



Office of
SELECTMEN
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**BOARD OF SELECTMEN
MEETING, MONDAY, JUNE 17, 2013
MEETING MINUTES
GLADYS L. HURRELL REHOBOTH SENIOR CENTER**

Present: Susan Pimental, Chairman; Joseph Tito, Vice Chairman; Lorraine Botts, Clerk; Michael Costello, and Frederick “Skip” Vadnais

Also Present: Jeff Ritter, Town Administrator

Call to order at 6:30p.m.

Executive Session: At 6:30p.m. on a motion by Selectman Botts, seconded by Selectman Tito, it was voted by roll call to enter into Executive Session pursuant to G.L. Chapter 30A, Section 21, (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; (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: Crown Castle, 366 Winthrop Street, 138 Chestnut Street

Roll Call Vote: Botts – Aye; Costello – Aye; Vadnais – Aye; Tito – Aye; Pimental – Aye. Voted 5-0

At 7:06p.m. J. Tito made a motion to exit Executive Session and to reconvene the open meeting of the Board of Selectmen. Seconded, L. Botts.

Roll Call Vote: Botts – Aye; Costello – Aye; Vadnais – Aye; Tito – Aye; Pimental – 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

Warrants: S. Pimental read the weekly Warrants. J. Tito made a motion to approve the weekly Warrants, 13-49A, Withholdings, \$17,512.04; 13-50B, Payroll, \$92,302.22; and 13-50, Invoices, \$414,816.42. Second, L. Botts. Voted 5-0

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Minutes: L. Botts made a motion to approve and release the Meeting Minutes from June 10, 2013. Second, J. Tito. Voted 5-0

3.0 Open Forum – Announcements: Robert Pray, Fire Chief was present and provided the Board with an update regarding the recent house fire on Plain Street. Although he did not know who the passing motorist was he offer his congratulation and thanked that person for calling in the structure fire. The Chief stated the importance of having tested smoke detectors in every home and if a resident could not afford a smoke detector that the Fire Department would work with the homeowner to get them installed.

S. Pimental offer her congratulations to Police Officer Keith Perry who was the first public safety person onsite and must likely saved the individuals life due to the kitchen fire.

M. Costello said all residents should be grateful that Rehoboth has well trained and responsive public safety personnel who are ready to respond at a moment's notice.

Charles Knisbell was present and discussed his work with the Seekonk Animal Shelter. Recently, by working with the local access channel they were able to raise \$20,000 in two evenings to protect the animal welfare. The program is called Save a Pet.

S. Vadnais made a motion to designate C. Knisbell to spearhead the efforts in Rehoboth and to work with the local access channel to create a similar program for Rehoboth. Second, J. Tito. Voted 5-0

S. Pimental stated the next regular meeting of the Board will be on Monday, June 24, 2013 starting at 7:00p.m. at the Senior Center.

Town Administrator's Report: J. Ritter reported that the Code Red Emergency Notification System has been posted to the front page of the Town's web site and he encouraged residents to sign up. He is working on contract documents for the recently awarded bid to Citiworks for the fence project at the Public Safety Building. There will be an informational meeting on July 8th starting at approximately 7:30p.m. for the Wheeler Street bridge project. Residents will be notified. Also, on July 8th at 6:00p.m. the Board will host an Ice Cream Social to thank employees and citizens for their service to the community. He is also working on the solid waste bids recently received for the transfer station.

Without any objection the Board approved him taking next week off as a vacation. S. Pimental reminded the Board that the Agenda next week will be the annual appointments and reappointments.

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4.0) NEW BUSINESS

Action Item #1: Public Hearing: Liquor License Application for Compadres Restaurant, Inc. d/b/a Don Tequila's, 569 Winthrop Street: J. Tito made a motion at 7:33p.m. to open the Public Hearing. Second, L. Botts. Roll Call Vote: Vadnais - AYE; Costello - AYE; Botts – AYE; Tito – AYE; Pimental - AYE. Voted 5-0

Attorney Melinda J. Kwart was present. Also present Everardo Gutierrez representing the owners and Robert Ashton, Health Agent.

R. Ashton reviewed the requirements for the Massachusetts Department of Environmental Protection (DEP) for the siting of a well and a septic system. The applicant will have to hire a certified water engineer and address the external grease trap issue. The current capacity is for 10 patrons to be at the bar and 46 in the restaurant. There are five apartments upstairs and currently the well is in the basement. If the apartments were to be eliminated that could add about 550 gallons per day. The well should be relocated.

