



Office of  
**SELECTMEN**  
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**BOARD OF SELECTMEN**  
**MEETING, MONDAY, AUGUST 19, 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:** L. Botts made a motion 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 pending 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.

**Topics:** MassCop 209 Police Patrolmen Grievance

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

At 7:03p.m. J. Tito made a motion to return to open session. Second, L. Botts. Roll Call: Tito – Aye; Botts – Aye; Vadnais – Aye; Costello – 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: 14-06A, Withholdings, \$19,211.55; 14-07, Invoices, \$1,711,305.83 (includes school payment), and 14-07B, Payroll, \$82,369.00. Second, L. Botts. Voted 5-0

**Minutes:** J. Tito made a motion to approve and release the regular session meeting minutes from August 12, 2013. Second, L. Botts. Voted 5-0.

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J. Tito made a motion to approve and release the regular session meeting minutes from May 13, 2013. Second, L. Botts. Voted 5-0.

J. Tito made a motion to approve and release the Executive Session Meeting Minutes from January 1, 2011, Sessions 3, 4, &6. Second, L. Botts. Voted 5-0

**3.0 Open Forum – Announcements:** Laura Schwall, Acting Town Clerk updated the Board on the posting of the Citizens Survey questions. The Survey will ask residents if they would like to see the Town Hall open late one evening per week and to close on Friday. The Survey can be taken online or hard copies are available at the Senior Center.

S. Pimental reported the next meeting of the Board of Selectmen will be held on Monday, August 26, 2013 starting at 7:00p.m.

**Proclamation: Daughters of the American Revolution:** J. Tito made a motion to approve and for the Board to sign a Proclamation supporting the two hundred twenty-six anniversary of the drafting of the Constitution of the United States of America as prepared by the Lydia Cobb-Quequechan Chapter of the Massachusetts Daughters of the American Revolution. Second, L. Botts. Voted 5-0

**Town Administrator's Report:** J. Ritter reported that he is researching the electric rates the Town is currently paying Integrys Energy Services. There could be a savings if the Town locks into a standard rate per kilowatt hour instead of the basic service which could result in a one (1) cent per kilowatt hour savings. He will keep the Board informed as to his progress.

**Highway Department Paving:** Work has started on the resurfacing of the River Street, Danforth Street, Trim Street, and Perryville Road. It is anticipated that the work will be completed by the time school reopens in a couple of weeks.

**Community Survey:** The Survey has been posted to the front page of the Town's web site regarding keeping the Town Hall open one evening per week and closing on Friday mornings.

**Staff Computer Training:** Staff training is now locked in for Wednesday, September 11<sup>th</sup> for a total of ten (10) employees. Five (5) in the morning and five (5) in the afternoon. The training will focus on MircoSoft Outlook and the use of E-Mail.

**Framingham State University:** J. Ritter reported that he was recently elected to the Board of Directors of the Alumni Board. As a result, he will be taking Friday off as a vacation day to participate in an all-day goal setting exercise.

**Personnel Board:** J. Ritter noted there are now two (2) vacancies on the Personnel Board to fill the vacancies created by Bonnie Kelly and Carly Iafrate. Anyone interested in serving on the

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Personnel Board should contact the Selectmen's Office. Further, a list of all opening is being created and will be posted to the Town web site.

**Annual Town Reports:** The Annual Town Report for 2012 is now complete and copies are available to the public. Reports for 2009, 2010, and 2011 should be available in the next couple of weeks.

**Sexual Harassment & Discrimination Training:** J. Ritter is working with David Scanlon from the Personnel Board to take an online course made available by the Town's insurance carrier. Once he and D. Scanlon complete the course it will be made available to all employees and citizen volunteers to take at any time from anyplace. There is no cost to the Town and is required by Federal law.

**Encumbrances:** J. Ritter reported there was a question about a \$7,000 encumbrance for the "SCB" this is for the Senior Center and the repairs and replacement to the air conditioner condenser unit. This is a follow-up from last meeting when there was a question about this encumbrance.

**Paulette Angell Letter:** J. Ritter stated, as a follow-up from last week, he placed a call to Ms. Angell regarding the establishment of a community arts center. He left a message and is waiting for a response.

**Removal of Illegal Signs:** Constable Deignan is working with the Building Inspector to develop a removal plan and should be on the Agenda next week.

