

Pembroke Conservation Commission
Minutes of the Meeting of
March 9, 2015

Disclosure: These minutes are not verbatim – they are the administrative agent's interpretation of what took place at the meeting.

All materials presented during this meeting are available in the Conservation Office.

Open Meeting Law, G.L. c. 30A § 22.

Agenda – May include topics not reasonably anticipated by the Chair at time of posting of the meeting.

Open Meeting Law, G.L. c. 30A § 20.

Attending: Mark Ames, chairperson; Carey Day, vice-chairperson; Robert Clark; Al Gigliotti; Dan Smith; and Michael Kirby

Absent: Scott Glauben (Mr. Glauben was present at Veteran's Hall)

Staff: Bob Clarke, agent; and Mary Guiney, administrative agent

Location: Town Hall Selectboard Office, Second Floor, Room 10 and Veteran's Hall Selectboard Meeting

Opened: 7:00 p.m. at Veteran's Hall Selectboard Meeting
8:35 p.m. at Selectboard Office

Discussion: Route 14 Reconstruction Project

Presenting: Agent Bob Clarke and Vice-Chairperson Carey Day
Ben Bastinelli, DPW Commissioner
Rob Cahoon of CHA, design engineer
Eugene Fulmine, Jr., DPW Superintendent.

The conservation commission requested an appointment with the selectboard in order to provide an overview of the project. The primary focus of the discussion was the importance and necessity of implementing stormwater improvements into the design.

The conservation commission returns to the Selectboard Office for their regularly scheduled meeting.

Appointment: Ed Thorne - cancelled

Agent Bob Clarke informs the commission that Town Administrator Ed Thorne has advised him that the Town of Pembroke intends to purchase 9 Owl Bog. It will be presented as a warrant article at town meeting. No funds for the purchase will need to be provided by the conservation commission.

Discussion: Route 14 Reconstruction Project

The commission discusses the possibilities of achieving improvements to the design in the limited timeline left for the project.

Unscheduled Discussion: Pembroke Chat

The commission reviews comments on the Pembroke Connect web site, which were posted by Planning Board member Dan Taylor implying agent Bob Clarke committed ethics violations. These implied violations stemmed from the recent purchase of the Zaniboni Bogs from Mr. Clarke's employer. In order to avoid even the appearance of impropriety, Mr. Clarke has recused himself from all transactions and

votes take by the commission. Furthermore, it was noted that the presumption that a conflict of interest existed for Mr. Clarke was erroneous due to the fact that he could not possibly receive any benefit from the sale. Mr. Clarke did not from the transaction. The Town of Pembroke was the only winner. AS part of the agents' job, it is his responsibility to advise and inform the conservation commission in the preservation of potential open space. In their review of the postings, the commission lauded Zoning Board member Bill Cullity and Historical Commission member Libby Bates for their defense of Mr. Clarke.

As a result of this insidious posting, the commission proposed hosting 'visiting hours' prior to their regular meetings. These 'visiting hours' would be in addition to the services already provided by commission staff and would include interaction with the commission members. Visitors would be welcome to bring their questions and concerns, as well as to stay and view a conservation commission meeting.

Motion to institute visiting hours: Carey Day
Second: Michael Kirby
All in favor.

Member Michael Kirby was to post the invitation on Pembroke Connect.

Unscheduled Discussion: Interdepartmental Communication

The commission reviews procedures to improve communication between departments and especially the selectboard. The commission requests an update on the 'Department Head Meetings' that were referenced during last week's meeting with the selectboard. As requested, the administrative agent had sent a request for notice and invitation to such meetings to the selectboard office last Tuesday. No response was received and since that time, the agent has learned that a "Department Head Meeting" was held on Friday without our participation. Attendance included invitations to the Town Accountant, Town Treasurer/Collector, Town Clerk, Chief Assessor, Board of Health Agent, Planning Board Dept. Head, Building Inspector, Veterans' Agent, Public Works Director, Recreation Director, Commission on Disabilities, Police Chief, Fire Chief, Council on Aging Director, Library Director, School Superintendent, Asst. School Superintendent, and Zoning Board Chairman. The conservation commission was excluded.

An ensuing discussion involved appointing a liason to communicate with a selectboard member so as both departments can be kept current with community issues. Agent Bob Clarke explains that a chain of command already exists through the office of the town administrator. He further explains that he is constantly in communication with Mr. Thorne with respect to all conservation issues and actions. The commission would like such communications documented for future reference. Documentation is to include e-mail confirmation to Mr. Thorne, Ms. Chilcott and members of the selectboard.

Unscheduled Discussion: Review of e-mail from Chief Assessor Cathy Salmon to Bob Clarke

Agent Bob Clarke recuses himself from the discussion.

Agent Bob Clarke provided a copy of an e-mail that was received by a family member at his home. No copy was sent to the conservation commission office and as a result it is not listed in the mail folder. The commission reviews the correspondence regarding remarks made by chairperson Mark Ames to the selectboard during a meeting on March 2, 2015. The commission requests that a response be prepared and sent to all parties from the commission office requesting that all communications be sent to the conservation office.

Discussion: Flag Protocol Update

The administrative agent has requested notification from the Town of Pembroke Veteran's Office when the flags are to be raised and lowered. She will then notify Mr. Clarke and the commission.

Discussion: Staff Vacation

Administrative Agent Mary Guiney submits a request for vacation time which was approved by the commission.

Minutes: March 2, 2015

Motion to accept minutes: Michael Kirby

Second: Bob Clarke

All in favor

Documents signed:

Gatehouse Media Bill

Adjournment

A motion was made by Michael Kirby to adjourn the meeting at 10:00 p.m. Second by Al Gigliotti. All in favor.