## MINUTES OF THE SELECTMEN'S MEETING OCTOBER 19, 2015

PRESENT: Arthur P. Boyle, Jr. (Chairman), Lewis W. Stone (Vice-Chairman), Willard J. Boulter, Jr. (Clerk), Michelle L. Burt (Selectman), Daniel W. Trabucco (Selectman), Edwin J. Thorne (Town Administrator), Vinny deMacedo (State Senator), Josh Cutler (State Representative), Greg Hanley (Ply. County Commissioner), Mary Ann Smith (Town Clerk), Steve Dodge (Town Moderator), J. Michael Hill (Fire Chief), Mary Hill, Erin Hill, David Hill, James Hill, Bill Short, Sue Short, Kristine Fraser (Assistant to the Fire Chief), Deborah Wall (Library Director), Linda Peterson (Advisory Committee Chairman), Stephen Curley, James McCollum, John Brown, Jr., Donna Bagni (Board of Health), Paul Disch, Sabrina Chilcott (Executive Assistant), and many others.

At 7:00 pm Mr. Boyle opened the meeting and advised that the meeting is being made available to the public through a live video and audio broadcast on Comcast Government Access Channel 15 and is also being recorded for airing on the channel at future dates. Comments made in open session will be recorded.

#### SWEARING IN CEREMONY: PEMBROKE FIRE CHIEF JAMES MICHAEL HILL

Mr. Boyle welcomed State Senator Viriato deMacedo, State Representative Josh Cutler, Plymouth County Commissioner Greg Hanley, Town Moderator Stephen Dodge, the Hill family and Short family and all in attendance to witness the swearing in of the new Pembroke Fire Chief, James Michael Hill, appointed to the role on September 14, 2015. Mr. Boyle gave the floor to the Town Clerk.

At 7:05 pm, Town Clerk Mary Ann Smith administered the oath of office to Chief Mike Hill. Chief Hill dedicated the moment to his mother, thanked his family and expressed gratitude for the support of all firefighters and officers in his department. Additionally, he thanked his friends and colleagues throughout the town.

At 7:10pm, Mr. Boyle declared the meeting in brief recess for all present to share their congratulations to the new chief.

At 7:30 pm, Mr. Boyle declared the meeting resumed.

## 7:30 REQUEST FOR PROPERTY REDEMPTION: 9 JOHNSON STREET, MARK AND JACQUELINE WEBER

Mr. Boyle announced that this item has been rescheduled to the meeting of November  $2^{nd}$  at the petitioner's request.

## 7:35 PAUL G. DISCH, 615 TAVERN, INC. D/B/A DISCH'S ROUTE 53 TAVERN: REQUEST FOR A COMMON VICTUALER'S LICENSE, LIVE ENTERTAINMENT LICENSE

Mr. Disch was present before the Board to share his progress and present the application of 615 Tavern, Inc. d/b/a Disch's Route 53 Tavern for a common victualer's license pursuant to M.G.L. c.138 s2-6 and a live entertainment on weekdays and Saturdays license pursuant to M.G.L. c.140 s183A to be exercised at 615 Washington Street. They have received their Special Permit to Operate a Restaurant through ZBA, their Certificate of Occupancy from the Building Inspector and Fire Chief, they have received their health inspection certificate and food permits. Mr. Disch stated that he has asked for business hours of Monday through Saturday from 11:00 am to 11:00 pm and Sunday from 10:00 am to 10:00 pm. Mr. Boyle inquired as to what forms of live entertainment are proposed; Mr. Disch stated that 70% of his business is generated from food and he plans on explore piano music, soloists and duos but has requested a license for full music and live bands. Mr. Boulter moved to grant Common Victualer's license CV-59 and Live Entertainment license LE-15 to 615 Tavern, Inc. d/b/a Disch's Route 53 Tavern to be exercised at 615 Washington Street as requested. Ms. Burt seconded the motion; the vote was unanimously in favor.

# ACCEPT THE RESIGNATION OF DIANE TOBIN FROM THE PEMBROKE CULTURAL COUNCIL

Mr. Stone moved to accept the resignation of Diane Tobin from the Pembroke Cultural Council with regret. Ms. Burt seconded the motion. The vote was unanimously in favor.

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## CONSIDER REQUEST FOR APPOINTMENT: PATRICIA DEVORE, 60 ALLEN STREET TO THE CONSERVATION COMMISSION

Mr. Boulter moved to table this item until the Board's next meeting November 2<sup>nd</sup>; Ms. Burt seconded the motion. The vote was unanimously in favor.

## **DISCUSSION: SUN EDISON**

Mr. Boyle review business news released in the last week concerning SunEdison, Power Option's contractor on the landfill solar project. Mr. Thorne stated that he has spoken with the town counsel attorney, Rick Holland, who drafted the agreement between the Town and SunEdison and will have an update at the next meeting. Discussion ensued. Mr. Thorne confirmed that the project is queued waiting for the legislation to raise the net metering cap so Pembroke's project can proceed, when SunEdison would begin negotiating the inter-connectivity agreement with National Grid.

