



Office of
SELECTMEN
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**BOARD OF SELECTMEN
MEETING OF THE BOARD OF SELECTMEN
TUESDAY, JULY 6, 2021
MEETING MINUTES
SELECTMEN'S MEETING ROOM, TOWN HALL**

Present: Selectman Frederick "Skip" Vadnais, Selectman Dave Perry, Selectman James Muri, Selectman George Solas, Selectmen Michael Deignan and Interim Town Administrator Deborah Arruda

At 5:30 PM it was voted to enter into Executive Session pursuant to MGL CHAPTER 30A, §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. (6) To consider the purchase, exchange, lease or value of real estate, if the chair so declares that an open meeting may have a detrimental effect on the negotiating position of the public body

Call to Order at 7:06 p.m.: The Board and the public participated in the Pledge of Allegiance to the Flag.

1.0) Consent Agenda

Warrants for July 6, 2021:

No approval vote taken, will be ratified at next meeting.

Minutes: Executive Minutes: none
Regular Minutes: none

Announcements:

The Next Selectmen's Meeting will be held Monday, July at 12 PM at Town Hall.

If needed, we may have to hold another meeting on Thursday, July 15th to finalize any last-minute business for FY21.

TOWN ADMINISTRATOR'S REPORT*

**Given by Selectman Muri as Interim Town Administrator was out of the room*

The Personnel Board is seeking experienced/knowledgeable volunteers for their committee. Please submit a resume and talent bank form to the BOS office.

Last week the Town Administrator reached out to US Solar Works for an official quote on the inverter replacements for the Highway Dept. His quote that I received was in an email. He will also inspect the units in about a week or two and will invoice us for that. The Board approved that inspection last week at a cost of \$1000.

The Salt Bid openings took place on Thursday, July 1st at 10am. There were no vendors present and we received 3 bids. Stacy and Mike are working on them and we should have more information at our next meeting.

The Town Administrator reached out to Manny Botelho-the Ambassador to Lagoa. He has contacted the mayor's office and is gathering further information. He will keep me posted as he finalizes the details.

NEW BUSINESS:

Action Item #1: Discussion Re: Email Received from Stacy Haskell About Planning Board

M. Deignan introduces Stacy Haskell and gave a brief introduction. He then read her email to all. Ms. Haskell is concerned that the Town Bylaws are not being followed by the Planning Board in regards to the Pond Street solar project.

Stacy Haskell, of Pond Street was present.

Documentation: M. Deignan read S. Haskell's email into the record.

Discussion:

Ms. Haskell expressed her concern that the bylaws were not being followed by the Planning Board. The Board explained that the BOS cannot change the vote taken by the Planning Board as they are an elected Board. The neighbors would have to file a legal complaint.

Action Item #6: Vote to Accept Resignation from Patricia "Tish" Vadnais-Planning Board

Chairman Vadnais recused himself and left the room for this Action Item.

On Monday, June 28th the Town Clerk's office received the resignation of Tish Vadnais for her position as an elected Planning Board member, effective immediately. Tish's term was due to expire on April 4, 2023. She has been part of the Planning Board since April 2018.

Chapter 41, Section 11 states as follows: "If there is a vacancy in a board consisting of two or more members, except a board whose members have been elected by proportional representation under chapter fifty-four A, the remaining members shall give written notice thereof, within one month of said vacancy, to the selectmen, who, with the remaining member or members of such board, shall, after one week's notice, fill such vacancy by roll call vote. The selectmen shall fill such vacancy if such board fails to give said notice within the time herein specified. A majority of the votes of the officers entitled to vote shall be necessary to such election. The person so appointed or elected shall be a registered voter of the town and shall perform the duties of the office until the next annual meeting or until another is qualified."

Any appointment made by you to fill the vacancy of Ms. Vadnais will expire at the Annual Town Election on April 4, 2022.

J. Muri motion to accept the resignation of Patricia A. "Tish" Vadnais as elected member of the Planning Board. Second by M. Deignan. Vote 4-0. S. Vadnais recused himself.

Documentation: J. Muri read P. Vadnais' letter into the record.

Chairman Vadnais rejoined the meeting.

Action Item #2: Discussion Re: Reopening of Town Hall, with possible action

The Board discussed the reopening of Town Hall to the public, taking into consideration what surrounding towns have done and the current COVID case numbers.

M. Deignan motion to fully reopen Town Hall to its pre-pandemic state, with no restrictions. Second by G. Solas Vote 5-0.

S. Vadnais inquired if we are reopening Town Hall, will the meeting room be open to Planning Board and Conservation Committee? The Board agreed that yes, we would.

