

**MINUTES OF THE SELECT BOARD MEETING
MARCH 10, 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), Eugene Fulmine, Jr. (DPW Director), David Laine, Stephen Dodge (Moderator), Linda Peterson (Advisory Committee Chair), Thomas Driscoll (Board of Health Chair)
Attendees: Vincent Coyle, 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, §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. Mr. Trabucco stated that he will be seeking re-election and thanked all who have supported him.

VOTE RECOMMENDATION OF VETERANS AGENT: PROCLAMATION TO ANNUALLY RECOGNIZE AUGUST 7TH AS PURPLE HEART DAY

Mr. Brown read the proclamation; he noted that there is a change needed to have the document reference the Select Board versus the Board of Selectmen. Ms. Rushing to adopt to the proclamation declaring Pembroke a Purple Heart Community recognizing August 7th as Purple Heart Day. Mr. Brown seconded the motion. By roll call vote: 5/0: Brown – yes; Coletta – yes; Marino – yes; Rushing – yes, Trabucco – yes.

VOTE ON APPLICATION OF IGOLF CENTER'S INC. D/B/A IGOLF PEMBROKE TO ALLOW INDOOR LIVE ENTERTAINMENT AT 296 OLD OAK STREET

Ms. Coletta moved to approve the application for a live entertainment license by iGolf Centers, Inc. d/b/a iGolf Pembroke to permit live bands, music, singers, karaoke, disc jockeys and comedians to perform indoors at 296 Old Oak Street weekdays and Saturday only (not Sunday) during hours from 9:00 am to midnight subject to the review of the use of that location by the Planning Board; Ms. Marino seconded the motion. By roll call vote: 5/0: Brown – yes; Coletta – yes; Marino – yes; Rushing – yes, Trabucco – yes.

DISCUSSION, POSSIBLE VOTE: SUPPORT AN ACT RELATIVE TO A STREAMING ENTERTAINMENT OPERATOR'S USE OF PUBLIC RIGHTS OF WAY

Mr. Brown moved to table this until they hear from PACTV; Ms. Rushing seconded the motion. By roll call vote: 5/0: Brown – yes; Coletta – yes; Marino – yes; Rushing – yes, Trabucco – yes.

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VOTE TO APPROVE THE MINUTES OF FEBRUARY 8, 2021 AND FEBRUARY 17, 2021

Ms. Marino moved to accept the minutes of February 8, 2021 and February 17, 2021; 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

Town Meeting Planning

Mr. Chenard explained that discussions are ongoing with town counsel, PEMA, PACTV and more reviewing historical weather data, DPH guidance other town's experiences and additional costs. Mr. Dodge stated that there has been careful consideration of the pros and cons of going forward on May 11th and the safer route is to consider a postponement to ensure better weather, allow for cases to go down and vaccination rates to climb. Discussion ensued on legislation used last year to reduce the quorum, and the possibility of backing the meeting up to May 8th. For a town meeting date of May 11th the warrant must post on April 27th. MS. Coletta and Mr. Trabucco both voiced concerns about delaying the ballot vote and resulting, potential loss of savings as presented by Joel Bargmann. Mr. Dodge asked if the Board has discussed limiting the May town meeting to essential articles and relocating the controversial articles to late summer or early fall. Mr. Driscoll asked Mr. Dodge what attendance at a town meeting results from having an article requiring a ballot vote; Mr. Dodge recalled 525 voters at the town meeting involving the school roof debt exclusion. Mr. Chenard stated that the indoor plan would require three rooms but will accommodate 525+ people. The auditorium and cafeteria held 300 and the gymnasium would hold an additional 220 people.

Budget Review: Public Works, Snow & Ice, Town Wide Utilities, Insurance, Medicare, IT

