



Office of
SELECTMEN
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BOARD OF SELECTMEN
MEETING, MONDAY, SEPTEMBER 16, 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 6:00p.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 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.

Topics: REPAC v. Rehoboth, Mass COPS Grievances, Dighton v. Dighton Rehoboth Regional School District Committee.

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

At 6:47p.m. J. Tito made a motion to return to open session. Second, L. Botts. Roll Call: Botts – Aye; Vadnais – Aye; Costello – 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 and also held a moment of silence for the shooting victims at the Washington, D.C. Naval Shipyard.

2.0) Consent Agenda

Warrants: S. Pimental read the weekly Warrants. J. Tito made a motion to approve the weekly Warrants: 14-10A, Withholdings, \$16,846.93; 14-11, Invoices, \$708,876.74; 14-11B, Payroll, \$83,214.94. Second, L. Botts. Voted 5-0

Minutes: J. Tito made a motion to approve and release the January 3, 2011 Executive Session Meeting Minutes. Second, L. Botts. Voted 5-0.

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J. Tito made a motion to approve and release the Executive Session and Regular Session meeting minutes from August 9, 2013. Discussion: L. Botts noted on the last page the band that played at the fuel assistance fund raiser was incorrectly identified. S. Pimental also corrected on the last page, those residents missing animals should contact the animal control officer. Second, S. Vadnais. Voted 5-0

L. Botts reported the recent fund raising event to benefit seniors in need of fuel assistance over the winter was a great success. It is estimated that between \$3,800 and \$4,000 was raised.

S. Pimental noted the upcoming 14th Annual Larry Procopio Harvest Block Party will be held on Saturday, September 21st with a rain date of September 22nd.

3.0 Open Forum – Announcements: None

Town Administrator’s Report: Work is continuing on the development of the Special Town Meeting Warrant. Also, the training for the use of CPR and AED training will be tomorrow morning at the Town Hall.

4.0) NEW BUSINESS

Action Item #4: Vote to Approve CEM Plan for Town of Rehoboth as Submitted by

REMA: William Maiorano, Emergency Management Director presented the newly updated Comprehensive Emergency Management Plan. L. Botts made a motion to approved and accept the Plan and to authorize the Chairman to sign it on behalf of the Board. Second, M. Costello. Voted 5-0

Action Item #5: Vote to Set Roadway Layout Hearing Date for Acceptance of Fire Tower

Road: J. Tito made a motion that the Board notify the Planning Board of our intention to lay out and accept Fire Tower Road as a public way, as shown on a plan entitled “Roadway As-Built/Acceptance Plan Fire Tower Road, Rehoboth, Massachusetts” Scale 1” = 40’, prepared for Anne Kotch, 389 Fairview Avenue, Rehoboth, MA 02769, prepared by InSite Engineering Services, LLC, InSite Professional Complex, Suite 1, 1639 Fall River Avenue, Seekonk, MA 02771 dated September 5, 2013, and to authorize the Town Administrator to forward said plans to the Planning Board of its consideration and report, and further to set the date of Monday, September 30, 2013 to hold a Public Meeting to vote on the “Order of Layout” for this roadway. Second, M. Costello. Voted 5-0

Action Item #6: Vote to Approve & Authorize Chairman Pimental to Sign FEMA

Contract for \$3,340.29 for February 2013 Blizzard: L. Botts made a motion to authorize the Chairman to sign FEMA Contract \$3,340.29 for the February 8-9, 2013 Blizzard. Second, M. Costello. Voted 5-0

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Action Item #7: Vote to Declare as Surplus Property 295 Winthrop Street & 138 Chestnut Street to be Sold at Auction: J. Tito made a motion to declare 295 Winthrop Street and 138 Chestnut Street as surplus property and to auction off both properties on October 5th. Second M. Costello. Voted 5-0

Action Item #8: Vote to Approve & Sign Light Maintenance Service Contract with John Souza: M. Costello made a motion to approve and sign the Light Maintenance Services Contract between the Town of Rehoboth and John Souza. Second, L. Botts. Voted 4-0-1 (Vadnais)

Action Item #9: Vote to Approve Budget Amendment: Highway Department \$10,000: L. Botts made a motion to approve a request from the Acting Highway Superintendent to decrease budget line item 014223-55300 Highway Gravel/Stone/Sand Road Program by \$10,000 and to increase budget line item 014223-52730 Highway Machine Rental – Road Program by \$10,000. Second, J. Tito. Discussion, S. Pimental asked if this shortfall should be addressed in the upcoming Special town Meeting? M. Costello stated that he felt comfortable that the difference could be made up in other areas so there was no need at this point in time. Voted 5-0

Action Item #1: Discussion with Acting Chief of Police Trombetta Re: Security Fence at Public Safety Building: J. Trombetta was present and briefed the Board regarding the current status of the project which almost completed. However, to fully complete the project an additional \$2,400 would be needed about fifty (50) remote controllers and related equipment to be installed. Another estimate was \$4,600.

