



Office of
SELECTMEN
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**BOARD OF SELECTMEN
MEETING MONDAY JULY 16, 2018
MEETING MINUTES
GLADYS L. HURRELL REHOBOTH SENIOR CENTER**

Present: Frederick "Skip" Vadnais, Chairman; Gerald Schwall, Vice Chairman; Dave Perry, Clerk; James Muri, Member; Michael Costello, Member

Also present: Helen Dennen

1.0) Executive Session at 6:30 PM:

On a motion made by Selectman Perry, seconded by Selectman Costello, it was voted to enter Executive Session pursuant to Massachusetts General Law, Chapter 30A, and Section 21; (2) To conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel; (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: Contract Negotiations for Highway & Clerical; Potential Litigation.

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

2.0) Consent Agenda

Warrants for July 19, 2018: S. Vadnais read the weekly Warrants; 19-02A Withholdings, \$39,047.17; 19-03B Payroll, \$101,589.05; 19-02 Warrant (FY19), \$885,840.38; 18-54 Warrant (FY18), \$213,345.32. J. Muri motioned to approve the weekly Warrants as read. Second by D. Perry. Voted 5-0

Minutes: On a motion made by J. Muri, second by D. Perry it was voted to approve Regular Minutes for 6/18/18 (Workshop Session). Vote 4-0, M. Costello abstain

Open Forum – Announcements:

Next Selectmen's meeting will be held on Monday, July 23, 2018 at 7:00 PM at 55 Bay State Road, Senior Center.

Public Hearing on July 23rd to hear application for a Personal Kennel for more than 4 dogs from Robyn Anderson on Terrybrooke Road.

375th Keep Rehoboth Beautiful Committee is looking for volunteers to help with the Town-wide Clean-ups. If you are interested, contact the Selectmen's Office for a Talent Bank Form or go to our website for a copy.

Tomorrow July 17th is Election Day, voting is open from 7 AM to 8 PM.

Tish Vadnais/Water Commission – The Water Commission has an issue/concern, we know there are a number of water issues that have taken place in town and we are not getting any correspondences. No other Boards/Commissions are sharing information with us. Just before this BOS meeting Jim Muri brought one up that we did not know about.

- M. Costello – Has any other board/commission been informed to advise the Water Commission of issues in town?
- Mrs. Vadnais – I informed the BOS months ago and a motion was made to have a letter sent out to all other boards/commissions to advise the Water Commission of any issues.
- H. Dennen – I do recall sending a letter months ago
- Mrs. Vadnais – It was months ago and we are not receiving anything in our mailbox. I know there is a BOH issue going on at a place on Rt 44 that may be contaminating the Palmer River and I have asked for back up and have not received anything. Just invite us to a meeting that may have issues regarding water and someone from the commission will go.
- G. Schwall – We can either go back and find that memo that was sent out or just create a new one and list the issues that the Water Commission want to be advised on, i.e. water, septic, wells, water sheds, etc. and send it out again.

Town Administrator's Report:

Treasurer/Tax Collector's Office will be closed Wednesday, July 18th from 8 AM- Noon, attending an off-site workshop for bank system updates.

Francis Farms Golf Tournament, town clerk asked to hold off on signing the contract until Francis Farms signs first. Will put on next week's agenda.

New hire Andrew Poyant started today as our new Town Planner/Conservation Agent. Also starting today was Office Administrator Stacy Vilao for PB/Conservation ConCom & Highway and Deborah Arruda as Assistant to Town Administrator.

I gave you correspondence from Dighton BOS regarding the Regional School Agreement

- S. Vadnais Dighton BOS inviting TOR Board and School Committee to discuss agreement further. I feel meeting should have co-chairs from both BOS offices. Need to find out who is the ring master.

I gave you additional budget amendments for your review.

I will be out of the office on Wednesday morning until 2PM to attend ABCC seminar.

NEW BUSINESS: Action Item #1: Patrolmen Appointments

Chief Trombetta presenting two candidates:

- Appoint Reserve Officer Todd Hedrick as a full time Patrolman. Start date will be 9/2/18, he will attend the Police Training Academy in Plymouth which starts 9/10/18
- Appoint Scott A. Sousa as a full time Patrolman. Start date to be determined relative to the issuance of a Training Academy waiver from the MA Training Council. Mr. Sousa is currently a 21-year Veteran Officer with the Providence Police Dept; will be retiring.
 - G. Schwall – How long will it take to get waiver?
 - Trombetta – MA Training Council usually meets once a month on the last week of the month, so I'm hoping to get on their July Agenda and then it's a one-day turnaround via email

Discussions:

Trombetta - I have worked with Reserve Officer Hedrick as a reserve and Scott Sousa. We have had quite the turnover in the Reserves and I will be asking the Board to appoint several more candidates at a later time.

