

**MINUTES OF THE SELECTMEN'S MEETING  
MARCH 10, 2014**

**PRESENT:** Willard J. Boulter, Jr. (Chairman), Arthur P. Boyle, Jr. (Vice-Chairman), Lewis W. Stone (Clerk), Michelle Burt (Selectman), Daniel Trabucco (Selectman), Edwin J. Thorne (Town Administrator), Richard Wall (Police Chief), Ben Bastianelli (DPW Commissioner), Carolyn Murray (Town Counsel), Elizabeth Bates, Dan Shea, David Shea, Mike Surprenant, Noelle Surprenant, Robby Surprenant, Peter Costa, Zeina Metri, Mark Burrridge (Pembroke Mariner Express), Sabrina Chilcott (Executive Assistant), and others.

Mr. Boulter called the meeting to order at 7:00pm and Robby Surprenant led the meeting reciting the Pledge of Allegiance.

**ANNOUNCEMENTS**

Town Clerk MaryAnn Smith announced that the last day to register to vote at Town Meeting and the Town Election is April 2<sup>nd</sup>. Additionally, the census has been mailed; the Town Clerk requests that residents return their completed census promptly. Please contact the Town Clerk if you have not received your census at 781-293-7211. Dog licenses are now available in the Town Clerk's office.

**7:00 ELIZABETH BATES, HISTORICAL DISTRICT COMMISSION: ATM WARRANT ARTICLE**

Ms. Bates was present before the Board to request that the BOS reopen the ATM warrant for insertion of an article voted Thursday by the Historical District Commission. The article seeks to amend the Demolition Delay Town By-Law by replacing the words "three moths" with the word "twelve months" where they appear. Discussion ensued on the content of the article with Mr. Trabucco voicing concern with balancing the rights of property owners. Ms. Bates suggested this was a discussion for Town Meeting floor. Mr. Boyle moved to re-open the ATM warrant for article insertion; Mr. Stone seconded the motion. The vote was unanimously in favor. Mr. Boyle moved to include the Historic District Commissions article in the ATM warrant as printed.

**7:15 DAN SHEA: CERTIFICATE OF APPRECIATION**

Mr. Dan Shea, Pembroke High School senior, was present before the Board to accept a certificate of appreciation from the Board of Selectmen. Ms. Burt recognized Mr. Shea's selfless volunteerism in coordinating and implementing a fundraising hockey game between Pembroke and Scituate, wherein a young Pembroke elementary student battling serious illness dropped the puck to begin the game and was the beneficiary of the fundraising. Dan Shea credited players, parents and booster groups from Pembroke and Scituate for making the event possible and stated that all of the players are very impressed with this student. The student's parents were present to thank Dan Shea for the generosity of his time, caring and commitment and to thank the community. Photographs were taken.

**CONSIDER THE REQUEST OF POLICE CHIEF RICHARD WALL: APPOINT SPECIAL POLICE OFFICER, SEMLEC CRISIS NEGOTIATING TEAM**

Police Chief Richard Wall was present before the Board to request the appointment of Pembroke resident Matthew R. Pollara of the Plymouth County Sheriffs Department as a Special Police Officer for the Town of Pembroke for the limited and express purpose of as a Crisis Negotiator on the Southeast Massachusetts Law Enforcement Council (SEMLEC) SWAT Team. Mr. Boyle moved to grant the request of the Police Chief as stated; Mr. Stone seconded the motion. The vote was unanimously in favor.

**CONSIDER MINUTES OF FEBRUARY 24, 2014**

Mr. Boyle moved to accept the minutes of February 24, 2014 as printed. Mr. Stone seconded the motion. The vote was unanimously in favor.

**CONSIDER A VOTE TO ACCEPT AS A TAX POSSESSION PROPERTY ASSESSORS PARCEL F13-17**

Mr. Stone moved to accept the property located at 100 Pilgrim Road, Assessor's parcel F13-79 as a tax possession property at the recommendation of Town Treasurer Kathleen McCarthy. Mr. Boyle seconded the motion. The vote was unanimously in favor.

**DISCUSSION OF SPECIAL WITHIN THE ATM WARRANT ARTICLES 1-8**

Mr. Boulter briefly reviewed the eight articles contained in the Special within the ATM Warrant. Articles 1-3 are routine article submissions from the Town Accountant, Town Administrator and BOS to pay FY13 bills, conduct departmental transfers and fund collective bargaining agreements. Article 4 is a submission by the Cemetery Commissioners to fund the purchase of two bagging lawnmowers and Articles 5 and 6 are submissions by the DPW for capital items to be funded through Water Surplus and Articles 7 and 8 are submissions by the DPW for capital items to be funded by borrowing to be repaid by Water Revenues. Mr. Boyle moved to include all eight articles as submitted. Mr. Stone seconded the motion; the vote was unanimously in favor.

