

TOWN OF PEMBROKE
APPROVED
ADVISORY COMMITTEE MINUTES
15 APRIL 2021

Linda Peterson, Chairperson opened the meeting of the Advisory Committee via Remote ZOOM/PACTV and read the statement pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law at 6:00PM on 15 April 2021.

Also present were: Stephen Walsh, Sandra Beaton, Kristi Cullinane, Matthew Rushing, Tim Landy, Robert Kenney and John Scholl

Absent: Matthew Norton

Guests: William Chenard, Town Manager

Linda welcomed Bill Chenard, Town Manager to review the Town Manager Report and the STM & ATM Warrant Articles.

- The Select Board voted at their meeting 4/14/21 to delay The Annual Town Meeting to June 22, 2021 and the Town Election to June 26, 2021.
- The final recommendations for the STM & ATM Warrant Articles now due 5/19/21
- Select Board will sign the Warrant on 5/20/21, then it will go to the printer 5/21/21 – 6/7/21
- The STM & ATM Warrant Articles to be posted 6/8/21
- Governor's budget is out – state local aid increased to \$77,694; local assessment increased to \$487,824 a deficit of -\$10,130.
- American Rescue Plan 1.9 Trillion – the law calls for funds to begin within 60 days of signing; it was signed 3/11/21. Estimated direct aid is \$1,826,016. Estimated Aid for Plymouth County is 3.5M. Pembroke should receive \$900,000 in three separate checks over a two year period with three years to spend. These funds can be used for Revenue replacement. Bill plans to use these funds instead of the Stabilization funds.
- Sandra Beaton asked if these funds could be used towards the structure deficit. Bill said we have to plan our way out of that; it doesn't solve that problem.

Bill began his presentation of the Special Town Meeting & Annual Town Meeting Warrant Articles. Advisory agreed after each Article they would decide to vote their recommendation or Pass/Hold.

Special Town Meeting Warrant Articles:

Article 1 – Departmental Transfers

The committee reviewed and discussed the details.

Upon motion moved by Matthew Rushing and 2nd by Kristi Cullinane **Favorable Action** on Article 1 Department Transfers as follows: Assessor's General Expenses \$7,032 Assessor's Wages and Salaries; Elections \$20,000 Free Cash; Data Processing \$25,000 Free Cash; DPW General Expenses \$25,000 DPW Wages and Salaries; Water Enterprise Capital \$50,000 Water Enterprise Fund Wages and Salaries.

VOTED¹: **Favorable Action** Article 1 Department Transfers as follows: Assessor's General Expenses \$7,032 Assessor's Wages and Salaries; Elections \$20,000 Free Cash; Data Processing \$25,000 Free Cash; DPW General Expenses \$25,000 DPW Wages and Salaries; Water Enterprise Capital \$50,000 Water Enterprise Fund Wages and Salaries via **Roll Call:** Tim Landy YES; Sandra Beaton YES; Matthew Rushing YES; Stephen Walsh YES; Kristi Cullinane YES; John Scholl YES; Robert Kenney YES

Article 2 – Fund Collective Bargaining Agreements

The committee reviewed and discussed the details.

Upon motion moved by Stephen Walsh and 2nd by Matthew Rushing **Favorable Action** on Article 2 – Fund Collective Bargaining Agreements -To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum of money for the purpose of funding the cost of items of the first year of any

¹⁻¹³The Chairperson did not vote on this motion

new collective bargaining agreements between the Town and the Pembroke Permanent Firefighters Association, Council 93, Local 1700 (Town Hall), Council 93, Local 1700 (Water Enterprise) and Council 93, Local 1700 (Public Works), or take any other action relative thereto.

VOTED²: Favorable Action Article 2 – Fund Collective Bargaining Agreements To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum of money for the purpose of funding the cost of items of the first year of any new collective bargaining agreements between the Town and the Pembroke Permanent Firefighters Association, Council 93, Local 1700 (Town Hall), Council 93, Local 1700 (Water Enterprise) and Council 93, Local 1700 (Public Works), or take any other action relative thereto. via **Roll Call**: Tim Landy YES; Sandra Beaton YES; Matthew Rushing YES; Stephen Walsh YES; Kristi Cullinane YES; John Scholl YES; Robert Kenney YES

Annual Town Meeting Warrant Articles

Article 1 – Wage & Salary Classification

The committee reviewed and discussed the details.

Upon motion moved by Tim Landy and 2nd by Sandra Beaton **Favorable Action** on Article 1 – **Wage & Salary Classification** - To see if the Town will vote to amend schedules A, B and C of the Classification and Compensation By-laws according to the schedules listed in **Appendix A** attached to this warrant and to raise and appropriate, transfer from available funds, or otherwise provide a sum of money to fund any changes thereto, or take any action relative thereto.

