard confirmed a high level of frustration as towns, including Pembroke, have trained staff on the PrepMod system and confirmed nursing staff to distribute vaccine with no allotments available for the towns senior population. Ms. Coletta asked about homebound seniors; Mr. Chenard advised that the town is working hard to identify our homebound seniors and work with the state to procure the vaccinations for those seniors in need. Ms. Coletta questioned privatizing vaccinations and not utilizing local options that are ready and prepared in a community-based effort. Discussion ensued on funding options, including CARES funding as administered by the state versus the county. Ms. Coletta asked if there was value in voting to send a letter encouraging community-based vaccination options; Mr. Chenard concurred that there is value in elected officials petitioning elected officials and the vote would be welcome. Mr. Trabucco stated that a representative from the Cape appealed to the state for vaccination sites closer to his constituents and he was told that Cape seniors have two choices; to go to Fenway Park or Gillette Stadium. Ms. Rushing confirmed that there are over 40,000 seniors on the Cape with no sites for the Cape and Islands and the legislature announced today that they will be convening a joint oversight committee to hold hearings to review the vaccine distribution plan. Ms. Rushing agreed that the Board should consider sending a written statement. Ms. Coletta posited that the MMA may be taking a role in this as well.

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Upcoming Committee Needs

Mr. Chenard stated that there will be a need for future discussions on forming a Master Plan Committee and a Building Committee for a combined public safety building. Mr. Chenard stated that he is not convinced that the DPW needs and school department needs require a committee.

COMMUNITY COMMENT

Ms. Marino wanted to let the public know that the Council on Aging is seeking substitute Meals on Wheels drivers; interested people should call 781-294-8220. They are also seeking volunteers for a snow team to assist seniors in shoveling out of storms, possible high school students in need of volunteer hours. Anyone interested in being part of that team can contact Ms. Marino via Facebook or via email at tracymarino1928@gmail.com.

At 9:40 pm, Mr. Trabucco read the upcoming issues from the agenda. Mr. Brown moved to enter executive session under M.G.L. c.30A, Sec. 21(6) to consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body; Hobomock Street (D1-6) proposed solar farm (c.61B); Mr. Trabucco so declared and Ms. Marino seconded the motion. Mr. Trabucco stated that the Board would not return to open session. By roll call vote: 5/0: Brown – yes; Coletta – yes; Marino – yes; Rushing – yes, Trabucco – yes.

At 9:55 pm, Ms. Rushing moved to adjourn; Ms. Coletta seconded the motion. By roll call vote: 5/0: Brown – yes; Coletta – yes; Marino – yes; Rushing – yes, Trabucco – yes.

MATERIALS & EXHIBITS

BH&A PowerPoint Presentation: Community Center (TM Office)
Special Event Permit for Outdoor Entertainment, Soundcheck (TM office)
Draft ATM Warrant (TM Office)
Town Manager's PowerPoint, FY22 Budget Proposal (TM Office)