M. Costello stated the application for a liquor license is premature until the other issues can be addressed.

Public Comment: Ronald Carlson, 55 Blanding Road asked about the impact on this private well. R. Ashton said the area for any new well would be more than 100 feet from R. Carlson's well.

M. Kwart stated that there appears to be more work to be done and she would like to withdraw the liquor license application without prejudice and resubmit it at a later date once the issues with DEP have been resolved.

L. Botts made a motion to close the Public Hearing. Second, J. Tito. Voted 5-0

J. Tito made a motion to allow the applicant to withdraw the liquor license application without prejudice. Second, L. Botts. Voted 5-0

Action Item #2: WigWam Auto Sales: R. Ashton stated that on January 23, 2013 the Board gave the owners of WigWam Auto Sales until June 30, 2013 to clean-up their property pursuant to a proposal presented by the owner's attorney Robert Fredericks. The proposal had seven (7) phases. However, he estimated that only ten (10) percent of the work had been completed. R. Ashton stated he was very concerned about various public health issues including the threat of EEE from mosquitos.

Maria Silveira (owner) was present although her attorney was not able to be there due to a previous commitment. Charles Knisbell was also present. M. Silveira stated the work could not be completed due to bad weather.

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However, they have already done about \$700 worth of cleanup and about 80 tires were to be removed tomorrow.

S. Vadnais asked J. Ritter if the attorney for M. Silveira had been notified of this meeting and when. J. Ritter stated he spoke with him last Wednesday. Attorney Fredericks stated he could be present for the meeting this evening but then J. Ritter received a call from his assistant the following day and was asked for a new meeting date. J. Ritter stated the Agenda had been set and the meeting could not be postponed.

S. Vadnais informed M. Silveira that the market for scrap metal was high and they needed to immediately remove the vehicles, in fact the property was a junk yard and did not really qualify for a Class II license.

L. Botts asked William McDonough if he had inspected the building or if there were any problems. W. McDonough said no and he had not been asked to look at the building but would do so.

S. Pimental asked they return with a plan for the Board's July 8th meeting.

J. Ritter recommended to the Board that they schedule a revocation hearing.

S. Vadnias stated there is a plan on the table and he wants it executed.

J. Ritter will contact attorney Fredericks and invite him to the Board meeting on July 8th.

Action Item #3: Palmer River Safety Issues, William Dalpe, Harbormaster: W. Dalpe stated he received a copy of the speeding complaint from Greg Crellin who was also present. W. Dalpe said he had money in his budget to have a signs posted. However, a bylaw would also be required in order to enforce the speed limits on the Palmer River. G. Crellin stated that according to Chapter 90 Section 9 a reduced speed was required by law within 150 feet of the shore line and speeders can be cited once the signs are installed.

W. Dalpe will work with J. Ritter to prepare a bylaw for the Fall Special Town Meeting Warrant.

Action Item #4: Budget Amendments: L. Botts made a motion to approve the following budget amendments. To decrease budget line item 015113-57110 Board of Health State Mileage by \$70.00 and to increase budget line item 015113-5300 Board of Health Professional and Technical by \$70.00. Second, J. Tito. Voted 5-0

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L. Botts made a motion to decrease budget line item 015113-57110 Board of Health, State Mileage by \$101.00 and to increase budget line item 015113-52430 Board of Health, Vehicle Repair and Maintenance by \$101.00. Second, J. Tito. Voted 5-0

L. Botts made a motion to decrease budget line item 012203-55802 Fire Department Hose & Pump Repairs and Maintenance by \$1000.00 and to increase budget line item 012203-52430 Fire Department Repairs and Maintenance by \$1000.00. Second, J. Tito. Voted 5-0

L. Botts made a motion to decrease budget line item 012203-55802 Fire Department Hose & Pump Repairs and Maintenance by \$1000.00 and to increase budget line item 012203-52430 Fire Department Repairs and Maintenance by \$1000.00. Second, J. Tito. Voted 5-0

L. Botts made a motion to decrease budget line item 011223-57310 Board of Selectmen Office Expense Dues by \$100.00 and to increase budget line item 011223-53010 Board of Selectmen Medical Physicals by \$100.00. Second, J. Tito. Voted 5-0

