



Office of  
SELECTMEN  
148 Peck Street  
Rehoboth, MA 02769

Tel.: (508) 252-3758  
Fax: (508) 252-5342

**BOARD OF SELECTMEN  
MEETING MONDAY, MARCH 11, 2019  
MEETING MINUTES  
GLADYS L. HURRELL REHOBOTH SENIOR CENTER**

**Present:** Selectman Frederick "Skip Vadnais; Selectman Gerry Schwall, Selectman Dave Perry, Selectman James Muri, Selectman Michael Costello, and Deborah Arruda, Assistant to the Town Administrator

**At 4:30 p.m.**, on a motion made by Selectman Perry, seconded by Selectman Schwall, it was voted to enter Executive Session, pursuant to. ***MGL Chapter 30A, Section 21A (1) To discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or discuss the discipline or dismissal of, or complaints or charges against, a public officer, employee, staff member or individual.***

*Topics of Discussion: Medical leave update; Police Union grievance.*

**Roll Call Vote:** Perry aye; Vadnais aye; Muri aye; Costello aye; Schwall aye. (Vote 5-0)

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

**1.0) Consent Agenda**

**Warrants for March 14, 2019:** G. Schwall read the weekly Warrants; 19-36A Withholdings, \$30,888.83, 19-37B Payroll, \$104,994.63; 19-36 Warrant, \$117,148.29. G. Schwall motioned to approve the weekly Warrants as read. Second by D. Perry. Vote 5-0

**Minutes:** Regular Minutes: 6/18/18 - Selectman Schwall motion to Approve Regular Minutes from 6/18/18, second by Selectman Perry. Vote 5-0.

**Open Forum – Announcements:**

Ron Whittemore from Keep Rehoboth Beautiful announced the Town Wide Clean-up will begin April 22 and end on April 28<sup>th</sup>. Bags are available at the COA, Manny's Auto, Chartley's Country Store, Highway Dept. and Town Clerk's office. All information can be found on town's website, and soon on Facebook. In 2018 we had a great outcome!

Next Selectmen's meeting will be held on Monday, March 18th at 7:00 PM at 55 Bay State Road, Senior Center.

The Citizens Against the Rehoboth Compressor Station (CARCS) will be hosting an informational event on Tuesday, March 19<sup>th</sup> at 7:15 PM at the Blanding Library. Snow date is March 26<sup>th</sup>. The event will feature two guest speakers, Bob Ackley from Gas Safety, Inc. and Boston University Professor Dr. Nathan Phillips. CARCS will also be giving a brief presentation on the 2018 baseline air and well water testing results, as

well as their plans for 2019. Elected officials from the Commonwealth and surrounding municipalities will also be in attendance.

## **NEW BUSINESS:**

### **Action Item #1 Discussion with Building Committee**

The Building Committee requested to come before the Board to discuss strategy regarding the timing of bringing the \$1.1M plan developing/bid solicitation project to Town Meeting. Committee is divided, one group wanting to bring the question to the May ATM, and another group believing it is prudent to wait until the Fall STM. FinCom is also divided on “recommending approval” of any potential article. If endorsed, the source of funds will be a “capital exclusion”, which spreads the cost of the project to the taxpayers over a 12-month period. This requires an affirmative vote at Town Meeting and a ballot vote (appx. \$10,000).

#### **Discussion:**

- Committee needs to take time to gather all information necessary for project
- Gather information on cost to renovate existing buildings vs. new building
- Need to be able to answer questions from residents
- Will try and target Fall Town Meeting 2019

### **Action Item #2: ABCC Change of Premises Amendment for MFB Foods d/b/a Rehoboth House of Pizza**

This action was previously tabled on 2/19/19, needing clarification on room drawing from applicant. Drawing showed more seating than licensed for. Mr. Benjamin has worked with BOH and the Building Commission on any issues. Mr. Benjamin is here to answer any further questions the Board may have.

