

**MINUTES OF THE SELECTMEN'S MEETING
DECEMBER 14, 2015**

PRESENT: Arthur P. Boyle, Jr. (Chairman), Lewis W. Stone (Vice-Chairman), Willard J. Boulter, Jr. (Clerk), Michelle L. Burt (Selectman), Daniel W. Trabucco (Selectman), Edwin J. Thorne (Town Administrator), Jonathan Silverstein (Town Counsel), Greg Hanley (Plymouth County Commissioner), John Buckley, Jr. (Plymouth County Register), Richard Wall (Police Chief), J. Michael Hill (Fire Chief), Eric Arbeene (OCPC), Sabrina Chilcott (Executive Assistant), and others.

At 7:00 pm Mr. Boyle opened the meeting and advised that the 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.

7:00 TOWN COUNSEL JONATHAN SILVERSTEIN: UPDATE, SURROUNDING COMMUNITY DESIGNATION, MASS GAMING COMMISSION

Mr. Silverstein of Kopelman & Paige, P.C. was present before the Board with an update on the town's application for surrounding community designation with the Massachusetts Gaming Commission in regards to the casino project in Brockton. Mr. Silverstein explained that the designation applies to communities proximate or near to the proposed casino; on behalf of the town, he reached out to the developer to negotiate an agreement. The developer has agreed to grant Pembroke a Surrounding Community designation and pay a small annual fee as an impact fee, and pay legal fees for the negotiation of the agreement. The impact fee is designed to fund water testing of Silver Lake and related water. Surrounding Community designated towns have access to a mitigation fund, a Special Purpose fund, to mitigate the impact of casinos. This is funded through the 10% annual licensing fee paid by the casino; currently the value is estimated at \$85million, which would appropriate \$8.5million to the Special Purpose Mitigation Fund. It is projected that \$6.2million annually will go into the SPMF to fund grants for surrounding communities. The deadline to enter into an agreement is today if the Board desires. Discussion ensued; Mr. Thorne confirmed that the most important aspect is the receipt of the designation. Mr. Trabucco asked if the document was ready for signature if voted; Mr. Thorne and Mr. Silverstein confirmed that it was. Mr. Trabucco moved that the Board of Selectmen ratify the Surrounding Community Agreement as submitted by Town Counsel; Mr. Boulter seconded the motion. The vote was unanimously in favor.

ANNOUNCEMENTS

Boy Scout Troop 105 is holding their annual tree drive on Saturday January 9th; please contact them to arrange pickup at dryneedle105@aol.com. Mr. Stone advised that the next meeting of the Central Plymouth County Water District Advisory Board will be held Thursday, December 17th at 7:00 pm at Plympton Town Hall.

7:15 PLYMOUTH COUNTY REGISTER JOHN BUCKLEY, JR. UPDATE ON THE CURRENT STATE OF THE REGISTRY OF DEEDS

Mr. Buckley was present before the Board to answer questions regarding his memorandum to the Advisory Board regarding his budget; he also advised that the Pembroke Historical District Commission has a fabulous exhibit on display at the Plymouth County Registry of Deeds and all are encouraged to attend. Mr. Buckley advised that he addresses the Commissioners with the state of the upcoming budget cycle and he copies all Advisory Board members, as they ultimately vote on the proposed budget. Mr. Buckley explained that budget cuts to the Plymouth County budget resulted in the elimination of 16 positions at the Registry of Deeds; this is a critical function that generates revenue, with 89% of deeds excise going to the general fund to support the County. Commissioner Hanley was present to support Mr. Buckley and explain that the shortfall resulted from 9C cuts from the Governor last year; \$1.2million was cut from the County budget, resulting in \$600,000 cut from the Register's budget. Mr. Hanley stated that the Commissioners propose a budget and the PC Advisory Board votes to accept it. Mr. Buckley stated that he seeks the restoration of 2 positions immediately. Mr. Hanley advised that the formula for deed stamps hasn't changed since the 1980s, and the Commissioners have requested that legislation be filed to change the formula from \$.27 to \$1 per deed stamp. Mr. Stone stressed the importance of a presence on the Plymouth County Advisory Board and

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stated that the Commissioners have his support in their endeavors. Mr. Buckley stated that he wishes to extend his travelling office hours to include Pembroke and will set up a date and time with Mr. Thorne.

