



Office of  
SELECTMEN  
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**BOARD OF SELECTMEN**  
**MEETING, TUESDAY, APRIL 8, 2014**  
**MEETING MINUTES**  
**GLADYS L. HURRELL REHOBOTH SENIOR CENTER**

**Present:** Susan Pimental, Chairman; Joseph Tito, Vice Chairman, Michael Costello, Frederick “Skip” Vadnais, and David Perry

**Also Present:** Jeff Ritter, Town Administrator

**1.0) Call to Order at 7:00p.m.:** The Board and the public participated in the Pledge Allegiance to the Flag.

**REORGANIZATION OF THE BOARD OF SELECTMEN**

Vice Chairman, J. Tito accepted motions for Chairman. M. Costello made a motion to nominate S. Vadnais to be Chairman. Second, D. Perry. Discussion: S. Vadnais stated that due to previous commitments that the only position he could accept at this point in time would be Vice Chairman. He is working on with the Animal Control Advisory Group and has obligations with the Farm Bureau. He thanked the Board for voicing their confidence in his ability but would have to respectfully decline as this time.

D. Perry made a motion to nominate M. Costello for the position of Chairman. Second, S. Vadnais. There was no further discussion. S. Vadnais made a motion to close the nominations for Chairman. Second, S. Pimental. Voted 5-0

J. Tito called for a vote on the main motion to elect M. Costello as Chairman. Voted 5-0

M. Costello thanked the Board. Especially, S. Pimental for the outstanding job she did last year in leading the Board through several challenging issues.

S. Pimental made a motion to nominate S. Vadnais for the position of Vice Chairman. Second, J. Tito.

M. Costello called for a vote on the motion to elect S. Vadnais as Vice Chairman. Voted 5-0

S. Vadnais made a motion to nominate J. Tito to be Clerk. Second, S. Pimental. Voted 5-0

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**2.0) Consent Agenda**

**Warrants:** M. Costello read the weekly Warrants: 14-39A, Withholdings, \$25,160.24; 14-40B, Payroll, \$75,478.81; 14-40, Invoices, \$178,761.50. S. Pimental made a motion to approve the weekly Warrants as read. Second, J. Tito. Voted 5-0

**Minutes:** S. Pimental made a motion to approve and release the meeting minutes from March 24, 2014. Second, J. Tito. Voted 4-0-1 (Perry).

S. Pimental made a motion to approve and release the meeting minutes from March 31, 2014. Second, J. Tito. Voted 4-0-1 (Perry).

**3.0 Open Forum – Announcements:** Lorraine Botts announced that there will be an event this Wednesday. Rehoboth Triad Soup Supper will be held at the Senior Center on Wednesday, April 9<sup>th</sup> from 4:30p.m. – 6:30p.m. Homemade soup, bread, beverages and dessert will be provided for \$6 per person. Proceed will benefit the area's needy families.

Laura Schwall, Town Clerk was present and reviewed the results of the recent election. Also, given there was a two (2) vote difference on one of the debt exclusion questions she is anticipating a request for a recount which must be submitted by ten (10) registered voters from each of the three (3) voting precincts.

M. Costello stated the next regular meeting of the Board of Selectmen will be held on Monday, April 14, 2014 at the Senior Center starting at 7:00p.m.

**Town Administrator's Report:** J. Ritter reported that the Economic Development Committee will be meeting this week. There is a scheduled meeting for Tuesday, May 27, 2014 with the Board and Grant King from the Regional Planning Agency regarding the Housing Production Plan for the Town which is being funded by a \$20,000 grant from the South Coast Rail project.

Work is proceeding with the draft lease agreement between the Town and BlueWave Capital to lease a portion of the landfill for a solar installation. This document should be ready for the Board to review in Executive Session within a week or two.

He is working with the Highway Department to locate the layout for Danforth Street. This is regarding the proposed step down locations for transformers to be located within the right of way to improve electricity distribution along Winthrop Street (Rt. 44).

