



Office of  
SELECTMEN  
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Rehoboth, MA 02769

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**BOARD OF SELECTMEN  
MEETING MONDAY, MARCH 25, 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 6:00 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 (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.*

***Topics of Discussion:*** Highway and Clerical Contract Discussion and Rehoboth Ambulance Committee.

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

**Call to Order at 7:11 p.m.:** The Board and the public participated in the Pledge of Allegiance to the Flag.

**1.0) Consent Agenda**

**Warrants for March 28, 2019:** S. Vadnais read the weekly Warrants; 19-38A Withholdings, \$126,813.49, 19-39B Payroll, \$103,277.23; 19-38 Warrant, \$71,012.92. G. Schwall motioned to approve the weekly Warrants as read. Second by D. Perry. Vote 5-0

**Minutes:** Regular Minutes: M. Costello motion to approve Regular Minutes for 7/23/18 and 8/6/18. Second by G. Schwall. Vote 5-0.

**Open Forum – Announcements:**

Annual Town Election will be held on Monday, April 1<sup>st</sup>. All polls will be open from 7:00 AM – 8:00 PM. In addition to voting for elected Town positions, there is a "not binding" ballot question regarding the expansion of natural gas within the Town.

On 3/28 there will be an Executive Session held at the Senior Center, 55 Bay State Road, Rehoboth, MA to discuss Clerical and Highway Union Contracts.

Next Selectmen's Meeting will be held on Tuesday, April 2, 2019 at 7:00 PM at the Senior Center, 55 Bay State Road, Rehoboth, MA.

## **NEW BUSINESS:**

### **Action Item #1 7:15 PM Public Hearing: Application for Class II Auto License at 509 Winthrop Street-First Stop Auto Sales, LLC**

Nicolas Melo is Sole Member of First Stop Auto Sales, LLC and is applying for a Class II Auto License and leasing property at 509 Winthrop Street. Present was also Attorney Steven Peterson. Mr. Melo presented Deborah Arruda with a check for \$95.22 payable to Gatehouse Media MA and all the return receipts and green cards from the abutters.

7:15 PM A motion made by M. Costello to open the Public Hearing, second by G. Schwall.

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

Attorney Peterson approached the Board and told them that Mr. Melo currently has a Class II in East Providence doing repairs, but looking to expand into sales of vehicles. Looking to house 25 vehicles and to do minor repairs at Winthrop location. Board requires Attorney Peterson to amend layout, it shows 33 vehicles now.

7:26 PM A motion made by M. Costello to close the Public Hearing, second by G. Schwall

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

#### **Discussion:**

Tish Vadnais-Homestead Avenue – due to the language barrier will there be an interpreter on the premises at all times. Attorney Peterson responded with “yes.”

Board also clarified that there should not be anyone renting the back of the building. Attorney Peterson assured that will not be the case.

J. Muri motion to approve a class II Auto License for Nicholas Melo operating as First Stop Auto Sales, LLC, second by M. Costello with the following conditions:

- 25 Vehicles for sale on premises-unregistered
- Minor mechanical repairs only
- Manager on site

D. Perry amended original motion to add; No more than 25 vehicles on premises that are on dealer book and book must be on site. Second by J. Muri. Vote 5-0

### **Action Item #2: 7:30 Public Hearing – Potential Acquisition of Land from Constance R. Pemmerl- Commonly referred to at 48 Danforth Street**

On December 20, 2018 Attorney Luke Travis notified the Board of the Selectmen that his client, Ms. Pemmerl, had entered into an agreement to sell a portion of the property held under the provisions of “Chapter 61B-Recreational.” Total property is about 50.61 acres (+/-) for the purchase price of \$125,000. Other Boards, Committees and Commissions within the town have exercised their right of refusal.

7:30 PM A motion made by G. Schwall to open the Public Hearing, second by M. Costello

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

**Discussion:** 3 Parcels of land were deeded to Ms. Pemmerl and 2 out of 3 are cleared. Contract with DuVally for one house only buildable lot. Ms. Pemmerl would like the Town of Rehoboth to have the property.

The Board reached out to various Boards, Committees and Commissions within the town that may have an interest in the property, and all support the Town to exercise its Right of First Refusal and acquire the property.

Rachel Smith of 130 School Street, stated it was a great piece of property.

Carol Williams of 84 Carpenter St and chair of CPC & Rehoboth Agricultural & Natural Resource Preservation Council (RANRPC), has money from her committee to invest in the property to help the town if necessary.

The Board spoke to the audience notifying them that the purchase of the land will be part of Special Town Meeting and attendees will be able to vote on the expenditure of the CPC Funds and acquire the property.

