

**MINUTES OF THE SELECTMEN'S MEETING
MARCH 27, 2017**

PRESENT: Lewis W. Stone (Chairman), Willard J. Boulter, Jr. (Vice-Chairman), Arthur P. Boyle, Jr. (Clerk), Daniel Trabucco (Selectman), Matthew J. Furlong (Selectman), Edwin J. Thorne (Town Administrator), Deborah Wall (Library Director), Matthew Queenan, Andrew Queenan, Jennifer Mathias, Edward Angley, Preston Landers, Bill Lynch, Beth Bailey, Lois Johnson, Patty Cuozzi, Elise Davis, Robert Chandler, Bonnie Pajick, Sabrina Chilcott (Executive Assistant), and others.

At 7:00 pm, Mr. Stone opened the meeting and advised that this meeting is being made available to the public through a live video and audio broadcast on Comcast Government Access Channel 15 and is also being recorded for airing on the channel at future dates. Comments made in open session will be recorded.

Mr. Stone announced that Eagle Scout Advisor John Ioven, Jr. has notified the Board that Jeremy Glauben has reached the rank of Eagle Scout and a recognition ceremony is planned.

Mr. Boulter announced that the Pembroke Police, Environmental Police and Pembroke Police Boys Club will be holding a boating safety course for state certification; class size is limited so registration will end shortly. For further information, please contact Mr. Boulter at 781-389-4548. Mr. Boulter further announced that he is seeking re-election to his role on the Board and looks forward to continuing his work for the town here, on the Pembroke Water Wheel Committee, Herring Fisheries Commission, North River Commission Central Plymouth County Water District Advisory Board, Comcast Cable Negotiation Committee and River Herring Steering Committee. Mr. Boyle concurred and stated that it is his honor and privilege to serve the town and he is gratified to know people support the job he is doing.

7:00 PEMBROKE HERRING FISHERIES COMMISSION: REQUEST FOR APPOINTMENT OF JUNIOR COMMISSIONER

Mr. Boulter stated that the Herring Superintendent has recommended the appointment of a second Herring Fisheries Junior Commissioner named Andrew Queenan; Mr. Queenan has volunteered for a year with the Commissioners clearing the brooks and streams and demonstrates impressive knowledge of the area and species. Mr. Boulter moved to appoint Andrew Queenan to the role of Junior Herring Fisheries Commissioner; Mr. Boyle seconded the motion. The vote was unanimously in favor.

7:10 JENNIFER MATHIAS: HILL BOG PROJECT UPDATE

Mr. Stone stated that the Selectmen approved the four site cranberry restoration project "Hill Bog, Pembroke MA on October 25, 2010. The first phase, or site #1, entailed cleaning the reservoir, removing material from the pond, and hauling approximately 40,000 yards offsite. The Conservation Agent monitored the progress and had no issues with the project as defined in the submitted USDA NRCS Wareham and the Plymouth County Conservation District Farm Conservation Plan prepared by Linda Rinta September 14, 2010. On September 30, 2013, the Selectmen approved the second phase, cranberry restoration project at site #2 known as Hill Pond. At this time, the Board reaffirmed existing conditions of a 7:30 am to 4:30 pm workday, no weekends or holidays, with no idling of trucks, and subject to the street being swept and a police detail if the Police Chief so determines. The plan approved work operations at site #2 from 7:00 am to 4:30 pm with Saturdays as needed, from 7:30 am to 4:30 pm on-site work only for excavation. In regards to off-site trucking: the Board approved off-site trucking commencing at 7:30 am and ceasing at 4:30 pm Monday through Friday with Saturdays as needed. Trucks would enter and exit the site on Valley Street from the direction of Route 53 and no excessive truck traffic would utilize the 4-way intersection of Forest and Valley Streets. Appropriate signage was ordered and erected on Valley Street relating to truck traffic, summary included a peak average of six trucks daily making six loads per day or 36 trips leaving the bog (full) and returning to the bog (empty). Attorney Edward Angley was present before the Board to affirm these conditions and introduce the contractor on the project, Preston "Skip" Landers. Mr. Landers volunteered to provide the Board's six month updates as the contractor on site and provided a history of P.A. Landers involvement in earth removal, hauling and cranberry business background. Mr. Landers stated that the restriction of 36 trucks per day has slowed the timeframe of the project's completion; Mr. Landers stated that