DPW Director Gene Fulmine was present before the Board with detail regarding the operations of the Public Works Department and the Water Department. He reviewed the organizational chart of staff of both operations. The Public Works Highway Division is responsible for all roadway surfaces throughout the town; they coordinate with management to update the paving plan and the snow and ice operational plan; they execute snowplow mapping and scheduling for the operational plan; update salt mapping and load assignments and act as responders for snow removal and de-icing operations. They repair potholes that result from the ice/thaw cycle once roadways have been opened and patched and they monitor all roadways, infrastructure of catch basins, manholes, culverts and street signs throughout town. The Highway Division maintains 120 miles of roadway surfaces, replace street signs, performs all preparatory work for street sweeping and catch basin cleaning; they schedule the annual roadway line painting, perform drainage mark-outs for road opening permits and are responsible for fleet maintenance of vehicles and equipment. Like the other departments, they routinely respond to work orders in the field, perform assessments and follow up. The staff is required to hold a CDL License, a Hoisting License, OSHA Certification and display knowledge of the Town's roadway and drainage systems. The Public Works Tree Division is responsible for all right of way tree response; they act as responders for snow removal and de-icing operations, act as responders for windstorm operations for downed trees, perform hazardous tree trimming and removal in all weather conditions, and perform storm debris cleanup in towns right of ways throughout the town. The Tree Division is responsible for roadway right of way including monitoring roadways lines of site, impingements, foliage growth and health for potential issues throughout the town, and they schedule larger projects with contracted equipment to remove hazards. The Tree Division maintains the scheduling and performing of roadside mowing for sight distance issues, they perform out-of-schedule trimming and mowing for town wide events as needed. The maintain the operations of the Monroe Street Pit, perform chipping of brush, logs and trees when the equipment is in service and deliver firewood. Like the other departments, they

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routinely respond to work orders in the field, perform assessments and follow up. The staff is required to hold a CDL License, a Hoisting License, OSHA Certification and display knowledge of the Town's right of ways and town tree inventory. The Cemetery and Grounds Division is responsible for cemetery response, acting as a liaison with the funeral homes and families to set burial times and dates as well as to prepare for burial interments and install monument foundations, ensuring compliance with the rules and regulations set by the Cemetery Commissioners. The Division is also responsible for cemetery records care, maintaining records of individuals interred, lots purchased and lot locations at all five cemeteries. The Cemetery Division collect and turn over all fees for burials, foundations, monuments and markers. The Grounds Division performs maintenance, planning and executing initial spring clean up at all town parks and five cemeteries. They perform perpetual care operations including cleaning, mowing, weed whacking and trimming at all five cemeteries and all town parks. Like the other departments, they routinely respond to work orders in the field, perform assessments and follow up. The staff is required to hold a Hoisting License, OSHA Certification and display knowledge of the Town's cemetery layouts/roadways and lot inventory. Mr. Fulmine concluded with the Public Works Administrative staffs roles and responsibilities. The two administrative assistance are responsibilities for all divisions attendance, accounts payable, accounts receivable and payroll. They track and maintain all divisions employee's records of time worked, overtime worked, accrued time and used time; they submit weekly payrolls and monthly reports. The staff maintains all contractors' records including time worked, paying contractors for services at each events end; they resolve differences and conflict in a timely manner and review all bills for good and services, reconciling records, vouchering expenses for approval. The administrative staff is responsible for maintaining all records including all town roadway, right of way, and assets inventory records and plans. They perform recordkeeping for Cemetery, logging burials, forwarding death permits and performing funds turn overs; they review and get approval, then issue Road Opening Permits performing funds turn overs. Additionally, they setup, maintain and service the towns Fuel Management System, producing monthly billing for all departments, ordering fuel and they prepare the town's annual gasoline and diesel fuel bid specifications for Plymouth County. They are required to possess knowledge of MassDOT laws, rules and regulations, the federal MUTC and all local bylaws and ordinances. Discussion ensued on RSRs in town (road surface ratings) and the pavement management program, as well as the cost benefit to repairing roadways before they drop to a specific RSR to maximize funding opportunities and minimize expense. Ms. Rushing inquired as to the multiple openings in the Water Division that remain unfilled; Mr. Fulmine stated that the trainings and certifications required are extensive and fewer people are entering the field which will result in a labor shortage as todays certified employees retire. Mr. Chenard stated that the classes are incredibly challenging, and the tests are incredibly difficult to pass to ensure the most highly trained and skilled individuals work with residents drinking water. Mr. Fulmine stated that excessive compensatory time off in lieu of overtime payments for snow removal habitually result in reduced manpower in the summer months; he stated that in 1987, there were five (5) more full-time people in the DPW that we have currently. In that time, Pembroke has accepted 110 additional streets into the towns inventory and eliminated summer overtime labor. Discussion ensued on alternate materials that have been developed for use in repairing roadways and their merits and drawbacks. Mr. Fulmine stated that the town has an \$11 million backup of road repairs. Mr. Chenard shared the budgets for each of the DPW Public Works Divisions, stating that he is recommending that the department budget requests which can be viewed at https://www.pembroke-ma.gov/sites/g/files/vyhlf3666/f/uploads/fy2022_proposed_budget_02252021.pdf. Discussion ensued on maximizing efficiency and reducing costs with strategies to combine, regionalize or contract vehicle maintenance costs among various departments. Mr. Chenard reviewed snow and

