

**MINUTES OF THE SELECTMEN'S MEETING  
FEBRUARY 27, 2012**

**PRESENT:** Daniel W. Trabucco (Chairman), Lewis W. Stone (Vice Chairman), Gregory Hanley (Clerk), Arthur P. Boyle, Jr. (Selectman), Edwin J. Thorne (Town Administrator), Len Ruszczyk, Frank Hackett, Josh Cutler, Robert DeMarzo, Lisa Cullity, Catherine Salmon, Meghan Ricardo, Michael Buckley, Kathleen McCarthy, Ben Bastianelli, Mike Murray, Steven Karol, John Woods, Cheryl Woods, Sabrina Chilcott (Executive Assistant), John Mattinson (PMB Cable), and others.

**ANNOUNCEMENTS**

Mr. Trabucco announced that next weeks Selectmen's meeting on March 5 will be held at the Bryantville Meeting House at 32 School Street at 7:00 pm where the Board will vote on the articles for the annual Town warrant. The meeting will be taped for rebroadcast. Mr. Trabucco thanked Betty Corti and the Lions Club and Anne Marie Stanton for making the space available. He also congratulated the PHS boys indoor track team for winning their divisional title. The Recreation Department is announcing the Skating Surface Meltdown Saturday, March 3 from 8:00 am to 2:00 pm to remove the skating surface and ready the Town Green for the spring. There will be duck races with prizes for the winners.

**7:00 CERTIFICATE PRESENTATION TO STUDENT ART CONTRIBUTORS TO  
THE PEMBROKE 300<sup>TH</sup> COMMITTEE**

Mr. Boulter, the Chairman of the Pembroke 300<sup>th</sup> Committee, and Mr. Stone presented Certificates of Appreciation and Commemorative Coins to Audrey Wu from North Pembroke Elementary School, Amelia Yarasitis of Hobomock Elementary School, Leah Twigg of Bryantville Elementary School, Jess Norton of Pembroke Community Middle School and Meaghan McClarey of Pembroke High School. Photographs were taken by Mr. Cutler.

**7:05 PEMBROKE CHAMBER OF COMMERCE MEMBERSHIP DRIVE  
ANNOUNCEMENT**

Mr. Cutler and Mr. DeMarzo spoke to the Membership Drive for the Pembroke Chamber of Commerce. March 13<sup>th</sup> is the Chambers day long membership drive event that will kick off with a breakfast at 7:30 am with speaker District Attorney Tim Cruz at Unicorn Realty at Corporate Park; admission is \$10 for members and \$15 for non-members. They are requesting that the Board of Selectmen proclaim March 13<sup>th</sup> "Pembroke Chamber of Commerce Day". Mr. Boyle moved, seconded by Mr. Stone, to proclaim March 13, 2012 "Pembroke Chamber of Commerce Day". The vote was unanimously in favor.

**7:15 PUBLIC HEARING: LICENSE TRANSFER: JONATHAN STORY – ORTA**

Mr. Trabucco introduced a letter from Jonathan Story requesting the public hearing be closed at his request while he resolves details with the seller of property. Mr. Boyle moved to close the public hearing and let the applicant withdraw without prejudice; Mr. Hanley seconded the motion. The vote was unanimously in favor.

**7:25 (7:45) COMMON VICTUALER LICENSE: FINAL FOUR, LLC D/B/A  
UNIVERSITY FIELDHOUSE**

Mike Murray appeared before the Board to request a common victualer license to be held at 340 Oak Street in the name of Final Four, LLC d/b/a University Field House. They have obtained all of their food permits and are pending inspections but have received permission from the Fire Chief to occupy in the meantime. Mr. Hanley made the motion to grant a common victualer's license to Final Four, LLC d/b/a The University Fieldhouse. Mr. Boyle seconded the motion with

the amendment that it becomes final at 7:45 pm, the posted time on the agenda. Mr. Hanley agreed. The vote was unanimously in favor.

**CONSIDER ACCEPTANCE OF TAX TITLE PROPERTY PARCEL A5-12**

Mr. Boyle moved to accept the property located at 558 Mattakeesett Street, Parcel A5-12 as a tax possession property at the recommendation of the Town Treasurer. Mr. Hanley seconded the motion; the vote was unanimously in favor.

**CONSIDER ONE DAY LIQUOR LICENSE REQUEST: HOBOMOCK PTO FUNDRAISER**

Mr. Hanley moved to grant the request of Kellene Falco on behalf of the Hobomock PTO to permit a one day liquor license for the Hobomock PTO to hold a beer and wine tasting fundraiser at the Pembroke Historical Society Building at 116 Center Street on April 27, 2012 from 7:00 pm to 11:00 pm; they will serve only until 10:00 pm. Mr. Boyle seconded the motion; the vote was unanimously in favor.

