

**MINUTES OF THE SELECTMEN'S MEETING  
FEBRUARY 26, 2018**

**PRESENT:** Willard J. Boulter, Jr. (Chairman), Matthew J. Furlong (Vice-Chairman), Lewis W. Stone (Clerk), Arthur P. Boyle, Jr. (Selectman), Daniel Trabucco (Selectman), Edwin J. Thorne (Town Administrator), Sabrina Chilcott (Assistant to the Town Administrator)

At 6:00 pm Mr. Boulter opened the meeting. Mr. Stone moved to enter executive session under M.G.L. c.30A, Sec. 21(3) to discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the litigating position of the public body and the chair so declares: River Marsh, Water Street, MH-916. Mr. Boyle seconded the motion, and Chairman Boulter declared it to be so. By roll call vote: Mr. Boyle – yes, Mr. Stone – yes, Mr. Boulter – yes.

At 7:15 pm, Mr. Boulter declared a five minute recess.  
Eugene Fulmine, Jr., Benjamin Bastianelli, Susan Shea, Erin Obey, Michael Tropeano, Officer Stephen Kirby, Michelle Burt, Karen Shea Price, Gail Sim and Don Kernan entered the meeting with others.

At 7:20 pm, Mr. Thorne introduced new Council on Aging Director Susan Shea to the Board and residents, stating that Ms. Shea was highly successful as the Outreach Coordinator and is transitioning into the role of Director very well. Mr. Stone welcomed Ms. Shea on behalf of the Board.

**7:25 (7:00) CHAMBER OF COMMERCE: KAREN SHEA PRICE, SOUTH PAWS DOGGIE DAY CARE**

Ms. Price was present before the Board as part of the Selectmen's Chamber of Commerce series to spotlight her business on Oak Street, South Paws Doggie Day Care which she opened in 2005 in Hanover. Ms. Price stated that she moved to Pembroke to raise her family in 1998 and moved her business to Pembroke in 2007; she stated that she has recently built a new facility on Oak Street. Mr. Price provided an overview of the training and animal care classes available at her facility. The businesses address is 275 Oak Street and the telephone number is 781-826-PAWS.

At 7:30 pm, Mr. Boulter advised that this meeting is being made available to the public through a live video and audio broadcast on Comcast Government Access Channel 15 and is also being recorded for airing on the channel at future dates. Comments made in open session will be recorded.

**ANNOUNCEMENTS**

Spring Household Hazardous Waste Day has been scheduled for April 28<sup>th</sup> from 9:00 am to 1:00 pm. A list of accepted and unaccepted items will be posted to the town website at [www.pembroke-ma.gov](http://www.pembroke-ma.gov). Attendees must be a town resident, have a current recycling sticker and cannot dispose of business or commercial hazardous waste. The fall date for household hazardous waste collection will be November 3rd.

The Town Clerk's office will be closed on Wednesday, February 28<sup>th</sup> at 2:30 pm for the funeral of the Assistant Town Clerk's father; they apologize for any inconvenience.

On Thursday March 1, 2018, the DPW Water Division will be conducting a Flow Test on Corporate Park Drive. The test will be conducted in the evening, beginning at 10:00 p.m. The flow test may cause low water pressure and/or discoloration of water for a short period of time. Residents in the surrounding area are urged to first check their water for discoloration before cooking, bathing or before washing clothes or dishes. If you do experience discolor in your water, please follow the flushing method of running your outside water spigot closest to your meter or the cold water in your kitchen sink "slowly" for 20 to 30 minutes. Turn water off and repeat after one hour until the water runs clear. The DPW apologizes for any inconvenience this may cause you due to this test.

**7:30 (7:05) GAIL SIM, FIRST CHURCH IN PEMBROKE: REQUEST FOR USE OF TOWN MEMORIAL GREEN**

Ms. Sim was present before the Board on the First Church's application; setup will occur on May 29<sup>th</sup> and 30<sup>th</sup> and the fair will run May 31<sup>st</sup> through June 2<sup>nd</sup>. Ms. Sim confirmed that there were no significant issues

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last year and they were very satisfied with Cushing Amusements and the smaller fair footprint. Mr. Kernan stated that he supports the event but not the venue. Mr. Boyle noted that he and Selectman Trabucco performed both the pre- and post- fair walkthroughs and observed no issues. Mr. Stone moved to grant the request of the First Church in Pembroke to hold the annual Old Home Days Fair in the parking lot and on the grounds of the Town Memorial Green surrounding the church from Thursday, May 31 through Saturday, June 2 and to close Curve Street starting on May 29 conditionally upon the inspection and approval of the Board of Health, details by the Police Chief and Fire Chief and any site conditions set by the Assistant DPW Director during the walkthrough and setup; and to grant the use of the Community Center rear parking area during this time for ten (10) trailers for the storage of Cushing Amusement's equipment. Mr. Boyle seconded the motion; the vote was unanimously in favor.

