

**MINUTES OF THE SELECTMEN'S MEETING
JULY 15, 2013**

PRESENT: Willard J. Boulter, Jr. (Chairman), Arthur P. Boyle, Jr. (Vice-Chairman), Lewis W. Stone (Clerk), Michelle L. Burt (Selectman), Daniel W. Trabucco (Selectman), Michael Buckley (Town Accountant), Kathleen McCarthy (Treasurer), Ben Bastianelli (Recycling Committee Chair), Gordon Martin (Recycling Committee), Len Rusczyzk (Recycling Committee), Mike Virta (Recycling Committee), Deborah Wall (Library Director), Nancy Richard (PACTV), Donna Rodriguez (PACTV), Caroline Garrett (PACTV), Art Egerton, Kyle Harney, Julie Thompson, Ekram Hanna, John McCue, Cathie Briggette, Sabrina Chilcott (Executive Assistant), Mike Melanson (Pembroke Mariner Express), Erika Christianson (PACTV Cable), WATD Reporter and others.

7:00 NANCY RICHARD, EXEC.DIR, & CEO: ANNUAL REPORT AND UPDATE

Ms. Richard was present before the Board to present the PACTV annual report; she stated that is posted on the Town website at www.pembroke-ma.gov for all to review. The report details the financial report and activities of PACTV in Pembroke for the last year; she is pleased to report that the goals that the Town set and that they set internally were met or exceeded. Ms. Richard provided some details; between June 5, 2012 and June 5, 2013 three series and thirteen specials were created for Public Access from scratch. There are four active producers in Pembroke and fifty-four bulletin board announcements came from Pembroke, 8.6%. Thirteen non-profit organizations have submitted them as well. Pembroke additionally represents approximately 12% of membership, thirty-six active members, which follows the population breakdown. One of the largest accomplishments is the introduction from scratch of Educational Access programming and education; Caroline Garrett works twenty hours per week in the high school producing shows on the channel and teaching classes since September. Ms. Garrett reports directly to the High School principal and to the School Committee to develop sustainable educational opportunities; in last nine months she has recorded, with her volunteers, four plays, twenty-one concerts and three episodes of TitanTV News with the journalism department and many other enrichment and guidance episodes. The reserved fund accrued balance funds Educational Access.

The Government Access channel covered the standard fare of Town Meeting, Selectmen's meetings and public hearings, but also shows other government and county wide programming. Ms. Richard explained some of the audio issues with the ceiling microphones are tied to the air conditioning vents and ceiling tiles; she advised that the podium microphone has resolved the audio issue. Ms. Burt inquired into the legal expenses outlined on page fifteen; Ms. Burt stated that she thought the case was dismissed. Ms. Richard advised that these are legal fees associated with a deposit for representation regarding PMB vs. Mattinson as PMB doesn't exist any longer. Mr. Stone asked about the two directors from Pembroke and their responsibilities. Ms. Richard stated that the two directors are Deborah Wall and Gary Gumpwright and their role is primarily fiduciary; they approve the finances, the budget, perform the CEO's review and report in from Pembroke. They additionally report back to Pembroke. Ms. Richard stated that PACTV is going to the COA on July 29th to film their first show, bringing the equipment with them. Mr. Stone asked how to view a program on demand that is no longer in the list; Ms. Rodriguez advised there is a search feature on the View On Demand page that will bring up entire inventory; if not listed here, the show is being archived on a hard drive for the town.

7:15 BEN BASTIANELLI, RECYCLING COMMITTEE UPDATE

Mr. Bastianelli, Chairman of the Recycling Committee, was present before the Board with members Len Rusczyzk, Gordon Martin and Mike Virta to update the BOS on the committee's progress. Mr. Bastianelli stated that the committee has reached an impasse after two years of recommended proposals regarding the Recycling Center and they are now fractured internally with one group trying to increase costs and another to decrease costs at the Recycling Center. The Committee requests a meeting with the Board of Selectmen to establish new goals and mission for the committee as their current charge is as an advisory committee regarding the Recycling Center. Mr. Martin concurred stating there are more opportunities being missed; Pembroke is below state average of 34% for recycling, or 22%.