G. Schwall motioned to approve the ABCC Change of Premises Amendment for MFB Foods d/b/a Rehoboth House of Pizza, subject to the capacity remaining at 24 seats. Second by M. Costello. Vote 5-0

### **Action Item #3: FY2020 Budget Review**

The following FY2020 Budgets have been submitted for the Board’s review and consideration:

**Forestry:** G. Schwall motion to approve budget of \$134,694 as submitted. Second by J. Muri. Vote 5-0

**Animal Control:** G. Schwall motion to approve budget of \$77,892 as submitted. Second by D. Perry. Vote 5-0

**Fire Dept.:** G. Schwall motion to approve budget of \$437,342 as submitted. Second by D. Perry. Vote 5-0

**Council on Aging:** J. Muri motion to TABLE review until 3/18/19. Second by G. Schwall. Vote 5-0

**Facility Maintenance:** J. Muri motion to approve budget of \$577,450 as submitted. Second by D. Perry. Vote 5-0

**ZBA:** G. Schwall motion to approve budget of \$3000 as submitted. Second by J. Muri. Vote 5-0

#### **Discussions:**

Chief Barresi announced that Capt. Nunes retired on 3/10 after 35 years. Paul Meghan moved up to Lieutenant.

Chief Barresi thanked everyone for all their help at the Plain Street fire. Job well done!

Firemen’s Ball will be held on 3/23/19, tickets available online.

G. Schwall thanked Carol Chencus for all her help on the Facility Maintenance budget.

**Action Item #4: Amend Date to Conduct Public Hearing for 48 Danforth Street**

G. Schwall motion to amend the date to conduct the public hearing to solicit feedback from the public regarding the Town's potential purchase of a Chapter 61B property. Land located on 48 Danforth Street and described by the Seller's attorney as Map 44, Lot 29. Date to be March 25, 2019. Second by M. Costello. Vote 5-0

**Action Item #4A: Discussion with Electrical Inspector, John Brennan**

Discussion with John Brennan pertained to his partial electrical inspection at the Town Hall on 2/25/19 with Kathy Amaral, Building Dept. Assistant. Inspection was not approved by the Board and it was only done in certain offices. G. Schwall was not aware of the inspection taken place nor did the Town Administrator's office know it was happening. Ms. Amaral was walking Mr. Brennan around pointing out certain things. Mr. Brennan was at the town offices conducting other business with the Building Dept. The Building Commissioner, Mr. McDonough was also unaware of this inspection of the town offices. Apparently, Ms. Amaral was working on a letter regarding the findings of the partial inspection, but when approached, did not know what was being asked of her. On March 8<sup>th</sup>, S. Vadnais asked that Mr. Brennan attend the Board of Selectmen's Meeting and this would be an Action Item for discussion.

**Discussion:**

Mr. Brennan was asked to look into loose wires found above the ceiling tiles. He concluded that the wires were phone wires/conduct lines. He has been inspecting for the Town of Rehoboth for about 3 years and never touched those wires.

Board asked the Mr. Brennan to research who installed the wires and when, was it inspected and by whom, look up all permits from 2009 -2012 that shows work that has been done on the building, and list the contractor. Mr. Brennan to provide list of findings to G. Schwall. G. Schwall will notify the Facility Manager.

S. Vadnais asked for a quote to have loose wires tied back.

**Action Item #5: Discussion Regarding the FY2020 General Appropriations Act**

Representative Howitt is again requesting projects to be included in the General Appropriation Act. In the past 2 years we have received funds for the COA furnace and control systems. There is a need for 2 generators, one at the Public Safety Building and the other at the So. Station.

G. Schwall motion to communicate the need for Generators to Representative Howitt to be considered for inclusion in the FY20 General Appropriation Act. Second by M. Costello. Vote 5-0

**Discussion:**

Chief Barresi was asked to provide a letter asking for the generators and the issues that they are having with the current ones. Please copy the Facility Manager on the letter.

