

10/18/21

7:00 PM Call to Order – Open with Pledge of Allegiance to the Flag

WARRANTS:

Warrant approval:

MINUTES: Regular Minutes: 6/2/2021
Executive Minutes: N/A

Announcements:

The Next Selectmen's Meeting will be held on Monday, October 25th at 7 PM at Town Hall.

TOWN ADMINISTRATOR'S REPORT

Customer Notification Letters will be going out to approximately 260 new accounts in Rehoboth. This letter will be from our partners at Good Energy for the Rehoboth Community Electricity Aggregation Program. Residents may opt out of the program at any time.

Reminders:

Please check the Town's website for employment opportunities that are available. If there are any questions, please contact the Selectmen's Office.

The Personnel Board and the IT Committee are looking for volunteers for their committees. If someone is interested in helping them, please forward your talent bank form to the Selectmen's office.

OPEN PUBLIC FORUM:



Office of
SELECTMEN
148 Peck Street
Rehoboth, MA 02769

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

**BOARD OF SELECTMEN
MEETING OF THE BOARD OF SELECTMEN
WEDNESDAY, JUNE 2, 2021
MEETING MINUTES
SELECTMEN'S MEETING ROOM, TOWN HALL**

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

Also Present: COA Board Members-Linda Sherman, Neil Harrington, Dr. Robert Lambe (Chairman), Ron Whittemore, Charlene Cunha and Gerry Schwall, Special Project Manager

Not Present: Selectman Solas

Call to Order at 7:05 p.m.: The Board and the public participated in the Pledge of Allegiance to the Flag lead by Neal Harrington.

1.0) Consent Agenda

NEW BUSINESS:

Action Item #1: Discussion on Francis Farm with COA Board Members & Director

The Board of Selectmen addressed the members of the COA Board and presented them with a map of the grounds at Francis Farm showing the building that the COA will occupy at the present time, after the closing. Chairman Vadnais asked the Board what they envisioned seeing at Francis Farm.

Linda (Linna) Sherman first thanked the voters and the Board of Selectmen for the wonderful opportunity to relocate to Francis Farm. Linna continued with the ideas that the COA Board and staff at the COA wanted to present to the Board of Selectmen. Selectman Perry addressed the members that were present to let them know at this time in order to get the COA up and running and working with the seniors in town, that the Board of Selectmen would focus on one building to host meals, activities and the offices for the staff. This would help to keep everything in one location and keep things running smoothly and in control. As things progress, other buildings may be utilized as well.

Selectman Muri added that the number 1 priority was using the resources available to the town to procure the property and there are necessities that need to be dealt with "right now" as code upgrades, internal construction changes to accommodate for office space, technology upgrades, etc. Also, for the time being we have limited staffing to be able to have more than one location functioning at a time.

The second priority will be to intergrade the "white house" for administration offices, Health Department and for the Veterans Agent and Town Nurse.

Ron Whittemore stressed the need of having a generator on the premises as they did at the previous location. He also suggested the use of portable partitions to separate the different activities that may go on at the same time. Ron will also work on the HVAC and heating equipment information that was at the original COA to ensure that a similar system is installed at Francis Farm.

Both Chairman Vadnais and Gerry Schwall asked Linna to provide Debbie with the additional list of items that were not included on the original list of lost items that was sent to the insurance adjuster.

Gerry thanked David House for his help on the solar information. Gerry will also work with the Board of Selectmen on the COA upgrades hopefully using the CARES funds.

Both Boards also spoke about the Community Garden and a location at Francis Farm. The Board of Selectmen will provide the final approval on the location. Selectman Perry will work with the Highway Department to have the soil transported from its original location to Francis Farm, when the new location has been chosen.

Chairman Vadnais stated the focus is to work on the Miller Building to get the kitchen up and running. Ron Whittemore will be provided with copies of the floor plan for the previous location and will need to map out the different activities to ensure there is adequate space. Moveable partitions can be used as well.

Dr. Robert Lambe, Chairman of the COA Board stated he would like to meet with his entire Board with the plans that have been discussed and with the floor layout to review their needs. Linna and Ron will be the main contacts and spokes people for the COA Board.

Both Boards agreed that the main focus is to get our seniors back to socializing with each other.

ADJOURNMENT: Selectmen Muri made a motion to adjourn the Regular Session Meeting at 805 PM., Second by Selectmen Perry. Perry – aye; Muri – aye, Vadnais – aye, Deignan-aye. (4-0)

Frederick E. Vadnais, Jr., Chairman

David A. Perry, Jr., Vice Chairman

James Muri, Clerk

Absent

George M. Solas, Sr., Member

Michael P. Deignan, Member

Respectfully Submitted,
Deborah Arruda
Interim Town Administrator **Approved:**

10/18/21

NEW BUSINESS:

Action Item (1): Review, Consider and Vote on Response to Open Meeting Law Complaints regarding 9/27 and 10/4 meetings filed by Patrick Higgins, on file with the Town Clerk, see details attached

Background: The BOS office received another 2 complaints from Mr. Higgins. Town Counsel has supplied the Board with their responses to the complaints and is asking that the Board review them and vote to accept the responses so they can forward them.

Motion: Vote to Accept Town Counsel's responses to the Open Meeting Law Complaints on the 9/27/21 and 10/4/21 meetings and to forward the responses to all parties.

Moved:		Second:		Vote:	
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Discussion:



Mead, Talerman & Costa, LLC
Attorneys at Law

730 Main Street, Suite 1F
Millis, MA 02054
Phone 508.376.8400

www.mtclawyers.com

October 19, 2021

DELIVERED BY ELECTRONIC MAIL

Director
Division of Open Government
Office of the Attorney General
One Ashburton Place
Boston, MA 02108

RE: Open Meeting Law Complaints
Municipality: Town of Rehoboth– Board of Selectmen
Complainant: Patrick Higgins
Alleged Violation Dates: 9/27/21 & 10/4/21
Date of Complaints: 10/3/21
Date Complaints Received: 10/4/21

Dear Director:

In reference to the above captioned matter, I am Town Counsel to the Town of Rehoboth. The Town has received Open Meeting Law Complaints from Patrick Higgins as noted above and attached as Exhibit A.

As Town Counsel, I was tasked with reviewing the complaints and investigating the allegations contained therein. As more fully set forth in my letter to Mr. Higgins, attached as Exhibit B, the Board of Selectmen did not violate the Open Meeting Law or is taking sufficient corrective actions to remediate any technical violations, and respectfully requests that the Division take no further action on this Complaint.

Sincerely,

Katherine McNamara Feodoroff

Katherine McNamara Feodoroff
Town Counsel

Encls.

cc: Patrick Higgins
Rehoboth BOS

Newburyport Office
30 Green Street
Newburyport, MA 01950
Phone 978.463.7700
Fax 978.463.7747

Exhibit A
(Complaints 9/27/2021 & 10/4/2021)



OPEN MEETING LAW COMPLAINT FORM

Office of the Attorney General
One Ashburton Place
Boston, MA 02108

Please note that all fields are required unless otherwise noted.

Your Contact Information:

First Name: Patrick Last Name: Higgins

Address: P O Box 290

City: Northport State: AL Zip Code: 35476

Phone Number: 5086425274 Ext. _____

Email: patrick@patrickhiggins.co

Organization or Media Affiliation (if any): Patrick Higgins and Associates

Are you filing the complaint in your capacity as an Individual, representative of an organization, or media?
(For statistical purposes only)

Individual Organization Media

Public Body that is the subject of this complaint:

City/Town County Regional/District State

Name of Public Body (Including city/town, county or region, if applicable): Rehoboth Board of Selectmen

Specific person(s), if any, you allege committed the violation: Chairman Frederick (Skip) Vadnais, Jr

Date of alleged violation: 09/27/2021

Description of alleged violation:

Describe the alleged violation that this complaint is about. If you believe the alleged violation was intentional, please say so and include the reasons supporting your belief.

Note: This text field has a maximum of 3000 characters.

