

MINUTES OF THE SELECT BOARD MEETING
April 5, 2023

PRESENT: Daniel W. Trabucco (Chairman), Tracy Marino (Vice Chair), John G. Brown, Jr. (Clerk), Rebecca Coletta (Selectwoman), Steven Ciciotti (Selectman), William Chenard (Town Manager), Sabrina Chilcott (Assistant Town Manager), Daniel Sullivan, Steve Curley, Tara Brown, Elin Flashman, Don Bryant, Alysha Siciliano-Perry, Matthew Heins, Linda Peterson, Andrea Hatziyannis, Deb Flanagan, Dana Bean, Art Egerton, and others.

At 7:00 pm Mr. Trabucco opened the meeting with the Chairman's statement. Ms. Marino announced that Clean-up Day was happening on April 22, 2023, from 8am-12pm and all volunteers were meeting at Pembroke Middle School.

Mr. Chenard introduced the new water superintendent, Dan Sullivan, to the board and the public.

BOARD ACTION: VOTE TO ENTER INTO THREE YEAR CONTRACT BETWEEN THE TOWN OF PEMBROKE AND TOWN MANAGER WILLIAM CHENARD

Mr. Trabucco explained the contract negotiation process to the public, noting that the final offer was reviewed by the town's legal counsel. Mr. Brown noted that there were two separate contracts; one to finish the fiscal year, and a three year contract to start on July 1. Mr. Brown made a motion to enter into a contract with Town Manager, Bill Chenard from May 11, 2023 through June 30, 2023, Ms. Marino seconded, the motion passed unanimously. Mr. Brown made a motion to enter into a contract with Town Manager, Bill Chenard from July 1 -2023 – June 30, 2026, Mr. Ciciotti seconded, the motion passed unanimously.

SCHEDULED APPOINTMENT: ICE CREAM VENDOR RENEWAL PERMIT APPLICATION – STEPHEN BURT, SOLE PROPRIETOR AND OPERATOR

Ms. Chilcott noted that Mr. Burt was licensed previously within the town. Ms. Marino made a motion to grant the application of Stephen Burt of Burt's Ice Cream to renew his permit #IC-01 to Engage in Ice Cream Truck Vending and operate an ice cream truck throughout the Town, Monday through Saturday from 9:00am to dusk and on Sunday from 11:00am to dusk subject to Health Department Inspection and Police Chief's approval, Mr. Brown seconded, the motion passed unanimously.

SCHEDULED APPOINTMENT: PLANNING BOARD CHAIR ALYSHA SICILIANO-PERRY: ZONING BYLAW AMENDMENT ARTICLE (MBTA)

Ms. Siciliano-Perry reviewed the proposed by-law amendment. She stated that the state has required towns to adopt this law. She stated that there were only a few modifications being made so that the town was following state law. She stated as an example, that Pembroke Woods was a lot that was already in compliance. Ms. Siciliano-Perry stated that Planning Board public hearings were scheduled for the following week. She then discussed some examples of changes to be proposed that the Planning Board may or may not accept. Mr. Trabucco asked what the consequences would be if the town pushed back, Ms. Siciliano-Perry stated that funding would be lost and that the state would file a lawsuit against the town. Ms. Coletta noted that these changes were not much different than what the Planning Board had already had in place in the zoning bylaws. The board discussed the funding that the town would lose if this amendment to the bylaw was not approved. Ms. Siciliano-Perry encouraged the board to support the article.

SCHEDULED APPOINTMENT: RECYCLING COMMITTEE REPS STEPHEN CURLEY AND ANDREA HAZIYANNIS: ARTICLE TO RENAME RECYCLING COMMITTEE THE SUSTAINABILITY COMMITTEE

Mr. Curley and Ms. Hatziyannis were present to discuss their proposed name and task change for the recycling committee. Mr. Curley noted that the committee felt their messaging was becoming repetitive. The committee proposed working with other committees to get sustainability messaging out. Mr. Curley also stated that the old charge included the recycling center, and with a Town Manager, that was no longer relevant to the committee. Mr. Trabucco explained that the committee was formed as a condition of the town when switching to curbside trash and recycling collection. Mr. Ciciotti was concerned that changing to the

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sustainability committee would confuse residents who wanted to reach out to the recycling committee. He proposed the recycling and sustainability committee. He also asked about the expenses of the committee, Mr. Curley stated that no mailings had been made yet. Ms. Hatziyannis stated that advertising and information dispersal had gone through PACTV and the website, at no charge to the town. Ms. Hatziyannis stated that the recycling committee had been restricted on educating the public to a few specific issues and the reason for amending the charge of the committee was so that they could have a little more room to educate the public on other issues relating to sustainability such as composting, water usage, energy usage etc. Mr. Chenard recommended that the committee have a specific scope. Ms. Hatziyannis stated that they would be amenable to changing the name to the Recycling and Sustainability Committee. Ms. Linda Peterson spoke regarding the Advisory Committee's unfavorable action recommendation. She stated that the committee felt that a name change was not necessary. She had asked a member of the Recycling Committee to be present at the next Advisory meeting so that the committee could possibly re-vote their recommendation. Mr. Ciciotti agreed that the scope of the committee needed to be clear.

