

**MINUTES OF THE SELECTMEN'S MEETING  
SEPTEMBER 23, 2020**

**HYBRID IN-PERSON MEETING, ALSO HOSTED BY PACTV ON ZOOM PLATFORM**

**PRESENT:** Daniel Trabucco (Chairman), John G. Brown, Jr. (Clerk), Tracy Marino (Selectman), Linda Peterson (Advisory Committee), Stephen Walsh (Advisory Committee), Donna Badger (Advisory Admin), Sabrina Chilcott (Assistant Town Manager)  
Video: Jessica M. Rushing (Vice Chairman), Rebecca Coletta (Selectman), William Chenard (Town Manager), Stephen Dodge (Moderator), Kristi Cullinane

At 7:00 pm, Mr. Trabucco advised that Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, s.18, and the Governor's March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the Pembroke Board of Selectmen will be conducted in person in the Town Hall's Veterans Hall and via remote participation of board members via Zoom. Specific information and the general guidelines for remote participation by members of the public and/or parties with a right and/or requirement to attend this meeting can be found on the Pembroke website, at <https://www.pembroke-ma.gov/home/news/governors-order-suspending-certain-provisions-open-meeting-law>. Members of the public who want to attend in person may come to Town Hall, or may view the meeting on television, Comcast Government channel 15 live or via livestream at [www.pactv.org/watch/prime](http://www.pactv.org/watch/prime). All votes taken during this meeting will be roll call votes.

Intermittent technical issues with sound were identified.

**ACCEPT THE RESIGNATION OF KRISTI CULLINANE FROM THE RECREATION COMMISSION**

Ms. Rushing moved to accept the resignation of Kristi Cullinane from the Recreation Commission; Ms. Marino seconded the motion. By roll call vote: 4/0/1: Brown – yes; Coletta – yes; Marino – yes; Rushing – yes, with Trabucco abstaining.

**VOTE TO APPOINT ARTHUR P. BOYLE, JR. TO THE ZONING BOARD OF APPEALS ALTERNATE VACANCY (2023)**

Mr. Brown moved to appoint Arthur P. Boyle, Jr. of 82 Woodbine Avenue as Alternate to the Zoning Board of Appeals, term to expire 2023. Ms. Marino seconded the motion. By roll call vote: 4/0/1: Brown – yes; Coletta – yes; Marino – yes; Rushing – yes, with Trabucco abstaining.

**VOTE TO APPROVE MINUTES OF SEPTEMBER 9, 2020**

Ms. Rushing moved to approve the minutes of September 9, 2020; Ms. Marino seconded the motion. By roll call vote: 4/0/1: Brown – yes; Coletta – yes; Marino – yes; Rushing – yes, with Trabucco abstaining.

Technical issues with video were identified. At 7:07 pm, Mr. Trabucco declared a five-minute recess to allow for resolution of the problem. The meeting resumed at 7:12 pm.

**ADVISORY COMMITTEE, REQUEST FOR JOINT BOS/ADCOM APPOINTMENT: KRISTI CULLINANE (2021)**

Ms. Peterson was present before the Board to review the process under which the Advisory Committee selected and voted; Ms. Peterson moved to appoint Kristi Cullinane of 63 Misty Meadow Road to the Advisory Committee for a one year term, term to expire June 30, 2021. Ms.

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Marino seconded the motion. By roll call vote: 5/0/1: Brown – yes; Coletta – yes; Marino – yes; Rushing – yes, Peterson – yes, with Trabucco abstaining.

### **TOWN MANAGER'S REPORT**

#### CARES Program Update

The Plymouth County Commissioners announced the extension of phase four funding to October 30, 2020, requesting communities identify potential uses of remaining funds. Mr. Chenard advised that additional funding may become available should cities and towns not use all of their funds.

#### Small Business Relief Fund Process Update

Mr. Chenard advised that the subcommittee has awarded \$30,000 to 13 Pembroke small businesses with the amounts ranging from \$1,000 to \$3,500. Notifications have been sent out via mail.

#### Central Plymouth County Water District Commission

Mr. Chenard stated that he is in the process of speaking with the Commission about their recent activities and he will present his findings at a later date.

#### Municipal Aggregation Program

Mr. Chenard explained that the letters are in the mail to residents explaining the aggregation process, and he advised that the current rates are very favorable at \$.105/kwh with Dynergy versus \$.124/kwh with National Grid.

### **ADVISORY COMMITTEE, REQUEST FOR JOINT MODERATOR/BOS/ADCOM APPOINTMENT: JOHN SCHOLL (2023)**

Ms. Peterson stated that the Advisory Committee interviewed several applicants for two vacancies; earlier this evening, Kristi Cullinane was appointed by the joint entity of Advisory with Selectmen as prescribed by bylaw. A three-year vacancy has the additional appointing requirement of operating in concert with the Moderator. Mr. Dodge was present and voiced his pleasure at having so many interested and qualified applicants for the two vacancies. Discussion ensued on the discrepancy in the bylaw; Ms. Peterson stated that a draft of a bylaw change is in production. Ms. Peterson moved to appoint John Scholl of 30 Mira Mesa Drive to the Advisory Committee for a three-year term, term to expire June 30, 2023. Mr. Brown seconded the motion. By roll call vote: 4/0/1: Brown – yes; Coletta – yes; Marino – yes; Rushing – yes, with Trabucco abstaining.

### **DISCUSSION AND VOTE REGARDING MMA'S BEST PRACTICE "CONDUCT AND CIVILITY OF PUBLIC OFFICIALS"**

Mr. Chenard advised that the town does not have a standard code of conduct for meeting to set expectations; he explained that he is working on a code of conduct for employees, but it the Board role to set the code for other boards. Technical issues with both audio and video were identified. Mr. Trabucco recommended tabling this item until the next meeting for better communication.

### **DISCUSSION AND VOTE REGARDING DRAFT PUBLIC COMMENT POLICY (ASK THE SELECTMEN)**

Mr. Chenard provided examples of case law since the creation of the "Ask the Selectmen" segment that seriously prohibits the towns ability to restrict specific speech should it be inflammatory or prejudicial; either the town allows public comment under established guidelines or allows public comment at public hearings only. Technical issues continued; Mr. Trabucco recommended tabling this item until the next meeting for better communication.

At 7:46 pm, Mr. Brown moved to enter into executive session under M.G.L. c.30A, Sec. 21(6) to consider the purchase, exchange, lease or value of real property if the chair declares that an open

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meeting may have a detrimental effect on the negotiating position of the public body; Hobomock Street (D1-6) proposed solar farm (c.61B). Ms. Marino seconded the motion. By roll call vote: 4/0/1: Brown – yes; Coletta – yes; Marino – yes; Rushing – yes, with Trabucco abstaining.

At 8: 20 pm, Mr. Brown moved to adjourn with Ms. Marino seconding the motion. By roll call vote: 4/0/1: Brown – yes; Coletta – yes; Marino – yes; Rushing – yes, with Trabucco abstaining.

**MATERIALS & EXHIBITS**

MMA Best Practice Series, January 2020, Volume 5, Number 3 (BOS/TM Office)

Draft Public Comment Policy, W. Chenard (BOS/TM Office)

Email of Resignation, K. Cullinane (Recreation/BOS/TM Office)

Application for Vacancy Appointment, K. Cullinane (BOS/TM Office)

Application for Vacancy Appointment, J. Scholl (BOS/TM Office)

Email, F. Casavant, RE: Boyle Alternate Vacancy Appointment (BOS/TM Office)

Draft Minutes of Meeting of September 9, 2020 (BOS/TM Office)