Mr. Boyle agreed that a meeting between the BOS and Recycling Committee is necessary, stating that

the gentlemen present were instrumental in getting curbside recycling off the ground; he would like to see the recycling statistics improve to 35-38%. Mr. Boyle stated that residents have positive feedback about curbside recycling and the contractor Mike DelPrete. Mr. Boyle agreed that more should be done and suggested outreach into the schools and community. Mr. Bastianelli agreed; he stated that the Recycling Center runs at a deficit as the costs to dispose of fee items exceed the fees collected, but there is concern that if fees are raised, items will be dumped in our neighborhoods and open space. Mr. Boulter concurred that a meeting with Recycling Committee and BOS is in order; Mr. Bastianelli will submit their ideas in advance to the Board. Mr. Trabucco suggested that Superintendent Frank Hackett and the School Committee also be in attendance at this meeting. Mr. Stone suggested Mike Valenti be invited as well.

7:30 COMMON VICTUALER'S LICENSE APPLICATION: EKRAM HANNA, OAK STREET PIZZA & GRILL, 300 OAK STREET UNIT #700

Mr. Hanna of Nick Enterprise, Inc. was present before the Board to advise he has just purchased the Oak Street Pizza and Grille at 300 Oak Street, Unit #700 and he seeks a common victualer's license. The ZBA has advised that the Special Permit to Operate a Restaurant runs with the property and the Health Agent has issued the necessary food permits. Mr. Boyle moved to grant Ekram Hanna of Nick Enterprise, Inc. d/b/a Oak Street Pizza & Grille a Common Victualer's license in accordance with the provisions of MGL c140 s2 to be exercised at 300 Oak Street Unit #700 in Pembroke. Mr. Stone seconded the motion. The vote was unanimously in favor.

CONSIDER VOTE TO ASSIGN POSITIONS AND BOARDS DESIGNATED MUNICIPAL EMPLOYEE STATUS

Mr. Boyle moved to assign the following positions and boards as designated Special Municipal Employee Status: Board of Registrars, Election Workers and Town Meeting Workers, Members of the Planning Board, Planning Board Assistant, Conservation Commissioners, Conservation Commissioners Assistant, Gas/Plumbing Inspector, Wiring Inspector, Alternate Wiring Inspector, Building Inspector, Alternate Building Inspector, Council on Aging Board of Directors, Emergency Management Personnel and Special/Auxiliary Police Officers. Mr. Stone seconded the motion. Mr. Boulter requested Mr. Boyle amends his motion to include Herring Fisheries Commissioners; Mr. Boyle agreed. The vote on the amended motion was unanimously in favor.

CONSIDER TREASURER'S REQUEST: VOTE TO ACCEPT BEVERLY WAY, F10-144 AS TAX POSSESSION PROPERTY

Mr. Boyle moved to accept the property located Off Beverly Way, Map F10, Parcel 144 as a tax possession property at the recommendation of the Town Treasurer Kathleen McCarthy. Mr. Stone seconded the motion; the vote was unanimously in favor.

CONSIDER TREASURER'S REQUEST: VOTE TO ACCEPT TAYLOR STREET, G10-10D AS TAX POSSESSION PROPERTY

Mr. Boyle moved to accept the property located Off Taylor Street, Map G10, Parcel 10D as a tax possession property at the recommendation of the Town Treasurer Kathleen McCarthy. Mr. Stone seconded the motion; the vote was unanimously in favor.

