

**MINUTES OF THE SELECTMEN'S MEETING
JANUARY 15, 2019**

PRESENT: Matthew J. Furlong (Chairman), Arthur P. Boyle, Jr. (Vice-Chairman), Willard J. Boulter, Jr. (Clerk), John G. Brown, Jr. (Selectman), Daniel W. Trabucco (Selectman), Edwin J. Thorne (Interim Town Manager), Viriato deMacedo (Senator), Josh Cutler (Representative), Stephen Dodge, Stephen Curley, Kelly Seifert, Darren MacDonald, Adam Silva (Pembroke Mariner), Brooke Young, Sabrina Chilcott (Assistant to the Town Manager), and others.

At 7:00 pm, Mr. Furlong opened the meeting and 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.

**7:30 SENATOR VIRIATO DEMACEDO AND REPRESENTATIVE JOSH CUTLER:
PRESENTATION OF H4607, AN ACT ESTABLISHING A TOWN MANAGER FORM OF
GOVERNMENT IN THE TOWN OF PEMBROKE**

Senator deMacedo and Representative Cutler were present before the Board with the Governor's signed parchment of H4607, An Act Establishing a Town Manager Form of Government in the Town of Pembroke. Mr. Cutler stated that many residents and boards worked very hard to put their effort and time into seeing this legislation move through the process. Mr. deMacedo remarked that Pembroke continues to grow and move forward and her delegation is honored to participate in this action. The Selectmen expressed the town's thanks and gratitude to both legislators for working so diligently to affect this change. Mr. Thorne thanked them for their work on the passage of H4977, An Act Relative to Health Insurance Benefits for Certain Retirees in the Town of Pembroke.

CONSIDERATION OF VOTE TO RAISE LOCAL LICENSING FEES – SELECTMEN

Mr. Furlong presented the Town Manager's summary of the data obtained in a license and permit fee review conducted of twenty local area towns and cities of varying economic and demographic backgrounds; the fee charged by Pembroke for ten specific licenses is below or far below the average of the communities surveyed. Mr. Thorne's office is recommending raising these ten fees to align them with the 20 towns surveyed. Specifically, Amusement Device Licenses to \$50/device, Class I and Class II Auto Licenses to \$150, Common Victualer Licenses to \$50, Transient Vendor Licenses to \$75, Door to Door Solicitation Permits to \$50/group, All Alcohol – CV Liquor to \$2,000, All Alcohol - Package Liquor to \$2,000, Wine & Malt – CV Liquor to \$1,250, Wine & Malt - Package Liquor to \$1,250 and One Day Liquor Licenses will remain at \$25 for all licenses with no distinguishing between profit and non/not for profit. Mr. Trabucco moved the Town Manager's recommendation; Mr. Brown seconded the motion. The vote was unanimously in favor.

At 7:40 pm, Mr. Trabucco 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 bargaining position of the public body and the chair so declares: Town of Pembroke v. Massachusetts DHCD et al 1884CV00968. Mr. Boyle seconded the motion. The vote by roll call: Mr. Boulter – yes, Mr. Boyle – yes, Mr. Brown – yes, Mr. Trabucco – yes, Mr. Furlong – yes.

At 8:40 pm, the Board returned to open session.

**8:40 (8:00) JOINT APPOINTMENT: ADVISORY CHAIR, MODERATOR, and SELECTMEN
CHAIR: ADVISORY COMMITTEE RECOMMENDATION TO APPOINT KELLY SEIFERT TO
VACANT TERM TO EXPIRE 2021**

Mr. Curley moved to appoint Kelly Seifert to the Advisory Committee and Mr. Dodge seconded the motion. Ms. Seifert was present and introduced to the Board. The vote was unanimously in favor.

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VOTE RECOMMENDATION OF COMMISSION ON DISABILITIES: APPOINT DARREN MACDONALD AND ANGELA SESTITO

Mr. MacDonald was present before the Board on his application for appointment to the Commission on Disabilities as recommended by the Commission's chairman. Mr. Brown moved to appoint Darren MacDonald and Angela Sestito to the Commission on Disabilities, both terms to expire in 2020. Mr. Trabucco seconded the motion. The vote was unanimously in favor.

VOTE TO DECLARE ANNUAL TOWN MEETING WARRANT OPEN JANUARY 28 TO CLOSE ON FEBRUARY 8, 2019

Mr. Boyle moved to open the warrant for Annual Town Meeting on Monday, January 28, 2019 and close it on February 8, 2019 at 4:00 pm. Mr. Trabucco seconded the motion. The vote was unanimously in favor.

