

**MINUTES OF THE SELECTMEN'S MEETING  
OCTOBER 28, 2013**

**PRESENT:** Willard J. Boulter, Jr. (Chairman), Arthur P. Boyle, Jr. (Vice-Chairman), Lewis W. Stone (Clerk), Michelle Burt (Selectman), Daniel Trabucco (Selectman), Edwin J. Thorne (Town Administrator), William Hart (Animal Control Officer), Bill Hussey, Mike Suckow, Martin Walsh, Mark BurrIDGE (Pembroke Mariner Express), Sabrina Chilcott (Executive Assistant), and others.

At 7:00 pm, Mr. Boulter called the meeting to order.

Mr. Hussey, Mr. Suckow and Mr. Walsh were present to update the Board on the Kiwanis annual Christmas Tree and Wreath sale. Mr. Walsh stated that the Herring Run location last year increased sales, enabling the Kiwanis' to increase their scholarships at the PHS from two to three. They hope to improve sales again this year, using the Herring Run park from November 30<sup>th</sup> to December 22<sup>nd</sup>. Mr. Walsh confirmed all proceeds will go to the scholarship program. Mr. Boyle moved approval of the Kiwanis' to use the Thomas Reading Memorial Park from November 30, 2013 to December 22, 2013. Ms. Burt seconded the motion. The vote was unanimously in favor.

**ANNOUNCEMENTS**

Mr. Stone announced that the Lydia Drake Board of Trustees is being re-established; they have four interested volunteers now and seek three more for a seven member board. Please contact Lillian or Dan Murphy for more information at 774-408-7967. The Bryantville United Methodist Church is holding their Seasons of the Heart Fair on Saturday, November 16<sup>th</sup> from 10:00 am to 2:00 pm at the church located at 546 Mattakesett Street. Mr. Boulter requested a moment of silence for the passing of Father Mark Hannon of St. Joseph the Worker parish.

**7:00 ANIMAL CONTROL OFFICER BILL HART: UPDATE OF DOG COMPLAINT AT 15 DEERFIELD LANE**

Mr. Hart was present before the Board to clarify an incident that occurred on October 22<sup>nd</sup> at 8:00 am on Deerfield Road. There was a report submitted by two neighbors that proved to be factually inaccurate once investigated. The dogs in question never left the property and the third dog was unleashed, came onto the property at 15 Deerfield Lane and equally participated in the brief encounter. The owner of the third dog has taken responsibility for the incident. Mr. Hart recommended sending the owners of the two dogs at 15 Deerfield, Anthony and Kim Durante, a letter from the BOS office stating that the ACO is authorized to pick up the dogs until a dog hearing can be scheduled in the event of a future incident. Mr. Boulter, Mr. Boyle and Mr. Stone agreed to the sending of the letter.

**REVIEW ARTICLE THREE, PROPOSED BUDGET REVISIONS, FOR CHANGE OF BOS RECOMMENDATION**

Mr. Trabucco moved to reopen the Special Town Meeting Warrant; Mr. Stone seconded the motion. The vote was unanimously in favor. Mr. Boyle moved to recommend favorable action on the new Article 3; Mr. Stone seconded the motion. The vote was unanimously in favor. Mr. Trabucco moved to close the STM warrant; Mr. Boyle seconded the motion. The vote was unanimously in favor.

**CONSIDER THE MINUTES OF OCTOBER 16, 2013**

Mr. Stone moved to accept the minutes of October 16, 2013 as written. Mr. Boyle seconded the motion; the vote was unanimously in favor.

**TOWN ADMINISTRATOR'S REPORT**

Mr. Thorne updated the Board on the MassDOT Public Hearing regarding the Route 36 project and addressed the conversations taking place concerning notification to residents of this hearing. Per the MassDOT, there is no formal requirement of the town whatsoever to assist in advertising this 25% design public hearing. Pembroke posted the informational brochures with the details of the hearing on the town

website and announced the hearing at every Selectman's meeting from September 23rd on. The town is not required to advertise in newspapers or notify abutters at this time. If the town desires, they can have additional meetings. This is a MassDOT, federal aid project sponsored by the town to expand the current condition of the roadway. Mr. Thorne explained that the hearing revealed that a fifty foot right of way exists; the 25% design by the MassDOT has proposed that each traffic lane be 11 feet wide with an additional 5 foot shoulder as a bike lane with a northbound six foot sidewalk. Mr. Thorne stated these routes will be similar to Route 27 in Kingston and Route 36s and Route 27 in Halifax. Additionally, Mr. Thorne pointed out that the state will monitor every aspect of the project where it is a federal aid project. Mr. Thorne stated that the town will be required to acquire any land that is needed for the project; the town will be able to use Chapter 90 money to do so. The state recommends that there be a community liaison with the Right of Way Bureau and an association to enable the community to expedite any necessary land acquisitions. Mr. Trabucco pointed out that not all acquisitions are land taking by eminent domain; some are temporary easements to perform the work on the project. Additionally, Mr. Trabucco clarified that the information on any possible required easements were unknown and not available to the town until the 25% design was presented Wednesday night; there are 60 construction easements that will require permission of land owners during the scope of the project and other easements that will become permanent at the conclusion of the project. Mr. Trabucco stated that this process does not begin at eminent domain; it begins with the community liaison talking with community, residents and landowners to reach an agreement. Each easement will have a value and all affected residents will be communicated with fairly, and the state executes these projects every day. Mr. Stone stated that there were twelve people at the public hearing and only one resident, who had an opportunity to speak directly with the engineer who has volunteered to go to look at his property.

#### **ASK THE SELECTMEN**

Mr. Stone thanked the Police Chief for making an officer available several days per week to assist traffic and busses at the Route 53 and Pleasant Street intersection. Mr. Boulter thanked the Mattakeesett Garden Club for placing the plantings at the 300<sup>th</sup> Anniversary walkway and advised that the final 25 bricks will be placed in the next week or two.

#### **UPCOMING ISSUES**

Mr. Boulter advised that on October 29<sup>th</sup> there will be Public Hearings by the Planning Board on the proposed Solar Zoning By-Law at 7:30 pm and the proposed Medical Marijuana Zoning By-Law at 8:00 pm in the Veteran's Hall, a joint meeting of the BOS, Advisory Committee and Town Moderator to discuss STM procedure and Special Town Meeting on November 12<sup>th</sup> at 7:30 pm at the PHS.

At 7:35 pm, Mr. Stone moved to enter executive session 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 and Mr. Trabucco seconded the motion.

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