The Rehoboth Board of Selectmen violated the open meeting law by not accepting or adopting the minutes of their 3/22/21; 3/29/21; 4/12/21; 4/20/21; 4/26/21 and 5/3/21 meetings within 3 meetings or 30 days which ever is longer. This Board of Selectmen continues to intentionally and willfully violate the open meeting law on this point.

The board held 29 meetings between March 22, 2021 and September 27, 2021.

Did not post the "attached" documents referred to on the posted agenda under "Action 3" and "Action 8"

What action do you want the public body to take in response to your complaint?

Note: This text field has a maximum of 500 characters.

All current members of the Rehoboth Board of Selectmen must attend a formal open meeting law class and learn and comply with the Open Meeting Law at all future meetings.

All members of the Board of Selectmen are responsible to insure that their meeting minutes are created and adopted or accepted in a timely manner. All members of the board should be required to review Training Video #5 and certify they have watched and understand the requirements within 30 days. The Board needs to attach the "See attached for details" when they indicated that on their agenda.

Review, sign, and submit your complaint

I. Disclosure of Your Complaint.

Public Record. Under most circumstances, your complaint, and any documents submitted with your complaint, is considered a public record and will be available to any member of the public upon request.

Publication to Website. As part of the Open Data Initiative, the AGO will publish to its website certain information regarding your complaint, including your name and the name of the public body. The AGO will not publish your contact information.

II. Consulting With a Private Attorney.

The AGO cannot give you legal advice and is not able to be your private attorney, but represents the public interest. If you have any questions concerning your Individual legal rights or responsibilities you should contact a private attorney.

III. Submit Your Complaint to the Public Body.

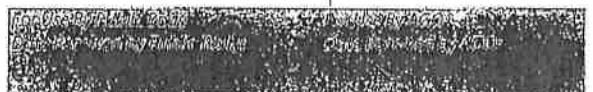
The complaint must be filed first with the public body. If you have any questions, please contact the Division of Open Government by calling (617) 963-2540 or by email to openmeeting@state.ma.us.

By signing below, I acknowledge that I have read and understood the provisions above and certify that the information I have provided is true and correct to the best of my knowledge.

Signed: _____



Date: 10/03/2021



AGENDA-Amended
Rehoboth Board of Selectmen
Monday, September 27, 2021
6:30 PM Executive Session
7:00 PM Regular Session
Town Hall-Board of Selectmen's Meeting Room
148 Peck Street

6:30 PM	<i>MGL CHAPTER 30A, § (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.</i> <i>Topics: Discussion Re: Union Grievance</i>
CONSENT AGENDA	
<i>Approval of Warrants & Minutes:</i>	Warrants: Minutes: Executive Session: N/A Minutes: Regular Session: 3/22/21, 3/29/21, 4/12/21, 4/20/21, 4/26/21, and 5/3/21
OPEN PUBLIC	
NEW BUSINESS	
<i>Action 1:</i>	<i>Ratify Vote Taken on 9/20/21-Reopening & Virus Mitigation Projects at 340 Anawan Street</i>
<i>Action 2:</i>	<i>Discussion Re: 2020 US Census Mandatory 10-year Redistricting of the Town, with possible action</i>
<i>Action 3:</i>	<i>7:30 PM Public Hearing for Class II Auto License-European Motor Cars, 74 Fall River Avenue, Barry R. Bixby, Manager-see attached for details</i>
<i>Action 4:</i>	<i>Interview Possible Candidates for the Historical Commission- Paula Muggleton and Mason Turcotte, with possible action</i>
<i>Action 5:</i>	<i>Discussion Re: Social Media with IT Committee, with possible action</i>
<i>Action 6:</i>	<i>Vote to Approve Volunteer for the COA-SHINE Program-Joanne Gibney-Wilmot</i>
<i>Action 7:</i>	<i>Vote Appointments for Director of Veterans' Services (John "Jake" Kramer) and Public Health Nurse (Jaime Conlon)</i>
<i>Action 8:</i>	<i>Vote to Approve One Day Liquor License for Anawan Brewing Company, LLC-see attached for details</i>
<i>Action 9:</i>	<i>Vote to Accept a \$4000 Donation for the COA from the MA Councils on Aging and a Piano from Carol Kingman of No. Dighton.</i>
OLD BUSINESS	
ANNOUNCEMENTS	
OTHER BUSINESS	<i>Any other business which may come before the Board</i>
BOS REPORTS	
EXECUTIVE	<i>MGL CHAPTER 30A, §21.</i>
ADJOURNMENT	



The Commonwealth of Massachusetts
 Office of the Attorney General
 One Ashburton Place
 Boston, Massachusetts 02108

OPEN MEETING LAW COMPLAINT FORM

Instructions for completing the Open Meeting Law Complaint Form

The Attorney General's Division of Open Government interprets and enforces the Open Meeting Law, Chapter 30A of the Massachusetts General Laws, Sections 18-25. Below is the procedure for filing and responding to an Open Meeting Law complaint.

Instructions for filing a complaint:

- o Fill out the attached two-page form completely. Sign and date the second page. File the complaint with the public body within 30 days of the alleged violation. If the violation was not reasonably discoverable at the time it occurred, you must file the complaint within 30 days of the date the violation was reasonably discoverable. A violation that occurs during an open session of a meeting is reasonably discoverable on the date of the meeting.
- o To file the complaint:
 - o For a local or municipal public body, you must submit a copy of the complaint to the chair of the public body AND to the municipal clerk.
 - o For all other public bodies, you must submit a copy of the complaint to the chair of the public body.
 - o Complaints may be filed by mail, by email, or by hand. Please retain a copy for your records.
- o If the public body does not respond within 14 business days and does not request an extension to respond, contact the Division for further assistance.

Instructions for a public body that receives a complaint:

- o The chair must disseminate the complaint to the members of the public body.
- o The public body must meet to review the complaint within 14 business days (usually 20-22 calendar days).
- o After review, but within 14 business days, the public body must respond to the complaint in writing and must send the complainant a response and a description of any action the public body has taken to address the allegations in the complaint. At the same time, the body must send the Attorney General a copy of the complaint and a copy of the response. The public body may delegate this responsibility to an individual member of the public body, its counsel, or a staff member, but only after the public body has met to review the complaint.
- o If a public body requires more time to review the complaint and respond, it may request an extension of time for good cause by contacting the Division of Open Government.

Once the public body has responded to the complaint:

- o If you are not satisfied with the public body's response to your complaint, you may file a copy of the complaint with the Division by mail, by email, or by hand, but only once you have waited for 30 days after filing the complaint with the public body. Mail may be sent to: The Division of Open Government, Office of the Attorney General, One Ashburton Place - 20th Floor, Boston, MA 02108. Emails may be sent to: openmeeting@state.ma.us.
- o When you file your complaint with the Division, please include the complaint form and all documentation relevant to the alleged violation. You may wish to attach a cover letter explaining why the public body's response does not adequately address your complaint.
- o The Division will not review complaints filed with us more than 90 days after the violation, unless we granted an extension to the public body or you can demonstrate good cause for the delay.

If you have questions concerning the Open Meeting Law complaint process, we encourage you to contact the Division of Open Government by phone at (617) 963-2540 or by email at openmeeting@state.ma.us.



OPEN MEETING LAW COMPLAINT FORM

Office of the Attorney General
One Ashburton Place
Boston, MA 02108

Please note that all fields are required unless otherwise noted.

Your Contact Information:

First Name: Patrick Last Name: Higgins

Address: P O Box 290

City: Northport State: AL Zip Code: 35476

Phone Number: 5086425274 Ext. _____

Email: patrick@patrickhiggins.co

Organization or Media Affiliation (if any): Patrick Higgins and Associates

Are you filing the complaint in your capacity as an Individual, representative of an organization, or media?
(For statistical purposes only)

Individual Organization Media

Public Body that is the subject of this complaint:

City/Town County Regional/District State

Name of Public Body (including city/town, county or region, if applicable): Rehoboth Board of Selectmen

Specific person(s), if any, you allege committed the violation: Chairman Frederick (Skip) Vadnais, Jr

Date of alleged violation: 10/04/2021

Description of alleged violation:

Describe the alleged violation that this complaint is about. If you believe the alleged violation was intentional, please say so and include the reasons supporting your belief.