A follow-up letter was sent to the Town's insurance carrier regarding the Town's human resources management. Working with the Personnel Board, job descriptions are being prepared and or updated by department starting with the Selectmen's Office. This will be followed-up

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with the introduction of a town wide performance evaluation system for each employee. These are the recommendations from the Town's insurance underwriter.

The salt shed project is on schedule and there will be pre-bid conference next week. The Finance Committee is meeting this Thursday and he plans to attend. The bids for the reuse of the former Anawan School are due next Thursday, April 17<sup>th</sup> at noon. Finally, there will be a free CPR training on May 1<sup>st</sup> starting at 6:30p.m. at the Senior Center anyone interested in participating should contact the Town Nurse, Jaime Conlon at 508-252-5947 Extension 127.

**4.0) NEW BUSINESS**

**Action Item #1: Update Bob Ashton & Ted Rouse on Public Safety Building Owner's Project Manager & Architectural Fees & May 12, 2014 Annual Town Meeting Warrant**

**Article:** Bob Ashton, Chairman of the Public Safety Building Committee and citizen volunteer and architect Ted Rouse were present and provided the Board with a current status report regarding the selection of a Owner's Project Manager.

B. Ashton reported the Town received three (3) proposals in response to the Request for Proposals (RFP) issued for the Owner's Project Manager. The Board questioned the need for this expense and it was decided that M. Costello would speak with the town's Building Inspector to see if he could assume this additional work.

The Board agreed that the entire project should move forward at the estimated cost of \$4.5 million. J. Ritter stated that by his calculation the cost for the architect is estimated at \$355,000. This money is part of an article at Annual Town Meeting which asks the voters to approve using funds from the sale of real estate for this and the Owner's Project manager which is currently estimated at \$158,150.

The Board wants an alternative to the Owner's Project Manager perhaps a retired building inspector. J. Ritter will research and report back as to the options.

M. Costello thanks B. Ashton and T. Rouse for the outstanding job they have done to date.

**Action Item #2: Vote to Approve One Day Entertainment License for Joe Ferrini/Tuff**

**Scramblers:** J. Tito made a motion to approve the applications for a One Day Entertainment Licenses to Joseph Ferrini, Tuff Scramblers, Inc. 20 Francis Street to hold an obstacle running event with music amplifiers on May 17<sup>th</sup> and October 18, 2014 from 8:00a.m. until 7:00p.m. Second, S. Vadnais. Discussion: S. Pimental asked if the Police Chief had been contacted and about the arrangements for parking.

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J. Ferrini was present and explained that he contacted the Police Chief who had no objections to the event. He noted that all parking proceeds go to the Parks Commission as a donation. Voted 5-0

**Action Item #3: Vote to Approve One Day Liquor License for Joe Ferrini/Tuff**

**Scramblers:** J. Tito made a motion to approve two (2) One Day Malt Beverages Liquor Licenses, license #1: issued to Joseph Ferrini, Tuff Scramblers, Inc. 20 Frances Street, Rehoboth, MA 02769 for May 17, 2014 and May 16 & 18, 2014 for delivery and transportation of alcohol, hours from 10:00a.m. – 8:00p.m.

License #2: issued to Joseph Ferrini, Tuff Scramblers, Inc. 20 Frances Street, Rehoboth, MA 02769 for October 18, 2014 and October 17 & 19, 2014 for delivery and transportation of alcohol, hours from 10:00a.m. – 8:00p.m. Second, S. Vadnais. Discussion: J. Ferrini stated that the event should be over by 3:00p.m. on each day. S. Vadnais asked if the proper insurance certificates are in place. J. Ferrini stated yes. Second S. Vadnais. Voted 5-0

**Action Item #4: Discussion Re: Comcast Renewal:** J. Ritter reported that he had a conversation with Special Town Counsel William Solomon this afternoon. He reported that discussions are proceeding and are very close. However, some additional time will be required to get the license before the Board. He noted that according to W. Solomon, this is a common practice and there would not be any interruption of service.