**Action Item #6 Authorize Deficit Spending of the Snow Removal Budget**

G. Schwall motion to authorize the Highway Superintendent to deficit spend the snow removal budget. Second by J. Muri. Vote 4-0 M. Costello abstained.

**Action Item #7 Request for One Day Special Entertainment License: Tuff Scramblers, Inc.**

D. Perry motion to approve the One Day Special Entertainment License for the Tuff Scramblers, Inc., to conduct an Obstacle Running Event using music amplifiers. The event will be held on May 18, 2019 during the hours of 10 AM and 6 PM at 20 Francis Street, Rehoboth, MA. Second by M. Costello. Vote 5-0

**Action Item #8 Request for One Day Special Malt Beverage License: Tuff Scramblers, Inc.**

D. Perry motion to approve One Day Special Malt Beverage License for Tuff Scramblers, Inc. The event will be held on May 18, 2019 during the hours of 10 AM and 6 PM at 20 Francis St, Rehoboth, MA. Transportation dates are May 15, 16, & 17. Applicant is asking for 3-days of transportation because he is unsure at this time when it will be delivered. Second by M. Costello. Vote 5-0

**Action Item #9 Request for One Day Special All Alcohol License: Holy Ghost Brotherhood of Charity**

D. Perry motion to approve One Day Special All Alcohol License for Holy Ghost Brotherhood of Charity. Event will be held on April 27, 2019 between the hours of 6 PM and 12 AM at 43 Broad Street, Rehoboth, MA. Consumption of alcohol is limited to the "open dining hall set up with 3'x8' banquet tables for family style dining." Transportation dates are April 26 and 28. Second by J. Muri. Vote 5-0

**Action Item #10 Request for One Day Special Wine & Malt Beverage License: Riverside Sportsmen Club**

D. Perry motion to approve One Day Special Wine & Malt Beverage License for the Riverside Sportsmen Club. Event will be held on March 30, 2019 between the hours of 2 PM and 8 PM at 61 Reed Street, Rehoboth, MA. Transportation dates are March 29 and 31. Gun range will be closed during the event. Second by G. Schwall. Vote 5-0

D. Perry motion to approve One Day Special Wine & Malt Beverage License for the Riverside Sportsmen Club. Event will be held on June 14, 2019 between the hours of 5 PM and 9 PM at 61 Reed Street, Rehoboth, MA. Transportation dates are June 13 and 15. Gun range will be closed during the event. Second by G. Schwall. Vote 5-0

**Action Item #11 Budget Amendment: Police Department**

D. Perry motion approve the following budget amendment for the Police Department, second by M. Costello. Vote 5-0

Increase line # 012103-57310 Due by \$170.00

decrease line # 012310-54400 Other Operating Supplies by \$170

**OPEN FORUM-PUBLIC:**

- Robin from "News Media Show," concerned with water in Norton. Many Bay State Road residents have cancer. The Department of Health in town has issues and takes no responsibilities for what is going on. They keep using the excuse that the water has "minerals" in it. When she has spoken to the BOH and asked some questions about the business in town, she does not get a straight answer. Robin would like the following questions answered and actions taken:

- Have water in town tested, starting in the Grange.
- Do Businesses in town have a filtration System? If no, why not?
- Are the older homes grandfathered or do they have to follow the new rules?
- Are all new homes required to have filtration systems?

Selectman Muri recommends that Robin speak to the Water Commissioners and Board of Health, they are the experts in this area.

- Arlene Delprete of 258 Chestnut Street concerned with water that accumulates and floods her house. Problem began after March 2018 when neighbor's house was built across the street. Neighbor recently brought in truckloads of soil and Ms. Delprete fears it will make matters worse. Ms. Delprete states that Mr. Perry has been to her home, but the changes that were made did not help either.