Note: This text field has a maximum of 3000 characters.

The Rehoboth Board of Selectmen violated the open meeting law by not accepting or adopting the minutes of their 4/26/21; 5/3/21; 5/6/2021; and 5/17/21 meetings within 3 meetings or 30 days which ever is longer. This Board of Selectmen continues to intentionally and willfully violate the open meeting law on this point.

The board held over 25 meetings between April 26, 2021 and October 4, 2021. see <https://www.rehobothma.gov/node/26/agenda/2021> for list of all 2021 agendas.

Did not post the "attached" documents referred to on the posted agenda under "Action 2"

What action do you want the public body to take in response to your complaint?

Note: This text field has a maximum of 500 characters.

All current members of the Rehoboth Board of Selectmen must attend a formal open meeting law class and learn and comply with the Open Meeting Law at all future meetings.

All members of the Board of Selectmen are responsible to insure that their meeting minutes are created and adopted or accepted in a timely manner. All members of the board should be required to review Training Video #5 and certify they have watched and understand the requirements within 30 days. The Board needs to attach the "See attached for details" when they indicated that on their agenda.

Review, sign, and submit your complaint

I. Disclosure of Your Complaint.

Public Record. Under most circumstances, your complaint, and any documents submitted with your complaint, is considered a public record and will be available to any member of the public upon request.

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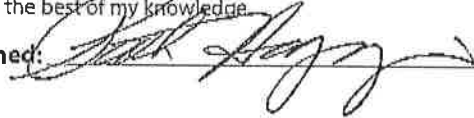
II. Consulting With a Private Attorney.

The AGO cannot give you legal advice and is not able to be your private attorney, but represents the public interest. If you have any questions concerning your individual legal rights or responsibilities you should contact a private attorney.

III. Submit Your Complaint to the Public Body.

The complaint must be filed first with the public body. If you have any questions, please contact the Division of Open Government by calling (617) 963-2540 or by email to openmeeting@state.ma.us.

By signing below, I acknowledge that I have read and understood the provisions above and certify that the information I have provided is true and correct to the best of my knowledge.

Signed: 

Date: 10/03/2021



AGENDA-Second Amended
Rehoboth Board of Selectmen
Monday, October 4, 2021
6:45 PM Executive Session
7:00 PM Regular Session
Town Hall-Board of Selectmen's Meeting Room
148 Peck Street

CONSENT AGENDA	
6:45 PM	MGL CHAPTER 30A, § (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: Discussion Re: FMLA
Approval of Warrants & Minutes:	Warrants: Minutes: Executive Session: N/A Minutes: Regular Session: 4/26/21, 5/3/21, 5/6/21 and 5/17/21
OPEN PUBLIC	
NEW BUSINESS	
Action 1:	Discussion with Facilities Maintenance Supervisor on Ongoing Town Building Projects, with possible action taken
Action 2:	Vote to Approve Town Counsel's Response to the Open Meeting Law Complaint Dated 9/13/21, see details attached
Action 3:	Vote to Approve Two Road Races from Ocean State Multisport for October 11, 2021 and 1/1/2022
Action 4:	Vote to Approve "Change of Manager" for LMYZ Catering, LLC dba Parks Asian Bistro and Sushi Bar from Jatinder Vij to Sean Park
Action 5:	Vote to Accept the FY22 Municipal Road Safety (MRS) Grant of \$29,900 for the Police Dept.
Action 6:	Discussion Re: Use of Town Property Grounds for Private Community Organizations, with possible action taken
Action 7:	Vote to Approve FMLA for Diane Fyfe from the Highway Department
Action 8:	Discussion Re: COA Scheduled Programs
OLD BUSINESS	
ANNOUNCEMENTS	
OTHER BUSINESS	Any other business which may come before the Board
BOS REPORTS	
EXECUTIVE	MGL CHAPTER 30A, §21.
ADJOURNMENT	



The Commonwealth of Massachusetts
 Office of the Attorney General
 One Ashburton Place
 Boston, Massachusetts 02108

OPEN MEETING LAW COMPLAINT FORM

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- o To file the complaint:
 - o For a local or municipal public body, you must submit a copy of the complaint to the chair of the public body AND to the municipal clerk.
 - o For all other public bodies, you must submit a copy of the complaint to the chair of the public body.
 - o Complaints may be filed by mail, by email, or by hand. Please retain a copy for your records.
- o If the public body does not respond within 14 business days and does not request an extension to respond, contact the Division for further assistance.

Instructions for a public body that receives a complaint:

- o The chair must disseminate the complaint to the members of the public body.
- o The public body must meet to review the complaint within 14 business days (usually 20-22 calendar days).
- o After review, but within 14 business days, the public body must respond to the complaint in writing and must send the complainant a response and a description of any action the public body has taken to address the allegations in the complaint. At the same time, the body must send the Attorney General a copy of the complaint and a copy of the response. The public body may delegate this responsibility to an individual member of the public body, its counsel, or a staff member, but only after the public body has met to review the complaint.
- o If a public body requires more time to review the complaint and respond, it may request an extension of time for good cause by contacting the Division of Open Government.

Once the public body has responded to the complaint:

- o If you are not satisfied with the public body's response to your complaint, you may file a copy of the complaint with the Division by mail, by email, or by hand, but only once you have waited for 30 days after filing the complaint with the public body. Mail may be sent to: The Division of Open Government, Office of the Attorney General, One Ashburton Place - 20th Floor, Boston, MA 02108. Emails may be sent to: openmeeting@state.ma.us.
- o When you file your complaint with the Division, please include the complaint form and all documentation relevant to the alleged violation. You may wish to attach a cover letter explaining why the public body's response does not adequately address your complaint.
- o The Division will not review complaints filed with us more than 90 days after the violation, unless we granted an extension to the public body or you can demonstrate good cause for the delay.

If you have questions concerning the Open Meeting Law complaint process, we encourage you to contact the Division of Open Government by phone at (617) 963-2540 or by email at openmeeting@state.ma.us.

Exhibit B
(Response to Complainant)



Mead, Talerman & Costa, LLC
Attorneys at Law

730 Main Street, Suite 1F
Millis, MA 02054
Phone 508.376.8400

www.mtclawyers.com

October 19, 2021

DELIVERED BY ELECTRONIC MAIL

Patrick Higgins and Associates
P.O. Box 24
Swansea, MA 02777
patrick@patrickhiggins.co

RE: Open Meeting Law Complaints
Municipality: Town of Rehoboth– Board of Selectmen
Complainant: Patrick Higgins
Alleged Violation Dates: 9/27/21 & 10/4/21
Date of Complaints: 10/3/21
Date Complaints Received: 10/4/21

Dear Mr. Higgins:

In response to your Open Meeting Law complaints filed against the Rehoboth Board of Selectmen (the “Board”), please accept this response. As Town Counsel, I have been tasked with reviewing your complaints alleging that the Board violated the Open Meeting Law by failing to timely create and approve minutes at each of these meetings. In response thereto, I incorporate and reassert the Board’s response dated October 6, 2021. See Exhibit X – 10/6 Response. I further note that the Board has authorized the Town Administrator to hire temporary help to assist with the creation of these minutes.

For the foregoing reasons, the Board has not violated the Open Meeting Law or otherwise taken sufficient corrective action to address any technical violations. Thank you for your attention to this matter.