Action Item #3: Discussion Re: Mask Wearing in Town Hall, with possible action

G. Solas motion to leave it up to the individual to wear a mask at Town Hall buildings. Second by M. Deignan. Vote 5-0

M. Deignan made a friendly amendment to the motion to leave the option up to the employee and/or resident/public throughout building. Second by G. Solas.

Action Item #4: Discussion Re: Anawan School Follow-up, with possible action

D. Perry motion to follow guidelines of the Building Inspector to demolish the building in 90 days or come up with alternative plans. Second by M. Deignan. Vote 5-0.

Discussion:

M. Deignan suggested they pile bricks for residents if they want, or a possible fundraiser.

Action Item #5: Vote to Accept Opioid Litigation Plan

It has been recommended that we vote to accept the plan, per our town council, as well as the Plaintiffs' Executive Committee, regarding the aforementioned class action law suit of which the town is a member. The deadline to submit our vote is July 14, 2021.

J. Muri motion per Town Council it has been recommend that the Board of Selectmen vote "To Accept the Plan" in regards to the National Prescription Opioid Litigation-Purdue Bankruptcy Plan and to submit such vote before the July 14th deadline. Second by M. Deignan. Vote 5-0.

Action Item #7: Vote Appointments: For FinCom and Renewable Energy Project Manager

The Finance Committee received 5 talent bank forms; two individuals stepped down. The committee reviewed the remaining 3 individuals and are recommending the Board approve Steven Evans and Robert Gagnon to be appointed to the Finance Committee.

J. Muri motion to appoint Steven Evans and Robert Gagnon to the Finance Committee, effective 7/6/2021-6/30/2024. Second by G. Schwall. Vote 5-0.

After last week's discussion about the solar issues at highway, David House agreed to work on the project for the Town. In addition, David is helping the Interim Town Administrator work on a project with Blue Wave Solar. As a volunteer for the Town, David asked to be appointed as a Project Manager, so he can speak on behalf of the town with other companies. This will be temporary position.

J. Muri motion to appoint David House as Renewable Energy Project Manager, effective 7/6/2021-12/31/2021. Second by M. Deignan. Vote 5-0.

Action Item #8: Vote to Approve Request for Amendment to Budget: Account #011873-58714 Facility Maintenance-Town Building Improvements and #011223-58709 BOS-340 Anawan St. Purchase

Mike Deignan and Colleen Simpson worked on the end of the FY21 budget amendments. They are looking to transfer \$1,459,565 (not to exceed) into Facility Maintenance/Town Building Improvements line and BOS/340 Anawan St. Purchase. Both these lines were created to keep track of expenses that deal with the new acquisitions. The various amounts will come from various department budget lines. The final amount

that will be transferred from each account may be adjusted by the Town Accountant with approval from Selectmen Deignan based upon available account balances at time of amendment processing. Variations are expected due to final fiscal year warrant and end-of-year processing.

M. Deignan motion to approve the Budget Amendment of \$1,459,565 with \$1,059,565 will be transferred into account # 011873-58714-Facility Maintenance-Town Building Improvements and \$400,000 into account # 011223-58709 BOS-340 Anawan St Purchase. Final amount from each account may be adjusted lower by the town accountant with the approval of Selectmen Deignan based upon the available account balances at the time of amendment processing. This will be with the approval of M. Deignan and Finance Committee. Variations are expected as due to the end of the fiscal year and final account processing. Second by J. Muri. Vote 5-0.

Action Item #9: Vote to Approve Reserve Fund Transfer: Account #011873-58714 Facility Maintenance-Town Buildings Improvements

In accordance with MGL Chapter 40, section 6, the Facility Management Dept is requesting \$104,186 to be transferred into the Facility Maintenance –Town Buildings Improvements line. This will be used towards Repairs and improvements to town buildings. Additional repairs/improvements expenses were not part of the FY22 budget process completed in March of 2021. With the 2 new acquisitions in place, we need to make sure funds are available.

M. Deignan motion to approve the Reserve Fund Transfer of \$104,186 to be placed into account # 011873-58714-Facility Maintenance-Town Buildings Improvements for any repairs and improvements to town buildings. Second by J. Muri. Vote 5-0.

Action Item #10: Vote to Approve Kennel Licenses: Robin Anderson, James & Ellen Burke, Robert & Judith Grant, and Maria Perry.