VOTED³: Favorable Action - Article 1 – Wage & Salary Classification - To see if the Town will vote to amend schedules A, B and C of the Classification and Compensation By-laws according to the schedules listed in **Appendix A** attached to this warrant and to raise and appropriate, transfer from available funds, or otherwise provide a sum of money to fund any changes thereto, or take any action relative thereto. via **Roll Call**: Tim Landy YES; Sandra Beaton YES; Matthew Rushing YES; Stephen Walsh YES; Kristi Cullinane YES; John Scholl YES; Robert Kenney YES

Article 2 – Operating Budget

The committee reviewed and discussed the details.

Upon motion moved by Matthew Rushing and 2nd by Kristi Cullinane **Favorable Action** on **Article 2 – Operating Budget**– Move that town appropriate the sum of \$66,305,732 to fund the operating budget of the town for Fiscal Year 2022 as listed under Appendix B of the 2021 annual town meeting warrant, column headed “FY2022 Request”, and to fund this appropriation, raise and appropriate from taxation the sum of \$64,224,351 and transfer the following sums: Capital Stabilization \$25,000; Ambulance Fund \$811,071; Septic Loan Program \$93,360; Recreation Revolving (Fields) \$10,600; Council on Aging Transportation \$102,177; School Athletic Fund \$74,875; Recreation Revolving (Clerical) \$46,088; School Construction Funds \$73,360; Water Enterprise Indirect \$477,040; Solid Waste Enterprise Indirect \$54,310; Cemetery Trust Funds \$25,731; Regional ACO \$38,659; American Rescue Plan Act of 2021 \$249,110.

VOTED⁴: Favorable Action - Article 2 – Operating Budget – Move that town appropriate the sum of \$66,305,732 to fund the operating budget of the town for Fiscal Year 2022 as listed under Appendix B of the 2021 annual town meeting warrant, column headed “FY2022 Request”, and to fund this appropriation, raise and appropriate from taxation the sum of \$64,224,351 and transfer the following sums: Capital Stabilization \$25,000; Ambulance Fund \$811,071; Septic Loan Program \$93,360; Recreation Revolving (Fields) \$10,600; Council on Aging Transportation \$102,177; School Athletic Fund \$74,875; Recreation Revolving (Clerical) \$46,088; School Construction Funds \$73,360; Water Enterprise Indirect \$477,040; Solid Waste Enterprise Indirect \$54,310; Cemetery Trust Funds \$25,731; Regional ACO \$38,659; American Rescue Plan Act of 2021 \$249,110. via **Roll Call**: Tim Landy YES; Sandra Beaton YES; Matthew Rushing YES; Stephen Walsh YES; Kristi Cullinane YES; John Scholl YES; Robert Kenney YES

¹⁻¹³The Chairperson did not vote on this motion

Article 3 – WATER ENTERPRISE OPERATION BUDGET

Appendix is needed; contract will be completed by Monday PASS/HOLD

Article 4 – SOLID WASTE OPERATING BUDGET

HOLD

Article 5 – CAPITAL BUDGET

The committee reviewed and discussed the details.

HOLD

Article 6 – Trust Fund Transfers

The committee reviewed and discussed the details.

Upon motion moved by Matthew Rushing and 2nd by Kristi Cullinane **Favorable Action on Article 6 Trust Fund Transfers** – Move that the town will vote to transfer from available funds a sum of money to be deposited into the OPEB Trust Fund, Separation Pay Fund, Capital Stabilization Fund and the Stabilization Fund as presented in Table 1: OPEB Trust Fund \$125,000 from Free Cash; Separation Pay Benefits Fund \$125,000 from Free Cash; Capital Stabilization Fund \$30,000 from Free Cash; Stabilization Fund \$25,000 from Free Cash.

VOTED⁵: Favorable Action on Article 6 Trust Fund Transfers – Move that the town will vote to transfer from available funds a sum of money to be deposited into the OPEB Trust Fund, Separation Pay Fund, Capital Stabilization Fund and the Stabilization Fund as presented in Table 1: OPEB Trust Fund \$125,000 from Free Cash; Separation Pay Benefits Fund \$125,000 from Free Cash; Capital Stabilization Fund \$30,000 from Free Cash; Stabilization Fund \$25,000 from Free Cash. via **Roll Call**: Tim Landy YES; Sandra Beaton YES; Matthew Rushing YES; Stephen Walsh YES; Kristi Cullinane YES; John Scholl YES; Robert Kenney YES

Article 9 – Fund Collective Bargaining Agreements

The committee reviewed and discussed the details.

