

**MINUTES OF THE SELECTMEN'S MEETING
JUNE 3, 2013**

PRESENT: Willard J. Boulter, Jr. (Chairman), Arthur P. Boyle, Jr. (Vice-Chairman), Lewis W. Stone (Clerk), Michelle L. Burt (Selectman), Daniel W. Trabucco (Selectman), Edwin J. Thorne (Town Administrator), Donna Bagni (Board of Health Chairman), Michael Buckley (Town Accountant), Kathleen McCarthy (Treasurer/Collector), James Doiron, Patti Elsner, Art Egerton, Len Rusczyk, Sabrina Chilcott (Executive Assistant), Mike Melanson (Pembroke Mariner Express), Erika Christianson (PACTV Cable), and others.

ANNOUNCEMENTS

Message from Town Clerk MaryAnn Smith: June 5th is the last day to register to vote in the State Election and the Clerk's office will be open until 8:00 pm that evening for that purpose only. Please call 781-709-1403 with any questions. The Recreation Commission has updated their summer concert schedule beginning June 30th on Sunday evenings from 6:00 pm to 8:00 pm. Further information is available on the Town Website at www.pembroke-ma.gov. The Town announces the treatment of Oldham Pond with aluminum sulfate on Wednesday, June 5th and water use restrictions are in effect through June 7th. Please contact the Selectmen's office or Aquatic Control Technology, Inc for further information.

VACATE JUDGMENT, 17 MARLYMAC WAY, F10-152, DON SHUTE, HARBORONE CREDIT UNION

Town Treasurer/Collector Ms. Kathleen McCarthy was present before the Board to recommend that the Board vacate the judgment obtained in Land Court on July 20, 2012, #11TL142985 as the lender HarborOne Credit Union intends to satisfy the Treasurer by means of payment of arrears with certified funds. The credit union representative was present to convey certified funds to the Treasurer in the amount of \$20,506.11. Mr. Trabucco moved to vacate the judgment in Land Court case number #11TL142985 and additionally release the Town of Pembroke of any interest in 17 Marlymac Way, Map10, Parcel 152 with the understanding that Donald Shute and HarborOne Credit Union will maintain a current status on all bills due to the Town of Pembroke with regard to the above mentioned property. Ms. Burt seconded the motion. The vote was four in favor with Mr. Boyle abstaining as his firm does business occasionally with HarborOne Credit Union.

CONSIDER RESIGNATION OF LEWIS STONE FROM AFFORDABLE HOUSING AND MAPC ALTERNATE REPRESENTATIVE

Mr. Boyle moved to accept the resignation of Mr. Lewis Stone from the Affordable Housing Committee and as the alternate MAPC representative with regret; Mr. Trabucco seconded the motion. The vote was unanimously in favor.

DESIGNATE A REPRESENTATIVE TO A JOINT PEMBROKE-MARSHFIELD ECONOMIC DEVELOPMENT TARGET AREA COMMITTEE

Mr. Boyle stated that he has been in contact with Marshfield Selectmen John Hall regarding the formation of a joint economic development target area committee between Pembroke and Marshfield. The Pembroke BOS will need a designee to sit on this committee; Mr. Trabucco moved to designate Arthur Boyle as the Selectmen's Representative to a Joint Economic Development Target Area Committee. Mr. Stone seconded the motion; the vote was unanimously in favor.

CONSIDER VOTE TO ACCEPT POLE #20 MONROE STREET INTO TOWN'S STREETLIGHT INVENTORY

The request of Ms. Jackie Curran of 95 Monroe Street was tabled at the meeting of May 20 for further study; since, Police Chief Richard Wall has provided the recommendation that this streetlight is located at the intersection of Monroe St and Kerri Lane, and lights at intersections improve public safety. Neighbor Jim Doiron of #105 Monroe was present before the Board to speak in favor of this request. Mr. Trabucco moved to grant the request of Jackie Curran of 95 Monroe Street to add the streetlight on pole #20 on

Monroe Street to the inventory of the Town of Pembroke and authorize its activation. Mr. Boyle seconded the motion; the vote was unanimously in favor.

CONSIDER PEMBROKE'S NOMINEE TO OCES BOARD OF DIRECTORS

The Council on Aging Board unanimously nominated Mary Willis to continue to act as Pembroke's delegate to the OCES Board. Mr. Stone moved to appoint Mary Willis, Council on Aging Director, as the Pembroke delegate to the Old Colony Elder Services Board of Directors. Mr. Boyle seconded the motion. The vote was three in favor with Ms. Burt and Mr. Boulter present, not voting.

