



Office of
SELECTMEN
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**BOARD OF SELECTMEN
MEETING, MONDAY, SEPTEMBER 24, 2012
MEETING MINUTES
GLADYS I. HURRELL REHOBOTH SENIOR CENTER**

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

Also Present: Jeff Ritter, Town Administrator
Jay Talerman, Town Counsel

Call to order at 6:30p.m.

Executive Session: At 6:31p.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 properties; Medeiros vs. Casey; Casey vs. Rehoboth; Krasnianski vs. Rehoboth; Morra vs. Krasnianski/Casey.

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

At 7:17p.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; Leffort – Aye; Tito - Aye. Voted 5-0

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

2.0) Consent Agenda

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Warrants: J. Tito read the weekly expense and payroll Warrants. S. Pimental made a motion to approve and sign Warrants 13-11A, \$17,814.18, Withholdings; and 13-12B \$74,781.52 Payroll; 13-12, \$127,047.48, Invoices; and 13-12R \$5,288.03 Refunds. Second, L. Botts. Voted 5-0

Minutes: S. Pimental made a motion to approve and release the meeting minutes from September 10, 2012 with minor edits. Second, L. Botts. Voted 5-0

S. Pimental made a motion to approve and release the meeting minutes from September 17, 2012 with a spelling correction to from "Dulval Street," to "Duval Street." Second, L. Botts. Voted 5-0

3.0) Open Forum – Announcements – The local Girl Scout Brownie Troop was present and presented a Caine Badge to Rehoboth's Police Dog Cezar. Pictures were taken with Cezar and the Brownie Troop.

J. Tito read a Press Release from Veterans' Agent Bill Saunders regarding work at the local veterans' memorial.

J. Tito noted the upcoming meeting of the Rehoboth Business Association on September 27th at Country Gardens and said he planned to attend.

Town Administrator's Report: J. Ritter stated the next regular meeting of the Board of Selectmen was scheduled to be held on Tuesday, October 9, 2012.

The Rehoboth Emergency Management Agency will be hold a CERT training sessions starting on October 3, 2012 in two hour classes one night per week for ten (10) weeks at the Senior Center from 7-9.

The Personnel Board will be holding a Public Meeting regarding changes to the Personnel Policies for the Town on October 2, 2012 at 7:30p.m. The topic is, Information Technology, Acceptable Use Policy. The Board asked that the policy be reviewed by Town Counsel.

The 32B Insurance Advisory Committee will be meeting this Thursday to discuss co-payments and deductibles.

A Memo has been issued to all Department including the Information Technology Advisory Committee to prepare a list of capital items. The response date is October 4th. J. Ritter will be meeting with representatives from Columbia Gas tomorrow morning at 10a.m.

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The Finance Committee is scheduled to meet next Thursday, October 4th at the Senior Center.

There will be a public meeting with the Personnel Board on Thursday, October 4th at 7:30p.m. The meeting will provide an opportunity for staff and the public to provide comments on the proposed Information Technology Use Policy.

Paper shredding will be taking place on October 15th.

The bid documents have been issued for the South Rehoboth Fire Station roof project. Bids are due on October 4th at noon.

Work has started on the Wheeler Street bid documents, seeking the services of an engineer/designer for the project.

Vocational school transportation, J. Ritter is working with the D-R Business Manager, Clinton Rowe to develop alternatives to what is now being provided and how.

4.0) NEW BUSINESS

Action Item #1: Public Hearing: Application for Transfer of Class II Auto License Held by Lopes Auto Sales d/b/a Appy Auto Sales to Lopes Auto Sales, Inc. d/b/a First Class Auto Sales: M. Costello made a motion to open the Public Hearing at 7:45p.m. Second, L. Botts.

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

Paul Bowen and Vilma Perez were present. M. Costello asked who would be the manager? Vilma stated she would be the manager of Lopes Auto Sales. George Lopes was the previous manager.

M. Costello asked about the number of vehicles for sale and the hours of operation. P. Bowen stated the number of vehicles would remain the same on the previous license and the hours would be Monday – Thursday 9:00a.m. – 6:00p.m.

D. Leffort stated that George Lopes did not do repairs he just sold used cars from that location.

J. Tito asked if there were any comments from the public for or against the license transfer application? There was none.

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D. Leffort asked about the status of the dealer plates. P. Bowen stated those were transferred a year ago.

S. Pimental made a motion to close the Public Hearing at 7:58p.m. Second, L. Botts. Voted 5-0

S. Pimental made a motion to approve and grant the transfer of a Class II Auto License currently held by Lopes Auto Sales d/b/a Appy Auto Sales to Lopes Auto Sales, Inc. d/b/a First Class Auto Sales, effective September 24, 2012. Second, L. Botts. Voted 5-0

Action Item #2: Review of 10/29/12 Special Town Meeting Warrant:

Article F (to be merged into Article A) Bristol Plymouth Regional Technical High School:

Dr. Gross was present. S. Pimental asked about the difference between the \$6,500 originally quoted and the new number. Dr. Gross said the figures are based on the net minimum requirement, but D-R works off the foundation budget plus transportation. Also, Dr. Gross said they work off the numbers provided by the Commonwealth.

J. Tito asked if he would be willing to attend the Special town Meeting on October 29th in the event there are questions. Dr. Gross said he would.

Article I (Establish New General Bylaw Chapter N, "Humane Treatment of Animals:"

Animal Control Officer Jane Foster and Assistant Animal Control Officer Rob Johnson were present. Jay Talerma, said there are practical and legal issues to be addressed. The proposed bylaw can't provide less rights. A local bylaw can have local enforcement options. He has a concern that Town Meeting might find it difficult to sort out the differences between the legal requirements of the bylaw and the practical implications.

