



Office of
SELECTMEN
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To Serve and Assist

**BOARD OF SELECTMEN
MEETING, MONDAY, JULY 16, 2012
MEETING MINUTES
GLADYS I. HURRELL REHOBOTH SENIOR CENTER**

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

Absent: Donald Leffort

Also Present: Jeff Ritter, Town Administrator

Call to order at 6:00p.m.

Executive Session Roll Call: At 6:00p.m. on a motion by Selectman Pimental, seconded by Selectman L. Botts, it was voted by roll call to enter into Executive Session pursuant to G.L. Chapter 30A, Section 21, parts (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 if an open meeting may have a detrimental effect on the bargaining or litigating positions of the public body and the chair so declares; topics of discussion: Morra vs. Krasnianski/Casey; dispatcher grievance; and the Highway Superintendent.

Roll call Vote: Pimental – Aye; Botts – Aye; Costello – Aye; Tito - Aye. Voted 4-0

At 7:34p.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; Leffort – Aye; Costello – Aye. Voted 4-0

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

2.0) Consent Agenda

Minutes: S. Pimental made a motion to approve and release the regular Meeting Minutes from June 14, 2012. Second, M. Costello. Voted 4-0

Page Two
Board of Selectmen, Meeting Minutes
7/16/12

S. Pimental made a motion to approve and release the regular Meeting Minutes from July 2, 2012. Second, M. Costello. Voted 3-0-1 (Tito)

M. Costello made a motion to approve and release the regular Meeting Minutes from February 13, 2012. Second, J. Tito. Voted 2-0-2 (Tito)

Warrants: S. Pimental made a motion to approve and sign Warrants 12-54A, \$1,130.86, Withholdings; 13-01A \$19,466.16, Withholdings; 12-55 \$44,664.13 Invoices; 13-02 \$54,170.43 Invoices; 13-02B \$69,123.87 Payroll. Second, L. Botts. Voted 4-0

3.0) Open Forum – Announcements - J. Tito stated the Board of Assessors asked that the public be placed on notice that a female contractor is currently doing revaluations in Town and is driving a black car with Board of Assessor signs on both sides, front and back.

Ted Ballard, 26 Heritage Road was present and reminded the public about the upcoming August 12th clam bake. He also notified the public about the Blanding Public Library's Summer Reading Program "Dream Big Read!"

Town Administrator's Report: J. Ritter stated the next regular Board Meeting, will be held on Monday, July 30, 2012 at the Senior Center at 7:30p.m.

Economic Development Committee, notice was sent to the Board of Health, Planning Board and Conservation Commission asking for nominees to serve on that Committee.

Department Heads Meeting was held on July 5th Selectmen Pimental and Botts joined in that discussion along with the Chairman of the Finance Committee.

Horton Estates affordable housing project, there will be an informational session on August 1st at the Senior Center at 6:00p.m. followed by a lottery on Wednesday, September 26th at 6:00p.m.

South Rehoboth Fire Station Roof, meeting on site this Wednesday morning with a roofing contractor to secure a preliminary cost estimate.

Special Town Meeting Warrant for November will be opened on August 27th by the Board as part of your Agenda.

Surplus Equipment Sale, the next sell is scheduled to be held on Thursday, October 4th at noon.

Page Three
Board of Selectmen, Meeting Minutes
7/16/12

Trash Removal bids will be received for various public buildings on Thursday, July 26th at noon.

4.0) NEW BUSINESS

Action Item #1: Senior Center Director Update: Norellen Palmer, Senior Center Director was present and provided a comprehensive update about activities taking place at the Senior Center.

Action Item #2: 13th Annual Larry Procopio Harvest Block Party: M. Costello made a motion to grant approval and to wave all local fees. Second, L. Botts. Voted 4-0

Action Item #3: Jeff Ritter Performance Evaluation: J. Tito opened the discussion of Mr. Ritter's annual performance evaluation. M. Costello stated there were too many accomplishments to itemize but also stated it is important to continue to keep the Board informed and to stay on top of the public buildings. L. Botts stated she would rank J. Ritter with an A+. S. Pimental reviewed in detail her scores on the performance evaluation form provided but also stated that overall J. Ritter is doing a very good job. J. Tito stated that it is amazing how my issues J. Ritter can juggle all at once, getting the routine done as well as the new Town Hall project, town meeting and the budget preparation all at the same time without dropping any of these tasks.

J. Ritter stated his performance is a reflection on his relationship with the Board and he also attributed his performance with the high quality staff supporting his efforts.

Action Item #4: FY12 Year End Financial Issues: J. Ritter reviewed the close out of FY12. There were twenty-two (22) Reserve Fund Transfers in FY12 & FY11. Also, there were one hundred and twenty-two (122) budget amendments in FY12 in comparison to one hundred and thirty-eight (138) in FY11. There will be about six encumbrances including from the insurance account for an outstanding claim or possible claim.

