

**MINUTES OF THE SELECT BOARD MEETING  
JUNE 8, 2022**

**PRESENT:** Daniel W. Trabucco (Chairman), Tracy Marino (Vice-Chairman), John G. Brown, Jr. (Clerk), Steven Ciciotti (Selectman), William Chenard (Town Manager), Sandra Wright (Plymouth County Commissioner), Thomas O'Brien (Plymouth County Treasurer), Kathleen Keegan, Stephen Curley, Jon Aeita, David Barry, Michael Johnson, Jason Cook, Lori Cook, Lonnie Simmons, Linda Peterson, Don Bryant, Robert DeMarzo, Vincent Cogliano, JP McGrath, Mark Ames, Karen Ames, Larissa Curley, Mike Quinn, Linda MacDonald, Art Egerton, and others.

**NOT PRESENT:** Rebecca Coletta (Selectwoman)

At 7:00 pm Mr. Trabucco opened the meeting with the Chairman's statement.

**PLYMOUTH COUNTY COMMISSIONERS: PRESENTATION OF CARES FUND REIMBURSEMENTS**

Plymouth County Commissioner Sandra Wright was present with County Treasurer Tom O'Brien to present nine checks for CARES Act reimbursements to the town totaling \$450,999.90. Ms. Wright stated that Pembroke was able to receive a total of \$2,957,162.10 and 12,960 COVID rapid tests. Mr. Chenard thanked the County for their stellar performance implementing the reimbursement program under CARES Act funding; Mr. O'Brien stated that the County received recognition from the US Congress for their nationwide record low of 1% in administration costs in the program. Thanks were given and photographs were taken.

**STEVE CURLEY FOR PEMBROKE CELEBRATES: REQUEST FOR TRANSFER OF \$8,700 FROM CAMP PEMBROKE FUND FOR FIREWORKS DISPLAY**

Kathleen Keegan and Stephen Curley were present on behalf of Pembroke Celebrates with Fireworks. Ms. Keegan reported that the Committee was able to grow this event in six years to over 4500 attendees, or twenty-five percent of the town's population, representing the town's largest event. Residents have watch parties at their homes, they congregate at the rink and other locations beyond the High School campus. Mr. Curley stated that last year's event came together late and so quickly that when they opened the books for this year there was \$670 left in the account; the total cost last year was \$18,900 with the fireworks representing \$14,500. Discussion ensued on fundraising efforts and opportunities. Mr. Curley stated that fundraising efforts are uncertain as a result of the impacts of the current economy, and last year they funded the fireworks entirely themselves. Further discussion ensued. Mr. Chenard advised that the Fund is a donation given each year by Camp Pembroke and the Board has discretion over the fund to spend as it is under \$50,000; however, \$8,700 exceeds the amount we received from Camp Pembroke last year. Ms. Keegan stated that the goal is to make the event self-sustaining through donation cans, sponsors, and others. Mr. Ciciotti stated that the economy makes it difficult to allocate funding to one-time events. Ms. Marino moved to transfer \$8700 from Camp Pembroke Fund to the fireworks display. Mr. Brown seconded the motion. The vote was 3/1 with Ciciotti opposed.

**7:30 PUBLIC HEARING: DJB RESTAURANT, INC D/B/A TOWNE TAVERN & GRILL, TRANSFER OF LIQUOR LICENSE AT 242-244 MATTAKEESETT ST**

Mr. Jon D. Aieta, Esq. of McDermott, Quilty & Miller, LLP in Boston presented David Barry of DJB Restaurant Inc. d/b/a Towne Tavern & Treehouse who has 25 years of experience in the restaurant industry and will be the manager of record. He owns Towne Tavern and Tap in North Attleboro which opened in 2021 and he is purchasing the Lucky Dawg's business, its assets and the real estate. They have applied for a Transfer of CVAA (All-Alcoholic Beverages Liquor Service) License and Common Victualer's License exercised at 242-244 Mattakesett Street and held in the name of L. Dawg, Inc. d/b/a Lucky Dawg Tavern & Grill, a transfer of the complete package, including Common Victualer, Live Entertainment and Sunday Entertainment Licenses. This is the Lucky Dawg restaurant and back patio with treehouse. There are no additional changes to the interior layout and no permanent structural changes planned for the exterior. There have no changes to the existing function or use of the facility. The complete Alcoholic Beverages Control Commission's CVAA application and required addenda has been submitted and the Common Victualer's License application as well. Ms. Marino moved to approve the application of DJB Restaurant, Inc. d/b/a

## **MINUTES OF THE SELECT BOARD MEETING**

Towne Tavern & Grill, for a Transfer of Common Victualer All Alcoholic Beverages license # 00006-RS-0960 from L. Dawg, Inc. as exercised at 242-244 Mattakeesett St and described as “premises consists of a one story building with three rooms, fenced in patio, no cellar, two entrances on Mattakeesett Street with one on pond side with 2020 alteration including 100 foot landscaped pathway to a 2,000 s.f. raised structure with deck enclosed by fence situated on 19,740 s.f.” and to further transfer Common Victualer’s license CV-17 and Live Entertainment license #LE-4 for Mondays through Saturdays in 2022 from 10:00 am to 12:00 am for live entertainment, live bands with vocalists and DJs and Sunday Entertainment License for Sundays in 2022 from 12:00 pm to 12:00 am as previously described. Mr. Brown seconded the motion. The vote was unanimously in favor.