**CONSIDER THE USE OF TOWN ROADS: GIRLS ON THE GO 5K ROAD RACE FOR PEMBROKE BOYS CLUB**

Mr. Hanley moved to approve the request from the Treasurer of the Pembroke Boys Club to use local and state roads in the Town of Pembroke on April 1, 2012 for the Pembroke Police Boys Club fundraiser pending the approval of the Chief of Police and the DPW. Mr. Boyle seconded the motion; the vote was unanimously in favor.

**CONSIDER THE USE OF REMOTE PARTICIPATION AT MEETINGS**

Mr. Trabucco began discussion explaining this was originally discussed at November 21, 2011 BOS meeting with no action taken. Telephone, internet or satellite enabled audio or video conferencing may be used for remote participation, or other technology may be used provided that the participant and all in attendance can hear each other. Authorization – The “chief executive officer” must authorize use of remote participation before it can be used by a municipality’s public bodies. General Laws c.4, §7 defines the term “chief executive officer” as the mayor in a city and the board of selectmen in a town, unless a different chief executive officer has been designated by charter or special act. Once authorized, remote participation will be available to all boards and committees subject to the Open Meeting Law. The chief executive officer may also decide to revoke such authorization. Brief discussion ensued. Mr. Boulter indicated support for technological advancement to promote communication between the Towns boards and committees and moved to allow remote participation in meetings by Towns boards and committees. There was no second. Mr. Trabucco suggested Mr. Boulter withdraw his motion and the Board take no action on this motion tonight. Mr. Boulter agreed. No action by the Board on the use of remote participation at meetings at this time.

**7:30 IT SUPPORT COMMITTEE: IT SUPPORT ARTICLE DISCUSSION**

Cathy Salmon was present before the Board with Lisa Cullity and Megan Ricardo as the IT Study Committee. They have determined that current IT support levels are insufficient as there is no contract or employee whose job is to support Town Hall, which includes the COA and Recreation. Town Hall support is provided as a secondary function to the School Departments IT staff at the end of their workday when available. The Town Fire, Police and Library contract their own IT support and therefore have a different experience. Hardware, software, servers and backup systems are significantly outdated. The potential exists for system wide chain failure. Ms.

Cullity addressed the opportunity to maximize efficiency and volume of staff through the use of technology and minimize downtime. Ms. Cullity pointed out we have a DOS based billing program for trash billing and a tape backup. Ms. Salmon stated the article that is being submitted will add an IT line item starting in FY13. The IT Study Committee is still narrowing down their choices for a provider but each choice is consistent with their recommendations; some start up costs with an annual maintenance fee. The amounts will vary based on which items are determined to be priorities and which provider the committees choose. Mr. Hanley inquired as to combining efforts between departments and contracting Town wide IT support to potentially reduce the contract costs. Ms. Salmon stated that the Police, Fire and Library are served now by a contractor who expressed no interest in bidding on Town project; their needs are different and specialized. The Town Hall's needs (COA/Rec) are decades behind a current level requiring this kind of support. Mr. Boyle asked if this would be contractor versus employee on staff; Ms. Salmon confirmed it would be a contractor and many of the current issues can be handled remotely. Mr. Boyle requested that the IT Study Committee put together a proposal; a projected budget of money needed for equipment and support for the first year, and then carry that through for the next five following years. Ms. Cullity stated that the committee is working on this now. Mr. Thorne stated that all of the prospective vendors have qualified under the state contract and the Committee has been working on this for ten months now. Brief discussion ensued. Mr. Hanley requested the IT Study Committee to research private and public grant opportunities to help defray the costs.

**7:50 COMMON VICTUALER LICENSE: FINAL FOUR, LLC D/B/A UNIVERSITY FIELDHOUSE**

Mr. Trabucco noted the time has passed 7:45pm; no one was present to speak on the subject. Mr. Trabucco declared the original motion made by Mr. Hanley, seconded by Mr. Boyle and voted unanimously at 7:25 to grant a common victualer's license to Final Four, LLC d/b/a The University Fieldhouse to be final.