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ice operations last year versus this year and presented the towns property and liability insurance summary highlighted the savings revealed through self-insurance workers compensation, but did state the town requires additional coverage to supplement that service. Mr. Chenard detailed the towns coverages and deductibles, pointing out the high deductible at the PHS resulting from multiple HVAC failures. The company will review the high deductible for a reduction once the town replaces those units. Ms. Rushing asked how often the services are bid into the market; Mr. Chenard stated that there are very few underwriters in the industry, dropping from four or five to two or three, making rates inflexible, but he will continue to look at this for recommendations. Ms. Coletta asked if the town has catastrophic loss coverage for workers compensation; Mr. Chenard stated that he is exploring stop loss coverage, but confirmed that the town is protected by statute to minimize losses to the town. Mr. Chenard reviewed the detail of the Information Technology budget which is overbudget as a result of COVID and awaiting reimbursement to balance. Mr. Chenard reviewed town wide utilities, projecting a two percent increase citing the good job done by the town to maximize the solar opportunities available to the town. Mr. Chenard stated that he will be speaking with National Grid to begin the process of converting to LED lights over the next year. Mr. Chenard presented his recommended budgeted amount for Medicare Tax for FY22, and advised that the current rate for Medicare is 1.45% for the employer and 1.45% for the employee or 2.9% total (IRS Topic Sheet# 751).

COVID-19 Update

Mr. Chenard advised that cases in March to date are 61 and there is hope that when the Johnson and Johnson doses become available in the state that local cities and towns will receive doses to administer to their residents; he shared the vaccination link set up by the state:

www.vaxfinder.mass.gov.

New Business

Mr. Brown did some research regarding grant opportunities that could be explored related to a new community center building and discovered that Lowe's is celebrating their 100th birthday by granting ten cities and towns \$100,000 for a \$10million total, residents can nominate a project in town to become eligible.

Ms. Marino shared Open Space's exploration of Tree City USA designation for additional grant opportunities provided the town observes Arbor Day in a proclamation which she would like to bring forward to the Board in a few weeks.

At 9:19 pm, Mr. Brown moved to enter into executive Session under M.G.L. c.30A, Sec. 21(6) to consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body; request to waive right of first refusal on 0 Hobomock Street (D1-6) proposed solar farm (c.61B), and request to waive right of first refusal on 84 Hazelwood Drive (A11-32) as c.61 Sect.8 with the Board returning to Open Session at the conclusion of this executive session. Mr. Rushing seconded the motion. By roll call vote: 5/0: Brown – yes; Coletta – yes; Marino – yes; Rushing – yes, Trabucco – yes.

The Board returned to open session at 10:10 pm.

VOTE REQUEST TO WAIVE RIGHT OF FIRST REFUSAL, 84 HAZELWOOD DRIVE

Ms. Rushing moved to waive the Right of First Refusal for 84 Hazelwood Drive; Mr. Brown seconded the motion. By roll call vote: 4/1: Brown – yes; Coletta – no; Marino – yes; Rushing – yes, Trabucco – yes.

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VOTE REQUEST TO WAIVE RIGHT OF FIRST REFUSAL, 0 HOBOMOCK ST (D6-1)

Ms. Marino moved to waive the Right of First Refusal for O Hobomock Street, D6-1; Ms. Rushing seconded the motion. By roll call vote: 5/0: Brown – yes; Coletta – yes; Marino – yes; Rushing – yes, Trabucco – yes.

At 10:12 pm, Mr. Brown moved to adjourn; Ms. Coletta seconded the motion. By roll call vote: 5/0: Brown – yes; Coletta – yes; Marino – yes; Rushing – yes, Trabucco – yes.

MATERIALS & EXHIBITS

Draft Proclamation Purple Heart Community (Veterans/TM Office)

Live Entertainment Application, D. Laine, iGolf (TM office)

Proposed Streaming Bill Resolution (PACTV/TM Office)

Draft Minutes of February 8, 2021 and February 17, 2021 (TM Office)

Town Manager, DPW Director PP re: FY22 Budget (TM Office)