M. Costello stated that once the Spring arrives and the neighbor begins to add loam and seed that it will help the situation.

D. Perry stated that he has been to the home numerous times, but he does not understand why the homeowner is complaining about water intrusion since there does not appear to be any flooding. D. Perry further stated that he would work with the Highway Superintendent to resolve the issue.

➤ **Mike Deignan of 5 Slater Street--Chair of the Finance Committee**

Loraine Botts forwarded a post that was on social media regarding the Board of Selectmen and the Finance Committee purportedly violating town bylaws. The post was answered by a member of the Board. The person who sent the post, their name is not listed on the town roster (Mike proceeded to read the post to the Board and public). Article 4 Sec 2 from town bylaw states that no officer or member of a board is eligible to be on the Finance Committee. They were referring to George Solas and myself [M. Deignan]; Finance Committee is a 5-member board.

George is elected to the Regional School Committee and appointed to the Finance Committee. Dighton Rehoboth Regional School is a separate body, politic, incorporate from the Town of Rehoboth; defined in M.G.L. Ch 17 Sec 16. Rehoboth bylaws do not apply to Dighton Regional District or school committee.

S. Vadnais clarified that Rehoboth Town Counsel approved George's dealings with the town.

M. Deignan reassured that the Rehoboth Town Counsel approved and the Dighton Rehoboth Regional High School Counsel also approved.

Michael Deignan-Elected as Constable, but Appointed to Finance Committee. Bylaw references day to day dealings with the town. As a Constable I do not have day to day dealings with the town, do not have the authority to speak on behalf of the town, do not represent the Town of Rehoboth, etc., unless we are contracted by the town to provide services. Constables are like independent contractors and not town employees. Article 32B Sec 2D has the definition of what an employee of a municipality is (Mike read a case that pertains to the situation at hand to the public). Again, Town Counsel approved my dealings with the town.

S. Vadnais-The Board of Selectmen will not listen to or respond to anything that is on social media. If a citizen has an issue and feels that a bylaw is not being followed, they should send their concern in writing to the office of the Board of Selectmen and we will review it at that time. The Board agreed.

- **Derek Rousseau-** Thursday, March 14<sup>th</sup> at 7 PM at the Senior Center Meet the Candidates night will be held for the April 1<sup>st</sup> Town Election. It is being hosted by Rehoboth TV and will be televised live.

**OLD BUSINESS:**

None

**DEPARTMENT HEAD REPORTS**

**Selectmen's Reports:**

**Vadnais: No Report**


**Schwall:** Rehoboth Baseball Opening Day will be April 27<sup>th</sup>. Great event for all!

**Perry: No Report**

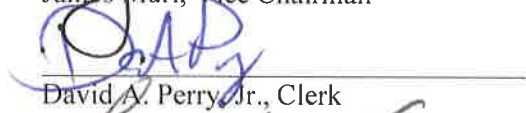
**Muri:** Working with Facilities Manager on list of inspections, preventative maintenance and any future projects.

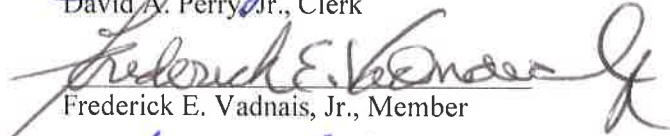
**Costello: No Report**

**ADJOURNMENT:** Selectmen G. Schwall made a motion to adjourn the Regular Session Meeting at 8:42 PM., Second by Selectmen J. Muri. Perry – aye; Costello – aye; Muri – aye, and Schwall – aye, Vadnais – aye.


  
Gerald V. Schwall, Chairman

  
James Muri, Vice Chairman

  
David A. Perry, Jr., Clerk

  
Frederick E. Vadnais, Jr., Member

  
Michael Costello, Member

  
Respectfully Submitted,  
Deborah Arruda  
Assistant to the Town Administrator

**Approved 8/5/19**