CONSIDER TREASURER'S REQUEST: VOTE TO ACCEPT 25 RESERVOIR RD #D8, F10-114-D8 AS TAX POSSESSION PROPERTY THEN VACATE JUDGEMENT, SAME

Mr. Boyle moved to accept the property located at 25 Reservoir Rd Unit #D8, Map F10, Parcel 114-D8 as a tax possession property at the recommendation of the Town Treasurer Kathleen McCarthy. Mr. Stone seconded the motion; the vote was unanimously in favor. Mr. Boyle moved to vacate the judgment in Land Court case #11TL142973 and additionally release the Town of Pembroke of any interest in 25 Reservoir Rd Unit #D8, Map F10, Parcel 114-D8 with the understanding that David Bernard will maintain a current status on all bills due to the Town of Pembroke with regard to the above mentioned property. Mr. Stone seconded the motion; Mr. Trabucco confirmed all arrears have been paid with Ms. McCarthy. The vote was unanimously in favor.

CONSIDER AMENDING AMUSEMENT DEVICE LICENSE AD-05-13 TO INCLUDE SIX NEW DEVICES

Mr. Trabucco moved to approve Jungle Jake's Play and Party LLC d/b/a Jungle Jake's Play and Party's request to amend their Amusement Device permit (AD-05-13) to include six new amusement devices. Mr. Stone seconded the motion. Mr. Boyle abstained from the vote as a family member is employed by Jungle Jake's. The vote was four in favor with Mr. Boyle abstaining from the vote.

CONSIDER APPOINTMENT TO PEMBROKE CULTURAL COUNCIL: CAROL WATCHES OF 17 MAPLE AVENUE

Mr. Boyle moved the appointment of Carol Watches, 19 Maple Ave to the Pembroke Cultural Council, term to expire June 30, 2016. Mr. Stone seconded the motion. The vote was unanimously in favor.

CONSIDER FY13 YEAR END BUDGET TRANSFERS

Town Accountant Michael Buckley was present before the Board explaining that the year end bills were paid today; he is requesting these transfers be made to close fiscal year 2013. Mr. Buckley stated he will appear before the Advisory Committee next Monday July 22 to discuss these six items; they are Town Hall electricity (transferred from short term interest), Police Department gasoline (transferred from Police salaries), Fire Department gasoline and diesel (transferred from Fire salaries), Street Lighting electricity (transferred from short term interest), Library electricity (transferred from Library payroll) and the Unemployment State Assessment (transferred from short term interest) for a total of \$46,308. Mr. Boyle moved to approve the total of \$46,308 as submitted by the Town Accountant. Mr. Stone seconded the motion. The vote was unanimously in favor.

CONSIDER THE MINUTES OF JULY 1, 2013

Mr. Stone moved to accept the minutes of July 1, 2013 as written. Mr. Boyle seconded the motion. The vote was unanimously in favor.

TOWN ADMINISTRATOR'S REPORT

Mr. Boyle stated that there is a request from PEMA to support their CPC application to install a generator at Mayflower Court. Mr. Boyle moved to authorize the Town Administrator to send a letter on behalf of the BOS in support of this application. Mr. Stone seconded the motion. The vote was unanimously in favor.

ASK THE SELECTMEN

Mr. Stone stated that a resident at 356 Pleasant Street has written and sent photographs concerning her issue of water runoff; she states it has damaged the roadway and her mailbox. She seeks the DPW's assistance in getting this issue corrected. Mr. Stone has contacted the DPW and will follow up when he has more information. Additionally, she has sent a letter and photos concerning a second request that Mr. Stone will look into and follow up on as well.

Mr. Boulter requested that Selectmen working on specific issues notify the Chair in the interests of keeping the Chair informed.

UPCOMING ISSUES

Mr. Boulter advised that there will be a Cash Management meeting on Wednesday, July 17, an update on Camp Pembroke July 29th and a Planning Board public hearing on August 12th at 7:30 in the Veteran's Hall, necessitating a change of time on the BOS meeting of that evening.

At 8:05 pm, Mr. Stone moved 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. Mr. Boulter so declared and Mr. Boyle seconded the motion.

By roll call vote: Ms. Burt - yes, Mr. Trabucco - yes, Mr. Boyle - yes, Mr. Stone - yes, Mr. Boulter - yes.