MINUTES OF THE SELECTMEN'S MEETING OCTOBER 5, 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), Linda Peterson (Advisory Committee Chairman), Stephen Curley, James McCollum, John g. Brown, Jr., Richard Wall (Police Chief), Catherine Salmon (Chief Assessor), Erin Obey (Acting School Superintendent), Patrick Chilcott, Tom Portentoso, Sabrina Chilcott (Executive Assistant), and 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.

Mr. Boyle requested a moment of silence in honor of the passing of Gerard Dempsey, valued community member and longtime volunteer on the Recreation Commission, Planning Board, Housing Authority and Board of Assessors. Mr. Trabucco noted Mr. Dempsey's 42 year role as delegate to the Old Colony Planning Council on behalf of the Town of Pembroke.

ANNOUNCEMENTS

The Pembroke Firefighters are hosting their annual comedy night on November 12th at 7:30 pm at the Knights of Columbus hall. Tickets are available at the Center Fire Station.

7:00 JOINT APPOINTMENT: JOHN G. BROWN, JR. TO THE ADVISORY COMMITTEE

Advisory Chairman Linda Peterson was present before the Board with notification of support of Mr. Brown's appointment in an email she received from Town Moderator Stephen Dodge, who cannot be present due to a scheduling conflict. Ms. Peterson moved to appoint John G. Brown of 181 Old Washington Street to the Advisory Committee, term to expire in 2018. Mr. Boyle seconded the motion. The vote was 2-0-1 with Mr. Dodge not available.

RECOMMENDATIONS ON ARTICLES 1 AND 5 OF THE STM WARRANT

Mr. Stone stated that he has had his questions answered on the capital request of the School Department, stating that departments submit capital item requests for inclusion in the town meeting warrant. He further stated that the override money appropriated to the School Department was to fund their operating budget; he asked if the \$500,000 allocated to the School Department during the budget process would be returned to the town. School Committee member Patrick Chilcott stated that the School Department went into the FY16 budget process with a deficit of \$1.8million. The budget cycle allocation of \$500,000 combined with the override appropriation of \$1.2million eradicated the deficit balance, and Mr. Chilcott stated that the Town and the School Department work together well on the annual budget process. Mr. Chilcott also stated that the School Department is the only department that self-funds contractual obligations within the operating budget at 100%, and this cost runs approximately \$500,000 annually. Mr. Stone moved to recommend favorable action on Article One; Mr. Trabucco seconded the motion. The vote was unanimously in favor. Mr. Thorne stated that the Town Accountant presented Article Five for the BOS's submission at the recommendation of the Department of Revenue in their financial management review of the Town. The fund that holds the proceeds from the MBTE settlement amount from the 2004 class action lawsuit needed to be given a name and a purpose. A 2/3 vote of Town Meeting would be required to release funds from the fund. Mr. Thorne stated that this amount is currently combined with the Stabilization Fund to reflect a balance of approximately \$1.2million. This article separates the two funds. Discussion ensued on language. Mr. Stone moved to recommend favorable action on Article Five; Mr. Boulter seconded the motion. The vote was unanimously in favor.

ACCEPT THE RESIGNATION OF MARK GOULD FROM THE ADVISORY COMMITTEE

Mr. Boulter moved to accept the resignation of Mark Gould from the Advisory Committee effective immediately; Mr. Stone seconded the motion. The vote was unanimously in favor.

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CONSIDER COMMON VICTUALER LICENSE APPLICATION, CORPORATE TRANSFER: PANERA BREAD, 156 CHURCH STREET

Mr. Stone moved to grant a transfer of Common Victualer license #CV-69 to PR Restaurants, LLC d/b/a Panera Bread at (152) 156 Church Street; Mr. Boyle seconded the motion. The vote was unanimously in favor.

DISCUSS AUTOMATED TRASH COLLECTION

Mr. Thorne stated that his staff is looking at the possibility of implementing a fully automated trash program in town. The current recycling program has been well received. Mr. Thorne stated that they are looking at the possibility of providing 64 gallon Toters for trash pickup. While this is a marked departure from what the residents use now (four 32 gallon trash barrels, allowed at the curb each week), full automation would mean that two of the barrels would be replaced with a 64 gallon Toter. Residents would then have the option of purchasing a second 64 gallon Toter from the Town at cost, or procuring a Toter elsewhere. Mr. Thorne stated that they hope to keep the costs in the \$40-50 range. Discussion ensued. It was noted that labor costs for the hauler would be reduced, saving the town in contract costs. Mr. Thorne stated that they wouldn't consider rolling the program out until July of 2016 and more information will follow.