7:25 OCPC REP ERIC ARBEENE, PEMBROKE CHIEFS: ADOPTION OF OLD COLONY REGIONAL HAZARD MITIGATION PLAN

Mr. Arbeene was present with Police Chief Wall and Fire Chief Hill to request that the Board vote to adopt the regional hazard mitigation plan as authored by the Old Colony Planning Council with the input of Pembroke town officials. Mr. Arbeene presented an overview of the plan; once signed, a copy of the entire plan will be sent to the town to keep on file. This plan is updated and voted every five years; hazard mitigation reduces disaster damages and is defined as sustained action taken to reduce or eliminate the long term risk to human life and property from hazards. If the town has a complete plan, they become eligible for federal grants at 75% reimbursement. The plan has six parts; first, the town appoints community hazard point person or team; data is thoroughly reviewed over time; a vulnerability risk assessment is performed; a strategy is adopted; a formal plan is adopted, and then ongoing maintenance on the plan is performed. This region's top three hazards are flooding, winter storms and tropical storms or hurricanes. Mr. Arbeene summarized Pembroke's 83 identified critical facilities, among them dams, culverts, and municipal facilities. The current plan before the board was approved by FEMA August 14, 2015. Mr. Arbeene explained that the plans will not be regional in the future, but OCPC will work with the 17 individual communities to update their own plans. Mr. Trabucco moved that the town adopt the Old Colony Planning Council's Natural Hazard Mitigation Plan as discussed; Mr. Boulter seconded the motion. The vote was unanimously in favor.

VOTE TO CLOSE THE BOARD OF ASSESSORS FY16 TAX CLASSIFICATION HEARING

Mr. Stone moved to close the FY16 Tax Classification Hearing held on November 30, 2015; Ms. Burt seconded the motion. The vote was unanimously in favor.

VOTE TO APPROVE AFFIDAVIT TO BE RECORDED

Mr. Stone moved to execute the affidavit prepared by town counsel certifying to the Plymouth County Registry of Deeds that the Deed Restriction recorded with them on August 11, 2015 by the Pembroke Conservation Commission contains various errors and is invalid; Ms. Burt seconded the motion. The vote was unanimously in favor.

VOTE TO ACCEPT MINUTES OF DECEMBER 7, 2015

Mr. Stone moved to accept the minutes of December 7, 2015 as written; Ms. Burt seconded the motion. The vote was unanimously in favor.

TOWN ADMINISTRATOR'S REPORT

Mr. Thorne stated that he was approached by the Vice Chairman of the Commission on Disabilities Tom Weinreich and he has requested that the BOS act in the absence of a quorum of his Board to appoint him co-chairman with Anthony Nunes, at Mr. Nunes' request. Mr. Weinreich would have the ability to call a meeting and coordinate the schedules of the Board members as a co-chairman. Mr. Boulter moved to appoint Thomas Weinreich co-chairman of the Commission on Disabilities; Ms. Burt seconded the motion. The vote was unanimously in favor. Mr. Thorne reported to the BOS that PEMA applied for \$159,976.76 in snow storm reimbursements and snow storm related projects. To date the town has received 75% of the \$7,295.16 costs to clear town roofs or \$5,471.37. Should the remaining reimbursements be awarded, the town will receive \$114,511.20. Mr. Thorne reported that the Kiwanis Tree Sale fundraiser was an enormous success with 700 trees sold to fund Pembroke High School scholarship.

ASK THE SELECTMEN

Mr. Stone provided an update in regards to the resident concerned with emergency vehicles passage across town during the construction phase of the Route 14 restoration project; the Fire Chief has confirmed that Station 3 will open during detour phases of the project. Mr. Boulter stated that the Pembroke Herring Fisheries Commission held their fall meeting with Brad Chase of the Division of Marine Fisheries in attendance.

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At 8:20 pm, Mr. Stone moved to enter executive session to conduct strategy sessions in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions or contract negotiations with non-union personnel; Fire Chief Contract. Ms. Burt seconded the motion. The vote by roll call: Mr. Trabucco – yes, Ms. Burt – yes, Mr. Boulter – yes, Mr. Stone – yes, Mr. Boyle – yes.

At 8:50 pm, Ms. Burt moved to re-enter public, open session. Mr. Stone seconded the motion. The vote by roll call: Mr. Trabucco – yes, Ms. Burt – yes, Mr. Boulter – yes, Mr. Stone – yes, Mr. Boyle – yes.

FIRE CHIEF'S CONTRACT

Ms. Burt moved to approve the Fire's Chief's contract as presented and edited; Mr. Stone seconded the motion. The vote was unanimously in favor.

At 8: 55pm, Mr. Trabucco moved to adjourn; Ms. Burt seconded the motion. The vote was unanimously in favor.

MATERIALS & EXHIBITS

Draft of Surrounding Community Agreement (BOS/TA Office)

Memorandum, John R. Buckley, Jr. Register of Deeds (PC RoD/BOS/TA Office)

Letter, C. Salmon, Chief Assessor (BOA/BOS/TA Office)

Resolution of Adoption, OCPC Hazard Mit Plan Overview (OCPC/BOS/TA Office)

Amended Draft Affidavit of Erroneous/Invalid Conservation Restriction (BOS/TA Office)

Draft: Minutes of Meeting of December 7, 2015 (BOS/TA Office)

List of Board, Committee, Commission Vacancies (BOS/TA Office)

TA Memo RE: FEMA/MEMA Snow Storm Reimbursement (TA Office)