**AED Training:** Rehoboth Ambulance has agreed to provide two (2) training sessions tentatively scheduled for Friday, September 13 at the Town Hall from 9a.m.-11a.m. and one (1) at the Senior Center on September 11<sup>th</sup> from 6p.m. - 8:00p.m.

**STATNET Training at UMASS Boston:** J. Ritter will be attending this training seminar tomorrow at UMASS Boston.

Finally, J. Ritter reviewed agenda items for the next Board meeting on August 26<sup>th</sup>.

**Acting Chief of Police James Trombetta and Sergeant Brian Ramos (Bigalow & Morra):** The Acting Chief briefed the Board regarding two cases relating to litigation. First, the Harvey Bigalow case, in that due to the extraordinary efforts of Sergeant Ramos and others on the Department there was a conviction of Mr. Bigalow in that he was found guilty of criminal harassment for a series of letters recently sent to town officials including Selectman Costello and his wife Susan.

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Also, in the matter of Morra v. Casey that \$1.2 million dollar lawsuit was withdrawn today by Mr. Morra against Officer Casey. Everyone in the Department is very pleased with that result. Both cases have required hundreds of hours from Department. He thanked the Board for their ongoing support for the Department and its personnel.

S. Vadnais stated that this is a clear signal that harassment will not be tolerated by Town officials or the court system.

M. Costello said he was very grateful the Bigalow case is now behind us and he publicly thanks the Rehoboth Police Department and everyone involved in both cases.

J. Tito stated that although charges against Bigalow regarding his law suit were dismissed he wanted to acknowledge the work of the Police Department in that they never gave up on the investigation and he plans to publish the letters he and others received.

L. Botts stated that several people told her that the case would not be resolved in the Town's favor but was very pleased to see that justice does prevail.

**4.0) NEW BUSINESS**

**Action Item #1: Public Safety Building Committee Update:** Robert Ashton, Chairman of the Committee and Edward Rouse, Architect was present and briefed the Board regarding the current status of the project.

R. Ashton said the Committee has been meeting for a year and a half and have agreed to the preliminary design of the proposed renovation and expansion of the Public Safety Building. The plan is based on what is needed.

S. Pimental asked if completed how long would the new facility be functional and what are the next steps?

R. Ashton stated that the facility would be fully functional for at least twenty (20) years.

E. Rowse stated the next step would be to advertise for the Owners Project Manager who would essentially help to serve as the clerk of the works to oversee the ultimate reconstruction and expansion of the project.

J. Ritter asked how much that would cost? E. Rowse stated normally that would be about three (3) to four (4) percent of the total estimated construction cost of \$2.5 million.

S. Pimental asked that a meeting be set-up with our State Senator and State Representative to determine the status of the \$750,000 allocation for the project and they should come to the

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meeting with answers to our questions of there is the money, is it available now, and if not when would it be available?

There was a discussion on the use of the Sheriff's Office personnel and the Vocational School students to do some of the work.

**Action Item #2: Vote to Accept Deed for Anawan Rock Parcel as Approved by Article 7 of the 5-13-13 Annual Town Meeting:** J. Tito made a motion to accept a gift of land at Anawan Rock, pursuant to the authority granted in Article 7 of the 2013 Annual Town Meeting, the Board hereby votes to accept the gift of land from Thomas and Elizabeth Charnecki, shown as Parcel A on a plan of land entitled: "Approval Not Required Plan for Thomas Charnecki and Elizabeth Charnecki in Rehoboth, Massachusetts" prepared November 13, 2012, by E. Otis Dyer, Rehoboth, Massachusetts, and records with the Bristol County Registry of Deed in Plan Book 490, Page 66, and further described in a deed attached hereto. Second, L. Botts. Voted 5-0

A letter of thanks will be prepared.

**Action Item #3: Vote to Approve and Sign License Agreement with the Co-Ed Softball League for Use of 137 Tremont Street Property:** J. Tito made a motion for the Board to sign the License Agreement between the Co-Ed Softball League and the Town of Rehoboth for use of property located at 137 Tremont Street knows a Lot 129 on Assessors Map 71 and as approved by Article 8 of the May 13, 2013 Annual Town Meeting Warrant for a term effective July 29, 2013 through September 30, 2023. Second, L. Botts. Voted 5-0

**Action Item #4: Discussion Re: Traffic Light Request at Intersection of Rte. 6 & Barney Avenue:** The Board reviewed a draft letter to be sent to the Southeastern Regional Planning and Economic Development District requesting a Signal Warrant Analysis. J. Tito made a motion to approve and send the letter. Second, L. Botts. Discussion: Wanda and Christine Albernaz were present and reinforced the fact that it was a very dangerous intersection. Voted 5-0

**Action Item #6: Discussion with Council on Aging Director Norie Palmer Re: Hire of Part-Time Data Entry Person:** Norie Palmer was present and requested the approval of the Board to hire on a part-time temporary basis a data entry person to update the Senior Center files and information on the "myseniorcenter" data base system for seniors with medical issues.