L. Botts said it is not just dogs the bylaw would address but other animals as well.

S. Pimental stated that perhaps the best approach would be to wait until the impact of the February state law is understood. In the mean time we could work locally to revise and improve the language in the proposed bylaw in anticipation of the Spring Annual Town Meeting.

L. Botts made a motion to table the matter until the Annual Town Meeting. Second, D. Leffort. Voted 5-0

Article N Conservation Restriction Stewardship Fund: S. Pimental asked Town Counsel if there was long term liability by adopting this article? J. Talerma stated that there would not be any long term liability that would significantly bind the Town. It is simply a financial

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mechanism to maintain funds for the maintenance of conservation restrictions which the release of any funds would have to be approved by both parties.

Article O Community Preservation Fund Transfer: J. Taleran stated that the allocation of funds must be project specific similar to how the law allows for an appropriation for at Affordable Housing Trust to be established. Also, the Department of Revenue would not approve the use of the funds. S. Pimental made a motion to table this article. Second, L. Botts. Voted 5-0.

Article A Fiscal Year 2013 Amended Budget: S. Pimental confirmed that the mobile police computer maintenance is not needed, the two vocational article have been merged into article A, as have the Forestry request for \$6,000. The total estimated cost needs to be adjusted.

Article C Adoption of the Valor Act: The Board of Selectmen can set-up local policies governing how the program will be established. Working with the Veterans' Agent and the Board of Assessors to address the estimated 40 individual veterans at \$250 each. Town Meeting will consider the allocation of \$10,000 for the program.

Article D Voting Equipment Replacement: J. Tito stated he met with the Town Clerk, Kathy Conti and confirmed the voting equipment and machines are needed.

Article K Street Acceptance: Ashlynn Way: Check the encumbrance.

Article R Amend General Bylaws: Article IV Town Officials – Appointed, Section 2, The Finance Committee: S. Pimental made a motion to table this article until the Annual town Meeting until we can better understanding how well the new five (5) member (2 vacancies) is working. Second, L. Botts. M. Deignan, Chairman of the Finance Committee, stated he was seeking five (5) hard working members not a seven (7) member committee with five (5) hard workers.

Voted 5-0

Action Item #2A: Vote Memorandum of Agreement with Bristol Plymouth Regional School Committee to Reactivate Rehoboth's Membership: S. Pimental made a motion to accept, approve and sign a Memorandum of Agreement with Bristol Plymouth Regional Committee acknowledging that the Town of Rehoboth has reactive its membership in the School District. Second, L. Botts. Voted 5-0

Action Item #3: Vote to Accept Resignation of Christine Daluz as a Member of the Finance Committee: J. Tito read her letter of resignation aloud. S. Pimental made a motion to accept the resignation. Second, L. Botts. Voted 5-0

Action Item #4: Vote to Rescind Vote of August 13, 2012 Appointing Nancy Muri as a Member of the Bristol Plymouth School Committee: S. Pimental made a motion to rescind the vote taken on August 13, 2012 appointing Nancy Muri as the town of Rehoboth representative to the Bristol Plymouth Technical School Committee due to the fact that Ms. Muri has declined appointment due to an unforeseen and a new family commitment. It was noted that she had not been sworn into office. Second, L. Botts. Voted 5-0

Action Item #5: Vote to Authorize Payment of \$51,466.50 to the Rehoboth Antiquarian Society for the Blanding Public Library: S. Pimental made a motion to approve the second FY13 payment in the amount of \$51,466.50 to the Rehoboth Antiquarian Society for the operation of the Blanding Library. Second, L. Botts. Voted 5-0

Action Item #6: Vote to Approve Chapter 90 Project Requests for \$9,000 for the Purchase of a Roadside Mower and \$12,000.00 for Elm Street Culvert: S. Pimental made a motion to approve upon the recommendation of the Highway Superintendent two Chapter 90 project request forms one for \$9,000 roadside mower relating to street maintenance and the other is for \$12,000 for the remaining work recently completed on the Elm Street culvert project. Second, L. Botts. Voted 5-0

Action Item #7: Vote to Approve Applications for One Day Liquor Licenses: S. Pimental made a motion to approve and grant a one day liquor license to the Bristol County Fire Chief Association for an event to be held at the South Seekonk Rod & Gun Club, 61 Reed Street on September 29, 2012 from 5:00p.m. – 9:00p.m. Second, L. Botts. Voted 5-0

5.0) OLD BUSINESS

Action Item #1: Local Broadcast Access Update (as needed) – None

6.0) OTHER BUSINESS: None

7.0) OPEN FORUM: Betty Dyer, a Board of Health employee and citizen volunteer said she needed help in moving barrels of waste oil at the transfer station. She is hoping someone would come forward to volunteer perhaps three hours on a Saturday morning. Anyone interested should contact the Board of Health.

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8.0) BOARD OF SELECTMEN REPORTS: D. Leffort noted that Andrea Wasylow has volunteered to service on the B-P Regional School Committee. S. Pimental noted she is continuing to work on the I-PAD technology to get the Board to the point of being paperless. L. Botts noted her computer recently crashed. J. Tito said he enjoyed the recent chicken barbeque.

9.0) Executive Session – None

10.0 ADJOURNMENT: S. Pimental made a motion to adjourn the meeting at 9:12p.m. Second, L. Botts. Voted 5-0

Respectfully submitted,

J. Jeffrey Ritter
Town Administrator