Sincerely,

Katherine McNamara Feodoroff

Katherine McNamara Feodoroff
Town Counsel

Encls.

cc: Division of Open Government
Rehoboth BOS

Newburyport Office
30 Green Street
Newburyport, MA 01950
Phone 978.463.7700
Fax 978.463.7747

Exhibit X

(Prior Response to Complainant dated 10/6/2021)



Mead, Talerman & Costa, LLC
Attorneys at Law

730 Main Street, Suite 1F
Millis, MA 02054
Phone 508.376.8400

www.mtclawyers.com

October 6, 2021

DELIVERED BY ELECTRONIC MAIL

Patrick Higgins and Associates
P.O. Box 24
Swansea, MA 02777
patrick@patrickhiggins.co

RE: Open Meeting Law Complaint
Municipality: Town of Rehoboth– Board of Selectmen
Complainant: Patrick Higgins
Alleged Violation Date: 9/13/21
Date of Complaint: 9/13/21
Date Complaint Received: 9/14/21

Dear Mr. Higgins:

In response to your Open Meeting Law complaints filed against the Rehoboth Board of Selectmen (the “Board”), please accept this response. As Town Counsel, I have been tasked with reviewing your complaint alleging that the Board violated the Open Meeting Law by failing to timely create and approve minutes.

The regulations governing the Open Meeting Law, specifically 940 CMR 29.11(2), provide “[m]inutes of all open and executive sessions shall be created and approved in a timely manner. A “timely manner” will generally be considered to be within the next three public body meetings or within 30 days, whichever is later, unless the public body can show good cause for further delay. The Attorney General encourages public bodies to approve minutes at the next meeting whenever possible.”

Here, due to internal staffing issues, which caused delays in preparing minutes, caused a backlog on the creation of minutes. Understanding its obligation under law, the Board has undertaken to fulfill this obligation and dedicated a staff member to completing this task.¹ The Board has worked to promptly approved the minutes. The Town asserts that its delay in the creation and approval of minutes is supported by good cause. Further, the approval of these minutes has been completed and therefore, any violation of the Open Meeting Law has been cured. Specifically, the minutes for the 1/11/21, 2/3/21, and 2/3/21 were approved at the September 13, 2021 meeting.² See Exhibit 1 – Agenda 9/13/21.

Consequently, the Board has not violated the Open Meeting Law its delay in approving minutes was supported by good cause, or alternatively, it has cured any

Newburyport Office
30 Green Street
Newburyport, MA 01950
Phone 978.463.7700
Fax 978.463.7747

¹ At the 9/27/21 meeting, the Board approved the minutes from 3/22/21 – 5/3/21; at the 9/20/21 meeting, the Board approve the minutes from 2/8/21 – 3/15/21. Exhibit 2 – Agenda 9/20 & 9/27.

² It should be noted that Open Meeting Law complaints must be filed within 30 days of the date of alleged violation. The approval of these minutes would be outside of the 30-day limitations period.

non-compliance. Therefore, the Board requests that you take no further action relative to that complaint.

For the foregoing reasons, the Board has not violated the Open Meeting Law or otherwise taken sufficient corrective action to address any technical violations. Thank you for your attention to this matter.

Sincerely,

Katherine McNamara Feodoroff

Katherine McNamara Feodoroff
Town Counsel

Encls.

cc: Division of Open Government
Rehoboth BOS

Exhibit 1
(Agenda 9/13/21)

AGENDA
Rehoboth Board of Selectmen
Monday, September 13, 2021
6:00 PM Executive Session
7:00 PM Regular Session
Town Hall-Board of Selectmen's Meeting Room
148 Peck Street

6:00 PM	<p style="text-align: center;"><i>MGL CHAPTER 30A, § (2) To conduct strategy sessions in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions or contract negotiations with non-union personnel.</i></p> <p style="text-align: center;"><i>Topics: Discussion Re: Public Health Nurse Contract</i></p>
CONSENT AGENDA	
<i>Approval of Warrants & Minutes:</i>	Warrants: Minutes: Executive Session: N/A Minutes: Regular Session: 1/11/21, 1/25/21, and 2/3/21
OPEN PUBLIC	
NEW BUSINESS	
<i>Action 1:</i>	<i>Discussion Re: Salvaging Front Door & Arched Windows at Anawan School with Historical Commission member, with possible action taken</i>
<i>Action 2:</i>	<i>Vote to Demolish Anawan School</i>
<i>Action 3:</i>	<i>Discussion Re: Anawan Pharmacy Vaccine Clinic, with possible action taken</i>
<i>Action 4:</i>	<i>Vote to Approve Sign Placement for the Rehoboth Antiquarian Society's/Carpenter Museum Annual Crafters' Marketplace Event on October 23, 2021</i>
OLD BUSINESS	
ANNOUNCEMENTS	
OTHER BUSINESS	<i>Any other business which may come before the Board</i>
BOS REPORTS	
EXECUTIVE	MGL CHAPTER 30A, §21.
ADJOURNMENT	

Exhibit 2
(Agendas 9/20/21 & 9/27/21)

AGENDA-Amended
Rehoboth Board of Selectmen
Monday, September 20, 2021
6:00 PM Executive Session
7:00 PM Regular Session
Town Hall-Board of Selectmen's Meeting Room
148 Peck Street

6:00 PM	<p><i>MGL CHAPTER 30A, § (2) To conduct strategy sessions in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions or contract negotiations with non-union 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.</i></p> <p><i>Topics: Discussion Re: Veteran's Agent, Dispatcher Unions, Superior Officers Union</i></p>
CONSENT AGENDA	
Approval of Warrants & Minutes:	<p>Warrants:</p> <p>Minutes: Executive Session: N/A</p> <p>Minutes: Regular Session: 2/8/21, 2/16/21, 2/22/21, 3/1/21, 3/8/21 and 3/15/21</p>
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NEW BUSINESS	
Action 1:	<i>Discussion Re: Electronic Voting Devices with the Town Clerk, with possible action</i>
Action 2:	<i>Vote to Reject "Request for Proposal" for Consultant</i>
Action 3:	<i>Vote to Approve Dispatchers' Unions Contract</i>
Action 4:	<i>Vote to Approve Veteran's Agent Job Description and Contract</i>
Action 5:	<i>Vote to Accept Resignation from Anthony Arrigo from Historical Commission</i>
Action 6:	<i>Vote to Approve Re-Appointments for Chief of Police, SMHG Representative and Alternate, Agricultural Commission, and Chapter 32B Insurance Advisory Committee and New Appointments for Chapter 32B Insurance Advisory Committee- See attached for details</i>
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	<i>Any other business which may come before the Board</i>
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EXECUTIVE SESSION-ADJOURNMENT	MGL CHAPTER 30A, §21.

AGENDA-Amended
 Rehoboth Board of Selectmen
Monday, September 27, 2021
 6:30 PM Executive Session
 7:00 PM Regular Session
 Town Hall-Board of Selectmen's Meeting Room
 148 Peck Street

6:30 PM	<p style="text-align: center;"><i>MGL CHAPTER 30A, § (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.</i></p> <p style="text-align: center;"><i>Topics: Discussion Re: Union Grievance</i></p>
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NEW BUSINESS	
<i>Action 1:</i>	<i>Ratify Vote Taken on 9/20/21-Reopening & Virus Mitigation Projects at 340 Anawan Street</i>
<i>Action 2:</i>	<i>Discussion Re: 2020 US Census Mandatory 10-year Redistricting of the Town, with possible action</i>
<i>Action 3:</i>	<i>7:30 PM Public Hearing for Class II Auto License-European Motor Cars, 74 Fall River Avenue, Barry R. Bixby, Manager-see attached for details</i>
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BOS REPORTS	
EXECUTIVE	<i>MGL CHAPTER 30A, §21.</i>
ADJOURNMENT	



Mead, Talerman & Costa, LLC
Attorneys at Law

730 Main Street, Suite 1F
Millis, MA 02054
Phone 508.376.8400

www.mtclawyers.com

October 19, 2021

DELIVERED BY ELECTRONIC MAIL

Patrick Higgins and Associates
P.O. Box 24
Swansea, MA 02777
patrick@patrickhiggins.co

RE: Open Meeting Law Complaints
Municipality: Town of Rehoboth– Board of Selectmen
Complainant: Patrick Higgins
Alleged Violation Dates: 9/27/21 & 10/4/21
Date of Complaints: 10/3/21
Date Complaints Received: 10/4/21

Dear Mr. Higgins:

In response to your Open Meeting Law complaints filed against the Rehoboth Board of Selectmen (the “Board”), please accept this response. As Town Counsel, I have been tasked with reviewing your complaints alleging that the Board violated the Open Meeting Law by failing to timely create and approve minutes at each of these meetings. In response thereto, I incorporate and reassert the Board’s response dated October 6, 2021. See Exhibit X – 10/6 Response. I further note that the Board has authorized the Town Administrator to hire temporary help to assist with the creation of these minutes.