S. Pimental asked for a report on the street acceptances and the funds being held over for that work. J. Ritter stated he would prepare a report.

Action Item #5: Request from Rehoboth Minutemen Re: Town Owned Equipment: S. Pimental made a motion to table this matter until Cathy Potter is able to attend a future meeting of the Board of Selectmen. The Board had several questions. Second, L. Botts. Voted 4-0

Page Four
Board of Selectmen, Meeting Minutes
7/16/12

Action Item #6: Discussion Re: Mutual Aid Agreement with Swansea for Idlewood Estates with Planning Board: J. Muri, Chairman of the Planning Board was present and reviewed the current status of the Idlewood subdivision. He noted that the Planning Board can't negotiate with Swansea only the Board of Selectmen has that authority. There is a need to address the extension of the water lines and addressing the hydrants. It was decided the Planning Board would meet with the Fire Chief to prepare a draft agreement for support and maintenance of the hydrants and the water line with the Town of Swansea.

Action Item #7: Review Town Counsel Bills: S. Pimental reviewed the summary of the Town Counsel bills as provided by Kopelman & Paige. P. Pimental requested additional details on the litigation expense for REPAC v. Rehoboth and other Town Hall related expenses.

Action Item #8: Approval of Chapter 90 Reimbursement Request for \$7,111.00 for Elm, Pleasant & Wheeler Streets Design & Engineer Services: M. Costello reviewed the status of all these projects. J. Ritter noted the work on Elm Street Bridge should be completed later this week. L. Botts made a motion to approve the Chapter 90 Reimbursement Request are submitted to District 5 at Mass Highway.

Action Item #9: Finance Committee Appointment(s): M. Costello made a motion to implement a confirmatory vote previously taken by the Board on June 18, 2012 to appoint Gerald Schwall to the Finance Committee for a term July 1, 2012 – June 30, 2015. Second, L. Botts. Voted 3-1 (Pimental)

L. Botts made a motion to implement a confirmatory vote previously taken by the Board on June 18, 2012 to appoint John P. Ferreira to fill a vacancy due to the resignation of Ray Viau effective June 18, 2012 – June 30, 2012, and to appoint John P. Ferreira for a term July 1, 2012 – June 30, 2015. Second, M. Costello. Voted 3-1 (Pimental)

Action Item #10: Appointments/Reappointments: S. Pimental made a motion to appointment Joseph Tito to the **Bristol County Advisory Board** for a term July 1, 2012 – June 30, 2013. Second, L. Botts. Voted 4-0

S. Pimental made a motion to reappoint Robert F. Pray as **Forest Fire Warden** for a term July 1, 2012 – June 30, 2013. Second, L. Botts. Voted 4-0

S. Pimental made a motion to reappoint Carol Williams to the **Community Preservation Committee** as the Selectmen's representative for a term July 1, 2012 – June 30, 2015. Second, L. Botts. Voted 4-0

Page Five
Board of Selectmen, Meeting Minutes
7/16/12

S. Pimental made a motion to reappoint Richard S. Barrett, William J. Carmichael, Robert McKim, Jr., Derek Rousseau, and Wayne Taylor to the **Cable TV Advisory Committee** for a one year term July 1, 2012 – June 30, 2013. Second, L. Botts. Voted 4-0

S. Pimental made a motion to reappoint Scott S. Abrahamson, Roland Aubin, Robert Bombardier, Jamie Conlon, David Drowne, Cornelius (Neal) Harrington, Gary Kloss, Alan Larson, Gary Majewski, Roger Mayer, Steven J. Money, James E. Paon, Thomas K. Robbins, Thomas F. Rose III, Ann L. Salisbury to the **Rehoboth Emergency Management Agency** for a one year term from July 1, 2012 – June 30, 2013. Second, L. Botts. Voted 4-0

Regarding Jordon and Meredith Khoury who are non-residents the Board has the authority to grant a waiver to the residency requirement. L. Botts made a motion to reappoint Jordon and Meredith Khoury to the **Rehoboth Emergency Management Agency** for a one year term from July 1, 2012 – June 30, 2013. Second, J. Tito. Voted 2-1-1(Pimental/Costello)

S. Pimental made a motion to reappoint William R. Maiorano as the **Rehoboth Emergency Management Director** for a term from July 1, 2012 – June 30, 2013. Second, L. Botts. Voted 4-0

S. Pimental made a motion to reappoint James Muri, Theresa Dupre, William Saunders, Mark Welzel, and David Roderick to the **Information Technology Committee** for a one year term from July 1, 2012 – June 30, 2013. It was noted that Linda Greave and George Solas were not seeking reappointment. Second, L. Botts. Voted 4-0