7:45 PM A motion made by G. Schwall to close the Public Hearing, second by J. Muri

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

Board discussed with the town that a 2/3 vote is necessary to finalize the purchase of the property.

G. Schwall motion to move the Board of Selectmen exercise the Town's Right of First Refusal for the property which is that certain parcel of land, as shown on Assessor's Map 44, Lot 29, consisting of approximately 50.61 acres (+/-), (Book 5167 Page 218; Book 16780 Page 85; and Book 24478/Page 28) known as 48 Danforth Street, Town of Rehoboth, Bristol County, Commonwealth of MA from Constance R Pemmerl, which is held as Recreational Land pursuant to G.L. c 61 B and to authorize the Chairman, Frederick Vadnais, Jr., to execute and enter into any and all documents necessary to effectuate the same. Second by M. Costello. Vote 5-0

**Action Item #3: Request for Letter of Non-Opposition for Proposed Marijuana Facility**

A representative from Original Goods was present to review a proposed Marijuana Facility.

A motion made by M. Costello to issue a Letter of Non-Opposition to Original Goods contingent upon the successful negotiation of a Host Community Agreement with the Board of Selectmen. Second by D. Perry. Vote 5-0

A motion made by J. Muri to authorize G. Schwall to enter into discussions with Original Goods and report back to the Board. Second by M. Costello. Vote 5-0

**Action Item #4: Discussion with Scott MacFaden from the Wildlands Trust Regarding Bertozzi Conservation Restriction**

Mr. MacFaden is working with the Bertozzi family to add 5 acres they acquired recently to their existing Conservation Restriction situated off of Anawan Street. According to M.G.L. Ch 184, they need to obtain the approval of the Rehoboth Selectmen as part of advancing the amendment.

G. Schwall motion to approve the Conservation Restriction from Judith C. Bertozzi to Wildlands Trust, Inc., in the public interest pursuant to M.G.L. Chapter 184, Section 32. Second by M. Costello. Vote 5-0/

**Action Item #5: Review of Job Posting for Director of Information Technology and Media**

**\*\*Selectmen Schwall recused himself from the discussion**

J. Muri has been working with the Chair from the Personnel Board, Dave Scanlon, to develop a job description and job posting for this position. Job description is at its final stages of review and the job will be posted. The position has been voted on by the Board to be included in the FY20 budget on March 18<sup>th</sup>; funds have been appropriated in the FY19, which allows for the position to be filled before the end of the year. Selectman Muri is seeking approval from the Board to post the position and begin the interview process in accordance with the Town of Rehoboth Personnel Policies, Section V Policy Number 11.0 Recruitment and Appointment.

M. Costello motion to approve the posting of the Director of Information Technology and Media job description and authorize Selectman Muri to move forward with the application, interview and selection

process, in conjunction with Personnel Board Chairman, Dave Scanlon. Second by D. Perry. Vote 4-0, G. Schwall recused himself.

M. Costello motion to amend previous motion and to add, third party to the interview process to be announced later. Second by D. Perry. Vote 4-0, G. Schwall recused himself.

**Discussion:**

15% of salary to come from Town General funding and remainder from PEG funds (Comcast).

**Action Item #6: Approval of Junk Dealer's Licenses**

Junk Dealer's licenses are valid from May 1 – April 30 and must be renewed yearly.

D. Perry motion to approve the following Junk Dealer's Licenses. All licenses are effective from May 1, 2019 – April 20, 2020. Second by J. Muri. Vote 5-0.

Andrew Sarra	New Too You Furniture	146 Winthrop Street
Daniel Bilezikian	Gallery One Twenty-Five	125 Tremont St
Mr. & Mrs. Valentim Mendes	Mendes Antiques	52 Blanding Rd – Rt. 44
Gerry Jennings	Anawan Antiques	180 Anawan Street

**Action Item # 7: Approval of Snow Related Invoices as Submitted by Highway**

D. Perry motion to approve payment of invoices submitted by the Highway Department in the amount of \$24,965.50, second by G. Schwall. Vote 4-0. M. Costello abstained

**Discussion:** The deficit balance in the Snow & Ice Account is now \$32,921.20

**Action Item #8: Reschedule Public Hearing for ABCC Change of Premises Amendment for MFB Foods d/b/a Rehoboth House of Pizza from Monday, April 15 to April 16**

At the March 18<sup>th</sup> meeting it was voted to schedule the Public Hearing for April 15<sup>th</sup>. April 15<sup>th</sup> is Patriots Day and there will be no Selectmen's meeting.