The Board on a yearly basis approves Kennel License Renewals. This is normally done earlier in the year, but with the year we have had, it was delayed. The Animal Control Officer has inspected these kennels and has no issues. The yearly renewals are for the following residents:

Robin Anderson-30 Terrybrooke Road

James & Ellen Burke-134 Martin St

Robert & Judith Grant- 7 Willard Ave

Maria Perry-211 Providence St

J. Muri motion to approve the 2021 Kennel Licenses for Robin Anderson, James & Ellen Burke, Robert & Judith Grant and Maria Perry. Effective 7/6/21-3/31/22. Second by M. Deignan. Vote 5-0.

Action Item #11: Vote to Approve Job Descriptions: Assistant Town Clerk and PT Administrative Aide in Town Clerk's Office

The Personnel Board and the Town Clerk have reviewed the job descriptions for both positions in the Town Clerk's office and have approved them. They are asking for the approval and signature of the Chairman of the Board.

J. Muri motion to approve both job descriptions (Assistant Town Clerk & Part time Aide) for the Town Clerk's office and allow the Chairman to sign them. Second by M. Deignan. Vote 5-0.

Action Item #12: Vote to Approve/Ratify Vacation Carry-over for Highway Superintendent

The Highway Superintendent has 80 hours of vacation time that he is requesting approval to carry-over. Selectman Perry as his liaison approved the carry-over last week, before the end of FY21 cut off of June 30th. This is due to the pandemic and the extra hours that were put in by him on the Police Station.

D. Perry motion to approve 80 hours of vacation time to be carried-over into FY22 and to be used by 6/30/22. And to allow the Payroll Dept to input the hours into Munis. Second by M. Deignan. Vote 5-0.

Discussion: S. Vadnais clarified that this is contractual time earned, but not used. Not additional time.

Action Item #13: Vote to Correct Material Bid from Lynch

At last Monday's meeting the Board voted on Material bids for FY22 for the Highway Dept. The cost for Type 1 Bituminous from Lynch Companies was mis-printed. It should have read: \$70.44/ton In Place and not delivered.

Type I Bituminous	<u>Lynch Companies</u>	<u>Type 1 Bituminous Concrete w/Tack Coat</u>	<u>\$72.00/ton picked up</u>
Concrete/Cold Patch	50 Lynch Place	<u>Type 1 Bituminous Concrete w/Tack Coat</u>	<u>\$70.44/ton In Place</u>
	<u>Cumberland, RI 02864</u>	<u>Type 1 Bituminous Concrete w/Tack Coat (winter mix)</u>	<u>\$110.00/ton picked up</u>
		<u>cold patch</u>	<u>no bid</u>

D. Perry motion to rescind the vote on Lynch Companies Type 1 Bituminous Concrete w/ Tack Coat \$70.44/ton delivered. Second by G. Solas. Vote 5-0.

D. Perry motion to approve the cost of Lynch Companies Type 1 Bituminous Concrete w/ Tack Coat of \$70.44/ton in place. Second by G. Solas. Vote 5-0.

Selectmen's Reports:

Perry: no report

Deignan: Payroll Office Clerk-Temporary job description, Deb to clean up and add to 7/12 agenda.

Solas: no report

Muri: no report

Vadnais:

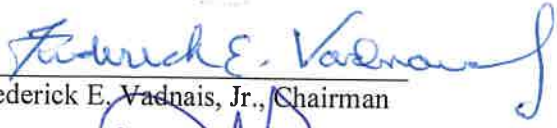
-Idling mechanism on PD vehicles, discussed with Chief, not covered by warranty. Carolyn reviewed and came up with more information showing warranty w/d not be voided.


-M. Deignan asked do we have it in writing from manufacturer?

-S. Vadnais asked to place on back up vehicle, supports the Chief decision.

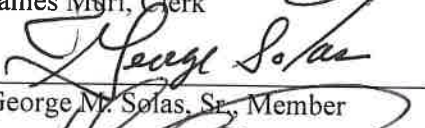
ADJOURNMENT: Selectmen M. Deignan made a motion to adjourn the executive session at 8:50 PM and enter back into Executive Session. Second by J. Muri.

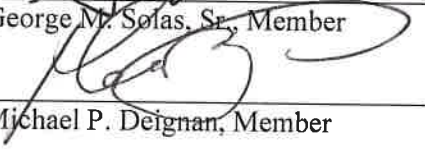
Roll call vote. Vadnais – aye, Muri – aye, Perry -aye, Solas – aye, Deignan – aye. (5-0)