- J. Muri – Read both of your resumés and you both look like fantastic candidates on paper. I'm for it.
- G. Schwall – I support both candidates fully.
- D. Perry – Chief has always had good recommendations. I trust his judgement.
- S. Vadnais – I know Todd from town and glad you will have an opportunity to work for us. I have had an opportunity to speak with Scott, very impressive candidate and heard only good things from others.

G. Schwall motion to appoint Scott Sousa as a full time Patrolman, with a start date of “one day after Chief Trombetta receives waiver from MA Training Council”, second by M. Costello.

Vote 5-0

G. Schwall motion to appoint current Reserve Officer, Todd Hedrick as a full time Patrolman with a start date of 9/2/18 and will attend the Police Academy training in Plymouth on 9/10/18, second by J. Muri. Chief Trombetta will forward all signed paperwork as well.

Vote 5-0

- Trombetta – Thank you and I appreciate your support.

Action Item #2: No Parking Sign

Mr. Richard LaBranche is requesting a “No Parking This Side” sign to be placed in front of his property on Abby Lane.

- M. Costello – Mr. LaBranche lives on Abby Lane and all homes on the street have beautiful properties. On the map given it shows a large grass area in the middle of the roadway (median). Mr. LaBranche has had problems for numerous years with neighbors' guests and/or contractors parking on his property and have broken his sprinklers. He took it upon

himself, out of frustration to put a sign on his property asking not to park there; after asking his neighbor many times to speak to their guests about the situation. I received a call from a neighbor complaining about the sign because his is not allowed to do that. The Highway Dept personnel went down and removed the sign. Shortly after I received a call from Mr. LaBranche explaining why he had put the sign there. I advised him on the proper procedure to try and rectify the issue; that's why he is here today.

- S. Vadnais – Where will sign go? Are sprinklers on easement?
- M. Costello – Sign would go on easement and sprinklers are on easement.
- J. Muri – My only concern if we grant this request is that we will have many other people in town complaining about people parking on their properties and then we will end up being the parking police.
- D. Perry – That part of the street is one way in and one way out only. Two cars cannot pass side by side. There is no parking allowed on the street, so this is a different situation than most other streets in town.
- S. Vadnais – Public safety is our concern, so if we decide to move forward with the signs it will be because we need to make sure the police, fire, rescue and other public vehicles can get through.
- Mr. LaBranche – I get along with my neighbors and have no other issues with them, except that she will not speak to her guests/contractors and ask them not to park on my lawn. They can park on the other side on the median. My child's school bus could not get to my house one day because of the cars parked on the side of the street. I refuse to call the police over parking.
- D. Perry – The simple way to fix the issue is to have "No Parking This Side of Street" signs placed all along that portion of the street; not just in front of your property. There is plenty of space on the median to park if necessary, without blocking others from passing.
- M. Costello – This is a unique situation that does not allow for parking on the street because other vehicles cannot pass through. The design on Abby Lane has not been duplicated in other subdivisions for that exact reason.

M. Costello motion to install "No Parking Signs" on right side of road throughout the two lane road through the subdivision. This will ensure that emergency vehicles can get through at any time, second by G. Schwall. Vote 4-0 J. Muri, "nay."

Discussions:

- J. Muri – I feel by granting this it will open the flood gates to more situations like this one. I feel that this is more of a civil matter and should be treated that way. Lastly, I feel the police department will become meter maids.
- G. Schwall – In the beginning I agreed with Jim that this was more of a civil matter until I heard the issues about Public Safety. If the Highway Dept Superintendent's concern is the width of the road & by putting up the signs along the entire section will

alleviate the issue I have no problem. If the layout of the development with street parking makes it a Public Safety Issue, then we need the signs to be placed all around, but it needs to be enforced. Don't want the police department becoming referees to the neighbors' disputes.

- D. Perry – It's a reasonable compromise, people can use the median to park.

Action Item #3: Highway Union Resignation

Highway Superintendent Costello has been notified that Dylan Maiorano will be resigning, effective 7/19/18.

Highway Superintendent is requesting position be posted and recruitment process begin to hire a replacement employee. This will begin with a 7-business day "in-house" job posting.

Hourly wage will be \$23.16 and serve a six-month probationary period.

D. Perry motion to approve posting, second by G. Schwall. Vote 4-0, M. Costello abstain.

Discussion:

- D. Perry – Dylan was a model employee and a pleasure to work with.

Action Item #4: 375th Carnival License Agreement

Vote to approve and authorize Chairman Vadnais to sign 375th Anniversary License Agreement between Mark Faneilli's Traveling Amusement Park and the Town of Rehoboth allowing the use of the premises at 401 Winthrop St, known as Redway Plain. Permit with the Park Commission has been applied for and received.