SCHEDULED APPOINTMENT: FY24 BUDGET PRESENTATIONS

Mr. Chenard reviewed the FY24 budgets for the board. He discussed debt, retirement, unemployment, health insurance, life insurance, Medicare tax, property, and liability insurance. He noted that many of those categories were fixed numbers. He reviewed the town's debt payments for FY24. He stated that the Plymouth County Retirement number continued to increase, but he planned to pay the county in July and save \$91,000 instead of breaking it into two payments. Mr. Chenard then reviewed the health care benefits summary and noted the increase as well. Ms. Coletta asked if the numbers included schools, Mr. Chenard confirmed. Mr. Chenard reviewed property and liability insurance, informing the board that the town was self-insured, which has saved money. Mr. Chenard stated that the town's claims drive up the cost, noting that there have been quite a few vehicle accidents that resulted in total losses.

Mr. Chenard reviewed the water enterprise budget, noting that expenses have gone up. He stated that the reserve fund was being requested at \$100,000 but he believed eventually the number should be closer to \$200,000. He briefly reviewed the line items for the board.

Mr. Chenard reviewed the solid waste enterprise budget. He stated that expenses were increasing. Mr. Ciciotti asked why the expense line was so much higher, Mr. Chenard stated that previously, certain expenses were paid out of other accounts and would be moved to the correct accounts. Discussion ensued regarding the costs of recycling and solid waste disposal.

VOTE TO OPEN WARRANT FOR INSERTION OF RECISSION ARTICLE FROM TREASURER: RESCIND UNBORROWED AMOUNTS FROM NOVEMBER 12, 2013, FALL TOWN MEETING (SCHOOL ROOFS), MAY 8, 2018, TOWN MEETING (LUDDAM'S DAM)

Ms. Coletta moved to open the annual town meeting warrant to insert one new article to rescind amounts voted to be borrowed as presented, seconded by Mr. Brown, the motion passed unanimously. Mr. Brown made a motion to include the article in the warrant, Ms. Coletta seconded, the motion passed unanimously.

Discussion ensued regarding amending the recycling committee article. Mr. Ciciotti agreed to amending the article to alter the name of the committee. Ms. Coletta moved that the board amend the language in article 13 to change the name of the committee to the Recycling & Sustainability Committee, subject to Town Counsel's recommendation, seconded by Ms. Marino. Mr. Ciciotti asked about removing language from the motion, Mr. Trabucco stated that the motion could include removing language. Mr. Chenard stated that this committee was different because it was created at Town Meeting, not by the Select Board. Discussion ensued regarding changing the scope of a committee within the motion as well as the original vote at town meeting. Ms. Coletta modified her motion to replace the Recycling Committee with the Recycling & Sustainability Committee; the scope of the committee to engage in public education and projects aimed at resource management and conservation efforts with focus areas to include waste waster reduction and recycling, home efficiency tips, eco-friendly home maintenance, eco-friendly lawn & gardening home chemical and pesticide alternatives, home resource conservation education, and strike language, Mr. Ciciotti seconded, the motion passed unanimously.

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Mr. Trabucco asked what the status of the brave act was, Mr. Chenard stated that the Board of Assessors were to meet the following Monday and he would be in attendance so until then he did not have an answer. Mr. Chenard stated that there would be an opportunity on April 19 to insert an article if necessary.

Ms. Marino moved to close the warrant, Mr. Ciciotti seconded, the motion passed unanimously.

VOTE TO SUBMIT BALLOT QUESTION TO TOWN CLERK FOR INCLUSION IN ANNUAL TOWN ELECTION BALLOT: PROPOSITION 2 ½ OVERRIDE – DEBT EXCLUSION TO CONSTRUCT PUBLIC SAFETY BUILDING(S)

Mr. Chenard discussed the recently held public safety building public forum. Ms. Coletta reminded the public that the meeting was available on the town's website. Mr. Chenard reviewed the existing conditions at both public safety stations. He discussed the areas of the proposed new building. He reviewed the history of the public safety building committee through where the committee stood currently. He discussed improved response time for most residents of Pembroke with the new facilities. Mr. Chenard discussed the cost of the project in comparison to other communities that had built public safety complexes recently. He noted that if the project was delayed, the cost would continue to increase as trends are not going down. Discussion ensued regarding the cost to the taxpayers over the course of twenty-five years.