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this second phase of the project will take four to five years to complete. Mr. Stone inquired as to the four phases of the project; the Board is aware of phase one and phase two reservoir reconstruction. Mr. Landers explained that the final two phases will be the reconstruction of the bogs once the earth removal and reservoir restoration is completed. Discussion ensued on A-pool rights with Ocean State pending transfer from Kingston to Pembroke. Mr. Stone asked Mr. Landers about the status of the haul road progress; Mr. Landers stated that the Hill Bog side of the roads progress is complete, and the Copperwood developer's contractor (Sealund) is working with the town to complete the Birch Street side. Mr. Trabucco asked for clarification of the final two phases and whether there will be excavating in those phases requiring the moving of additional materials. Mr. Landers stated that the final phases and ongoing operation of a cranberry farm will involve bringing in sand every year after harvest to winterize the plants, but all other materials required are present. Mr. Trabucco suggested that the Copperwood projects need for more than 36 trucks per day could be discussed for an increase provided the haul road was used, thereby shortening the duration of both projects. Discussion ensued. Valley Street resident Bill Lynch asked how many acres is the parcel and the project size. Mr. Landers stated that the parcel is 188 acres with bogs to encompass 20 of those acres. Valley Street resident Beth Bailey stated that she feels it is disingenuous to refer to 36 trucks as they travel round trip and should be called 72 appearances. Ms. Bailey inquired about a logging operation. Mr. Angley stated that is a go-away issue on completion of the bogs restoration. Ms. Bailey referred to the OCPC traffic study results for Valley Street and asked if the haul road could be kept open on completion of the Copperwood project. Mr. Stone clarified that the Board has made advances in their request for an HCVE on Valley and Birch Streets. Lois Johnson from 207 Valley Street stated that when purchasing a home on Valley Street, the expectation is that the area is a residential district not a commercial district. Discussion ensued on Valley Street road conditions, including potholes and the disintegration of the soft shoulder. Mr. Stone confirmed that evaluation performed of Valley Street by the DPW's engineers and stated that the cost to reconstruct the road is in excess of \$600,000 which the town does not have. Ms. Bailey stated that the traffic study shows average truck speeds in excess of 44 mph in a 30 mph zone. Patty Cuozzi of Valley Street stated it is dangerous to approach a roadside mailbox with truck speeds and road width. Abutter Elise Davis asked what the alternative plan is to the A-pool rights being transferred from Kingston to Pembroke, should it fail. Ms. Mathias stated that Ocean State has agreed to work with the family to transfer the rights, and there are alternative means of selling the berries if necessary. Ms. Davis asked the Board what the local involvement and monitoring of the USDA, federally approved project. Mr. Stone explained that conditions voted by the Board and agreed to by the Mathias family are outside of the federal project permitting process, and the only local control option to be exercised. Mr. Trabucco repeated that the Chiefs and Conservation Agent have been to the location several times over the years to review aspects related to their roles, the Selectmen have been updated and the project had regular updates until recently. Mr. Landers offered to provide the ongoing updates to the town. Mr. Lynch asked Mr. Landers, if the limit of 36 trucks per day were removed, how long it would take to complete the project. Mr. Landers explained that there were a total of 390,000 cy to be removed at the beginning of phase two, each truck moves between 15-25 cy per load during nine months of the year, so roughly it could take half of the current projected time. Mr. Landers offered to escort anyone requesting a tour. Final discussion ensued on financing road repairs, improved communication and requesting an update from the USDA on their inspections and monitoring process. Mr. Angley stated that he will continue to request a copy of the farm plan from the USDA. Robert Chandler stated that eh cannot visualize the final project's appearance.

7:30 SELECTMEN ACTING AS WAGE AND PERSONNEL BOARD: LIBRARY DIRECTOR DEBORAH WALL, DISCUSSION OF LIBRARY TRUSTEES TWO TOWN MEETING ARTICLES

Ms. Wall was present before the Acting Wage & Personnel Board in regards to the Library Trustees two articles that request town meeting vote to amend the Classification and Compensation By-Laws. The first article proposes that Article 17 Section A (sick time) be amended to include "Part time Library employees are entitled to accrue 1 hour sick leave for every 30 hours worked. Earned time will cap at 40 hours, no more than 40 hours may be carried forward each year, and an employee may only use a total of 40 hours in one year. Part time Library employees may begin using earned sick time on the 90th calendar day from start of employment. A part time Library employee may be required to take a full shift of earned sick leave even if only a partial shift off is needed. Part time Library employees are not entitled to any pay out of unused sick

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time at layoff, death or separation.” Discussion ensued on potential exposure to the town in direct cost and ancillary cost, or filling an open shift caused by use of accrued time. Ms. Wall stated that the cost if all eligible employees took all of their time, it would cost the town \$4,000. Regarding the Trustees second article, Ms. Wall explained that the library was built in 1998, the plan for a Generalist Reference Library was incorporated into the structure, with office, counter and workspace for the role. The position was not funded until 2016, and then only at a part-time rate. Ms. Wall explained the role requires extensive experienced and an advanced degree, making it extremely difficult to appropriately compensate the experienced talent at a part time, no benefit rate. Ms. Wall stated that her last two successful GRL left to take full-time roles, and her current GRL is being wooed by other communities. Discussion ensued; Mr. Trabucco requested clarification on the steps proposed in the article; Ms. Wall explained there is no increase in rates, just an increase in hours and the role will appear as salaried (SA-32).

REQUEST FOR THE USE OF TOWN ROADS: HUSS DOG JOG RACE, FAMILY OF STEPHEN HUSSEY

Mr. Boyle moved to approve the use of the Town's roads by the Hussey Family for the annual Huss Dog Jog road race on Learning Lane on Saturday, July 15th at 6:00 am pending the approval of the Police Chief. Mr. Boulter seconded the motion. The vote was unanimously in favor.