For the foregoing reasons, the Board has not violated the Open Meeting Law or otherwise taken sufficient corrective action to address any technical violations. Thank you for your attention to this matter.

Sincerely,

Katherine McNamara Feodoroff

Katherine McNamara Feodoroff
Town Counsel

Encls.

cc: Division of Open Government
Rehoboth BOS

Newburyport Office
30 Green Street
Newburyport, MA 01950
Phone 978.463.7700
Fax 978.463.7747

Exhibit X

(Prior Response to Complainant dated 10/6/2021)



Mead, Talerman & Costa, LLC
Attorneys at Law

730 Main Street, Suite 1F
Millis, MA 02054
Phone 508.376.8400

www.mtclawyers.com

October 6, 2021

DELIVERED BY ELECTRONIC MAIL

Patrick Higgins and Associates
P.O. Box 24
Swansea, MA 02777
patrick@patrickhiggins.co

RE: Open Meeting Law Complaint
Municipality: Town of Rehoboth– Board of Selectmen
Complainant: Patrick Higgins
Alleged Violation Date: 9/13/21
Date of Complaint: 9/13/21
Date Complaint Received: 9/14/21

Dear Mr. Higgins:

In response to your Open Meeting Law complaints filed against the Rehoboth Board of Selectmen (the “Board”), please accept this response. As Town Counsel, I have been tasked with reviewing your complaint alleging that the Board violated the Open Meeting Law by failing to timely create and approve minutes.

The regulations governing the Open Meeting Law, specifically 940 CMR 29.11(2), provide “[m]inutes of all open and executive sessions shall be created and approved in a timely manner. A “timely manner” will generally be considered to be within the next three public body meetings or within 30 days, whichever is later, unless the public body can show good cause for further delay. The Attorney General encourages public bodies to approve minutes at the next meeting whenever possible.”

Here, due to internal staffing issues, which caused delays in preparing minutes, caused a backlog on the creation of minutes. Understanding its obligation under law, the Board has undertaken to fulfill this obligation and dedicated a staff member to completing this task.¹ The Board has worked to promptly approved the minutes. The Town asserts that its delay in the creation and approval of minutes is supported by good cause. Further, the approval of these minutes has been completed and therefore, any violation of the Open Meeting Law has been cured. Specifically, the minutes for the 1/11/21, 2/3/21, and 2/3/21 were approved at the September 13, 2021 meeting.² See Exhibit 1 – Agenda 9/13/21.

Consequently, the Board has not violated the Open Meeting Law its delay in approving minutes was supported by good cause, or alternatively, it has cured any

Newburyport Office
30 Green Street
Newburyport, MA 01950
Phone 978.463.7700
Fax 978.463.7747

¹ At the 9/27/21 meeting, the Board approved the minutes from 3/22/21 – 5/3/21; at the 9/20/21 meeting, the Board approve the minutes from 2/8/21 – 3/15/21. Exhibit 2 – Agenda 9/20 & 9/27.
² It should be noted that Open Meeting Law complaints must be filed within 30 days of the date of alleged violation. The approval of these minutes would be outside of the 30-day limitations period.

non-compliance. Therefore, the Board requests that you take no further action relative to that complaint.

For the foregoing reasons, the Board has not violated the Open Meeting Law or otherwise taken sufficient corrective action to address any technical violations. Thank you for your attention to this matter.

Sincerely,

Katherine McNamara Feodoroff

Katherine McNamara Feodoroff
Town Counsel

Encls.

cc: Division of Open Government
Rehoboth BOS

Exhibit 1
(Agenda 9/13/21)

AGENDA
Rehoboth Board of Selectmen
Monday, September 13, 2021
6:00 PM Executive Session
7:00 PM Regular Session
Town Hall-Board of Selectmen's Meeting Room
148 Peck Street

6:00 PM	<p style="text-align: center;"><i>MGL CHAPTER 30A, § (2) To conduct strategy sessions in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions or contract negotiations with non-union personnel.</i></p> <p style="text-align: center;"><i>Topics: Discussion Re: Public Health Nurse Contract</i></p>
CONSENT AGENDA	
<i>Approval of Warrants & Minutes:</i>	<p>Warrants: Minutes: Executive Session: N/A Minutes: Regular Session: 1/11/21, 1/25/21, and 2/3/21</p>
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OTHER BUSINESS	<i>Any other business which may come before the Board</i>
BOS REPORTS	
EXECUTIVE ADJOURNMENT	MGL CHAPTER 30A, §21.

10/18/21

NEW BUSINESS:

Action Item (2): Continuance of Public Hearing-Class II Application for Barry Bixby Automotive, LLC dba European Motor Cars, see details attached

Background: This is a continuance of the Public Hearing from September for the Class II Application for Mr. Barry Bixby. Mr. Bixby has obtained an LLC and has provided our office with all of the proper paperwork.

Motion: Vote to Continue the Public Hearing for Barry Bixby Automotive, LLC dba European Motor Cars.

Moved:		Second:		Vote:	
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Motion: Vote to Close the Public Hearing.

Moved:		Second:		Vote:	
---------------	--	----------------	--	--------------	--

Motion: Vote to Approve the Class II License for Barry Bixby Automotive, LLC dba European Motor Cars on 74 Fall River Avenue, Rehoboth (List an restrictions that may apply).

Moved:		Second:		Vote:	
---------------	--	----------------	--	--------------	--

Discussion:



RECEIVED
OCT 04 2021
BOARD OF SELECTMEN

COMMONWEALTH OF MASSACHUSETTS
TOWN OF REHOBOTH

APPLICATION FOR A CLASS I OR II AUTO LICENSE TO BUY, SELL, EXCHANGE OR ASSEMBLE SECOND HAND MOTOR VEHICLES OR PARTS THEREOF

I, the undersigned, duly authorized by the concern herein mentioned, hereby apply for a:
 Class I or Class II Auto License to Buy, Sell, Exchange or Assemble Second Hand Motor Vehicles or parts thereof, in accordance with the provisions of Chapter 140 of the General Laws.

1. Name of Applicant: Barry Bixsy Automotive LLC
(Sole Proprietor, Partnership, LLP, Corporation, LLC, etc.)
D/B/A if different from applicant name: European Motor Cars 02769
Business address of license premises: 24 Fall River Ave Rehoboth MA
Business Telephone No: 401-465-1900
Email Address: barry@barrybixsyautomotive.com

2. Is the above applicant an/a: Individual, association or corporation?
If an individual (sole proprietor): Print full name: _____
Print residential/home address: _____
Business Telephone #: 401 465 1900 Home/Cell #: 401 465 1900

3. If a co-partnership, state full names and residential/home addresses of persons comprising it:

Name: _____	Home Address: _____
Name: _____	Home Address: _____

4. If association, LLP, LLC or a corporation, state full names and residential addresses of principles:

President Name: <u>Barry R. Bixsy</u>	Home Address: <u>30A Glen Meade Dr</u>
Secretary Name: _____	Home Address: <u>PORTSMOUTH 0102871</u>
Treasurer Name: _____	Home Address: _____
Other Name: _____	Home Address: _____

5. Manager of Licensed Premises, if not applicant:

Name: _____	Home Address: _____
Day Phone #: _____	Home/Cell #: _____

6. Are you engaged principally in the business of buying, selling or exchanging motor vehicles?
 Yes No
If so, is your principal business the sale of new vehicles? Yes No
Is your principle business the buying and selling of second hand motor vehicles? Yes No
Is your principal business that of a motor vehicle junk dealer? Yes No

7. Give a complete description of all the premises to be used for the purpose of carrying on the business: OFFICES and LOT @ 74 TELL RIVER Ave
Rehoboth MA 02769

8. Are you a recognized agent of a motor vehicle manufacturer? Yes No
If yes, state name of manufacturer: _____
Do you have a signed contract with manufacturer as required by MGL C.140, Section 58, Class I:
 Yes No - Attach copy of signed contract, if applicable.