Frederick E. Vadnais, Jr., Chairman


David A. Perry, Jr., Vice Chairman


James Muri, Clerk


George M. Sofas, Sr., Member


Michael P. Deignan, Member

Respectfully Submitted,
Cindy McDonough
Approved: 1/31/2022

Deborah Arruda

From: STACY HASKELL <sjhaskell@comcast.net>
Sent: Thursday, June 17, 2021 6:47 PM
To: Christopher G Cooper; Bob Moitozo; Ed Bertozzi; Bill Costa; Tom Ennis; Tish Vadnais; Jake Kramer; Lynne Ferreira; Stacy Vilao; STACY HASKELL; Daniel Roach; Rachael Bauman-Echlin
Cc: dwrollins@comcast.net; gshallcross30@gmail.com; jacktavares@allstate.com; rachael.bauman@gmail.com; recmian@gmail.com; sjhaskell@comcast.net; echlin02127@gmail.com; hornbine33@comcast.net; katiepaulob@gmail.com; potter1024@yahoo.com; SinePlumbingAndHeating@gmail.com; David Perry; George Solas; Michael Deignan; Karl Drown; selectmanmuri@gmail.com; skip@homesteadfarmrehoboth.com; William McDonough; Frank Barresi; joseph.nunes@fmaprovals.com; Deborah Arruda
Subject: 90 Pond St

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Planning Board,

This email from me is way over due, but after last night and your lack of doing what is right for our neighborhood, again, I feel it's time I get this off my chest. Please be sure that this email is not directed at all the members of the planning board, I am sure you can decide if it is directed to you as an individual, unfortunately since you sit on the board together, you have the honor of reading it. I know that this solar farm project has been discussed for over a year now, believe me no one more than me wants it to be over, the sleepless nights and hours of research to try and keep our neighborhood safe is even wearing on me. For months we have expressed our concerns about the risks of this solar farm to our safety, health and welfare. You might have listened, it's pretty hard to tell when some of you during a meeting can't shut your TVs off or stop playing with your pets, or your heads are down looking at who knows what, Chris I am pretty sure we have your attention, because your facial expressions can not be hidden. Some day you should go back and watch...not trying to be insulting, only speaking the truth. Maybe if these meetings were conducted live and not by Zoom in the middle of a global pandemic, we would have had your full attention. Clearly when we stated the dangers of having a solar farm less than 200ft from our front doors, you took those dangers lightly, until when it came down to the final vote, the battery became a major concern. A concern that when you took your vote, you (Mr. Bertozzi) added a condition that would finally keep our neighborhood safe if the worst ever happened with the battery and it caught on fire or exploded. You voted your approval with the condition. You sent the conditions off to our town counsel and the applicants council and by no surprise the applicants counsel wants it removed. Even more surprising to me, was that, and maybe you didn't notice, but our town counsel was fine with condition and didn't change it, because if he did I am sure the applicants counsel would have pointed it out like he did on the other conditions. However, once again an attorney sat before you threw out some threats and once again you caved, again Chris, you actually said "I agree with Mr. Seawold". If you agree with him why did you vote in favor of the condition to begin with? The condition didn't change since it was proposed back in March. The condition as far as I am concerned is the only good thing from whole project. If the applicant is so set on building this solar farm, he will find a way to build it with that condition enforced. If they can't build it because of that condition than that is their problem. This board (with the exception of one) voted in favor of this project even though it went against our town bylaws. You are so afraid of it going to court you couldn't even do right by our town. Laws and precedents are changing every day, you

don't even know if the applicant would have gone that route, you just tucked your tails between your legs and approved it.

If you go ahead and remove this condition, you will once again be doing that, running scared of what comes after. I think it's time you man/woman up and do what's right for this neighborhood and our town. If their next action is taking the town to court, than so be it. This board works for the town and is suppose to protect the towns people and our community, you do not work for the applicant and should not be favoring them. It appears you have your priorities backwards. It isn't the first time the time will be sued and it won't be the last. The other town boards and commissions are against this project, I mean honestly, two separate boards tried to purchase the land. The town will do what it has to to support this boards decision, that fact that our town counsel left the condition untouched should speak volumes.

The board is planning on having a "private meeting" to discuss the battery. I want to be include in that meeting. Sadly I have little faith in this board to do the right thing. The fact that you are having a battery specialist that represents the applicant is just the must absurd thing. You might as well have Mr. Giosa talk you out of it like he did some many times during these discussions. No one has to be a genius to know what this person will say. All we can hope for is that someone offers an unbiased opinion and not just one that represents the applicant. I hope you at least invite our town counsel since you are letting someone from the applicants counsel speak. Lastly, Mr. Bertozzi, I hope you stick to this fight and do the right thing and not let anyone change your mind, because in my opinion, the only reason this meeting is happening, is to change your mind about a condition that you strongly believe in. This condition is the only thing that is going to keep, the children, the adults, our families and our homes safe.

One question, and I would like a timely response..does this meeting violate open meeting laws?

Please let me know when the battery meeting is taking place.

Stacy Haskell