**7:55 STEVEN KAROL REPRESENTING JOHN AND CHERYL WOODS: PROPERTY**

Attorney Steven Karol appeared with John and Cheryl Woods with certified funds in the amount of \$33, 941. 16 and requested that the Board of Selectmen vacate the judgment in the land case #11TL141773 regarding 7 Christina Marie Drive. Mr. Boyle moved to vacate the judgment in land case number #11TL141773 and additionally release the Town of Pembroke of any interest in 7 Christina Marie Drive, Parcel D4-94 with the understanding that John and Cheryl Woods will maintain a current standing on all tax bills due to the Town of Pembroke with regard to the above mentioned property. Mr. Stone seconded the motion; the vote was unanimously in favor.

**CONSIDER RFP/RFQ: DESIGN OF ROUTE 53 & PLEASANT ST TRAFFIC LIGHT/INTERSECTION**

Mr. Thorne suggested meeting with the DPW Director and Commissioners to discuss what has been done to date, what the former consultant did and what is required by the MassDOT and begin the process of writing the RFP. Mr. Hanley inquired about the mitigation funds set aside by Trammel Crowe for this project in the past; Mr. Thorne stated they are no longer in control of the property. The State has said if the Town wants a traffic light then the Town must design it and build it. Mr. Trabucco stated the design is at the 25% stage now but is obsolete to MassDOT current standards for traffic lights; the intersection is too dangerous and needs a traffic signal so the Board must proceed. Mr. Trabucco had a discussion with the Old Colony Planning Council

and they have a program which is a District Local Technical Assistance (DLTA) fund that may fund all or a portion of the design and possibly building phase of this intersection. Once the design is complete, it will be submitted to the Metropolitan Planning Organization where Mr. Trabucco is also a member; they will decide which projects to fund. This project is a good candidate for funding. Mr. Trabucco's recommendation is to proceed with this RFP for design of Route 53 and Pleasant Street traffic light and intersection. Brief discussion ensued. Mr. Hanley inquired as to why design is considered at 25%; is it an errors and omission issue or have specifications changed; Mr. Trabucco confirmed it is the latter and engineers did what they were hired to do. Mr. Hanley moved that the Board authorize the Town Administrator to advertise an RFP/RFQ for the design of the Route 53 and Pleasant Street traffic light intersection. Mr. Stone seconded the motion; so unanimously voted.

## **MINUTES**

Mr. Stone moved and Mr. Boyle seconded to accept the minutes of the meeting of February 13, 2012 as presented. The vote was unanimously in favor.

## **TOWN ADMINISTRATORS REPORT**

Mr. Thorne stated that March 6, 2012 at 64 Schoosett Street, the TriTown Chamber of Commerce is hosting Peter Mehr at noon as a guest speaker. Marshfield and Duxbury officials will be attending. Mr. Trabucco stated the Old Colony Planning Council has expressed interest in potentially funding in whole or in part the streetlight acquisition program through DLTA funds. Mr. Thorne notified the BOS that March 26 he will be speaking at the Duxbury BOS meeting with Mr. Stone regarding the Truck Exclusion Project with Marshfield, Duxbury and Pembroke.

## **ASK THE SELECTMEN**

Mr. Stone followed up regarding the missing street signs on Pinehurst Street, Pond View Avenue and Highland Drive; the DPW installed new signs on all three streets. Additionally, when the BOS transferred the liquor license from BOCA Restaurant to Oysters Restaurant, there was an issue regarding outstanding gift certificates. Starting today Oysters will accept BOCA gift certificates for three weeks starting February 27 on Monday through Thursday only and for a fourth week in June for anyone who cannot get in during that time but at 70% of their face value only. Mr. Stone tried to reach the owner for a final decision today and hasn't heard back yet but recommends that anyone with a gift certificate contact the restaurant as well. Mr. Boyle stated he is disappointed in this decision; Mr. Boyle moved that the Board give a two week notice to Oyster's Restaurant that a hearing would be held in front of the BOS to discuss the possibility of revoking either their CV or their CVAA. Mr. Boulter seconded for purposes of discussion. Mr. Stone requested that, before the Board discusses the possibility of further action, Mr. Emma be given the opportunity to reply to Mr. Stone with a final answer. Mr. Boyle agreed to withdraw his motion and give Mr. Emma a chance to respond.

**EXECUTIVE SESSION:** Mr. Stone moved, seconded by Mr. Boyle, to go into executive session to discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or discuss the discipline or dismissal of, or complaints or charges against, a public officer, employee, staff member or individual and to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares, and upon conclusion no further votes or public business to be discussed.  
Roll call vote: Boyle, yes - Stone, yes - Trabucco, yes - Boulter, yes

The meeting was adjourned at 8:35 pm.