Mr. Ciciotti moved to include the following question on the ballot for the May 13, 2023 election: "Shall the Town of Pembroke be allowed to exempt from the provisions of proposition two and a half, so called, the amounts required to pay for the bond issued in order to construct a Public Safety Building Complex for both Police Department and Fire Department on Washington Street, and a Fire Department Substation on School Street (Route 27)?" Ms. Marino seconded, the motion passed unanimously.

VOTE TO AUTHORIZE USE OF POLICE DETAIL(S) FOR MAY 13, 2023, MUNICIPAL ELECTION IN ACCORDANCE WITH VOTES ACT

Mr. Chenard stated that this was a statutory requirement, and the board must vote it.

Ms. Coletta moved to authorize the use of a police detail for the May 13, 2023, Municipal Election, with each precinct needing no fewer than one (1) officer at any given time and allow the Chief of Police to determine which officers to hire and assign officers to their respective precincts in accordance with the VOTES Act of 2022, Ms. Marino seconded, the motion passed unanimously.

VOTE TO APPOINT SUSAN BOLLINGER OF SCHOOL COMMITTEE TO VACANCY ON PEMBROKE DRUG PREVENTION COALITION

Ms. Marino moved to accept the resignation of Michael Tropeano from the Pembroke Drug Prevention Coalition, and further to appoint Susan Bollinger as the School Committee's representative, Mr. Brown seconded, the motion passed unanimously.

VOTE RECOMMENDATIONS ON ARTICLES 1, 3, 4, 7, 14 AND NEW RECESSION ARTICLE FOR POSSIBLE FAVORABLE ACTION; VOTE RECOMMENDATIONS ON ARTICLES 12 (ZONING BYLAW AMENDMENT), ARTICLE 13 (RECYCLING COMMITTEE NAME CHANGE), CITIZENS PETITION ARTICLE

Mr. Chenard reviewed the status of article one. Mr. Brown moved favorable action on Article 1, Ms. Coletta seconded, the motion passed unanimously. Mr. Chenard reviewed article 3. Mr. Ciciotti moved favorable action on article 3, Mr. Brown seconded, the motion passed unanimously. Mr. Chenard reviewed article 4 and recommended favorable action. Ms. Coletta moved favorable action on article 4, Ms. Marino seconded; the motion passed unanimously. Ms. Marino moved favorable action on article 19, Mr. Ciciotti seconded, the motion passed unanimously. Mr. Chenard reviewed article 7. Mr. Ciciotti moved favorable action on article 7, Ms. Coletta seconded, the motion passed unanimously. Mr. Chenard reviewed article 14 and 14A. Ms. Coletta moved favorable action on article 14 and 14A, Mr. Ciciotti seconded, the motion passed unanimously. Mr. Trabucco stated that he was not ready to vote on the article as the Planning Board had yet to hold their public hearings on the article. Article 12 was tabled to April 19, 2023. Ms. Coletta moved

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favorable action on article 13 as amended, Ms. Marino seconded, the motion passed unanimously. Mr. Brown moved Town Meeting Floor recommendation to article 18, Ms. Coletta seconded. Mr. Trabucco discussed the citizen's petition with the board and left it up for discussion at the Town Meeting. The motion passed unanimously.

VOTE TO ACCEPT MINUTES OF MARCH 8, 2023

Ms. Marino moved to accept the minutes of March 8, 2023; Mr. Ciciotti seconded; the motion passed unanimously.

TOWN MANAGER'S REPORT

Colonial Power Group/Municipal Aggregation Update: Mr. Chenard stated that the consultants would be present on May 3 to speak to the board. He stated that preliminary discussions show that the new contract would not be at the \$0.33 per kilowatt that National Grid was charging. He stated that the price would be lower. He stated that after their presentation, the board will be asked to vote to allow the town manager to enter a contract for municipal aggregation when the bids are received.

Public Safety Building Committee Update:

Pavement Management: Mr. Chenard reviewed the pavement management plan. He stated that the plan was posted to the website. He also stated that the projects slated for FY24 would be funded through the capital plan. He encouraged the public to read the plan including the history of paving throughout the town. He stated that moving forward, there would be \$600,000 committed from the town through the capital plan each year. Discussion ensued regarding the upcoming roads to be paved.

LIAISON UPDATES

OLD/NEW BUSINESS

COMMUNITY COMMENT

Mr. Flashman commented that he was thankful for department of public works employees cleaning up roadside trash. He expressed his appreciation for that work.

Mr. Brown asked for an update on Congress Street. Mr. Chenard stated that the project was out to bid and work was to begin at the end of May.

Mr. Trabucco read the upcoming issues. At 9:43pm, he requested a motion to adjourn, Ms. Marino moved it, Mr. Ciciotti seconded, the motion passed unanimously.

MATERIALS & EXHIBITS

ATM Warrant (TM Office)

Town Manager Contract (TM Office)

Pavement Management Plan (TM Office)

FY24 Budget (TM Office)

Minutes (TM Office)

Ballot Question (TM Office)