**7:30 PUBLIC HEARING: PKAA LICENSE TRANSFER FROM NORTH RIVER WINE & SPIRITS, LLC TO PORTSIDE LIQUORS II, INC.**

Mr. Boulter declared the public hearing open at 7:30 pm. Mr. Peter Costa of North River Wine & Spirits, LLC was present before the Board to introduce the applicant, Ms. Zeina Metri of Portside Liquors II, Inc. Mr. Costa provided informational background and favorable recommendation to the applicant who also owns and operates a showplace liquor store in Pocasset. Mr. Costa stated that Ms. Metri will be an asset to the community. Ms. Metri provided a complete application with all attachments for the transfer, met CORI requirements and there is no ZBA requirement. Mr. Boulter opened the hearing for public comment, both in support then in opposition to the petition. There was no one present to speak to either. Mr. Boulter closed that portion of the public hearing. Mr. Boyle moved to approve the application for a transfer of Package Store All Alcohol license # 0960 00028 from North River Wine & Spirits, LLC d/b/a North River Wine and Spirits to Portside Liquors II, Inc. d/b/a Portside Liquors II to be exercised at 75 Washington St consisting of 2,500 square feet of retail space selling beer, wine and liquor with a walk in cooler. Mr. Stone seconded the motion; the vote was unanimously in favor. Mr. Boyle moved to approve the pledge of license # 0960 00028 held by Portside Liquors II, Inc. to Swan, LLC. Mr. Stone seconded the motion; the vote was unanimously in favor. Mr. Boyle moved to close the public hearing, Mr. Stone seconded the motion. The vote was unanimously in favor.

**TOWN ADMINISTRATOR'S REPORT**

Mr. Thorne updated the Board on the approval by himself and the Recreation Director given to the Pembroke Arts Festival Committee for the use of the Town Green from August 8<sup>th</sup> through August 10<sup>th</sup> to host the annual Pembroke Arts Festival. Mr. Thorne announced the spring Household Hazardous Waste date of April 12<sup>th</sup> at the Recycling Center from 9:00 am to 1:00 pm.

**OLD BUSINESS**

Mr. Boulter stated that a review of the Town's Boards, Committees and Commissions origins, meeting scheduled and available minutes is pending and will be on an upcoming agenda.

**UPCOMING ISSUES**

March 17<sup>th</sup> the BOS will review ATM/Special warrant articles for recommendations and preliminary discussion with follow up discussion and recommendations March 24<sup>th</sup> and 31<sup>st</sup>. March 24<sup>th</sup> the BOS & TA will meet with Advisory to review the budget at 7:45pm. April 7<sup>th</sup> the BOS sign the warrants, April 8<sup>th</sup> the Special within the ATM warrant is posted and April 15<sup>th</sup> the ATM warrant is posted.

**7:45 DPW COMMISSIONERS, SOLID WASTE PROPOSAL**

Mr. Bastianelli was present before the Board to state that the BOS have submitted a warrant article for the Solid Waste fund to become an Enterprise Fund; the DPW Commissioners request that this Enterprise Fund

be transferred to the Department of Public Works. Mr. Bastianelli stated the DPW can run the fund without additional staffing, and they will leave the Recycling Center open as it is for one year with reduced staffing. At the end of that year, Mr. Bastianelli stated that the DPW Commissioners will present warrant articles at ATM for the residents to decide the future of the Recycling Center; the structure of fee for service will remain in place. Mr. Stone asked for handouts and stated he had requested a proposal containing how these changes would be executed, what the procedures would be and who would implement them, what the associated costs would be and what were the benefits to the taxpayers. Mr. Bastianelli stated that costs wouldn't change but the fee would perhaps be reduced as a result of the new contracts. Mr. Thorne advised that he is working with the Town Accountant to reduce the annual household fee by \$40-50/year with all services remaining the same; he confirmed that this includes the debt service for capping the landfill and improvements to the Recycling Center. Mr. Boulter inquired as to whether DPW resources were able to take care of the current workload; additionally he stated that the Board of Selectmen have improved the solid waste programs and services and are reducing fees so he doesn't feel that it is economically responsible to turn the program over to the DPW at this time. Mr. Bastianelli stated that he believed the Board of Health was handling solid waste at this time and stated DPW's issues are a result of funding. Mr. Stone stated that the BOS have been working to negotiate the trash contract which will result in reduced fees and he doesn't support any changes during the negotiating process; Mr. Stone reminded Mr. Bastianelli that all contract offers include a 2½% escalator each year so the solid waste fees have to be reduced responsibly, taking that into account. Mr. Boyle stated he sees no benefit or savings with what Mr. Bastianelli has verbalized. Mr. Trabucco stated that the BOS have had the solid waste program for a short time and have capped the landfill that the town didn't cap for 15 years, implemented curbside recycling and reduced administrative costs. Mr. Trabucco stated he had not heard any compelling factors to consider a change from the Town Administrator and his staff implementing the program. Mr. Thorne cautioned that Pembroke's solid waste is fee based, not included in the tax rate; as a result, we cannot successfully implement pay-as-you-throw due to the cost structure. Discussion ensued. Mr. Stone summarized by stating that trash negotiations are ongoing and the Board is not considering changes prior to July 1, 2014.

Mr. Stone summarized a Boston Globe South article that examined residential property tax changes from 2004-2013 in 43 area towns. They experienced an average increase of 48%, ranging from 20-73%. Mr. Stone was pleased to see Pembroke's increase over that time was below average, or 38%.

At 8:10 pm, Mr. Stone moved to enter executive session 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: Mr. Boyle - yes, Mr. Stone – yes, Ms. Burt - yes, Mr. Trabucco – yes, Mr. Boulter – yes.