Upon motion moved by Stephen Walsh and 2nd by Tim Landy **Favorable Action on Article 9 – Fund Collective Bargaining Agreements** Move that the town vote to appropriate the sum of \$59,235 from overlay surplus to fund the new collective bargaining agreement between the Town of Pembroke and AFSCME Local 1700 Clerical and Public Works for the period from July 1, 2021 to June 30, 2022; and further to appropriate the sum of \$16,363 from water retained earnings (surplus) to fund the new collective bargaining agreement between the Town of Pembroke and AFSCME Local 1700 Water Enterprise for the period July 1, 2021 to June 30, 2022.

VOTED⁶: Favorable Action on Article 9 – Fund Collective Bargaining Agreements Move that the town vote to appropriate the sum of \$59,235 from overlay surplus to fund the new collective bargaining agreement between the Town of Pembroke and AFSCME Local 1700 Clerical and Public Works for the period from July 1, 2021 to June 30, 2022; and further to appropriate the sum of \$16,363 from water retained earnings (surplus) to fund the new collective bargaining agreement between the Town of Pembroke and AFSCME Local 1700 Water Enterprise for the period July 1, 2021 to June 30, 2022.via **Roll Call**: Tim Landy YES; Sandra Beaton YES; Matthew Rushing YES; Stephen Walsh YES; Kristi Cullinane YES; John Scholl YES; Robert Kenney YES

Article 10 – Enter a Payment in Lieu of Taxes (Pilot) Agreement

The committee reviewed and discussed the details.

Upon motion moved by Stephen Walsh and 2nd by Matthew Rushing **Favorable Action on Article 10 – Enter a Payment in Lieu of Taxes (Pilot) Agreement**- To see if the Town will vote to authorize the Select Board to enter into an agreement for “payments in lieu of taxes” pursuant to G.L. c. 59, §5, Clause Forty-Fifth, or any other enabling authority, for taxes attributable to (i) a solar electric generation facility located (or to be located) at 0 Hobomock Street, Assessors Map D6, Lot 1 and, if under common ownership with such facility, (ii) the land upon

¹⁻¹³The Chairperson did not vote on this motion

which such facility is installed for a term of 20 or more years, and on such other terms and conditions as the Select Board deems in the best interests of the Town, or take any other action relative thereto.

VOTED⁷: Favorable Action - on **Article 10 – Enter a Payment in Lieu of Taxes (Pilot) Agreement**- To see if the Town will vote to authorize the Select Board to enter into an agreement for “payments in lieu of taxes” pursuant to G.L. c. 59, §5, Clause Forty-Fifth, or any other enabling authority, for taxes attributable to (i) a solar electric generation facility located (or to be located) at 0 Hobomock Street, Assessors Map D6, Lot 1 and, if under common ownership with such facility, (ii) the land upon which such facility is installed for a term of 20 or more years, and on such other terms and conditions as the Select Board deems in the best interests of the Town, or take any other action relative thereto.via **Roll Call**: Tim Landy YES; Sandra Beaton YES; Matthew Rushing YES; Stephen Walsh YES; Kristi Cullinane YES; John Scholl YES; Robert Kenney YES

Article 11 – Fund Preparation of Updated Pembroke Master Plan

The committee reviewed and discussed the details.

Upon motion moved by Stephen Walsh and 2nd by Matthew Rushing **Favorable Action** on **Article 11 – Fund Preparation of Updated Pembroke Master Plan** – Move that the town will vote to appropriate the sum of \$75,000 from borrowing for the purpose of funding the preparation of an updated Master Plan for the Town of Pembroke and that to meet this appropriation, the Treasurer, with the approval of the Select Board is authorized to borrow said amount under and pursuant to M.G.L. c. 44. §7 or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefore. Any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment costs of issuance of such bonds or notes may be applied to the payment of costs approved by this vote in accordance with M.G.L. c. 44. §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

VOTED⁸: Favorable Action on **Article 11 – Fund Preparation of Updated Pembroke Master Plan** – Move that the town will vote to appropriate the sum of \$75,000 from borrowing for the purpose of funding the preparation of an updated Master Plan for the Town of Pembroke and that to meet this appropriation, the Treasurer, with the approval of the Select Board is authorized to borrow said amount under and pursuant to M.G.L. c. 44. §7 or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefore. Any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment costs of issuance of such bonds or notes may be applied to the payment of costs approved by this vote in accordance with M.G.L. c. 44. §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.via **Roll Call**: Tim Landy YES; Sandra Beaton YES; Matthew Rushing YES; Stephen Walsh YES; Kristi Cullinane YES; John Scholl YES; Robert Kenney YES

Article 12 – Change all Bylaw References to Select Board and Town Manager

The committee reviewed and discussed the details.