DISCUSSION OF MUNICIPAL USERS FEE ABATEMENT CRITERIA AND PROCESS

Mr. Thorne referred to the summary of abatements processed, what abatements are permitted and what the criteria is for eligibility along with the sample forms for abatement. Mr. Boyle moved to table this for one week; Mr. Boulter seconded the motion. The vote was unanimously in favor.

ATM/STM ARTICLE RECOMMENDATIONS

Mr. Stone reviewed routine articles 1, 8, 9, 10, and 12, as well as housekeeping article 17 and street acceptance article 20. Mr. Boyle moved to recommend favorable action on articles 1, 8, 9, 10, 12, 17 and 20; Mr. Boulter seconded the motion. The vote was unanimously in favor. Mr. Stone reviewed Special within the annual articles 5, 6 and 7. Mr. Boyle moved to recommend favorable action on special within the annual articles 5, 6 and 7; Mr. Boulter seconded the motion. The vote was unanimously in favor.

DISCUSSION, POSSIBLE VOTE: RETIRED EMPLOYEE HEALTH CARE PPO AND NON-UNION CONTRIBUTIONS

Mr. Thorne reviewed the various rates of health insurance contributions paid by different demographics of employees and retirees in town. Mr. Thorne stated that the sixteen non-union employee contributions are at 22% and the twenty two early-retiree/non-Medicare eligible contributions are at 15%. Discussion ensued. Mr. Boulter moved to increase non-union employee's health insurance contributions to 23% on July 1, 2017, to 24% on July 1, 2018 and to 25% on July 1, 2019; Mr. Boyle seconded the motion. The vote was unanimously in favor. Mr. Furlong moved to increase early retirees/non-Medicare eligible health insurance contributions to 19% on July 1, 2017, to 22% on July 1, 2018 and to 25% on July 1, 2019; Mr. Trabucco seconded the motion; the vote was 4/0/1 with Mr. Boulter abstaining.

VOTE TO ACCEPT THE MINUTES OF MARCH 20, 2017

Mr. Boyle moved to approve the minutes of March 20, 2017 as presented; Mr. Furlong seconded the motion. The vote was unanimously in favor.

TOWN ADMINISTRATOR'S REPORT

Mr. Thorne stated that he attended a meeting of the South Shore Chamber of Commerce in Rockland and the subject of ongoing economic initiatives in project development, or bolstering downtown development by promoting mixed-use projects was discussed at length.

ASK THE SELECTMEN

Mr. Boulter stated that a resident has approached the Board to consider a dedicated parking space at Town Hall signed for Veteran's parking only. Discussion ensued. Mr. Boulter moved to authorize the DPW

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Director to order the sign and consult with the Building Inspector and Veterans Agent to select an appropriate parking spot. Mr. Boyle seconded the motion. The vote was unanimously in favor.

NEW BUSINESS

Mr. Stone reported that there has been good progress at the solar farm at the landfill; he and the Town Administrator will seek out other properties in town suitable for a solar farm. Discussion ensued on researching opportunities of a hydro-turbine in the North River.

Mr. Stone read the upcoming issues from the agenda.

At 9:15 pm, Mr. Boulter moved to enter executive session under M.G.L. c.30A, Sec. 21(3) to discuss strategy with respect to collective bargaining or 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 regarding Clerical, DPW, Police, Fire and Police Superior Officers Unions and (6) to consider the value of real estate – Off Monroe Street. Mr. Trabucco seconded the motion. Mr. Stone declared it so and stated that the Board will return to open session at the conclusion. By roll call: Boyle – yes, Furlong – yes, Trabucco – yes and Boulter – yes Mr. Stone – yes.

At 9:35 pm, the Board returned to open session.

Mr. Boulter moved to approve the Memorandum of Agreement between the Town of Pembroke and AFSCME, Council 98, Local 1700, Department of Public Works. Mr. Trabucco seconded the motion. The vote was unanimously in favor.

Mr. Boulter moved to approve the Memorandum of Agreement between the Town of Pembroke and AFSCME, Council 98, Local 1700, Clerical Unit. Mr. Trabucco seconded the motion. The vote was unanimously in favor.

At 9:40 pm, Mr. Trabucco moved to adjourn; Mr. Boulter seconded the motion. The vote was unanimously in favor.

MATERIALS & EXHIBITS

Memorandum, Summary, Agendas, Minutes and Correspondence re: Hill Bog (BOS/TA Office)

Draft Annual Town Meeting Warrant Articles 1, 7, 8, 9, 10, 12, 17, 20, 23, 24 (BOS/TA Office)

Draft Special Within the Annual Warrant Articles 5, 6 and 7 (BOS/TA Office)

Email, D. Hussey re: HussDog Jog Road Race (BOS/TA Office)

Memorandum and Contribution Summary re: Health Insurance, K. McCarthy (Treasurer/BOS/TA Office)

Draft Minutes of March 20, 2017 (BOS/TA Office)