

**MINUTES OF THE SELECT BOARD MEETING  
APRIL 14, 2021  
REMOTE MEETING HOSTED BY PACTV ON ZOOM PLATFORM**

**PRESENT:** **Panelists:** Daniel Trabucco (Chairman), Jessica M. Rushing (Vice Chairwoman), John G. Brown, Jr. (Clerk), Rebecca Coletta (Selectwoman), Tracy Marino (Selectwoman), William Chenard (Town Manager), Stephen Dodge (Moderator), Margaret Struzik (Town Clerk), Daniel Taylor (Planning Board Chairman), Judith Parks (Affordable Housing Committee Chairwoman), Joel Bargmann (Bargmann Hendrie and Archetype, Inc.), Julie Thompson (PACTV), Brook Hoffman (PACTV)  
**Attendees:** Linda Peterson, Sabrina Chilcott (Assistant Town Manager)

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, §18-20, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this meeting of the Pembroke Select Board is being conducted via remote participation. No in-person attendance of members of the public will be permitted, but the public can view this meeting while in progress on Comcast Government Access channel 15, and for those without cable, via livestream at: <https://www.pactv.org/pactv/towns/pembroke>. Members of the public attending this meeting virtually will be allowed to make comments if they wish to do so, during the portion of the meeting designated for public comment, by registering to login to this webinar at <https://www.pembroke-ma.gov/select-board/meetings>. While no in-person attendance of members of the public will be permitted, every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that we are unable to do so, despite best efforts, we will post on the Pembroke website an audio or video recording, transcript or other comprehensive record of proceedings as soon as possible after the meeting. All votes taken will be roll call votes.

**7:00 MODERATOR, TOWN CLERK, PACTV: DISCUSSION OF TOWN MEETING AND TOWN ELECTION EXECUTION, POSSIBLE VOTE TO POSTPONE TOWN ELECTION AND/OR TOWN MEETING**

Mr. Dodge prefaced his remarks by stating that he continues to favor postponement of the town meeting to allow residents to get vaccinated and feel more comfortable with attending the meeting. Mr. Dodge explained that an outdoor setup at the high school in May is precluded by their spring schedule and an indoor setup is also at issue as the school is using the auditorium, cafeteria and gymnasium all day as overflow and dining spaces until the end of the year, or June 21. Ms. Thompson stated that PACTV was tasked with developing a plan for both indoor and outdoor town meeting to hold 500 people and plans were developed. The indoor location will require access at least 24 hours in advance of the meeting, and an outdoor meeting will require additional expenses for all attendees to be able to view proceedings. Ms. Thompson clarified that the field at the high school is new and it has accommodations and weight restrictions that must be observed. Mr. Hoffman stated that the engineering point of view favors an indoor meeting to be able to control the factors that can affect audio and video performance and transmission. Diagrams were displayed for conceptional purpose but were not to scale. Discussion ensued on the interpretation of attendees viewing requirements, specifically the size of the monitors in an outdoor configuration and the costs associated with each. Ms. Struzik proposed postponing town meeting to June 23 with a carry over date of June 24 and an election date of June 26. Discussion ensued on the reliability of weather protections available in an outdoor scenario. Ms. Marino stated a preference for postponing both events one month, town meeting before the election, held indoors based on outdoor variables as

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presented. Ms. Rushing voiced a preference for holding town meeting outdoors on June 5<sup>th</sup> after graduation. Mr. Hoffman stated that equipment rentals will cost \$11,000 per day, if equipment is available as it is heavily in demand at this time of year, and a rain delay will double the cost. Further discussion ensued on both indoor and outdoor date options. Mr. Dodge asked the Board to consider reducing the quorum to open the meeting on time, promptly at 7pm. Mr. Trabucco recommended Ms. Marino and Ms. Struzik's proposal with town meeting June 22 and town election June 26. Ms. Coletta proposed that town meeting be held outdoors on June 5 with the election held on June 12. Discussion ensued on the affect a delay could have on the community center project cost and the project's presentation at town meeting. Mr. Trabucco informally polled the Board members on the two options discussed; in favor of an indoor town meeting on June 22 were Ms. Marino, Mr. Brown and Mr. Trabucco. In favor of an outdoor town meeting on June 5 were Ms. Coletta and Ms. Rushing. Mr. Brown moved to postpone town meeting to June 22<sup>nd</sup> and postpone the town election to June 26, indoor town meeting; Ms. Marino seconded the motion. By roll call vote: 3/2: Brown – yes; Coletta – no; Marino – yes; Rushing – no, Trabucco – yes. Ms. Coletta and Mr. Trabucco requested that the quorum reduction hearing date be advertised as soon as possible.