HOLD

Article 14 – Fire Department

The committee reviewed and discussed the details.

HOLD – Article maybe withdrawn

Article 16 – Accept G.L. C.44, §55c: Establish Affordable Housing Trust

The committee reviewed and discussed the details.

Upon motion moved by Matthew Rushing and 2nd by Tim Landy **Favorable Action** on **Article 16 – Accept G.L. C.44, §55c: Establish Affordable Housing Trust** - To see if the Town will vote to accept the provisions of G.L. c. 44, Section 55C and establish a Municipal Affordable Housing Trust, for the preservation and creation of affordable housing in the Town of Pembroke for the benefit of low and moderate income households, or take any other action relative thereto.

¹⁻¹³The Chairperson did not vote on this motion

VOTED⁹: Favorable Action on Article 16 – Accept G.L. C.44, §55c: Establish Affordable Housing Trust - To see if the Town will vote to accept the provisions of G.L. c. 44, Section 55C and establish a Municipal Affordable Housing Trust, for the preservation and creation of affordable housing in the Town of Pembroke for the benefit of low and moderate income households, or take any other action relative thereto via **Roll Call**: Tim Landy YES; Sandra Beaton YES; Matthew Rushing YES; Stephen Walsh YES; Kristi Cullinane YES; John Scholl YES; Robert Kenney YES

Article 29 – Community Preservation Funded Project Proposals

The committee reviewed and discussed the details.

To see if the town will vote to adopt and approve the following recommendations of the Pembroke Community Preservation Committee for fiscal year 2022, and to see if the town will vote to implement such recommendations by appropriating a sum or sums of money from the community preservation fund. Each recommendation is to be voted on individually.

Upon motion moved by John Scholl and 2nd by Sandra Beaton **Favorable Action Recommendation A:** To appropriate the sum of \$50,000.00 from the open space fund reserve and that said funds be granted to the Open Space Committee for the preparation of an existing conditions and master concept plan to include the demolition of the existing house on the Arthur and Michelle Lage Property located at 190 Barker Street for the acquisition, creation and preservation of open space, or take any other action relative thereto.

VOTED¹⁰: Favorable Action Recommendation A: To appropriate the sum of \$50,000.00 from the open space fund reserve and that said funds be granted to the Open Space Committee for the preparation of an existing conditions and master concept plan to include the demolition of the existing house on the Arthur and Michelle Lage Property located at 190 Barker Street for the acquisition, creation and preservation of open space, or take any other action relative thereto. via **Roll Call**: Tim Landy YES; Sandra Beaton YES; Matthew Rushing YES; Stephen Walsh YES; Kristi Cullinane YES; John Scholl YES; Robert Kenney YES

Upon motion moved by John Scholl and 2nd by Sandra Beaton **Favorable Action Recommendation B:** To appropriate the sum of \$5,000.00 from the undesignated reserve fund, and that said funds be granted to the Pembroke Historical Society for technical assistance for a feasibility study for historical preservation purposes, or take any other action relative thereto.

VOTED¹⁰: Favorable Action Recommendation B: To appropriate the sum of \$5,000.00 from the undesignated reserve fund, and that said funds be granted to the Pembroke Historical Society for technical assistance for a feasibility study for historical preservation purposes, or take any other action relative thereto. via **Roll Call**: Tim Landy YES; Sandra Beaton YES; Matthew Rushing YES; Stephen Walsh YES; Kristi Cullinane YES; John Scholl YES; Robert Kenney YES

Upon motion moved by John Scholl and 2nd by Sandra Beaton **Favorable Action Recommendation C:** To appropriate the sum of \$50,000.00 from the undesignated reserve fund, and that said funds be granted to the Pembroke Historical Society for repairing of the stone wall and removal of poison ivy from the Friends Meeting House for historical preservation purposes, or take any other action relative thereto.

VOTED¹⁰: Favorable Action Recommendation C: To appropriate the sum of \$50,000.00 from the undesignated reserve fund, and that said funds be granted to the Pembroke Historical Society for repairing of the stone wall and removal of poison ivy from the Friends Meeting House for historical preservation purposes, or take any other action relative thereto. via **Roll Call**: Tim Landy YES; Sandra Beaton YES; Matthew Rushing YES; Stephen Walsh YES; Kristi Cullinane YES; John Scholl YES; Robert Kenney YES

Upon motion moved by John Scholl and 2nd by Sandra Beaton **Favorable Action Recommendation D:** To appropriate the sum of \$12,536.00 from the open space reserve fund, and that said funds be granted to the Pembroke Recreation Department for installation of safety rails behind dugouts and audience bleachers for recreational purposes, or take any other action relative thereto.