### **SOMEWHERE ELSE TAVERN: REQUEST FOR TEMPORARY OUTDOOR DINING PERMIT JUNE 1 TO DECEMBER 31**

Jason and Lori Cook were present before the Board on their request for a temporary alteration of premises for outdoor dining through the end of the year. Somewhere Else Tavern is the first establishment to receive approvals from the Fire Department and Building Department and is working with the Health Department to maintain the overall capacity to within the systems limits. They have submitted emails from Fire and Building, a diagram of seating, a service and dining plan. Mr. Ciciotti moved to approve Temporary Alteration of Premises Licenses for Outdoor Dining with Ambient Conversational Noise Only and No Music for Somewhere Else Tavern as presented, subject at all times to the approval of the Police Chief and Fire Chief, and to Inspection by the Health Agent and Building Inspector, license to expire December 31, 2022. Ms. Marino seconded the motion. The vote was unanimously in favor.

### **LONNIE SIMMONS, MOBILE FOOD VENDOR APPLICATION: OPERATE MOBILE FOOD TRUCK**

Mr. Simmons stated that his food truck is called the Meat and Cheese Project and will be parked in his driveway; Mr. Trabucco advised that this permit, if granted, would allow sales on private property only, not town land. He stated that he will partner with local breweries and other events to provide food. Ms. Marino moved to approve the application of Lonnie Simmons of Massachusetts Catering Company 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. The vote was unanimously in favor.

### **VOTE TO REAPPOINT KP LAW, P.C. TO THE ROLE OF PEMBROKE TOWN COUNSEL, TERM TO EXPIRE JUNE 30, 2023**

Mr. Chenard stated that the town has much invested with KP Law in cases and other suits that recommend that KP Law be continued for 2023. Ms. Marino moved to re-appoint KP Law, P.C. as town counsel for the Town of Pembroke for a term to expire June 30, 2023. Mr. Brown seconded the motion. The vote was unanimously in favor.

### **VOTE TO APPOINT DENISE HAWES, 10 ALMA AVE, TO TOWN MEMORIAL COMMITTEE AS RECOMMENDED**

Ms. Marino moved to appoint Denise Hawes to the Town Memorial Committee; Mr. Brown seconded the motion. The vote was unanimously in favor.

### **DISCUSSION AND VOTE: REQUEST TO USE THE TOWN’S ROADWAYS FOR SET THE PACE 5K ROAD RACE ON OCTOBER 1**

Ms. Marino moved to approve the Use of the Town’s Roads by South Shore Race Management on Saturday, October 1, 2022 starting at 6:00 am on Hobomock, Standish, Lake, Plain, Valley and Forest Streets, subject to the approval and conditions of the Pembroke Police Department. Mr. Brown seconded the motion. The vote was unanimously in favor.

### **Community Comment**

Katie Leavitt Sutton from Hingham Unity was present to read the letter, below, on behalf of Pembroke residents:

Materials or other exhibits used by the public body in an open meeting are available to the public within 10 days upon request.

## MINUTES OF THE SELECT BOARD MEETING

June 2, 2022

Dear Mr. Trabucco, Ms. Marino, Mr. Brown, Ms. Coletta and Mr. Ciciotti,

We were saddened and stunned to learn that the Pembroke Select Board made the decision to dissolve your town's five month old DEI committee at its meeting on May 25, 2022.

Municipal-level committees that support the principle that every person has equal value and dignity no matter who they are exist in cities and towns across Massachusetts and the United States. They may be called different names, such as DEI committees, Human Rights Commissions, etc., but they all serve to provide resources and support for individuals who experience identity-based mistreatment or discrimination, educate the public, promote equitable policies and practices, and more. Sadly, identity-based mistreatment and discrimination still occur everywhere in the US - one need only open the newspaper on most days to discover some new incident. No town, no matter how filled with kind and well-meaning citizens it may be, can assume it is excepted from this. We can all strive to do better.

In Massachusetts, there are nearly 50 municipal-level committees doing this work across a range of commission and committee models. These communities include Amherst, Arlington, Attleboro, Barnstable County, Belmont, Beverly, Boston, Brookline, Cambridge, Canton, Chelsea, Danvers, Dedham, Duxbury, Easton, Fairhaven, Framingham, Greenfield, Hingham, Hull, Lawrence, Lexington, Lynn, Malden, Mashpee, Maynard, Medford, Melrose, Needham, New Bedford, Newburyport, Newton, Northampton, Plymouth, Reading, Scituate, Somerville, Stoneham, Wakefield, Wayland, Wenham, Westborough, Westwood, Winthrop, Woburn and Worcester.