L. Botts made a motion to approve pursuant to **G.L. Chapter 44, Section 33B** the following budget amendments: to decrease budget line item 011873-52133 Board of Selectmen Facilities Maintenance Public Safety Building Gas by \$200.00 and to increase budget line item 011223-54200 Board of Selectmen Office Supplies by \$200.00. Second, J. Tito. Discussion: J. Tito noted these budget amendments also require approval of the Finance Committee. Voted 5-0

L. Botts made a motion to approve pursuant to G.L. Chapter 44, Section 33B the following budget amendment: to decrease budget line item 011253-52910 Board of Selectmen Contracted Services Custodial by \$900.00 and to increase budget line items 011263-53412 Board of Selectmen Cell Phones by \$300.00 and budget line item 011263-53410 Board of Selectmen Telephones by \$600.00. Second, J. Tito. Voted 5-0

Action Item #5: William McDonough, Building Inspector RE: Electrical Permit Fees: W. McDonough briefed the Board and stated that the Solar Bylaw failed to define an electrical permit fee schedule. He presented information from surrounding communities and the area who have recently approve a new fee structure for the installation of large solar arrays as a commercial operation. W. McDonough recommended a fee of 1 percent of the work related to the electrical permit.

S. Pimental stated she would support a fair and balanced approach but thought 1.5 percent was a more realistic number given the tax rate is so low. M. Costello made a motion for 1 percent to the electrical permit application fee of a project is used as a fee for electrical permits. Second, S. Vadnais. Motion failed 2-3. J. Tito made a motion to approve a 1.5 percent electrical permit fees and work related to the project. Second, L. Botts. Voted 4-1 (Costello)

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Action Item #6: Request for Four Way Stop Signs at Reed and Water Streets: M. Costello made a motion to approve the installation of stop signs at Reed and Water Streets. Second, L. Botts. Voted 5-0

Action Item #7: Extend RFP Response Date for Anawan School Project Until August 8th at Noon: J. Ritter stated that there is a need to refine the RFP document to encourage more participation in the bidding process. As a result of input received from a housing consultant an addendum to the RFP should be issued addressing those concerns.

S. Pimental and the Board agreed to extend the response time until August 8th. This item will appear on the Board's Agenda for July 8th for the purposes of reviewing the addendum. Also, S. Vadnais agreed to reach out to the Community Preservation Committee to determine fund balances in their designated and undesignated affordable housing and historic preservation accounts.

Action Item #8: Town Hall & Public Safety Building Project Discussion: The Board reviewed several concept designs prepared by local architect Ed Rowse for both the Town Hall and the Public Safety Building.

Regarding the Town Hall project the Board must do its due diligence and present every scenario possible and provide input to the Designer Selection/Building Committee.

M. Costello said we are wasting our time on the Town Hall project.

S. Vadnais said the Board should let the Committee decide and make recommendations.

R. Ashton, Chairman of the Public Safety Building Committee said the Committee has been meeting for more than a year and have agreed pretty much to the currently proposed design. They have not discussed funding. Chief Pray said the plans are pretty much complete now we have to focus on the cost estimates.

J. Ritter will prepare and present on July 8th a proposed draft charge for the Town Hall Building Committee.

Action Item #9: Local Access Camera Operator Appointment: (S. Vadnais departed the room). Derek Rousseau, Chairman of the Local Access Committee was present and reported they had an immediate need to fill the position of camera operator(s). An advertisement was prepared and posted on the Town's web site and all the public buildings. The Board suggested he also post the opening with Rehoboth now.

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One application was received from Brandon Hoderny. M. Costello made a motion to appoint Brandon Hoderny to the position of part-time camera operator. Second, J. Tito. Voted 4-0

On a related matter S. Pimental asked when D. Rousseau could return to the Board with a proposal on taping meetings with short term, midterm, and long range goals and priorities. D. Rousseau stated the second week in August should work.

M. Costello stated that we need a procedure as to who is authorized to cancel a filming.

5.0) OLD BUSINESS

Action Item #1: Local Broadcast Access Update: J. Tito stated that this item can be removed from future Agendas and reports will be given as needed. The Board agreed.

6.0) OTHER BUSINESS: None

7.0) OPEN PUBLIC FORUM: None

8.0) BOARD OF SELECTMEN REPORTS: L. Botts reported the Senior Center would be closed on July 5th.

9.0) EXECUTIVE SESSION: None

10.0) ADJOURNMENT: J. Tito made a motion to adjourn the meeting at 9:08p.m. Second, L. Botts. Voted 5-0

Respectfully submitted,

J. Jeffrey Ritter
Town Administrator