G. Schwall motion to amend March 18<sup>th</sup> vote and schedule Tuesday, April 16 for the Public Hearing for the ABCC Change of Premises Amendment for MFB Foods d/b/a Rehoboth House of Pizza, second by M. Costello. Vote 5-0

**Action Item #9: Reserve Fund Transfer: Board of Health**

Health Agent's vehicle required extensive repair work which depleted the R&M line.

G. Schwall motion to approve the Board of Health Reserve Transfer in the amount of \$707.00 to be transferred into line 015113-52430-Vehicle R&M. Second by D. Perry. Vote 5-0

**Action Item #10: Discussion Regarding National Grid Fee Assessment for the Fiber Project**

Discussion with Derek Rousseau regarding Fiber Project and National Grid. National Grid looking for a fee payment for something that is "town owned." Project must be started by May 1<sup>st</sup> and completed no later than June 30<sup>th</sup>. Grants will help schools, and businesses in the area.

**Action Item #11: Request to Accept Donation**

J. Muri motion to approve donation from Big Lots of Swansea of a living room set (sofa/loveseat and recliner chair) to the COA. Second by M. Costello. Vote 5-0

**Discussion:** COA Board, Ron Whittemore and Neal Harrington all approve the donation as well.

### **Action Item #12: Budget Amendments**

D. Perry motion to approve the following budget amendment for the Board of Selectmen, second by G. Schwall. Vote 5-0

Facility Maintenance: Increase Line 011873-52126 Facility Maintenance-Highway Electric by \$1,000  
Decrease Line 011873-52409 Facility Maintenance-Repairs/Improvements by \$1,000.

D. Perry motion to approve the following budget amendment for the Board of Selectmen, second by G. Schwall. Vote 5-0

Increase Line 011223-53010 Selectmen's Office Expense-Medical/Physicals by \$239

Decrease Line 011223-57310 Selectmen's Office Expense-Dues by \$239.

### **OPEN FORUM-PUBLIC:**

Ron Whittemore: 21 Pond Street

Keep Rehoboth Beautiful is having a town wide clean up from April 22-28<sup>th</sup>. Please check out town website at [www.town.rehoboth.ma.us](http://www.town.rehoboth.ma.us) for more information.

Tish Vadnais: Homestead Ave

Representing the Rehoboth Lions Club. Accepting nomination for the 18<sup>th</sup> Citizen Recognition Awards Night. If you would like to nominate someone in town the form can be found in the Rehoboth Reporter and on the town website.

### **OLD BUSINESS:**

None

### **DEPARTMENT HEAD REPORTS**

#### **Selectmen's Reports:**

**Vadnais:** A letter was read from Dr. Hermance, Professor at Brown University regarding Palmer River Watershed. The Board discussed some issues with the river flow and the river identification on the maps. Tish Vadnais stated the Board of Water Commissioners are in disagreement and Dr. Hermance is getting frustrated and wants to walk away. Tish states he is too valuable and we need his input.

M. Costello motion that the Board support Dr. Hermance in his efforts to move forward with the watershed issues and the Palmer River and to allow J. Muri to work with the Water Commission Board as well. Second by G. Schwall. Vote 5-0

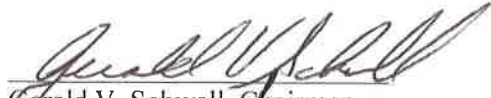
**Schwall:** There is some confusion on the April 1<sup>st</sup> Non-binding question. The ballot question is regarding the expansion of gas services to new areas of town (new developments)-distribution lines. Not existing individual lines.

**Perry:** The Board of Selectmen attended the meeting on the CARCS that was held last night. It was very informative and we all learned a lot.

**Muri:** There are some town individuals that do not get recognition for their work. Cheryl Gouveia moved funds from a COA Passbook for Gifts & Endowments into a CD revolving account to earn the town more interest. By moving the funds over we will receive approximately \$3400 in interest per month.

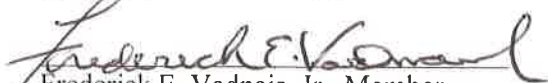
**Costello: No Report**

**ADJOURNMENT:** Selectmen G. Schwall made a motion to adjourn the Regular Session Meeting at 8:37 PM, second by Selectmen J. Muri. Perry – aye; Muri – aye, Schwall – aye, Vadnais – aye, Costello – aye.

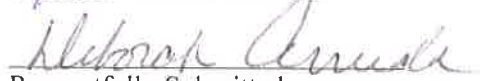
  
Gerald V. Schwall, Chairman

  
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: 8/26/19**