CONSIDER APPLICATION FOR VACANCY ON OPEN SPACE COMMITTEE: DENISE MORASKI OF 177 TAYLOR STREET

Mr. Boyle moved to appoint Denise Moraski to the Open Space Committee; Mr. Stone seconded the motion. Mr. Boulter stated that he would like a letter sent to the Open Space Committee advising them that they report to the Board of Selectmen, not to the Conservation Commission. He stated that, while ConCom should be copied on all of their activities, Open Space reports to the BOS. Mr. Stone and Ms. Burt agreed with Mr. Boulter. Mr. Trabucco confirmed that the Board of Selectmen is the appointing authority and while the Board should have availability to minutes and agendas, Open Space and Conservation Commission are inextricably linked with common goals. Ms. Burt stated the Board should be kept informed of Committees activities; Mr. Trabucco agreed. Mr. Stone suggested that the Board of Selectmen be copied on minutes. Mr. Boulter concurred with Mr. Stone. Ms. Patti Elsner inquired as to the Town website and the opportunity for minute posting for all to see. Mr. Trabucco pointed out that minutes are a summary of a meeting and they should be kept up to date on the Town website. Mr. Boyle concurred, stating that all departments need to email agendas and minutes to the Town website; the Boards should be aware that the Selectmen and the residents would like to be more informed. The vote on Ms. Moraski's appointment was unanimously in favor. Mr. Boulter requested that a letter be sent to all Boards, Committees and Commissions requesting that they keep their agenda postings on the Town website up to date while including upcoming issues for all to be informed and to ensure that they all post their minutes in a timely fashion once voted for acceptance.

The Board recognized Josh Lothrop of Boy Scout Troop 43 who was present to observe the Selectmen's meeting as he is working on a communications project in conjunction with his Eagle Scout project.

DISCUSSION OF APPEAL FILED WITH MASS DEP: WATER WHEEL ORDER OF CONDITIONS & RECOMMENDATIONS

Mr. Boulter updated the Board as to the status of the water wheel; the Conservation Commission sent a letter to Mr. Boulter with fourteen orders on the Order of Conditions; Mr. Boulter filed an appeal on behalf of the Water Wheel Committee with the MassDEP. Mr. Boulter stated that Town Counsel has advised that, in order to file an appeal in Superior Court, it must be filed by the end of June. Mr. Boulter is waiting to meet with the DEP; he requested a vote of the Board of selectmen to work with Town Counsel to file an appeal in Superior Court, as there is a state law and a town by-law to be considered. Mr. Boulter stated that, even if the Water Wheel Committee wins its appeal with the MassDEP, the Town By-Law would supersede without the appeal in Superior Court. Mr. Boyle moved to place the authority to work with Town Counsel to file an appeal in Superior Court with the Chairman of the Board of Selectmen. Mr. Trabucco seconded the motion. The vote was unanimously in favor.

CONSIDER THE MINUTES OF MAY 20, 2013

Mr. Stone moved to accept the minutes of May 20, 2013 as written. Mr. Boyle seconded the motion. The vote was unanimously in favor.

OLD BUSINESS

Mr. Stone updated the Board on the Plymouth County Advisory Board meeting last week; it was a three hour meeting reviewing 2014 budget projections; the \$9,426,000 budget is balanced. Additionally, salary increases for Ply County Registrar, Treasurer and Commissioners were thoroughly debated and approved.

Mr. Boyle stated that the 2013 Pembroke High School graduation ceremonies were well received and it was a fine day for all as were the spectacularly executed exercises by the Town Memorial Committee in honor of Memorial Day. Additionally, Mr. Boyle stated that he was present for the pre and post inspections for the Old Home Days Fair; while no significant issues arose, what was revealed was considered minor and the Church was very cooperative. Mr. Stone stated that 1500 lbs of textiles have been picked up thus far from the bins at the schools. Mr. Stone asked Len Rusczyk what the status was of the Recycling Committee and their efforts; Mr. Rusczyk stated that the other members of the committee took a vote in December to disband as they considered their charge by the BOS to be complete. Mr. Stone and Mr. Trabucco stated that only the BOS has that authority and any member who chooses may resign; the committee needs to evolve and perform community outreach and expand the current recycling program. Mr. Stone requested that a letter be sent to the current Chairman of the Recycling Committee to request a status update. Mr. Boyle suggested sending a letter to each member asking them if they are interested in continuing serving on the committee and allowing them fourteen days to respond.

UPCOMING ISSUES

Mr. Boulter advised that the Board will be considering annual reappointments on June 17th, and that the State Election is June 25th at all polling locations from 7:00 am to 8:00 pm.. Mr. Stone proposed that the Board consider an upcoming issue in July or August to receive an update from PACTV on their annual report and audit or financial review of their operations that they plan to submit on or around June 15th. Mr. Boulter requested that Nancy Richard or her representative be invited to appear before the BOS at a July meeting for an update.

At 8:05 pm, Mr. Trabucco moved 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. Mr. Boulter so declared.

By roll call vote: Ms. Burt – yes, Mr. Trabucco – yes, Mr. Boyle – yes, Mr. Stone – yes