9. Have you ever applied for a license to deal in second hand motor vehicles or parts thereof?
 Yes No
If so, in what city/town _____
Did you receive a license? _____ For what year? _____

10. Has any license issued to you in Massachusetts or any other state to deal in motor vehicles or parts thereof ever been suspended or revoked? Yes No

11. Identify each individual who owns at least 40% of the business not previously listed above:

12. Required documents which must accompany this application for new license or renewal of license:

- For Class II Auto License a \$25,000.00 Surety Bond Name of Insurance Co: NGM Insurance Co.
- Workers Comp Insurance Signed Affidavit with Certificate of Liability Insurance attached (if applicable)
- \$125.00 License Fee - Checks Payable to the Town of Rehoboth

Sign your name in full: 
Print Name: Barry R. Bixby
Home Address: 36A Glen Meade Dr. Portsmouth RI 02871
Date: 10/4/2021

APPLICANT WILL NOT FILL IN THE FOLLOWING BLANKS

LICENSE NUMBER _____ GRANTED _____ FEE \$125.00

REHOBOTH BOARD OF SELECTMEN

COMMONWEALTH OF MASSACHUSETTS
TOWN OF REHOBOTH
APPLICATION FOR LICENSE (GENERAL)

To the Licensing Authority:

The undersigned hereby applies for a license in accordance with the provisions of the Statutes relating thereto:

Barry R. Bixby
Print applicant's name

Barry Bixby Automotive LLC
Print full name of business

European Motor Cars
Print d/b/a (if appropriate)

TYPE OF LICENSE/PERMIT BEING APPLIED FOR: (check all that apply)

- | | |
|-------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> COMMON VICTUALLER—\$25 | <input type="checkbox"/> JUNK (ANTIQU) LICENSE* - \$20 |
| <input type="checkbox"/> AUTOMATIC AMUSEMENT—see schedule for fee | <input type="checkbox"/> HAWKERS & PEDDLERS--\$50 |
| <input type="checkbox"/> POOL TABLE—\$20 per table | <input type="checkbox"/> 7-DAY ENTERTAINMENT—\$50
(PLEASE COMPLETE ENTERTAINMENT LICENSE) |
| <input type="checkbox"/> AUCTION | <input type="checkbox"/> AUTO CLASS <input type="checkbox"/> I <input checked="" type="checkbox"/> II <input type="checkbox"/> III
(Please check appropriate #)--\$125 |
| <input type="checkbox"/> LIVERY--\$25 per vehicle | |
| <input type="checkbox"/> OTHER _____ | |

Business Address: 74 Fall River Ave Rehoboth MA 02768

Mailing Address: Same
(if different than business address)

Home Address: 36 Glen Meade Dr Portsmouth RI 02871
(REQUIRED)

Business Phone: 401 465 1900 Home Phone: 401 465 1900

Email Address: barry@barrybixbyautomotive.com

[Signature]
Applicant's Signature

PLEASE COMPLETE FOLLOWING SECTION:

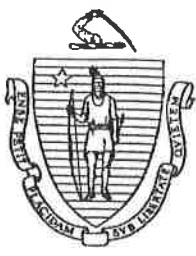
Required: Pursuant to M.G.L. Ch. 62C, Sec. 49A, I certify under the penalties of perjury that I, to my best knowledge, have not been convicted of a crime involving moral turpitude and paid all State and Local taxes required under law.

FID Number (SS # if not applicable) [Redacted]

[Signature]
Signature of Individual or Corporate Name

Date of Birth: [Redacted] By: _____
Corporate Officer (if applicable)

* For any new applications for Auto, Junk/Antique or Hawkers & Peddlers license, please sign attached CORI form.



The Commonwealth of Massachusetts
 Department of Industrial Accidents
 Office of Investigations
 600 Washington Street
 Boston, MA 02111
 www.mass.gov/dia

Workers' Compensation Insurance Affidavit: General Businesses

Applicant Information

Please Print Legibly

Business/Organization Name: Berry Bixby Automotive LLC
 Address: 24 Fall River Ave P
 City/State/Zip: Rehoboth MA 02709 Phone #: 401 465 1900

Are you an employer? Check the appropriate box:

- 1. I am an employer with _____ employees (full and/or part-time).*
- 2. I am a sole proprietor or partnership and have no employees working for me in any capacity. [No workers' comp. insurance required]
- 3. We are a corporation and its officers have exercised their right of exemption per c. 152, §1(4), and we have no employees. [No workers' comp. insurance required]**
- 4. We are a non-profit organization, staffed by volunteers, with no employees. [No workers' comp. insurance req.]

Business Type (required):

- 5. Retail
- 6. Restaurant/Bar/Eating Establishment
- 7. Office and/or Sales (incl. real estate, auto, etc.)
- 8. Non-profit
- 9. Entertainment
- 10. Manufacturing
- 11. Health Care
- 12. Other _____

*Any applicant that checks box #1 must also fill out the section below showing their workers' compensation policy information.

**If the corporate officers have exempted themselves, but the corporation has other employees, a workers' compensation policy is required and such an organization should check box #1.

I am an employer that is providing workers' compensation insurance for my employees. Below is the policy information.

Insurance Company Name: _____

Insurer's Address: _____

City/State/Zip: _____

Policy # or Self-ins. Lic. # _____ Expiration Date: _____

Attach a copy of the workers' compensation policy declaration page (showing the policy number and expiration date).

Failure to secure coverage as required under Section 25A of MGL c. 152 can lead to the imposition of criminal penalties of a fine up to \$1,500.00 and/or one-year imprisonment, as well as civil penalties in the form of a STOP WORK ORDER and a fine of up to \$250.00 a day against the violator. Be advised that a copy of this statement may be forwarded to the Office of Investigations of the DIA for insurance coverage verification.

I do hereby certify, under the pains and penalties of perjury that the information provided above is true and correct.

Signature: [Signature] Date: 10/04/2021

Phone #: 401-465-1900

Official use only. Do not write in this area, to be completed by city or town official.

City or Town: _____ Permit/License # _____

Issuing Authority (circle one):

- 1. Board of Health
- 2. Building Department
- 3. City/Town Clerk
- 4. Licensing Board
- 5. Selectmen's Office
- 6. Other _____

Contact Person: _____ Phone #: _____



File No. 2023
 Expiration Date: 10/4/2025
 Filing Fee \$50.00 CR #1268

BUSINESS CERTIFICATE
 TOWN OF REHOBOTH

IN CONFORMITY WITH THE PROVISIONS OF CHAPTER ONE HUNDRED AND TEN, SECTION FIVE OF THE GENERAL LAWS, AS AMENDED, THE UNDERSIGNED HEREBY DECLARES THAT A BUSINESS IS CONDUCTED UNDER THE TITLE OF:

o BRB
 Barry Bixby Automotive LLC dba European Motor Cars AT
 (BUSINESS NAME)

74 Fall River Ave. Rehoboth, MA 02769

(ADDRESS) (TELEPHONE)

barry@barrybixbyautomotive.com 401-465-1900

(EMAIL) (EMERGENCY TELEPHONE)

BY THE FOLLOWING NAMED PERSON(S): (include corporate name and title if corporate officer)

FULL NAME	RESIDENCE
Barry R. Bixby	36A Glen Meade Dr. Portsmouth, RI 02871
_____	_____
_____	_____

NATURE OF BUSINESS: The Sale of pre-owned vehicles

SIGNATURES: [Signature]

ON Oct. 4, 2021 THE ABOVE NAMED PERSON(S) PERSONALLY APPEARED BEFORE ME, AND MADE OATH THAT THE FOREGOING STATEMENT IS TRUE.