ACCEPT RESIGNATION OF ROBERT RALEIGH FROM RECREATION COMMISSION

Mr. Boyle moved to accept Robert Raleigh's resignation from the Recreation Commission with regret; Mr. Trabucco seconded the motion. The vote was unanimously in favor.

CONSIDER THE USE OF THE TOWN'S ROADS: SS RACE MGMT., BENTING STRONG 5K, APRIL 20TH ON LEARNING LN

Mr. Furlong announced that the applicant has withdrawn this request.

CONSIDER REQUEST FOR USE OF HERRING RUN PARK: HISTORICAL SOCIETY GRAND OL' FISH FRY MAY 5TH

Mr. Boyle moved to approve the request of the Pembroke Historical Society for the use of Thomas Reading Park at the Herring Run on May 5, 2019 from 8:00 am to 5:00 pm conditionally upon the approval of the Conservation Commission. Mr. Trabucco seconded the motion. Discussion ensued on the Division of Marine Fisheries and the Herring Fisheries Commission to permit this event as past approvals have included notification to the Herring Superintendent with the requirement of the insertion of screens in the stream to protect the herring during the duck races. Mr. Boulter advised that the stream may be closed for maintenance on May 5th and the duck races may not be able to be accommodated. Mr. Curley stated that the duck races are the Historical Society's biggest fundraiser and the date could be moved if necessary. The vote on the original motion was unanimously in favor, with a reminder for notification to the Herring Superintendent included.

OLD BUSINESS

Update on Town Manager Search Committee Responses: Consider Selectmen's Reps

Mr. Boyle moved to set a date of the Board's February 12th meeting for the resident appointments. Mr. Boulter seconded the motion. The vote was unanimously in favor. Mr. Brown recommended Mr. Trabucco as Selectmen's representative to the committee; Mr. Boyle concurred and recommended Mr. Boulter as the second Selectmen's representative. Mr. Boyle moved to appoint Selectmen Daniel Trabucco and Willard J. Boulter Jr as Selectmen's representatives to the Town Manager Search Committee; Mr. Brown seconded the motion. The vote was unanimously in favor. Mr. Boyle questioned the Advisory Committee's recommendation to appoint Mr. Curley to the Committee as he has pulled papers to run for Selectman and there can only be two members on the Committee; Mr. Boyle moved to table the Advisory Committee appointment for two weeks to check with the Ethics Commission; Mr. Brown seconded the motion. The vote was unanimously in favor.

TOWN MANAGER'S REPORT

Transition Process

Mr. Thorne updated the Board on the meeting with town counsel regarding the effect of the transition on budgetary issues, personnel issues and other factors. Mr. Thorne will have a recommendation for the Board regarding articles for the Town Meeting warrant regarding the Classification & Compensation Bylaws and other items.

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ASK THE SELECTMEN

Mr. Curley announced that the Advisory Committee has two vacancies. Mr. Boulter stated that he was asked about the Conservation Commission's ability to expand to two alternate members; Mr. Boyle moved to table this item for two weeks and Mr. Boulter seconded the motion. The vote was unanimously in favor.

NEW BUSINESS

Mr. Boulter provided a warning to the public regarding ice on the town's ponds and clarified that these ponds are spring fed and subsequently dangerous as the ice's appearance is not to be trusted; please keep off of the ice.

At 9:20 pm, Mr. Furlong read the upcoming issues from the agenda. Mr. Trabucco moved to enter executive session under M.G.L. c.30A, Sec. 21(2) to conduct contract negotiations with non-union personnel; Interim Town Manager; Mr. Furlong stated that Board will not return to open session. Mr. Boyle seconded the motion. The vote by roll call: Mr. Boulter – yes, Mr. Boyle – yes, Mr. Brown – yes, Mr. Trabucco – yes, Mr. Furlong – yes.

MATERIALS & EXHIBITS

Licensing Fee Survey 2018 (BOS/TM Office)

Vacancy Applications, D. MacDonald and Sestito (CoD/BOS/TM Office)

Email, D. Badger and Vacancy Application K. Seifert to Advisory (BOS/TM Office)

Letter, R. Raleigh RE: Resignation (BOS/TM Office)

Letter, SS Race Management (withdrawn) (BOS/TM Office)

Letter, Historical Society RE: May 5 Fish Fry (BOS/TM Office)