J. Tito supported the proposal in that it was a more cost effective solution and fence installer, Citi could service the equipment once installed.

J. Trombetta noted the new security fence should be operational by this Friday.

J. Tito made a motion to approve the request. Second, L. Botts. Voted 5-0

Action Item #2: Discussion With Peter Jacobson Re: Town Chapter 32B Health Insurance Benefits: The Board of Assessors were present and reviewed a recent change to Section 2 of Chapter 32B of the General Laws per An Act Relative to Municipal Health Insurance or Bill H3580 in that it could allow the Selectmen to allow elected officials regardless of the number of hours they work to be eligible to receive health insurance benefits.

P. Jacobson noted the benefit were taken away and asked the Board to reconsider.

S. Pimental noted that it is within the Board's authority to make a decision not to provide health insurance benefits to elected officials and that decision was made a couple of years ago.

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S. Vadnais stated that the Town is likely to lose a thirty (30) year elected official who has served the Town well over the years.

S. Pimental noted that the intent is not to hurt long term elected officials.

P. Jacobson noted that all employees are covered by some type of contract but elected officials are not and they have no representation.

S. Vadnais stated it is completely appropriate for this Board to reconsider the vote of a previous Board of Selectmen to remove the Board of Assessors and for them to now come under the Town's health insurance plan. He fully understands the cost argument but there is also a potential loss of institutional knowledge.

S. Vadnais made a motion to allow the benefit to be provided. Second, J. Tito. Motion failed 2-3 (Botts, Tito, Pimental).

Action Item #3: Public Hearing Continuance: Wig Wam Village Auto Sales Class II Auto License: J. Tito made a motion to reopen the continued Public Hearing from August 12, 2013. Second, L. Botts. Voted 5-0

Robert Ashton, Health Agent was present as was Attorney Fredericks and Maria Silveira owner of Wig Wam Auto Sales, 345 Winthrop Street.

R. Ashton reported that there are about seventy-five (75) cars still that need to be removed from the property as well as hundreds of wooden pallets throughout the property. This is a significant improvement from the last Hearing date August 12th. However, there is still a significant amount of cleanup work that needs to be done on the site.

R. Ashton made reference to Chapter C, Sections 4-5 of the Town's Bylaws as well as sections 4-6 in that a fine of \$150 per day could be imposed

M. Costello stated that he was at the property today and noted that some of the areas in question were cleaned up and the stock aid fencing had been removed and the Silveira's had done a lot of work on the property.

S. Pimental asked for an update from Attorney Fredericks.

Attorney Fredericks stated that they were having problems in removing one of the tenants with a number of vehicles from the property. They were to off the property on August 31st but they are still there. The Silveira's are working to clean up the property every day.

S. Pimental asked how much of the site had been cleaned up?

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M. Costello stated that approximately thirty-five (35) percent.

L. Botts asked about the status of the unsafe structure?

M. Costello said that matter was being addressed by the Building Inspector and the Conservation Commission as well regarding the fencing materials in the buffer zone.

At 7:43p.m. J. Tito departed the meeting.

S. Pimental asked how much more time will be needed?

M. Costello stated that based on his assessment another sixty (60) days should do it.

S. Vadnais he would agree to another thirty (30) days but after that fines could be imposed.

R. Ashton asked why a truck could not remove three or four vehicles per day?

Attorney Fredericks stated that they are taking their time in sorting through the items on the property in order to maximize their profits. M. Silveira stated the dumpster had not been emptied to date.

S. Vadnais made a motion extend the Class II license for another thirty (30) days and to also extend the hearing and that notice be sent to the Silveira's that they could be fined. Second, L. Botts. Voted 4-0

Action Item #10: Special Town Meeting Warrant, October 28, 2013 Review: J. Ritter reviewed the most recent revisions noting Town Counsel and the Town Accountant had also completed their review. The Board reminded J. Ritter to remove the article relating to the roll back taxes.

Also, the Board would like to review next the details of the current year budget amendment and the proposal for a replacement of the telephone system. Regarding the heat sensor and detector article. J. Ritter will get input from the Fire Chief.

5.0) OLD BUSINESS

Action Item #1: Review Personnel Policy Revisions & Review Request to Send Revisions to Town Counsel for Review: S. Vadnais made a motion to table this item until next week allowing for the input of J. Tito. Second, L. Botts. Voted 4-0

6.0) OTHER BUSINESS: None

7.0) OPEN PUBLIC FORUM: None

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8.0) BOARD OF SELECTMEN REPORTS: M. Costello reported that all 1,008 catch basins have been cleaned.

S. Pimental read a letter received from Mr. Darling regarding the flooding of his basement. The matter has been sent to the Conservation Commission and the Planning Board to address at their meetings this week. This matter will appear on the Board's Agenda until it is resolved.

9.0) EXECUTIVE SESSION: None

10.0) ADJOURNMENT: L. Botts made a motion to adjourn the meeting at 8:25p.m. Second, S. Vadnais. Voted 4-0

Respectfully submitted,

J. Jeffrey Ritter
Town Administrator