[Signature]
 TOWN CLERK OR NOTARY PUBLIC

(SEAL) _____

IN ACCORDANCE WITH PROVISIONS OF CHAPTER 337 OF THE ACTS OF 1985 AND CHAPTER 110, SECTION 5 OF THE M.G.L., BUSINESS CERTIFICATES SHALL BE IN EFFECT FOR FOUR YEARS FROM THE DATE OF ISSUE AND SHALL BE RENEWED EACH FOUR YEARS THEREAFTER. A STATEMENT UNDER OATH MUST BE FILED WITH THE TOWN CLERK UPON DISCONTINUING, RETIRING, OR WITHDRAWING FROM SUCH BUSINESS OR PARTNERSHIP.

COPIES OF SUCH CERTIFICATES SHALL BE AVAILABLE AT THE ADDRESS AT WHICH SUCH BUSINESS IS CONDUCTED AND SHALL BE FURNISHED ON REQUEST DURING REGULAR BUSINESS HOURS TO ANY PERSON WHO HAS PURCHASED GOODS OR SERVICES FROM SUCH BUSINESS.

VIOLATIONS ARE SUBJECT TO A FINE OF NOT MORE THAN THREE HUNDRED DOLLARS (\$300.00) FOR EACH MONTH DURING WHICH SUCH VIOLATION CONTINUES.

DATE RECORDED Oct. 4, 2021
[Signature]
 TOWN CLERK

(SEAL)

Town of Rehoboth

Sign off sheet for business certificate

Effective July 1, 2010

Mandated Inspection must be done by the Building Inspector, Zoning Officer, Board of Health and Fire Department

DATE: 10/01/2021
Location of Project: 24 Fall River Rd
Rehoboth MA 02769
Name of Business: Barry Bixby Automotivellc dba
European Motor Cars
Type of Business: Selling Pre-owned cars

NK Board of Health

MM Fire Department

Inspector of Buildings
William M. Lytle

Zoning Officer
William M. Lytle

There will be a \$50.00 fee for each Department that requires a site investigation paid to the individual departments. (i.e. Plumbing, gas, electrical, storm water, etc.) Check made out to the Town of Rehoboth.

In order for the Town Clerk to issue a Business Certificate, please sign and date this form once the applicable departments have signed off and return it to the Town Clerk's Office.

Signature: [Signature]

Date: 10/4/21

CC: Building Department



The Commonwealth of Massachusetts
Secretary of the Commonwealth
State House, Boston, Massachusetts 02133

William Francis Galvin
Secretary of the
Commonwealth

September 29, 2021

TO WHOM IT MAY CONCERN:

I hereby certify that a certificate of organization of a Limited Liability Company was filed in this office by

BARRY BIXBY AUTOMOTIVE LLC

in accordance with the provisions of Massachusetts General Laws Chapter 156C on **September 28, 2021.**

I further certify that said Limited Liability Company has filed all annual reports due and paid all fees with respect to such reports; that said Limited Liability Company has not filed a certificate of cancellation; that there are no proceedings presently pending under the Massachusetts General Laws Chapter 156C, § 70 for said Limited Liability Company's dissolution; and that said Limited Liability Company is in good standing with this office.

I also certify that the names of all managers listed in the most recent filing are: **BARRY R BIXBY**

I further certify, the names of all persons authorized to execute documents filed with this office and listed in the most recent filing are: **BARRY R BIXBY**

The names of all persons authorized to act with respect to real property listed in the most recent filing are: **BARRY R BIXBY**



In testimony of which,
I have hereunto affixed the
Great Seal of the Commonwealth
on the date first above written.

William Francis Galvin

Secretary of the Commonwealth

10/18/21

NEW BUSINESS:

Action Item (3): Vote to Ratify Acceptance of Cindy McDonough's Resignation

Background: The Board was notified a couple of weeks ago of the resignation of Cindy McDonough as the Assistant to the Town Administrator. Cindy has been working for our office for approximately 1-1/2 years; she has been a tremendous help to us all. We wish her much success.

Motion: To accept the resignation of Cindy McDonough as Assistant to the Town Administrator, effective 10/15/2021.

Moved:		Second:		Vote:	
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Discussion:

10/18/21

NEW BUSINESS:

Action Item (4): Vote to Ratify Job Description for Assistant to the Board of Selectmen, see details attached

Background: During the Executive Session on October 12th, the Board reviewed the Job Description for the position of Assistant to the Board of Selectmen. This will replace the current one for Assistant to the Town Administrator. The Board approved the new job description.

Motion: Vote to Ratify the approval of the job description for the Assistant to the Board of Selectmen.

Moved:		Second:		Vote:	
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Discussion:

JOB DESCRIPTION



Title: Assistant to the Board of Selectmen	Effective Date: October 12, 2021
Department: Board of Selectmen's Office	Union: N/A
Location: Town Hall	Grade: N/A

GENERAL PURPOSE:

This is a confidential position, which performs a variety of clerical and administrative duties. The purpose of this position is to assist the Board of Selectmen and Town Administrator in administering the Town Office inclusive of communicating with, advising, and providing information and answers to the public, town officials, town committees and other employees about matters to which s/he has reasonable and customary access.

SUPERVISION RECEIVED:

Works under the general and specific direction of the Board of Selectmen directly or through their designee.

SUPERVISION EXERCISED:

Clerical office personnel, as assigned.

ESSENTIAL DUTIES AND RESPONSIBILITIES:

- A. Has frequent contact with the general public, business owners, department heads, town employees, members of the Board of Selectmen, other board and committee members, county, state, and federal officials and legal counsel. Communication is frequently in person, by telephone, fax, email and standard and confidential documents.
- B. Attends Board of Selectmen meetings as needed in the absence of the Town Administrator or Assistant Town Administrator.
- C. Prepares and initiates verbal and written communications on behalf of the Board of Selectmen. Collects and receives data and information on the Board's behalf including legal advice and correspondence, as specifically directed by them.
- D. Prepares agenda items for consideration by the Board of Selectmen, in consultation with the Chair of the Board of Selectmen and provides advice and/or recommendations.
- E. Prepares or assists with the preparation of the warrant for the Annual and Special Town Meeting(s). Provides for the proper posting of Selectmen meeting notices.
- F. Compiles the Annual Town Report and provides for its printing.
- G. Prepares/transcribes minutes of the Board of Selectmen's executive session and public session meetings for compliance with Massachusetts Open Meeting Law.
- H. Processes all license applications under control of the Board of Selectmen. Maintains license files and administers all matters pertaining to licenses issued by the Board of Selectmen.
- I. Assists the Assistant Town Administrator and Town Administrator with other clerical or bookkeeping functions, as necessary.

- J. Performs administrative and clerical duties as needed.

OTHER DUTIES AND RESPONSIBILITIES:

N/A

ESSENTIAL QUALIFICATIONS:

Education and Experience:

- A. High school graduate or GED equivalent.
- B. Degree from a four (4) year college or university preferred.
- C. Five (5) years of experience in municipal government or an office setting with high-level administrative work and computer experience preferred.
- D. Any equivalent combination of education and experience.

Necessary Knowledge, Skills and Abilities:

- A. A strong knowledge of typical office software as well a high level of comfort using personal computer or other office equipment.
- B. Must have knowledge of common public or business administrative practices.
- C. Ability to plan, organize, follow through and review office and selected municipal operations.
- D. Ability to maintain a positive work environment while instilling confidence in the municipal government by residents.
- E. Maintains a positive working relationship with local, regional, state and federal governmental agencies, employees, department heads, the public and officials.
- F. Communicates effectively verbally and in writing and maintains detailed and accurate records using typical office software programs.
- G. Ability to maintain an overview and details of multiple projects, ability to be self-motivated, take initiative and responsibility.
- H. Excellent verbal and written communication skills with an aptitude for working with people, numbers and details.

SPECIAL REQUIREMENTS:

Must have and maintain a valid motor vehicle operator's license.

TOOLS AND EQUIPMENT USED:

Personal computer including normal office software, telephone, fax machine, calculator, and copy machine.

PHYSICAL DEMANDS:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is frequently required to sit and talk or hear, use hands to finger, handle, feel or operate objects, tools, or controls; and reach with hands and arms. The employee is occasionally required to walk with hands.

