



Office of
SELECTMEN
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BOARD OF SELECTMEN
MEETING, MONDAY, DECEMBER 10, 2012
MEETING MINUTES
GLADYS L. HURRELL REHOBOTH SENIOR CENTER

Present: Joseph Tito, Chairman, Michael Costello, Vice Chairman; Selectman, Susan Pimental, Clerk; Selectman, Donald Leffort and Selectman, Lorraine Botts

Call to order at 6:00p.m.

Executive Session: At 6:00p.m. on a motion by Selectman S. Pimental, seconded by Selectman L. Botts, it was voted by roll call to enter into Executive Session pursuant to G.L. Chapter 30A, (2) to conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel; (3) to discuss strategy with respect to collective bargaining or litigation or potential litigation of the public body and the chair so declares, (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;

Topics of discussion: REPAC vs. Town of Rehoboth; Cichocki vs. Town of Rehoboth; MassCop Contract Memorandum of Understanding; Fire Chief Contract, Memorandum of Agreement; Medeiros vs. Morra; Morra vs. Casey/Krasniaski; Casey vs. Town of Rehoboth; Krasnianski vs. Town of Rehoboth; 295 Winthrop Street.

The Chairman declared an open meeting would have a detrimental effect on the bargaining or litigating position of the Board.

Roll call Vote: Pimental – Aye; Botts – Aye; Costello – Aye; Tito – Aye; Leffort- Aye. Voted 5-0

At 7:03p.m. S. Pimental made a motion to exit Executive Session and to reconvene the open meeting of the Board of Selectmen. Seconded, L. Botts.

Roll call vote: Pimental – Aye; Botts – Aye; Costello – Aye; Tito – Aye; Leffort – Aye. Voted 5-0

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1.0) Call to Order: The Board and the public participated in the Pledge Allegiance to the Flag.

S. Pimental conducted a moment of silence for Lynne Searle a long time citizen and community volunteer.

2.0) Consent Agenda

Warrants: J. Tito read the expense and payroll Warrants for the week ending December 3, 2012 and December 8, 2012. S. Pimental made a motion to approve and sign Warrants (12/3) 13-21A, \$145,629.17, Withholdings; 13-22B \$86,014.04 Payroll; and 13-22, \$285,169.85, Invoices; 13-22R, \$18,130.17, Refunds; 13-22V 15,643.29, Veterans. Second, L. Botts. Voted 5-0

S. Pimental made a motion to approve and sign Warrants (12/8) 13-22A, \$19,916.65, Withholdings; 13-23B \$95,696.11 Payroll; and 13-23, \$222,590.53, Invoices. Second, L. Botts. Voted 5-0

Minutes: D. Leffort made a motion to approve and release the Meeting Minutes from November 26, 2012. Second, L. Botts. Voted 5-0

S. Pimental made a motion to approve and hold the Executive Session Meeting Minutes from November 26, 2012. Second, L. Botts. Voted 5-0

3.0) Open Forum – Announcements – J. Tito noted the next regular meeting of the Board of Selectmen would be next Monday, December 17, 2012 at the Senior Center.

Town Administrator’s Report: J. Ritter stated that work is continuing on the Capital Improvement Plan and that item would be on the agenda next week for an update.

The Economic Development Committee is meeting tomorrow evening and that he recently received a proposal to update the Town’s Zoning bylaw. This would have to go to Town Meeting for funding.

I/T Acceptable Use Policy has been issued and we have received about a 25% response rate to date. More has been done to make sure all employees sign the policy.

Municipal Electric Aggregation, J. Ritter said he met with representatives from Constellation New Energy which is an arm of the Massachusetts Municipal Association. We are trying to move the Town away from purchasing electricity on a variable rate to a fixed rate over several years.

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North Fire Station roof leak, the contract was there on Friday along with the Building Inspector and John Souza (Maintenance). The contractor reported that the small leak detected could be related to the drain. They are investigating.

Personnel Board is meeting tomorrow evening and will take up the revisions to the Sexual Harassment policy and the Access to Personnel Records Management policy.

South Rehoboth Fire Station roof project, the contractor should pull the permit this week and depending on the weather work could be completed by the 1st of the New Year.

Tax Bills, J. Ritter congratulated the financial team especially the Board of Assessors for working so hard not to send preliminary bills. This would be the first time in at least fifteen years that preliminary bill would not be sent in a revaluation year.

Telephone system replacement, J. Ritter is working on a budget neutral option and is discussing with vendors. He will keep the Board informed.

Wheeler Street Bridge, J. Ritter congratulated Mike Tyler the Acting Highway Superintendent for working with Federal government and the State Department of Transportation in getting the project back on track. The Federal Highway Administration has formally agreed to take this project on.