VOTED¹⁰: Favorable Action Recommendation D: To appropriate the sum of \$12,536.00 from the open space reserve fund, and that said funds be granted to the Pembroke Recreation Department for installation of safety rails behind dugouts and audience bleachers for recreational purposes, or take any

¹⁻¹³The Chairperson did not vote on this motion

other action relative thereto.via **Roll Call:** Tim Landy YES; Sandra Beaton YES; Matthew Rushing YES; Stephen Walsh YES; Kristi Cullinane YES; John Scholl YES; Robert Kenney YES

Article 15 - Amend Town Bylaws: Leash Law Violations

The committee reviewed and discussed the details.

Upon motion by Matthew Rushing 2nd by Tim Landy to reconsider their vote of Favorable Action on Article 15 – Amend Town Bylaws: Leash Law Violations at a prior meeting (3/11/21).

VOTED¹¹: To reconsider their vote of Favorable Action on Article 15 – amend Town Bylaws: Leash Law Violations at a prior meeting (3/11/21) via **Roll Call:** Tim Landy YES; Sandra Beaton YES; Matthew Rushing YES; Stephen Walsh YES; Kristi Cullinane YES; John Scholl YES; Robert Kenney YES

Article 30 - Vote to increase pay rate of Library Aide

The committee reviewed and discussed the details.

HOLD – Article maybe withdrawn

Article 33 – Community Center Building Project

Bill shared his screen and reviewed a presentation prepared by Ballard & King Associates (BK&A), the consultant contracted with Pembroke. The topics covered and discussed were:

- Hours of operation for both the Community Center and Senior Center
- Current programs and new programs
- Use of space
- Operation budget (5 year comparison), expenses and revenue
- Staffing
- Bill explained that the town would complete an RFP process in selecting an Operations Project Manager to oversee the day to day building, independent from the Architects and Contractor.

Upon motion moved by Matthew Rushing 2nd by Kristi Cullinane **Favorable Action on Article 33 – Community Center Building Project** To see if the town will appropriate a sum of money for the purpose of designing and constructing a Community Center, including all costs incidental thereto, and to authorize the Treasurer, with the approval of the Select Board to borrow said amount **pursuant to M.G.L. c. 44 or any other enabling authority and to** issue bonds or notes of the Town that may be necessary for that purpose, and to apply the premium received by the town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bond or notes, to pay project costs and reduce the amount authorized to be borrowed by the amount of the premium so applied, or take any other action relative thereto.

VOTED¹²: Favorable Action on **Article 33 – Community Center Building Project** To see if the town will appropriate a sum of money for the purpose of designing and constructing a Community Center, including all costs incidental thereto, and to authorize the Treasurer, with the approval of the Select Board to borrow said amount **pursuant to M.G.L. c. 44 or any other enabling authority and to** issue bonds or notes of the Town that may be necessary for that purpose, and to apply the premium received by the town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bond or notes, to pay project costs and reduce the amount authorized to be borrowed by the amount of the premium so applied, or take any other action relative thereto.via **Roll Call:** Tim Landy NO; Sandra Beaton YES; Matthew Rushing YES; Stephen Walsh YES; Kristi Cullinane YES; John Scholl YES; Robert Kenney YES

Linda thanked Bill for his presentations and thanked him for coming.

Upon motion moved by Stephen Walsh and 2nd by Matthew Rushing to approve the meeting minutes of April 8, 2021

VOTED¹³: To accept the meeting minutes of April 8, 2021 via **Roll Call:** Tim Landy YES; Sandra Beaton YES; Matthew Rushing YES; Stephen Walsh YES; Kristi Cullinane YES; John Scholl YES; Robert Kenney YES

¹⁻¹³The Chairperson did not vote on this motion

Linda reviewed the next Advisory meetings scheduled prior to Town Meeting. Advisory has May 3rd, May 27th and June 30th scheduled. Advisory may be able to swap the May 27th date for May 20th with Open Space if this date is needed for Advisory to complete their recommendations for Town Meeting.

The next meeting is scheduled to meet on Tuesday, April 20, 2021 at 7:00pm.

Advisory adjourned at 8:45 PM.

Respectfully submitted

Stephen Walsh, Clerk