J. Tito read the following statement and asks that a motion be made to adopt the following statement as prepared by Town Counsel: “Town of Rehoboth, Board of Selectmen, As Cable Television Licensing Issuing Authority, Preliminary Assessment Regarding the Cable Television Renewal License of Comcast of Massachusetts I, Inc. Whereas, the Town of Rehoboth (“Town”) and Comcast of Massachusetts I, Inc. (“Comcast”) are in the process of completing an agreed upon Cable Television Renewal License (“Renewal License”) to be issued by the Town to Comcast;

Whereas, the parties have engaged in a cooperative good faith license negotiations; and whereas, the Board of Selectmen as Cable Television Issuing Authority deems it prudent to protect the interests of all parties, including the town, Comcast and the public, to issue this preliminary assessment setting out the status of said cable license negotiations cable licensing process.

Now therefore, because the Renewal License document is being finalized and is not yet executed, the Town in order to protect the interests of all relevant parties, issues this preliminary assessment regarding the status of the cable license renewal process, setting out, as referenced above:

- (1) The Town and Comcast are in the process of completing an agreed upon Renewal License to be issued by the Town to Comcast;

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- (2) The parties have engaged in a cooperative good faith license negotiations process;
- (3) The Board of Selectmen as Cable Television Issuing Authority deems it prudent to protect the interests of all parties, including the town, Comcast and the public, to issue this preliminary assessment setting out the status of said cable license negotiations/cable licensing process; and
- (4) As such the town is not issuing the Renewal License based upon Comcast's formal license proposal, but rather the Renewal License is being completed in a cooperative manner by the parties as set out herein."

S. Vadnais made a motion to adopt the statement as read by J. Tito. Second, S. Pimental.  
Voted 5-0

**Action Item #5: Discussion Re: Authorizing Animal Control Officer Supervision by Police Department:** J. Tito stated that he had requested that this item be tabled from last week until he could have a chance to do some background research. He had a chance to review the proposal with the Animal Control Officer and the Acting Police Chief who are in agreement with the proposal.

D. Perry asked if this was only for daily supervision and that the Animal Control Officer would retain control over her budget?

S. Vadnais said yes the Animal Control Officer would retain control of her operating budget. This proposal is a partial response to questions from officials from the Commonwealth. The "study group" is now in the process of doing research and gathering information. It will be a long process but this is the first step in asking the Board to approve certain recommendations to improve efficiencies. The Board of Selectmen would retain full control of the Animal Control Officer through the daily supervision by the Police Department.

D. Perry stated that everyone has to be accountable on a daily bases and the Police Department is the most logical given the amount of interaction between the Animal Control Officer, dispatchers and responding police personnel.

S. Vadnais said there are two types of offenses, non-criminal the Animal Control Officer can issue warning and criminal when the police get more deeply involved.

D. Perry stated there are violators in town and there are times the Animal Control Officer does not have the time to chase violators.

S. Vadnais also stated the Animal Control Officer also serves as Field Driver and completes all barn inspections.

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Jane Foster, Animal Control Officer was present and noted that situations are often not a black and white issue and many times she has to respond to a grey area.

S. Vadnais said Warrants are issued annually for unregistered dogs and those who do not register their dogs will face a fine.

J. Tito said this is largely in response to the new state regulations and the Town's response to those regulations and jobs change as a result.

D. Perry said this action is not in any way a negative reflection on the Animal Control Officer's performance and we need to make sure the Town is in compliance.