#### STATUS UPDATE: SIGNAGE AT TOWN BEACHES

Mr. Boyle updated the Board on the status of funding both regulation signage at the town beaches and the signage needed throughout town regarding Pembroke' Leash Law or animal prohibited spaces. Mr. Boyle confirmed that both items are addressed for funding through Article 1 of the STM warrant that will be brought to a town meeting vote on October 27, 2015.

### DISCUSSION OF RECENT ANIMAL INQUIRIES (PET SHELTERING STANDARDS)

Mr. Boyle stated that there has been an increase in inquiries to Selectmen's office concerning what sheltering standards for domestic animals are acceptable in Pembroke. Mr. Boyle advised that MGL addresses the standards for sheltering animals and there is no town bylaw, regulation or other code that addresses the residents' concerns. The two written complaints received were investigated by more than one department on multiple occasions and no violations law, code or statute were observed during their assessments.

### **VOTE TO ACCEPT MINUTES OF OCTOBER 5, 2015**

Mr. Stone moved to accept the minutes of October 5, 2015 as written; Mr. Boulter seconded the motion. The vote was unanimously in favor.

### **OLD BUSINESS**

Mr. Stone stated that the Board has received the minutes from the Central Plymouth County Water District Advisory Board and the next meeting, tentatively scheduled for October 28<sup>th</sup> was postponed with no new date available at this time.

### TOWN ADMINISTRATOR'S REPORT

Mr. Thorne stated that State Senator deMacedo and State Representative Cutler are hosting an Energy Forum at the Pembroke Public Library on October 29, 2015 from 6:00 pm to 8:00 pm for residents to meet with representatives of various utility companies servicing Pembroke and discuss utility rate concerns.

### **NEW BUSINESS**

Mr. Boulter updated the Board on the recently held Mass Division of Fisheries meeting hosted by Pembroke and he stated that the meeting was taped by PACTV for rebroadcast.

### **UPCOMING ISSUES**

Mr. Boyle read the upcoming issues from the agenda.

# 7:50 JOINT MEETING: TOWN MODERATOR, ADVISORY COMMITTEE TO REVIEW STM WARRANT

Ms. Peterson requested that the joint boards take up the new item of the appointment of Elizabeth Monks of 34 Barker Square Drive to the Advisory Committee to fill the vacancy left by the resignation of Rachel Michael; the Town Moderator explained that he serves to vote to reappoint existing members, and that a vote

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to fill a vacancy is a joint vote of the Advisory Committee and Board of Selectmen. Ms. Peterson stated that the Advisory Committee voted unanimously to appoint Elizabeth Monks to the Advisory Committee, and she so moved the appointment. Mr. Boyle seconded the motion; the vote of the BOS was unanimously in favor. Mr. Dodge stated that this joint meeting serves as a preview of October 27 STM. Mr. Dodge stated that the purpose of this meeting is to orchestrate a process, not an outcome. The intent is to determine how and by whom the motions will be presented. Mr. Dodge advised that Special Town Meeting will be held at the Pembroke High School on Tuesday, October 27<sup>th</sup> at 7:30 pm. The warrant of articles to be heard is available on the town website with paper copies available at Town Hall. Discussion ensued. Mr. Dodge stated that both boards are in agreement on recommendations, and it is customary for the Advisory Committee to present articles that they support. Mr. Dodge confirmed that the Advisory Committee will present articles one through thirteen, with the Planning Board moving article fourteen and fifteen. Mr. Dodge stated that he will request Mr. Van Riper of the CPC move article sixteen, all seven recommendations, as is customarily done.

At 8:05 pm, Mr. Stone moved to adjourn; Mr. Boulter seconded the motion. The vote was unanimously in favor.

## **MATERIALS & EXHIBITS**

615 Tavern Inc. application for CV & LE License, WC Affidavit (BOS/TA Office)

615 Tavern Inc. food permits, inspection report, Food Safety/Allergen Cert, (BOH/BOS/TA Office)

615 Tavern Inc. Cert of Occupancy (BLDG/BOS/TA Office)

615 Tavern Inc. Special Permit-Restaurant (ZBA/BOS/TA Office)

Letter, Diane Tobin (BOS/TA Office)

Application, Patricia Devore; Letter, Robert Clarke (ConCom/BOS/TA Office)

The Street "One Reason SunEdison (SUNE) Stock is Up Today", Lindsay Ingram (www.thestreet.com)

STM Warrant, two (2) samples Dog Signage (No Dogs/Leash Law) (BOS/TA Office)

Dog Complaint, Stetson Ave; Dog Complaint, Roxanne Rd; Draft Response (BOS/TA Office)

Draft: Minutes of Meeting of October 5, 2015 (BOS/TA Office)