S. Pimental made a motion to reappoint Robert Ashton (Board of Health), Peter Richmond (Highway), Richard Pray (Agcom), Leann Bradley (Planner/Conservation Agent) to the **Stormwater Committee** for a two year term from July 16, 2012 – June 30, 2014. Second, L. Botts. Voted 4-0

S. Pimental made a motion to appoint Tomas Ennis (Planning Board) to the **Stormwater Committee** for a one year term from July 16, 2012 – June 30, 2013. Second, M. Costello. Voted 4-0

S. Pimental made a motion to Mathew Habershaw to the **Conservation Commission** for a three year term from July 1, 2012 – June 30, 2015 to fill the vacancy of Scott Pennoyer. Second, L. Botts. Voted 4-0

Action Item #11: Open Meeting Law Complaint Submitted by Selectman Leffort: J. Tito stated this was a waste of time and money for the Town. However, the Board will respond

Page Six
Board of Selectmen, Meeting Minutes
7/16/12

through Town Counsel including the Selectmen's Agenda from June 18, 2012, and the minutes along with the affidavit from the Chairman of the Finance Committee.

M. Deignan, Chairman of the Finance Committee stated he was working on revised language for Town Meeting to consider regarding the Finance Committee bylaw. S. Pimental read a statement regarding her concerns about the filing of this Open Meeting Law Complaint.

Action Item #12: Casino Mitigation Update: J. Ritter reviewed what happened at a recent meeting at the Lakeville Senior Center with the State Gaming Commission. M. Deignan stated that it appeared Rehoboth is behind the curve and there is a need to get on top of this project to ensure that Rehoboth will be in line to receive mitigation funding if any becomes available. It was agreed that J. Ritter will pull together a "Casino Committee" made up of the staff and the School Department.

Action Item #13: Vote to Approve One Day Liquor License Application: M. Costello made a motion to approve the application for a one day Wine & Malt Liquor License for James Sine for Rumford Hunting & Fishing Club, 165 Providence Street, July 28, 2012 & September 15, 2012 from 12:00p.m. to 10:00p.m., restriction firing range to be closed during the sale of alcoholic beverages. Second, L. Botts. Voted 4-0

M. Costello made a motion to approve the application for a one day Wine & Malt Liquor License for Elizabeth Silver, Emery's Catering, 24 Central Street, Central Falls, R.I. for an event at Five Bridge Inn, 152 Pine Street, Rehoboth, July 21, 2012 6:45p.m. to 9:45p.m. Second, L. Botts. Voted 4-0

5.0) OLD BUSINESS

Action Item #1: Notice from Department of Conservation & Recreation for Dam Inspection for Village Dam: The Board review correspondence from David Lenart at the Department of Conservation and Recreation noting that it was agreed to change the dam back to a non-jurisdictional dam and therefore inspection will not be needed a letter will be forthcoming. L. Botts noted there was a lot of vegetation growing around the bridge. M. Costello state at this point in time we don't have the money but the Tree Warden will be seeking additional funds at the Special Town Meeting in November.

Action Item #2: Follow-Up Town Counsel Services Proposals: M. Costello identified the firms he would like to meet with again as follows: Marc Antine, Deutsch Williams, and Petrini & Associates. L. Botts stated her selections were Petrini & Associates, Deutsch Williams, and Mark Gildea. S. Pimental stated her selections were Marc Antine, Blatman, Bobrowski, & Mead, and Petrini & Associates. J. Tito stated his selected were as follows, Marc Antine, Blatman, Bobrowski & Mead, and Miyares & Harrington.

Page Seven
Board of Selectmen, Meeting Minutes
7/16/12

The Board decided to invite back Marc Antine; Blatman, Brobrowski & Mead; and Petrini & Associates.

6.0) OTHER BUSINESS: None

7.0) OPEN FORUM: Ronald Whittemore, 21 Pond Street asked if references would be done on the Town Counsel candidates. J. Tito stated yes.

8.0) BOARD OF SELECTMEN REPORTS: M. Costello stated he received a letter from the State Ethics Commission which cleared him of any wrong doing. The new sweeper should arrive shortly at the Highway Department and he found it to be interesting that the "Citizens to Save the Anawan School" filed with the Town Clerk after the election.

S. Pimental stated she attended the Department Heads meeting and found it to be very informative. Went to Mason Street to listen for barking dogs.

L. Botts stated she was working on revisions to the dog bylaw.

J. Tito stated he was in Florida with the D-R marching band. There was a meeting with students and parents attending the vocational schools. The Board will respond to the Open Meeting Law Complaint. He discussed the need to have professional behavior at Board meetings.

ADJOURN: L. Botts made a motion to adjourn the meeting at 9:54p.m. Second, S. Pimental. Voted 4-0

Respectfully submitted,

J. Jeffrey Ritter
Town Administrator