S. Pimental asked if this work could be completed by a veteran working under the Valor Act? N. Palmer said she has already identified a person who is familiar with the workings of the Senior Center and the clients who have medical issues. Confidentially is very important in this matters and the clients have to feel comfortable that their information is being protected.

S. Vadnais made a motion to approve the request. Second, M. Costello. Voted 5-0

**Action Item #5: Discussion Re: Policy on Removal of Surplus Highway Department**

**Materials:** M. Costello reported that the Highway Department has located a site behind the Public Safety Building an area that can be used to stockpile materials until the next surplus equipment/property sale.

J. Tito made a motion to grant approval for the Highway Department to use the area to the rear of the Public Safety Building to stockpile excess materials. Second, L. Botts. Voted 5-0

**Action Item #7: Vote to Approve Chapter 90 Project Request for \$2,800 for Salt Shed for**

**Highway Department:** J. Tito made a motion to approve a Project Request in the amount of \$2,800 to be submitted to MassHighway District 5 for the preliminary design of the salt shed at the Highway Department. Second, L. Botts. Voted 5-0

**Action Item #8: Vote to Accept Payment of \$37,430.80 from Comcast for PEG**

**Programming for Period April 1, 2013 Through June 30, 2013:** J. Tito made a motion to approve and accept the quarterly payment from Comcast in the amount of \$37,430.80 for PEG or local access broadcast of governmental programming. Second, L. Botts. Voted 5-0

**Action Item #9: Vote to Approve One Day Liquor License for Ralph's Kitchen for Use at**

**Five Bridge Inn:** L. Botts made a motion to grant one day wine & malt liquor licenses to Raffaele DeFusco, Ralph's Kitchen & Catering, 1418 Plainfield Street, Cranston, R.I. for the following events to be held at Five Bridge Inn, 152 Pine Street on: September 28, 2013, September 29, 2013, October 6, 2013, October 20, 2013 from 3:00p.m. – 11:59p.m. J. Tito noted an additional date of October 26, 2013 from 3:00p.m. – 11:59p.m. L. Botts added this to her motion. Second, J. Tito. Voted 5-0

**5.0) OLD BUSINESS**

**Action Item #1:** None

**6.0) OTHER BUSINESS:** None

**7.0) OPEN PUBLIC FORUM:** Michael Deignan was present and brought to the Board's attention a traffic safety concern on Slater Street and requested a Stop Sign be placed at the intersection of Slater Street and King Philip Street. J. Ritter will communicate this request to the Police Department.

Norie Palmer, Council on Aging Director reminded the public about a fuel assistance fund raiser for seniors to be held on Friday, September 13<sup>th</sup> in Attleboro. There is currently a blood drive underway and anyone can come to the Senior Center on August 25<sup>th</sup> from 9:00a.m. to 3:00p.m.

**8.0) BOARD OF SELECTMEN REPORTS:** M. Costello stated that the Highway

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Department has started paving many streets in Town. Also, the Highway Department has secured bids on catch basin cleaning of the 800 structures. Prices ranged from \$12 per basin to \$75 per basin and the Highway Department is researching and looking for the best deal.

J. Tito stated he had just learned that H. Bigalow's sentence had been delayed so he will be in jail for another week.

S. Pimental stated that the DEP has issued a Consent Order to Chris Morra who has been ordered to pay a fine of \$22,000 unless he restores the wetlands area. Conservation Commission member Bob Materne did an outstanding job throughout the entire process. Also, she had received several complaints about grass growing into the streets. M. Costello stated the new mower arrived today and should be out very shortly.

**9.0) EXECUTIVE SESSION: None**

**10.0) ADJOURNMENT: J. Tito made a motion to adjourn the meeting at 8:26p.m. Second, L. Botts. Voted 5-0**

Respectfully submitted,

J. Jeffrey Ritter  
Town Administrator