## **UPDATE ON SECURITY PROTOCOLS AT PEMBROKE PUBLIC SCHOOLS**

School Superintendent Erin Obey highlighted a staff that is invested in their students, creating a healthy student body and a climate of communication that enables all to say something if they see something. Ms. Obey also stated that the Emergency Management team is strongly supportive and the team has had many meetings and drills; Pembroke High School is the training site for SEMLAC, Southeastern Massachusetts Law Enforcement Council which is a mutual aid consortium comprised of resources from the police departments of 30 cities and towns. The School Committee has had an independent assessment conducted on the school facilities and have made many changes in response to the report. Ms. Obey stated that many different protocols grew from the results of the assessment, and they are constantly monitoring and adapting as new information becomes available. Ms. Obey stressed that all parties work together to create a safe environment for the students and faculty. School Liaison Officer Kirby was present to reinforce Ms. Obey's message, stating that there is a great collaboration between the town and the schools and the kids are supportive, and all work to build the necessary relationships. Mr. Tropeano stated that the addition of social workers and psychologists are trusted adults who work to prevent issues and support the students to share their concerns.

## **7:45 (7:15) DPW DIRECTOR, COMMISSIONERS: DPW FY19 BUDGET REQUEST**

Mr. Fulmine and Mr. Bastianelli were present to discuss their article for \$325,000 for the supplement of Chapter 90 funds to implement the town's pavement management program. Discussion ensued on this becoming a budgetary line item and the annual increase in the funding of 2½ % each future year if passed. Further discussion ensued on the options of combining potential override items into one ballot question or keeping them autonomous. Further discussion ensued on the condition of the town's roads and the costs to maintain or repair them and the lack of funding currently to do so.

## **VOTE TO EXERCISE OR NOT EXERCISE THE RIGHT OF FIRST REFUSAL, J. MYATT, 40B PROPERTY LOCATED AT 51 REDWOOD CIRCLE**

Mr. Thorne stated that the owner of 40B property located at 51 Redwood Circle, Jodie Myatt, seeks to sell her affordable home and requires the Board to vote to exercise their right of first refusal and purchase the home, or not exercise the right of first refusal and allow her to market the property for sale. Ms. Myatt's home has been appraised at \$395,000 which results in a maximum resale price of \$260,700. Mr. Trabucco moved not to exercise the town's right of first refusal on 51 Redwood Circle at this time; Mr. Stone seconded the motion. The vote was unanimously in favor.

## **VOTE TO ADOPT AN ENGAGEMENT TO REPRESENT THE TOWN IN A MA CIVIL SUIT AGAINST THE WRONGFUL DISTRIBUTION OF PRESCRIPTION OPIATES**

Mr. Thorne stated that Town Counsel has recommended that Pembroke join in a class action lawsuit being filed against the entities in the chain of distribution of prescription opiates responsible for the opioid epidemic. Funds recovered would reimburse the costs incurred in the in the past fighting the opioid epidemic and the funds necessary to abate the health and safety crisis caused by the unlawful conduct of wholesale distributors and manufacturers of opioids. Mr. Stone questioned the costs associated with a successful recovery of 25% plus expenses. Mr. Thorne stated he will make further inquiries. Mr. Boyle moved to table this for one week; Mr. Stone seconded the motion. The vote was unanimously in favor.

## MINUTES OF THE SELECTMEN'S MEETING

### VOTE TO APPROVE MINUTES OF FEBRUARY 12, 2018

Mr. Stone moved to approve the minutes of February 12, 2018 as presented; Mr. Boyle seconded the motion. The vote was unanimously in favor.

### TOWN ADMINISTRATOR'S REPORT

Mr. Thorne advised that the town is in receipt of an approval of the Project Eligibility for River Marsh, LLC proposed 40B project on Water Street; Mr. Thorne has prepared a summary of the contents of this decision contrasted with the same project and site denial letter from 2005 for the Board's review.

### ASK THE SELECTMEN

Mr. Stone stated that he has heard from a resident of Birch Street who was pleased with the paving of the road but concerned about the gouges left in the road by winter plows. Mr. Stone has referred the matter to the DPW for follow up.

### OLD BUSINESS

#### Center Street/Mattakeesett Street Traffic Signal

Mr. Trabucco updated the Board that the Old Colony Joint Transportation Committee has scheduled a traffic study on the signal at Mattakeesett and Center Street to be conducted in the spring of 2018.

### NEW BUSINESS

Mr. Furlong shared a photograph with the Board of a new technology used on tractor trailer trucks whereby their side advertising is portrayed in digital LED which allows the signage to roll and change as traffic is passing by them. Mr. Furlong requested that the Board consider supporting a bylaw stating that trucks have to turn off these lights while in Pembroke. Mr. Thorne will look into the matter and report back.

Mr. Boulter advised that the Pembroke Herring Fisheries are out working diligently in the streams preparing them for spring herring migration. Mr. Boulter cautioned residents not to remove eels from ponds for profit, and if a resident sees another doing so, contact the Massachusetts Environmental Police at (800) 632-8075.

At 8:15 pm, Mr. Boulter read the upcoming issues from the agenda.

At 8:15 pm, Mr. Boyle moved to adjourn; Mr. Stone seconded the motion. The vote was unanimously in favor.

### MATERIALS & EXHIBITS

Letter, G. Sim for First Church RE: Old Home Days Fair (BOS/TA Office)

DPW Pavement Management Plan Excerpt (DPW/BOS/TA Office)

Letter, J. Myatt, Property Appraisal, Email R. Hayashi RE 40B Resale 51 Redwood Circle (BOS/TA Office)

Draft Engagement to Represent RE Opioid Damages Civil Suit (BOS/TA Office)

Draft Minutes of February 12, 2018 (BOS/TA Office)