S. Pimental made a motion to adopt the proposal to assign the Animal Control Officer for the purposes of daily supervision to the Police Department. The Animal Control Officer would retain budgetary control over the budget. Second, J. Tito. Voted 5-0

**Action Item #6: Review Special Town Meeting Warrant and Annual Town Meeting**

**Warrant:** Finance Committee, Chairman Michael Deignan and Finance Committee, Vice Chairman Gerry Schwall were present. They stated the budget review is essentially completed with some minor adjustments but they are still fine tuning the document should will be completed this Thursday evening.

G. Schwall said there are two open issues for the Board to address. First, the Finance Committee is recommending moving the FY15 Capital article to the Special Town Meeting Warrant and renaming it FY14 Capital Budget. There are often better pricing options at the end of the fiscal year from vendors and this would allow departments to address immediate needs.

S. Vadnais made a motion to move the Annual Town Meeting Warrant Article #3, "FY15 15 Capital Budget," to the Special Town Meeting warrant and renaming it FY14 Capital Budget. Second, J. Tito. Discussion: S. Pimental asked about the funding source? G. Schwall stated there are several options and those will be addressed in the motions. Voted 5-0

Second, G. Schwall reminded the Board that the fire Chief is planning to retire during the next fiscal year and the Town will have to address the payout of his earned and accrued time. There should be an article to address this financial obligation. S. Vadnais made a motion to insert a new article into the Annual Town Meeting Warrant to address this financial obligation. Second, J. Tito. Discussion: S. Pimental asked why not insert this into the Fire Department budget? G. Schwall agreed that in the next budget cycle it would be useful to have a separate line item to address these long term liabilities. Voted 5-0

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J. Ritter continued his review of current revisions to the Special Town Meeting Warrant. The Board reviewed the letter to the citizens of Rehoboth. S. Pimental noted there are five unions not four unions. There were several minor edits.

STM Article #4: (Appropriation to Capital Improvement Stabilization Fund) There is new information from the Assessors regarding the Overlay Surplus and their recent decision to release some of those funds.

ATM Article #3: (Fiscal Year 2015 Capital Budget) This article will be moved to the Special Town Meeting Warrant and renamed 2014.

ATM Article #5: (Feasibility Ruse/Building Site Study & Improvements to the Existing Public Safety Building) This article will reflect \$355,300 for the Owner's Project Manager and the Architect. The money will come from the sale of real estate account.

ATM Article #19: (Allocation of Solar Pilot Agreement Revenues for Capital Building Improvements) J. Ritter stated that the objective of this article is to allocate new and unanticipated revenues from the installation of solar projects into a dedicated fund that would be used to offset all expenses related to supporting the Town's building improvement plans.

The Board decided to hold for a recommendation from the Finance Committee. J. Ritter will arrange for a Thursday evening conference call with Town Counsel and the Finance Committee.

**Action Item #7: Snow & Ice Invoices:** J. Tito made a motion to approve payment of invoices totaling \$408.00 which brings the snow and ice deficit of \$155,564.21 and forward this request to the Finance Committee for consideration and approval. Second, S. Pimental Voted 5-0

**Action Item #8: Vote to Approve Reserve Fund Transfers:** J. Tito made a motion to request from the Finance Committee reserve fund transfers as follows: into budget line item # 011513-53060 Town Counsel \$4,365.00; 011513-53060 Town Counsel \$1,402.50; 011873-52132 Board of Selectmen Facilities Maintenance Senior Center Gas, \$3,351.00; 011873-52133 Board of Selectmen Facilities Maintenance Public Safety Building Gas, \$2,471.00; 011873-52135 Board of Selectmen Facilities Maintenance South Fire Station Gas, \$1,585.00; 011873-52140 Board of Selectmen Facilities Maintenance Animal Shelter Oil, \$553.00; 011873-52141 Board of Selectmen Facilities Maintenance Town Office Building Oil, \$1,718.00; 011873-52144 Board of Selectmen Facilities Maintenance North Fire Station Oil, \$683.00; 011873-52146 Board of Selectmen Facilities Maintenance Highway Oil, \$510.00; 011873-52146 Board of Selectmen Maintenance Annex Oil, \$361.00. Second, S. Pimental. Discussion: S. Pimental noted that the \$4,365 for Town Counsel is to compensate a moving company for the property at 138 Chestnut Street which was taken by tax title. Voted 5-0