4.0) NEW BUSINESS

Action Item #3: South Coast Rail Update: Grant King, Principal Comprehensive Planner with Southeastern Regional Planning and Economic Development was present and reviewed some of the services available from the Regional Planning agency. G. King also reported the Governor has made the South Coast Rail project a priority and he anticipates the permitting will be done by March 2013. There will be a series of public meetings and hearing on the topic.

Action Item #1: Public Hearing: Pole Hearing on Petition of National Grid & Verizon to Locate New Pole & Anchor on Summer Street at Pond Street Intersection (tabled from 10/22/12):

M. Costello made a motion to reopen the Public Hearing which was continued from October 22, 2012. Second, L. Botts. Voted by roll call.

Roll call vote: Pimental – Aye; Botts – Aye; Costello – Aye; Tito – Aye; Leffort – Aye. Voted 5-0

Crystal Tognazzi, Design Assistant II from National Grid was present and reviewed the scope of the proposed pole locations. Walter Draz, 263 Chestnut Street was present and stated he did not want a pole located in front of a buildable lot he owned. Lorraine Miranda, 270 Chestnut

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Street was present and stated she had no problem with National Grid removing the trees in front of her property.

M. Costello asked that National Grid either remove the trees or come up with another solution. S. Pimental made a motion to continue the hearing allowing National Grid to come back with another solution that meets the approval of the abutters. Second, L. Botts. Voted by roll call.

Roll call vote: Pimental – Aye; Botts – Aye; Costello – Aye; Tito – Aye; Leffort – Aye. Voted 5-0

Action Item #2: Public Hearing: Pole Hearing on Petition of National Grid & Verizon to Locate New Pole on South Old Anawan Street: M. Costello made a motion to reopen the Public Hearing which was continued from October 22, 2012. Second, L. Botts. Voted by roll call.

Roll call vote: Pimental – Aye; Botts – Aye; Costello – Aye; Tito – Aye; Leffort – Aye. Voted 5-0

Mr. Maffini, from UCS was present representing Verizon and briefed the Board about the proposed Order for Joint or Identical Pole Location submitted by Mass Electric Company and Verizon New England, Inc. to install one pole on South Old Anawan Road.

J. Tito noted that the Tree Warden, Police Chief, and Highway Superintendent have all signed off with their approval. There were no public comments.

M. Costello made a motion to close the Public Hearing and to approve location of the new utility pole on South Old Anawan Street. Second, S. Pimental. Voted by roll call.

Roll call vote: Pimental – Aye; Botts – Aye; Costello – Aye; Tito – Aye; Leffort – Aye. Voted 5-0

Action Item #4: One Day Liquor License Application Joe Ferrini Tuff Scramblers, Inc.: S. Pimental made a motion to approve a One Day Malt Beverages Liquor License Application from Tuff Scramblers, Inc. (Joseph Ferrini) at 20 Francis Street, Rehoboth for May 18, 2013 (and May 17th & 19th for delivery and transportation of alcohol) from 10:00a.m. – 5:00p.m. Second, L. Botts. Voted 5-0

Action Item #5: One Day Entertainment License Tuff Scramblers: S. Pimental made a motion to approve the application for a One Day Entertainment License to Tuff Scramblers (Joseph Ferrini) 20 Francis Street to hold an obstacle running event with music amplifiers on May 18, 2012 and May 19, 2012 from 8:00a.m. – 7:00p.m. Second, M. Costello. Voted 5-0

Action Item #6: Budget Amendment for Board of Selectmen Facilities Maintenance \$300.00 & Municipal Lights \$245.00: S. Pimental made a motion to approve a Request for an Amendment

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to the budget as follows: decrease budget line item 011873-52125 Board of Selectmen Facilities Maintenance – South Rehoboth Fire Station Electric by \$300.00 and increasing budget line item 011873-52129 Board of Selectmen Facilities Maintenance – 366 Winthrop Street by \$300.00. Second, L. Botts. Voted 5-0

S. Pimental made a motion to approve a Request for an Amendment to the budget as follows: decrease budget line item 014243-52110 Board of Selectmen Municipal Lights \$245.00 and increasing budget line item 014243-52420 Board of Selectmen Municipal Lights Repair by \$245.00. Second, L. Botts. Voted 5-0

Action Item #7: Vote to Approve Chapter 90 Final Report for Elm Street Culvert for \$11,157.49: S. Pimental made a motion to approve and sign the Chapter 90 Final Report for the Elm Street culvert in the amount of \$11,157.49. Second, L. Botts. Voted 5-0

Action Item #8: Chapter 61B Parcel 44 Danforth Street Pemmerl Parcel: M. Costello made a motion not to exercise the Town's option to purchase 44 Danforth Street, Assessors Map 44, Lot 31 pursuant to G.L. 61B and the recommendations of the Agricultural Commission, the Rehoboth Agricultural & Natural Resources Preservation Council, and the Community Preservation Committee. Second, S. Pimental. Voted 5-0

