

Office of  
SELECTMEN  
148 Peck Street  
Rehoboth, MA 02769



Tel.: (508) 252-3758  
Fax: (508) 252-5342

*To Serve and Assist*

**BOARD OF SELECTMEN  
MEETING, MONDAY, SEPTEMBER 10, 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

Also Present: Jeff Ritter, Town Administrator

Absent: Donald Leffort

**Call to order at 6:30p.m.**

**Executive Session:** At 6:30p.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 (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 position of the public body and the chair so declares; and (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: Sale of Town property and Casey vs. Rehoboth.

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

At 7:27p.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. Voted 4-0

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

**Page Two**  
**Board of Selectmen, Meeting Minutes**  
**9/10/12**

**2.0) Consent Agenda**

**Warrants:** J. Tito read the weekly expense and payroll Warrants. S. Pimental made a motion to approve and sign Warrants 13-09A, \$16,004.07, Withholdings; and 13-10B \$81,432.30 Payroll; and 13-10, \$190,777.47, Invoices. Second, L. Botts. Voted 4-0

**Minutes:** S. Pimental made a motion to approve the Meeting Minutes from September 4, 2012 as revised. Second, L. Botts. Voted 4-0

**3.0) Open Forum – Announcements – None**

**Town Administrator’s Report:** J. Ritter provided an update regarding various issues and Town business.

**4.0) NEW BUSINESS**

**Action Item #1: Interview With Attorney David Gay for Labor Town Counsel Services:**

D. Gay reviewed his considerable experience in the area of municipal and local government labor law and employment law. As a follow-up S. Pimental told D. Gay she wanted to be told the facts not what she wanted to hear. J. Tito stated although he had no direct knowledge or interaction with D. Gay they were both involved in issues regarding the Morton Hospital. M. Costello made a motion to appoint Attorney David Gay as labor counsel for the town of Rehoboth. Second, S. Pimental. Voted 4-0

**Action Item #2: Police Department Update:** Acting Chief of Police James Trombetta was present and provided an update as to where the Department has been, where is currently is and the direction it is heading in the future. J. Trombetta noted that all police officers are now certified with the use of TSARS. Training is continuing with the use of reserve officers at the dispatch center. There is an overall radio upgrade going on through the use of a grant. The Caine dog is about to retire and a decision has to be made about the possible replacement. J. Trombetta noted this is the house break season so residents should be careful. Finally, morale has significantly improved from a year ago.

S. Pimental asked about the front line vehicles. J. Trombetta stated the Dodge Chargers are the way to go. M. Costello asked about the Web site and it was down. J. Trombetta stated it was not down to the best of his knowledge but would check it out.

**Action Item #3: Vote to Hire Gilbert Lima as Part-Time On-Call Dispatcher:** S. Pimental made a motion to appoint Gilbert Lima as a part-time on call dispatcher. Second, L. Botts. Voted 4-0

**Action Item #4: Vote to Approve and Sign MassDepartment of Transportation DDIR for Wheeler Street:** M. Costello briefed the Board regarding a recent telephone call from Mark Carmichael, State Construction Engineer regarding the Wheeler Street culvert replacement project. The Town would use a portion of Chapter 90 funds to complete the design and construction. S. Pimental made a motion to approve and submit to the Commonwealth the DDIR form for Wheeler Street. Second, L. Botts. Discussion, S. Pimental asked about the status of Pleasant Street. M. Costello stated the culvert has been ordered and the work will be completed by a private contractor. Voted 4-0

**Action Item #5: Review October 29, 2012 Special Town Meeting Warrant:** J. Tito asked that J. Ritter look into having the Warrant printed that the Bristol Plymouth Regional Technical High School. Article I needs to be reviewed. M. Costello asked for an article to be prepared to reimburse the Chapter 90 funds used during emergency work. It was noted the Warrant closes this Thursday and a further review would take place next Monday.