Our insurance company has been provided with a copy of the agreement and finds it satisfactory. They requested the auto liability insurance coverage be added and certificate issued; copy was provided.

At this time the Fireworks have been deleted from the agreement.

- M. Costello – Sarah from Town Counsel added language to the last page of the agreement on licensee and licensor. Also, fireworks were removed from agreement. It was due to cost of the fireworks and detail needed were too high.
- G. Schwall – I have a few concerns that were not clear in the agreement.
 - Payment of \$4000 to use premises and what is the percentage of gate?
 - Who is paying for the portable bathrooms? No mention of it in the agreement.
 - Vending, what kind and where is water coming from?
- M. Costello – – It's a flat fee of \$4000 because we removed the fireworks so there will not be any additional percentage gate. Portable bathrooms, they are responsible for and when BOH inspects the grounds they will request them to be there. Vending will be provided by the carnival people, we are responsible for non-potable water, and they are

responsible for drinking water. Non-potable water will be used for washing trailers and toilets.

- D. Perry – I can have a well drilled for this event only to have access to water.
- G. Schwall – Where will the trailers be parked? Chief was concerned about overnight parking of trailers on premises. The agreement does not mention it either.
- M. Costello – In the beginning they were going to leave the trailers in Raynham, but they are not holding an event there any longer so they are asking to have 5 trailers on the premises. I have spoken to the Chief and he was working on a plan where the trailers would be kept so we would not need any details to watch them. He was going to put them somewhere and have patrol units check on them.
- G. Schwall – Has Town Counsel reviewed the revised agreement?
- M. Costello – No
- S. Vadnais -I'm being asked to sign an agreement that has been revised and not reviewed or approved by Town Counsel. The only way I will sign the agreement is if a motion is made to do so pending approval by Counsel of amended contract. I don't want to hold the process up because this event is getting close.

Selectmen Muri made a motion to authorize the Chairman to sign the Carnival agreement pending a favorable review by Town Counsel, second by D. Perry. Vote 4-0, G. Schwall abstained.

Discussion:

- G. Schwall – As I mentioned before I have concerns with this agreement because it has missing information; who is responsible for the water and the portable bathrooms.
- M. Costello – There have been many conversations with Jake Kramer and the owner of the carnival and I have told them that we have water buffalos that can be used. Skip, I know you have connections in Attleboro that can help supply water to us. The water we are supplying will be used only for washing of truck/trailers, toilets and things of that nature. The carnival will be supplying the porta-johns.
- G. Schwall – Since the carnival people have already signed the agreement we can not make any changes to it.
- J. Muri & H. Dennen – Could we put together a separate letter of “Understanding” listing the items that are not mentioned in the agreement and have Skip sign that as well?
- G. Schwall – Item 23 in the agreement states “this is the entire agreement, no other promises, conditions, understandings whether written or oral relating to subject matter to this agreement will be accepted.” It needs to be contained in the agreement if we are going to do it. Or, Mike may have to decide if we have to pay it comes out of the 375th funds.
- S. Vadnais – That could be very expensive and this is a fundraiser to raise money.
- G. Schwall – This agreement was not shared with us before the carnival people signed it, and now we are trying to make it fit. I reviewed it when I received it on Friday and these are my concerns. If the rest of the Board feels differently, that is fine.
- D. Perry – One way or another there will be porta-potties there. The question is, who is paying for them. Mike, do you feel if something happens you would be able to speak to the carnival people to explain our situation?

- M. Costello – All I can say is what I have heard from others that have dealt with this company, they are a reputable company. But, I'm not going out on a limb for them. Let's list our concerns on paper and get it back to them.
- S. Vadnais – We need to have a discussion with Jake about this situation, tomorrow. Also, we need to contact the person who signed the contract and voice our concerns, then call counsel and let them know what we are doing in regards to water & porta-toilets. If the Board is happy with the previous motion made then we will move forward and I will sign the contract. Or, if you want to amend the motion that's fine.

Jim Muri – I would amend my motion to include the following modified language pending favorable review by Town Counsel, to be pending favorable review and favorable resolution of portable water and portable toilets, and clarification of payment for each. Amended motion becomes the main motion. Second by D. Perry. Vote 4-0, G. Schwall abstained.

Action Item #5: 375th Golf Tournament Agreement

Vote to approve and authorize Chairman Vadnais to sign 375th Anniversary Celebration Golf Tournament banquet contract agreement.

Tabled for further review.