We stand with all citizens of Pembroke who feel unseen and unheard as a result of the decision to dissolve your town's DEI committee. We hope that you will reconsider the value of making a municipal-level commitment to ensuring that all members of your community feel they are supported and valued.

Respectfully,

Arlington Human Rights Commission  
Barnstable No Place for Hate  
Project Connect, Barnstable  
Bourne - Wareham Race Amity  
Cape Cod Pride  
Cape & Island Trans Resource Fund  
Cape Cod & South Shore Diversity Coalition  
Cohasset Diversity Committee  
Dedham Coalition for Diversity and Inclusion  
Duxbury for All Steering Committee  
Hanover Pride  
Hanover Unity Council Steering Committee  
Hingham Pride Project  
Hingham Unity Council Board

Massachusetts Human Rights Coalition  
New Bedford Human Relations Commission  
PFLAG Cape Cod  
Plymouth No Place for Hate Committee  
Plymouth Pride  
Sandwich for All Coordinating Committee  
Scituate Together for Representation, Inclusion, Diversity, and Equity (STRIDE) Steering Committee  
Scituate PFLAG  
South Shore Unity Council  
Weymouth for Inclusion Solidarity and Equity

*The above signers are committees, community organizations and/or non-profits that promote diversity, equity, inclusion and belonging in their communities.*

### **Town Manager's Report**

#### **Solid Waste and Recycling**

Mr. Chenard stated that the Town has received the official notification of Mass DEP's ban of mattresses and textiles from the waste stream in Massachusetts effective November 1, 2022. The town will begin public notifications in multimedia on July 1 that no mattresses will be picked up at the curb effective September 1, 2022, with trash. Mattresses will continue to be accepted at the Pembroke Recycling Center for recycling. Mr. Chenard thanked the members of the DPW and attendants at the Recycling Center for their efforts at a record Household Hazardous Waste event on June 4 where over 293 cars passed through with materials.

#### **Water Ban Update**

Mr. Chenard stated that he was alerted last week to the fact that the town's water demand was exceeding the town's pumping capacity; the town has three storage tanks that each hold 1.1million gallons of water; we can pump 2.2million gallons at peak and the town's usage was averaging 1.6million with a peak of 1.72million gallons last week. The pumps couldn't keep up with the demand and the water levels dipped to a dangerously low point impacting fire suppression, so a water ban was enacted, and the hope is to remove it this week

## **MINUTES OF THE SELECT BOARD MEETING**

where rain is forecast. Data indicates that this week is the highest volume use week of the year. The fourth well is finished and, in its year-long testing period so impacts may be resolved next year.

### **Community Center Project Update**

Mr. Chenard advised that tonight he will provide an overview of the building committees that came before, the June 22, 2021, annual town meeting and election, costs estimate and resulting changes, and annual town meeting this year. Next meeting there will be a review of the cost projections and debt scheduled, both proposed and actual, a review of the bid process and a discussion of options moving forward. On July 6, there will be an interactive discussion with the Board to determine next steps; August 9 there will be a public forum to answer any questions that the public may have in the Veterans Hall of Town Hall and another public forum August 23, 2022 at the Pembroke Public Library.

There have been seventeen years of study undertaken by three different committees from 2003-2008, 2012-2013, 2018-2021. Mr. Chenard provided detail and defined goals and results from the previous committees. Discussion ensued on the bidding process that will be review at the next meeting, the town is currently in the prequalification stage. Residents in attendance asked questions about topics scheduled on June 22 regarding programming and operational costs and offerings with Mr. Chenard answering the majority and referring more detail to the next meeting.

### **LIAISON UPDATES**

Mr. Brown advised that the COA is sad to report the passing of former Board member Kenneth Girtten on May 28, 2022 at the age of 86 years.

### **NEW BUSINESS**

Saturday, June 11 from 9:00 am to 3:00 pm on Curve Street will be the Tiny Brown Memorial Car Show. Mr. Brown congratulated the Pembroke Titans Girls 4x100 relay team for their new record run 49.14 earning and All-State relay running championship. Pembroke Watershed Association will be hosting town wide pond cleanup event on Saturday, email [pembrokewatershed@gmail.com](mailto:pembrokewatershed@gmail.com) for more information.

At 8:50 pm Ms. Marino moved to adjourn; Mr. Brown seconded the motion. The vote was unanimously in favor.

### **MATERIALS & EXHIBITS**

ABCC and Local Liquor License Transfer Applications, D. Barry for DJB Restaurant (TM Office)  
Emails J. Shea, G. Verry, OL. Cullity, L. Cook re: Outdoor Dining (TM Office)  
Vacancy Application, D. Hawes and Email, L. Osborne re: Town Memorial Appointment (TM Office)  
Letter, Route A. Winchester of SSRM; Email R. MacDonald re: 5K (TM Office)  
Letter, K. Leavitt Sutton of Hingham Unity re: DEI (TM Office)