Action Item #9: License Agreement for 22 Palmer Meadow Lane Solar Project: J. Ritter recommended that this item be tabled given the parties have not agreed to the terms of the License Agreement and the item will be placed on a future agenda. M. Costello made a motion to table the item. Second, L. Botts. Voted 5-0

Action Item #10: 2013 License Renewals (as submitted): J. Tito read a list of the 2013 License Renewals. S. Pimental made a motion to approve the following Common Victuallers Licenses:

MFB Foods, Inc.
Rehoboth Antiquarian Society
Titan Donuts, Inc.
Krios Donuts
Anawan Grange
Jin Lin – China Gourmet
Rehoboth Country Club

Second, L. Botts. Voted 5-0

S. Pimental made a motion to approve the following Common Victuallers Licenses and Seven (7) day Entertainment Licenses:

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Crestwood Country Club
Hidden Hollow Country Club
Pine Valley Country Club
Middlebrook Country Club
KP Grill, LLC

Second, L. Botts. Voted 5-0

S. Pimental made a motion to approve the following Junk (Antique) Dealer Licenses:

Mendes Antiques
Sleepy Hollow Antiques

Second, L. Botts. Voted 5-0

Action Item #11: Anawan School Update: J. Ritter updated the Board regarding the Anawan School reuse project. An inventory of all know documents has been gathered and a cost estimate to complete the perc test has been secured. He will ask the Board for a budget amendment approval for \$300 next week. The next step will be a certification of the water supply.

Action Item #12: Special Town Meeting Follow-Up: J. Ritter reviewed with the Board various action items that were approved at the recent Special town Meeting.

Action Item #13: FY2014 Budget Guidelines & Budget Liaison Assignment: The Board reviewed the budget liaison assignments and the draft budget guidelines. S. Pimental stated that it would be helpful for departments to budget realistic numbers that can be justified this could avoid the need for budget amendments and reserve fund transfer requests. J. Ritter said he would incorporate that language into the FY14 Budget Guideline document.

Action Item #14: Vote to Amend Class II Auto License for Carz-Auto Truck Sales, Inc.: J. Tito reviewed the reports and correspondence. State Trooper Tavares of the Registry of Motor Vehicles told the owner that the license cannot state "for wholesale of vehicles via the internet." Therefore, the licenses must be amended.

S. Pimental made a motion that the license read, rented office space for the wholesale of vehicles only. No storage of vehicles on premises and the remove the word Internet from the license. Second, L. Botts. Voted 5-0

Action Item #15: Vote to Discontinue Use of Old Election System & Accept Use of New

System: S. Pimental made a motion upon the recommendation of the Town Clerk and pursuant to G.L. Chapter 54, Section 34 to discontinue the use of the Optech II Eagles and accept the use of the AccuVote tabulating systems effective April 1, 2013 Annual town Election subject to the new equipment being in place. Second, L. Botts. Voted 5-0

Action Item #16: Appointment of Tax Title Custodian: S. Pimental made a motion to appoint Cheryl Gouveia as the town of Rehoboth's "Tax Title Custodian," pursuant to the attached motion. Second, L. Botts. Voted 5-0

5.0) OLD BUSINESS:

Action Item #1: Bristol Plymouth Regional Technical School Committee Appointment: L.

Botts made a motion to appoint James Clark and stated that she reviewed the qualifications of both candidates and thought Mr. James Clark had the more suitable background with his math experience to be appointed to the Regional Technical Vocational School Committee. Second, S. Pimental. Voted 4-1 (Leffort)

Action Item #2: Local Broadcast Access Update: S. Pimental stated depositions took place last week.

6.0) OTHER BUSINESS: J. Tito noted that L. Botts would like to switch her liaison assignment for Animal Control to D. Leffort and she would take on the Parks Commission. There was no objection.

7.0) OPEN PUBLIC FORUM: None

8.0) BOARD OF SELECTMEN REPORTS: M. Costello noted a letter from Tim Johnson regarding his safety concerns at the intersection of Route 44 and Route 118 when individuals are soliciting. He asked that an acknowledgement letter be sent to Mr. Johnson as a follow-up.

D. Leffort stated that if anyone had complaints with Roof Pro for those complaints to be filed with the Police Department. He said he had received at least one recently.

L. Botts noted she recently attended Hillside Country Club for a senior luncheon holiday dinner and there were about 216 people in attendance.

J. Tito acknowledge receipt of the Veterans Agent's monthly report.

9.0) EXECUTIVE SESSION - None

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10.0 ADJOURNMENT: S. Pimental made a motion to adjourn the meeting at 8:45p.m.
Second, M. Costello. Voted 5-0

Respectfully submitted,

J. Jeffrey Ritter
Town Administrator