**Action Item #6: Chapter 90 Project Request for \$574,671.90 for Plain Street & Reservoir Avenue:** S. Pimental made a motion to approve the project request through the use of Chapter 90 Funds in the amount of \$574,671.90 for work to be completed on Plain Street and Reservoir Avenue. Second, L. Botts. Voted 4-0

**Action Item #7: Request for United Nations Proclamation:** M. Costello made a motion to approve the United Nations Proclamation. Second, L. Botts. Voted 4-0

**Action Item #8: Vote to Approve Application for Hawker & Peddlers License for Representatives of Adam Quenneville Roofing:** M. Costello made a motion to approve the application from Todd Pierce, representative of Adam Quenneville Roofing & Siding, 160 Old Lyman Road, South Hadley, MA 01075. Second, S. Pimental. Voted 4-0

**Action Item #9: Vote to Approve Application for Hawker & Peddlers License for Representatives of Roof Pro:** M. Costello made a motion to charge a \$100 fee instead of \$10.00 because RoofPro was not timely with their application. Second, S. Pimental. Motion failed on a 2-2 vote.

M. Costello made a motion approve the application from Darren Parker, representative of Roof Pro. Second, S. Pimental. Voted 4-0

**Action Item #10: Discussion Re: Legal Expense & Insurance Coverage Related to Ancillary Lawsuits:** Donald Backlund was present. J. Tito stated their appeared to be an inconsistency as to who is covered and who is not provided insurance counsel representation. S. Pimental asked what determines coverage in depositions when the town is named in a law suit.

**Page Four**  
**Board of Selectmen, Meeting Minutes**  
**9-10-12**

D. Backlund stated it depends if an official of the town is named and if the action is related to their action as a Town official. There needs to be a firm and clear understanding as to who sent the depositions and why.

M. Deignan, Chairman of the Finance Committee said 75% of the Reserve Fund is used to pay Town Counsel bills and he wants to understand why certain bills are denied coverage by the insurance company. The insurance company needs to represent the Town because the public official should not place the town in jeopardy.

D. Backlund asked for a meeting with the insurance company (Trident).

M. Deignan stated the a lot of these bills should be covered by the insurance company, why not? If being provided indemnification and it is provided by the insurance company as part of a claim, you can't pick and choose coverage, we need a better explanation.

L. Botts made a motion to resubmit Town Counsel bills and to ask for coverage. No second.

More work needs to be done on this matter including litigation against the insurance company (Trident).

**Action Item #11: Vote to Approve One Day Wine Liquor License for Antiquarian**

**Society:** S. Pimental made a motion to approve a One Day Liquor License Application for the Rehoboth Antiquarian Society (Barbara Spencer) for an event to held at the Carpenter Museum, 4 Locust Avenue, Rehoboth, MA on September 28, 2012 from 7:00p.m. – 9:00p.m. (Wine Tasting). Second, L. Botts. Voted 4-0

**5.0) OLD BUSINESS**

**Action Item #1: Local Broadcast Access Update:** S. Pimental noted the outstanding appearance of the new Web Site rehobothtv.org. Also, work is continuing on the High School upgrade.

**6.0) OTHER BUSINESS: None**

**7.0) OPEN FORUM:** Ronald Whittemore, 21 Pond Street asked about the number of law suits currently pending before the Town. M. Costello stated several have been resolved so there are most likely less than five.

**8.0) BOARD OF SELECTMEN REPORTS:** S. Pimental volunteered to test out the IPOD technology and report back to the Board. M. Costello asked J. Ritter to reach out to Columbia

**Page Five**  
**Board of Selectmen, Meeting Minutes**  
**9-10-12**

Gas to see if we can get service in Town. J. Tito noted there is a blood drive coming up in remembrance of the 9/11 victims.

**ADJOURN:** S. Pimental made a motion to adjourn the meeting at 9:24p.m. Second, L. Botts.  
Voted 4-0

Respectfully submitted,

J. Jeffrey Ritter  
Town Administrator