

**MINUTES OF THE SELECTMEN'S MEETING  
FEBRUARY 3, 2014**

**PRESENT:** Willard J. Boulter, Jr. (Chairman), Lewis W. Stone (Clerk), Michelle Burt (Selectman), Daniel Trabucco (Selectman), Edwin J. Thorne (Town Administrator), Michael Buckley (Town Accountant), Kathleen McCarthy (Treasurer/Collector), Melinda Ordway, Joe Markerian, Addison Fine, Vicky Gillard (Principle Clerk), Jody Myatt, Ben Bastianelli (DPW Commissioner), Mark Burr ridge (Pembroke Mariner Express), Jessica Trufant (Patriot Ledger), Charlie Matthewson (WATD), Sabrina Chilcott (Executive Assistant), and others.

**REMOTELY PARTICIPATING VIA SPEAKERPHONE:** Arthur P. Boyle, Jr. (Vice-Chairman), illness

Mr. Boulter called the meeting to order and advised that Selectmen Boyle is participating via remote participation in accordance with the requirements of 940 CMR 29.10 via speakerphone due to illness. All votes will be made via roll call.

**ANNOUNCEMENTS**

The Annual Town Meeting warrant is now open; please submit warrant articles for April 22, 2014 Annual Town Meeting before the close of the warrant on February 13, 2014 at 4:30 pm.

Town Clerk MaryAnn Smith announced that the census has been mailed, and requests that residents return their completed census promptly. Please contact the Town Clerk if you have not received your census at 781-293-7211. Nomination papers are now available for the April 26<sup>th</sup> Town Election; the last day to obtain them is March 6<sup>th</sup>. All papers must be returned to the Clerk's office by March 10<sup>th</sup>. The last day to register to vote at Town Meeting and the Town Election is April 2<sup>nd</sup>. Dog licenses are now available in the Town Clerk's office. Please call 781-293-7211 with any questions.

Mr. Thorne introduced Pembroke High School student Addison Fine; he is enrolled in independent work study and is working with Mr. Thorne to craft a draft Town Charter. The Government Study Committee will be able to utilize this product in their work for the Town.

**7:00 MELINDA ORDWAY AND JOE MARKERIAN, DEPARTMENT OF REVENUE:  
FINANCIAL MANAGEMENT REVIEW OF THE TOWN OF PEMBROKE**

Ms. Ordway called to thank the Town for inviting the DOR's Division of Local Services, Technical Assistance Section to come in to review the financial management of the Town. She stated that they had many valuable opportunities to work with the departments and boards in town to compile this review. Ms. Ordway advised that the report contains thirty-eight recommendations regarding financial management best practices overall and she addressed many key points contained in the review. Regarding the current structure of the Town, Ms. Ordway was pleased to hear that the BOS has already moved to re-establish the Town Government Study Committee; she stated that the size and growth of Pembroke has necessitated small changes over the years to modify the structure, but Pembroke needs to look toward the next steps required. Ms. Ordway cited the necessity of developing a town charter and the need to strengthen the Town Administrator's position as written. She explained it is prudent and fiscally responsible to identify one day to day operational officer while maintaining the Board of Selectmen in the role of chief administrative officers for the community; Ms. Ordway stated this is a necessary management structure to which more communities have moved. Ms. Ordway stated Pembroke needs to do a wholesale review of the Town Bylaws; some are outdated and they are listed chronologically with related parts in different locations. Ms. Ordway reviewed the town's budget process. The BOS does not develop the budget, relying on the Town Administrator to perform this function; however, the Advisory Committee also develops their own budget on a dual track. The DOR proposes that the town create a top-down streamlining wherein all departments fulfill the requirements as set out by written statements sent out to them with forms to be completed regarding their annual request for operating expenditures and capital items to be submitted to the Town Administrator. This allows him to work with all of the departments and put together a balanced proposal to be handed off to the Advisory Committee. Further, the DOR recommends that Annual Town Meeting be moved to May as the legislature