NOTICE OF INTENT TO CONVERT LAND FROM CHAPT. 61 FORESTRY CLASSIFICATION TO RESIDENTIAL CLASSIFICATION: 73 TAYLOR ST, BENJAMIN CONANT

Chief Assessor Cathy Salmon was present to explain that the request encompasses 25 +/- acres which are approximately 50% wetlands. The applicant is proposing to build 6-7 house lots; they have no purchase and sale agreement. The Town would need to procure and deliver to the applicant a certified appraisal within thirty days; there is no current value, and an appraisal would create the value at which the Town would proceed to purchase the property. Discussion ensued on the need of the town to consider this purchase; Ms. Salmon confirmed when asked that she is calculating the rollback tax for the last five years to send to the owner for payment. Mr. Stone moved to waive the Town's right to exercise their purchase option of the parcels as described, approximately 25 acres at 73 Taylor Street. Mr. Boulter seconded the motion. The vote was unanimously in favor.

VOTE TO FORM SPECIAL AD-HOC COMMITTEE "FIREHOUSE PANTRY COMMITTEE"

Mr. Stone moved to establish a special, ad-hoc committee called the Firehouse Pantry Committee which will complete their task of petitioning FEMA/MEMA for reimbursement of provisions used on conjunction with Emergency Management and issue a final report prior to requesting to be dissolved. Ms. Burt seconded the motion. The vote was unanimously in favor.

VOTE TO ACCEPT MINUTES OF SEPTEMBER 28, 2015

Mr. Stone moved to accept the minutes of September 28, 2015 as written; Ms. Burt seconded the motion. The vote was unanimously in favor.

OLD BUSINESS

Mr. Trabucco stated that he attended the OCPC meeting last week and the guest speaker was the managing partner of the Southfield project in Weymouth, LStar. They gave a presentation of the plan for the site and confirmed the MWRA Board voted to supply the water for the project. Mr. Boulter moved to appoint Daniel Trabucco as the permanent delegate to the OCPC; Ms. Burt seconded the motion. The vote was unanimously in favor.

TOWN ADMINISTRATOR'S REPORT

Mr. Thorne reminded the Board that Saturday, October 31st is Household Hazardous Waste Day at the Pembroke Recycling Center from 9:00 am to 1:00 pm.

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ASK THE SELECTMEN

Mr. Trabucco stated that he has received an inquiry regarding regulations surrounding livestock, particularly roosters. Mr. Trabucco will look into the issue and follow up as requested.

ANNOUNCEMENT

The Town Clerk has announced that Special Town Meeting will be held on October 27th at Pembroke High School at 7:00 pm. The last day to register to vote at STM will be October 19th, and the Clerk's office will be open until 8:00 pm for that purpose.

NEW BUSINESS

The Board has received an emergency request to consider a temporary trailer permit for a resident who lost their home to a fire over the weekend. Mr. Stone granted the request of Robert Shaughnessy of 15 Adams Avenue for a permit to install a temporary trailer from American Mobile Homes, not to exceed 44' for a period of six months. Mr. Boulter seconded the motion. The vote was unanimously in favor. Ms. Burt stated that residents were concerned about the possible application for a haunted barn on Old Cart Path Lane, and no such application was received and it is not within the owner's right to conduct this event. Mr. Stone stated that he attended the Route 53 and Pleasant Street traffic signal public hearing held by the MassDOT on Wednesday. With the current timelines in place, the hope is to be able to advertise the project for construction by April of 2017 and complete the project within nine months. Mr. Stone added that 20% of the funding is state funding and 80% is federal funding.

Mr. Boyle read the upcoming issues from the agenda. Ms. Burt extended the Board of Selectmen's thoughts and prayers to the Mathias family. Mr. Boyle stated that October 19, 2015 at 7:00 pm there will be a swearing in ceremony for the new Fire Chief.

At 7:55 pm, Mr. Stone moved to adjourn; Ms. Burt seconded the motion. The vote was unanimously in favor.

MATERIALS & EXHIBITS

Emails, L. Peterson, Application from John G. Brown, Jr. (Advisory/BOS/TA Office)

Final STM Warrant (BOS/TA Office)

Emails, D. Badger from M. Gould (Advisory/BOS/TA Office)

Application for CV License, Emails N. Harrow-McNeil (BOS/TA Office)

Notice of Intent to Convert Land: John T. Reynolds, Susan F. Cook, Peter B. Conant (BOS/TA Office)

Site Plan, Exhibit Plan, Letter Comm of Mass Div. of Fisheries and Wildlife (BOS/TA Office)

Email, Assessor's Maps, C. Salmon (Assessor/BOS/TA Office)

Letter, Town Accountant Regarding FEMA Reimbursement, Committee (Accountant/BOS/TA Office)

Temporary Trailer Permit Application, Site Map, Authorization of Abutter Letter (BOS/TA Office)

Draft: Minutes of Meeting of September 28, 2015 (BOS/TA Office)