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**Action Item #9: Vote to Approve the Board of Selectmen Annual Report for 2013:** J. Tito made a motion to approve the 2013 Annual town Report for the Board of Selectmen. Second, S. Pimental. Voted 5-0

**Action Item #10: Vote on Release of Chapter 61A Parcel Noons/164 Mason Street:** J. Tito made a motion to not to exercise the right to purchase and to waive the town's right to purchase land currently under Chapter 61A known as Lot 28 on Assessors' Map 1, located at 164 Mason Street. Second, S. Pimental. Discussion: It was noted that the Planning Board, Conservation Commission and Agricultural Commission have recommended the not purchase this parcel. Voted 5-0

**Action Item #11: Vote to Accept the Resignation of Bonnie Kelley from the Information Technology Committee:** J. Tito made a motion to accept the resignation of Bonnie Kelley as a member of the Information Technology Committee effective immediately with regrets. Second, S. Vadnais. Discussion: J. Tito read her letter of resignation. S. Vadnais asked that a letter of thanks be sent to Ms. Kelley. Jim Muri, Chairman of the Information Technology Committee was present and thanked Ms. Kelley for her service to the Town. Ms. Kelley worked well with the Committee and Town staff to provide training. He also supports the nomination of Laura Schwall to be appointed as her replacement. Voted 5-0

**Action Item #12: Vote to Appoint Laura Schwall to the Information Technology Advisory Committee:** S. Pimental made a motion appoint Laura Schwall to the Information Technology Advisory Committee from April 8, 2014 until June 30, 2014 to fill an unexpired term of Bonnie Kelley. Second, J. Tito. Voted 5-0

**Action Item #13: Vote to Approve Middlebrook Country Club Request for All Alcohol Sunday Morning Sales (10a.m. – 12 noon) & Sign Form 43:** S. Pimental made a motion to approve the request from Middlebrook Country Club to add 10a.m. to 12 noon Sunday morning liquor sales to their All Alcohol Liquor License effective through December 31, 2014 and to sign Form 43 to be submitted to the ABCC. Second, J. Tito. Discussion: It was noted the applicant is Cuppels, Inc. dba Middlebrook Country Club, 149 Pleasant Street, Rehoboth. Voted 5-0

**Action Item #14: Resignation from the Conservation Commission:** J. Tito made a motion to accept the resignation from David Perry from the Conservation Commission with regrets. Second, S. Pimental. Voted 5-0

**5.0 OLD BUSINESS:** None

**6.0 OTHER BUSINESS:** None

**7.0 OPEN PUBLIC FORUM:** Jim Muri, asked the Board of Selectmen to again insert on the



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cover of the Annual Town Meeting Warrant a statement that the Boy Scouts will be collecting food for the food pantry.

**8.0 BOARD OF SELECTMEN REPORTS:** J. Tito reminded the public how important it is to vote given the recent vote and the school roof project failed by two (2) votes. S. Pimental noted that the wording on the debt exclusion questions are very confusing. She understands that the wording it dictated by the Commonwealth but it is still confusing. S. Vadnais asked for an Executive Session next week with Town Counsel so that new member David Perry can be brought up to speed regarding the status of the current an open litigation. M. Costello thanked the voter for re-electing him on Monday and again thanked S. Pimental for all her hard work. D. Perry also thanked the voters and residents of Rehoboth for electing him to the Board.

**9.0) EXECUTIVE SESSION:** None

**10.) ADJOURNMENT:** S. Pimental made a motion to adjourn the meeting at 8:43p.m. Second, S. Vadnais. Voted 5-0

Respectfully submitted,

J. Jeffrey Ritter  
Town Administrator

Approved 4/8/14