has not yet put out their budget proposal in time for our current Town Meeting in April. Ms. Ordway stated Pembroke was adversely affected by this delay of information and the resulting budgetary discrepancy this year. The DOR recommends that the Town move toward Enterprise accounting for water and solid waste accounting. Revenues and expenditures dedicated to each operation are accounted for, reserves are then developed, and investment income is retained with the intent of developing their own reserves for future capital improvements. Ms. Ordway commended the town for developing an OPEB fund but she encourages the town to make an annual appropriation into the fund; once \$250,000 is in the fund, the town can petition the Public Retirement Investment Trust Board for them to take custody of the assets and invest them for the community, growing the fund. Ms. Ordway stated town job descriptions need to be updated and a wholesale review of the compensation and classification plans needs to be performed. The DOR encourages the town to consider bi-weekly payroll as there is value alleviating staff duties by reducing the frequency of processes. The DOR encouraged the use of the town website by each department to fill it with information and keep that information current. The DOR recommends consistent and fully integrated applications be used by the Town Accountant's office and the Treasurer/Collector's office, but cautioned that there would be a sizable cost associated with acquiring the system, transferring the data and training the staff. The DOR further recommends standardizing departmental turnovers for departmental receipts and water abatement forms. They also questioned the practice of the Collectors office depositing water and solid waste receipts but turning the accounts back to other departments for maintenance, posting and billing. Some other recommendations include developing a water abatement process and abating older excise amounts due. Ms. Ordway closed by stating that the DOR is encouraged that many proposed changes are being embraced and commended the BOS for reforming the Town Government Study Committee. Mr. Trabucco asked about additional resources that the TGSC could utilize in addition to this report. Mr. Markerian stated it is imperative that members of the TGSC be open minded, objective, have the ability to work with others and work hard taking in a lot of information, weighing the pros and cons and ultimately coming to a decision that is in the best interests of the town. The Committee's success will be entirely based on its credibility, which will result from an open process where everyone gets to contribute their point of view. The public must be invited to participate; there can then be no dissenting opinions once the committee makes a decision. A unanimous position must be presented with no dissenting opinion. Mr. Markerian advised that most committees look at other towns who have gone through the process and review their charters, observing the hurdles they overcame to be successful. He cited Groton, Hopkinton and Mashpee as strongly structured charters. A strong charter sets the underpinning and the structure for the community that survives from year to year; processes occur the same way regardless of who holds elected office inspiring confidence. He reminded the BOS that the charter and bylaws are companion documents; charters are general and bylaws provide the detail. He closed by stating that any new Town Administrator candidate in the future will look at the charter and bylaws of the town before applying for the position. Mr. Boyle indicated that he would like to take action on the DORs recommendation to eliminate health insurance benefits for part time boards; Mr. Markerian suggested this be placed on an upcoming agenda for discussion and vote.

**CONSIDER THE REQUEST OF THE DPW: DEFICIT SPENDING FOR SNOW AND SANDING \$239,697.09**

Mr. Stone moved to authorize the DPW Commissioners to deficit spend \$239,697.09 in excess of available appropriations. Mr. Trabucco seconded the motion; by roll call: Trabucco – yes, Burt – yes, Stone – yes, Boulter – yes, Boyle – yes.

**CONSIDER THE USE THE TOWN'S ROADS: GIRLS ON THE GO ROAD RACES MARCH 30, MAY 11, JUNE 1**

Ms. Burt moved to grant the use of the Town's roads for the Girls on the Go road races on Center Street, High Street and Mountain Avenue on Sunday, March 30, Sunday, May 11 and Sunday June 1 from 7:00 am to 11:30 am pending the approval of the Chief of Police. Mr. Trabucco seconded the motion; by roll call: Trabucco – yes, Burt – yes, Stone – yes, Boulter – yes, Boyle – yes.

**CONSIDER THE REQUEST OF JODY MYATT: USE OF 40B RESALE APPRAISAL, 51 REDWOOD CIRCLE**

Ms. Myatt was present before the Board requesting the BOS allow the sale of her 40B affordable home through the DHCD marketing process to keep the property in the 40B program and further for the BOS to vote to allow her request that the DHCD use the previous property appraisal report dated September 2011 for the calculation of the maximum resale price of her property for the sale. Discussion ensued; the market value on \$310,000 would fix a \$204,600 (66%) resale price. Mr. Trabucco moved to approve the sale of this 40B property at 51 Redwood Circle by the DHCD using the last appraisal value of \$310,000 at the recommendation of the DHCD. Ms. Burt seconded the motion; by roll call: Trabucco – yes, Burt – yes, Stone – yes, Boulter – yes, Boyle – yes.

**ASK THE SELECTMEN**

Mr. Stone stated that he has received a letter from a resident inquiring about the disposal of used motor oil. He will research the subject and report back to the resident and the BOS.

Mr. Boulter expressed condolences and requested a moment of silence for the passing of Richard “Dick” Wills, member of the Pembroke Police Department for many years who retired at the rank of lieutenant after having served two terms as acting chief. Memorial services will be held Saturday in Halifax.

**UPCOMING ISSUES**

Mr. Boulter advised that the Plymouth County Commissioners representatives will appear on February 24<sup>th</sup> at 7:00 to discuss ongoing initiatives. Additionally, February 10<sup>th</sup> will begin with a brief presentation from two Girl Scout Gold Award candidates, with an application for a permit request for the Old Home Days Fair and a SOI considered for Bryantville Elementary to the MSBA. There is a 7:30 joint pole hearing scheduled On February 24<sup>th</sup> with the DEP report review and there will be a joint meeting with the Energy Committee to discuss future solar projects at a date to be determined.

At 8:05 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: Mr. Stone - yes, Mr. Boyle - yes, Ms. Burt - yes, Mr. Trabucco - yes, Mr. Boulter - yes.