### **7:15 PM DANIEL TAYLOR, PLANNING BOARD CHAIR, JUDY PARKS, AFFORDABLE HOUSING COMMITTEE CHAIR: REVIEW OF AFFORDABLE HOUSING AND PLANNING BOARD ARTICLES #16-28, VOTE RECOMMENDATIONS**

Ms. Parks was present to review the Affordable Housing Committee's four articles on the warrant; for consideration is an article to establish an Affordable Housing Trust, two articles to allow construction of affordable housing units over twenty-five units in Industrial A and Industrial B only, and an article to define the construction of residential affordable housing allowed by special permit of the Planning Board in these zones. Ms. Parks stated that the Committee also contains two members of the Housing Authority and two members of the Planning Board, which has provided great diversity and experience to the Committee. Ms. Parks stated that the goal of the Committee is to support the promotion and development of more affordable housing opportunities in town, and to do it in such a way that small, residential neighborhoods are not overwhelmed. Discussion ensued on opportunities presented by an AHT. Mr. Brown moved to recommend favorable action on article 16 to establish an Affordable Housing Trust; Ms. Rushing seconded the motion. By roll call vote: 5/0: Brown – yes; Coletta – yes; Marino – yes; Rushing – yes, Trabucco – yes. Further discussion ensued to clarify that these amendments will only affect Industrial A and B, not any other district. Ms. Parks stated that the Committee does not believe the town is ready to address Residence A or Business A or B at this time. Mr. Trabucco asked if these changes could allow the town to work with a "friendly" 40B project to permit the project, Ms. Parks confirmed that this amendment puts affordable housing dimensional requirements into the bylaws as opposed to developers needing to bypass the town's regulations by filing under 40B. Ms. Coletta moved to recommend favorable action on articles seventeen through twenty as presented; Ms. Rushing seconded the motion. By roll call vote: 5/0: Brown – yes; Coletta – yes; Marino – yes; Rushing – yes, Trabucco – yes. Mr. Taylor prefaced his remarks with actions taken to date and issues that resulted in delays with pausing, resuming and then readvertising the public hearings. The first article in the skate of zoning amendments is an article update the Zoning Bylaw's text and map references for the Floodplain Protection Overlay District (previously known as the Flood Plain and Watershed Protection District) to be in accordance with the new requirements of the Federal Emergency Management Agency ("FEMA") and the Massachusetts Department of Conservation and Recreation ("DCR"). This template was provided by DCR and customized for Pembroke by town counsel through the hearing process; Mr. Taylor stated that the Planning Board has closed this hearing and recommends favorable action. The next two articles are ministerial in nature as language in the bylaws required

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clarification that detached one- and two-family houses allowed in Business B are not allowed in Industrial A and B. The next article is also clarifying in nature, allowing certain portions of a cluster subdivision designated as “open land” only in the Water Resource and Groundwater Protection District. Mr. Taylor stated that the majority of public input has surrounded the definition of day-care kennel and making it an allowed use by special permit in the Center Protection district. The Board is also defining grooming and training, so the Board is considering withdrawing the article to address or readvertising, hold additional public hearings and proceeding now with amended language drafted by town counsel. Mr. Taylor concluded with the article proposing to re-incorporate mixed use; however, the Planning Board is considering withdrawing this article until the Master Plan production is underway. Mr. Trabucco inquired as to the timetable for recommendations; Mr. Taylor stated that the Planning Board hopes to close all of the hearings April 16<sup>th</sup> and provide recommendation to the Select Board and Advisory Committee. Mr. Taylor concluded with a request to proceed with seeking additional peer review services; Mr. Chenard concurred.

**REVIEW COMMUNITY CENTER REVENUES, ARTICLE 33 – DISCUSSION AND POSSIBLE VOTE OF RECOMMENDATION**

Mr. Chenard stated that the Council on Aging Director and Recreation Director spoke with the cost estimator to develop estimated additional revenues that could be captured by expanding facilities. The town contracted with Ballard King and Associates to review operations and costs for the community center. Anticipated hours of operation for Recreation during the school year (36 weeks) is 84 hours per week with summer hours dropping to 73 hours per week; Senior Center hours would be 45 hours per week. B\*K strongly recommends that the center open at 7:30 am Monday through Saturday for anticipated use, and the conference, café and lounge spaces within the Senior Center be available for rentals and programming. Discussion ensued on current recreational programming. New programming can include pickleball, dances, sports season expansions, STEAM programming and cross generational programming. Mr. Chenard stated it is crucial to decide how to use gym and meeting spaces for local use versus rentals as demand is very high. Mr. Chenard shared the following five-year comparison for preliminary operations budget:

	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>	<u>Year 4</u>	<u>Year 5</u>
Expenses	\$274,116	\$279,598	\$287,626	\$296,626	\$305,525
Revenue	\$95,288	\$111,169	\$116,727	\$120,229	\$123,836
Expenses less revenues	(\$178,829)	(\$168,430)	(\$171,259)	(\$176,397)	(\$181,689)
Less existing operational costs	\$70,428	\$72,541	\$74,717	\$76,959	\$79,267
Increase in expenses for new CC	\$108,401	\$95,889	\$96,542	\$99,438	\$102,421

Ms. Rushing moved to recommend favorable action on article 33 on the annual town meeting warrant; Mr. Brown seconded the motion. By roll call vote: 5/0: Brown – yes; Coletta – yes; Marino – yes; Rushing – yes, Trabucco – yes.