Action Item #6: Tyler Technologies Quote

Vote to accept quote from Tyler Technologies for MUNIS services and authorize Chairman Vadnais to sign. This is a quote to provide MUNIS services for three years, effective 7/1/18 thru 6/30/21.

Derek was provided with a copy and it has been reviewed by the IT Committee

J. Muri motion to accept quote from Tyler Technologies for MUNIS services effective 7/1/18 thru 6/30/21 and authorize Chairman Vadnais to sign agreement, second by D. Perry. Vote 4-0, G. Schwall abstain.

Action Item #7: Special Year End Budget Amendments

Vote to approve Special Year End Budget Amendments:

Special Year End Budget Amendments: following budget amendments pursuant to MGL C. 44 §33B				
Account Number	Department	Increase	Decrease	MTA
011222-51140	Selectmen Wages Part-time	\$100.00		
011223-53030	Selectmen Office Expense Advertising		\$100.00	DP/GS
011222-51310	Selectmen Wages Overtime	\$265.00		
011223-53030	Selectmen Office Expense Advertising		\$265.00	DP/GS
019133-57000	Unemployment	\$636.57		
011443-53060	Tax Title Legal		\$636.57	DP/GS

011253-53000	BOS Contracted Service Prof/Tech	\$3,500.00		
014273-54120	BOS Gasoline Town Vehicles-Diesel		\$3,500.00	DP/GS

Vote 5-0

ADDED				MTA
011411-51130	Assessors Salary BOA	.12		
011352-51140	Accounting Wages PT	20.00		
011412-51120	Assessors Wages FT	.52		
011462-51120	Collector Wages FT	1.48		
012942-51140	Forestry Wages PT	8.78		
015112-51140	BOH Wages PT	69.26		
011351-51110	Accounting Salary Town Accountant		\$100.16	DP/GS

Vote 5-0

Action Item #8: Budget Amendments

Vote to approve Budget Amendments

Account Number	Department	Increase	Decrease	MTA
011873-52414	Facilities Maintenance-N Fire Station R/M	\$24,900.00		
011873-54510	Facilities Maintenance – Trailer Rental		\$24,900.00	DP/GS
011873-52415	Facilities Maintenance-S Fire Station R/M	\$33,444.00		
011873-54510	Facilities Maintenance – Trailer Rental		\$33,444.00	DP/GS
011873-52411	Facilities Maintenance-TOB R/M	\$2,315.00		
011873-54510	Facilities Maintenance – Trailer Rental		\$2,315.00	DP/GS
012103-54200	Police Office Supplies	\$457.51		
012103-55840	Police Prisoner Detention		\$457.51	DP/GS
012103-52490	Police Software R/M	\$128.43		
012103-55840	Police Prisoner Detention		\$128.43	DP/GS

Vote 5-0

ADDED				MTA
012202-51120	Fire Wages Full-time	364.80		
012202-51140	Fire Wages Part-time		\$364.80	DP/GS
012052-51530	Police Wages Personal Day Replacement	\$1,498.69		
012052-51540	Police Wages Sick Replacement	\$297.80		
012052-51550	Police Wages Court	\$2,114.78		
012052-51310	Police Wages Overtime		\$3,911.27	DP/GS

Vote 5-0

DEPARTMENT HEAD REPORTS

Selectmen's Reports:

Vadnais: No report.

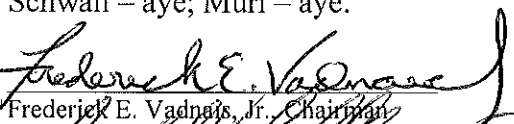
Schwall: (1) Any progress getting the grass cut at the solar field?
 (2) Looked at sign that is on the "Welcome to Rehoboth" sign and it is still there, but I was not prepared with a ladder to be able to remove it. I will go back and take care of it.

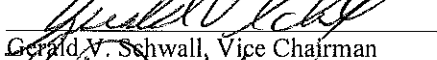
Perry: No report.

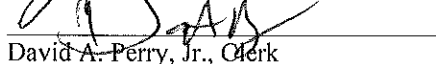
Muri: No report.

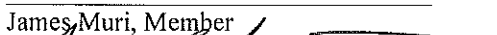
Costello: No report

ADJOURNMENT: Selectmen G. Schwall made a motion to adjourn the Regular Session Meeting at 8:27 PM., Second by Selectmen J. Muri. Vadnais – aye; Perry – aye; Costello – aye; Schwall – aye; Muri – aye.


 Frederick E. Vadnais, Jr., Chairman


 Gerald V. Schwall, Vice Chairman


 David A. Perry, Jr., Clerk


 James Muri, Member


 Michael Costello, Member



Respectfully Submitted,
 Deborah Arruda
 Assistant to the Town Administrator

Approved: 11/5/18