**REVIEW, VOTE RECOMMENDATIONS ON ANNUAL, SPECIAL WARRANT ARTICLES**

Mr. Brown moved to recommend favorable action on article one of the special town meeting warrant; Ms. Rushing seconded the motion. By roll call vote: 5/0: Brown – yes; Coletta – yes; Marino – yes; Rushing – yes, Trabucco – yes. Ms. Coletta moved to recommend favorable action on

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article two of the special town meeting warrant; Mr. Brown seconded the motion. By roll call vote: 5/0: Brown – yes; Coletta – yes; Marino – yes; Rushing – yes, Trabucco – yes. Ms. Rushing moved to recommend favorable action on article one of the annual warrant; Mr. Brown seconded the motion. By roll call vote: 5/0: Brown – yes; Coletta – yes; Marino – yes; Rushing – yes, Trabucco – yes. Ms. Rushing moved to recommend favorable action on article two of the annual warrant; Mr. Brown seconded the motion. By roll call vote: 5/0: Brown – yes; Coletta – yes; Marino – yes; Rushing – yes, Trabucco – yes. Mr. Chenard advised that articles three, four and five will be taken up at a later meeting. Ms. Rushing moved to recommend favorable action on article six of the annual warrant; Mr. Brown seconded the motion. By roll call vote: 5/0: Brown – yes; Coletta – yes; Marino – yes; Rushing – yes, Trabucco – yes. Ms. Coletta moved to recommend favorable action on article eleven of the annual warrant; Ms. Marino seconded the motion. By roll call vote: 5/0: Brown – yes; Coletta – yes; Marino – yes; Rushing – yes, Trabucco – yes. Mr. Brown moved to recommend favorable action on article fourteen of the annual warrant; Ms. Rushing seconded the motion. By roll call vote: 5/0: Brown – yes; Coletta – yes; Marino – yes; Rushing – yes, Trabucco – yes.

### **MOVE TO RE-APPOINT COA DIRECTOR GRETCHEN EMMETTS TO ONE YEAR TERM (7/1/21-6/30/22) AS OCES REP**

Ms. Rushing moved to re-appoint Gretchen Emmetts as the Old Colony Elder Services Representative for the Town of Pembroke; Ms. Marino seconded the motion. By roll call vote: 5/0: Brown – yes; Coletta – yes; Marino – yes; Rushing – yes, Trabucco – yes.

### **VOTE ON ANNUAL REQUEST FOR SEASONAL RENEWAL OF MOBILE FOOD VENDOR PERMIT # TV-04-21, DAIRY TWIST TRUCK**

Ms. Rushing moved to grant the application of Michael Nolet of Dairy Twist for a Mobile Food Vendor Permit to be exercised on private property only conditionally upon the approval of the Health Agent; Mr. Brown seconded the motion. By roll call vote: 5/0: Brown – yes; Coletta – yes; Marino – yes; Rushing – yes, Trabucco – yes.

## **TOWN MANAGER'S REPORT**

### COVID-19 Update

Mr. Chenard advised that FEMA has released information on funeral cost reimbursement after losing someone to COVID; more information is available at [www.FEMA.gov](http://www.FEMA.gov). Vaccination eligibility opens to the general public on April 19; the vaccination link set up by the state is: [www.vaxfinder.mass.gov](http://www.vaxfinder.mass.gov). With April vacation approaching, Mr. Chenard requested that residents continue to wear masks, socially distance and not take any unnecessary risks. To date, 6,940 Pembroke residents have received one dose and 3,959 are fully vaccinated.

### Seasonal Water Main Flushing

The water system flushing has begun; please consult [www.pembroke-ma.gov](http://www.pembroke-ma.gov) daily for locations.

At 10:10 pm, Mr. Trabucco read the upcoming issues. Ms. Rushing moved to adjourn; Mr. Brown seconded the motion. By roll call vote: 5/0: Brown – yes; Coletta – yes; Marino – yes; Rushing – yes, Trabucco – yes.

## **MATERIALS & EXHIBITS**

Application, Mobile Food Vendor Permit, M. Nolet (TM Office)

PowerPoint Presentations, W. Chenard (TM Office)

Draft 2021 Annual & Special Town Meeting Warrants (TM Office)