The employee must frequently lift and/or move up to 25 pounds. Specific vision abilities required by this job include close vision and the ability to adjust focus and use a computer.

WORK ENVIRONMENT:

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Work is performed under typical office conditions; work environment is moderately quiet with regular interruptions from the general public, employees, officials, the telephone, and others needing to communicate with the Town.

The noise level in the work environment is usually quiet to medium due to client conversations and all equipment running at the same time: phone, fax, computer, typewriter, air conditioner, etc.

SELECTION GUIDELINES:

Formal application, rating of education and experience; oral interview and reference checks; job related tests may be required.

NOTES:

The examples of duties are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.

The job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

10/18/21

NEW BUSINESS:

Action Item (5): Announcement of Employment -Marisa Medeiros- as Assistant to the Board of Selectmen

Background: Marisa Medeiros has accepted the position of Assistant to the Board of Selectmen.

Motion: Vote to accept Marisa Medeiros as the Assistant to the Board of Selectmen.

Moved:		Second:		Vote:	
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Discussion:

10/18/21

NEW BUSINESS:

Action Item (6): Vote to Approve Second Payment for Blanding Library-\$54,577.50

Background: Per the grant agreement between the Town and the Antiquarian Society for the services at the Blanding Library, they are requesting the 2nd disbursement of \$54,577.50.

Motion: Vote to approve the 2nd disbursement payment to the Blanding Library for the total amount of \$54,577.50.

Moved:		Second:		Vote:	
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Discussion:

**REHOBOTH
ANTIQUARIAN SOCIETY**

P.O. BOX 2
REHOBOTH, MASSACHUSETTS 02769



October 1, 2021

Board of Selectmen
Town of Rehoboth
148R Peck Street
Rehoboth, MA 02769

Dear Select Board members,

In accordance with the grant agreement for library services made between the Town of Rehoboth and the Rehoboth Antiquarian Society, the said Society hereby requests disbursement of the second payment, in the amount of \$54,577.50 (25% of \$258,310.00), due by 15 October 2021.

I will be happy to call for the check, or you may mail it to us at P.O. Box 2, Rehoboth.

Sincerely,

A handwritten signature in black ink, appearing to read "Rebecca H. Smith". The signature is fluid and cursive.

Rebecca H. Smith, president
508-252-5767
president@rehobothantiquarian..org

10/18/21

NEW BUSINESS:

Action Item (7): Vote to Ratify Vaccine Flyer to be Mailed Out to Residents

Background: At last week's BOS meeting Gerry Schwall approached the Board with a request to mail out a flyer to all residents reminding them of the vaccine services available at the Anawan Pharmacy.

Motion: Vote to ratify Gerry's outlined process for the vaccine flyer and to be mailed to all residents.

Moved:		Second:		Vote:	
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Discussion:

10/18/21

NEW BUSINESS:

Action Item (8): Vote to Ratify Sourcing of Toilet Paper for Helping Hands

Background: Again, at last week's meeting Gerry approached the Board requesting to help the Helping Hands Organization with sourcing of toilet paper.

Motion: Vote to ratify the approval of allowing the Temporary Director of Finance to source the procurement for toilet paper for Helping Hands.

Moved:		Second:		Vote:	
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Discussion:

10/18/21

NEW BUSINESS:

Action Item (9): Vote to Approve Appointments for Chapter 32B Insurance Advisory Committee and Keep Rehoboth Beautiful Committee, see details attached

Background: Our office has received new appointments for the Chapter 32B Insurance Advisory Committee and Keep Rehoboth Beautiful Committee.

Motion: Vote to approve the following new appointments:

Cheryl Gouveia to Chapter 32B Insurance Advisory Committee-representing the retirees, effective 10/18/21-6/30/23

Mark Wetherell to Chapter 32B Insurance Advisory Committee-representing the police, effective 10/18/21-6/30/23

Susanne Patrick-MacKinnon to the Keep Rehoboth Beautiful Committee, effective 10/18/21-6/30/22

Moved:		Second:		Vote:	
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Discussion:

Office of
SELECTMEN
148 Peck Street
Rehoboth, MA 02769



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

Date: October 18, 2021

Dear: Ms. Gouveia

Congratulations on your appointment as indicated below. Please present yourself, along with this form, to the Town Clerk prior to undertaking your duties. At that time, you will take the OATH OF OFFICE and receive copies of the OPEN MEETING LAW and CONFLICT OF INTEREST LAW.

You should be aware that no action can be taken by you in your position until you have taken the Oath of Office. Also, should you ever have reason to resign, your resignation should be directed to the Town Clerk.

NAME: Cheryl Gouveia
27 Wood Street
Rehoboth, MA 02769

Telephone No: 508-336-3976
Email Address:

POSITION: Chapter 32B Insurance Advisory Committee
(Representing Retirees)

Effective: 10/18/2021-06/30/2023

New Appointment X
Reappointment

Frederick E. Vadnais, Jr., Chairman

David A. Perry, Jr., Vice Chairman

James Muri, Clerk

CLASSIFICATION:

Regular

Special X

George M. Solas, Sr., Member

Michael P. Deignan, Member

REHOBOTH BOARD OF SELECTMEN

OATH OF OFFICE: I, Cheryl Gouveia having been appointed to the Chapter 32B Advisory Ins. Committee for the Town of Rehoboth, swear to perform the duties and responsibilities of the office in a loyal and faithful manner to the best of my ability.

Sworn to before me this ____ day of _____, 2021

SIGNATURE

TOWN CLERK

I hereby acknowledge the receipt of Sections 23B and 23C of Section 3, of Chapter 303 of the General Laws of the Commonwealth of Massachusetts - Governmental Bodies - Meetings Regulated and the text and summary of the General Laws - Section 23 of Chapter 268A - The Conflict of Interest Law.

SIGNATURE

Office of
SELECTMEN
148 Peck Street
Rehoboth, MA 02769



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

Date: October 18, 2021

Dear: Mr. Wetherell

Congratulations on your appointment as indicated below. Please present yourself, along with this form, to the Town Clerk prior to undertaking your duties. At that time, you will take the OATH OF OFFICE and receive copies of the OPEN MEETING LAW and CONFLICT OF INTEREST LAW.

You should be aware that no action can be taken by you in your position until you have taken the Oath of Office. Also, should you ever have reason to resign, your resignation should be directed to the Town Clerk.

NAME: Mark Wetherell
200 Smith Street
Attleboro, MA 02760

Telephone No: (508) 838-4091
Email Address: mwetherell@rehobothpd.org

POSITION: Chapter 32B Insurance Advisory Committee
(Representing Police)

Effective: 10/18/2021-06/30/2023

New Appointment X
Reappointment

Frederick E. Vadnais, Jr., Chairman

David A. Perry, Jr., Vice Chairman

James Muri, Clerk

CLASSIFICATION:

Regular

Special X

George M. Solas, Sr., Member

Michael P. Deignan, Member

REHOBOTH BOARD OF SELECTMEN

OATH OF OFFICE: I, Mark Wetherell having been appointed to the Chapter 32B Advisory Ins. Committee for the Town of Rehoboth, swear to perform the duties and responsibilities of the office in a loyal and faithful manner to the best of my ability.

Sworn to before me this ____ day of _____, 2021

SIGNATURE

TOWN CLERK

I hereby acknowledge the receipt of Sections 23B and 23C of Section 3, of Chapter 303 of the General Laws of the Commonwealth of Massachusetts - Governmental Bodies - Meetings Regulated and the text and summary of the General Laws - Section 23 of Chapter 268A - The Conflict of Interest Law.

SIGNATURE

Office of
SELECTMEN
148 Peck Street
Rehoboth, MA 02769



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

Date: 10/18/2021

Dear: Ms. Mackinnon

Congratulations on your appointment as indicated below. Please present yourself, along with this form, to the Town Clerk prior to undertaking your duties. At that time, you will take the OATH OF OFFICE and receive copies of the OPEN MEETING LAW and CONFLICT OF INTEREST LAW.

You should be aware that no action can be taken by you in your position until you have taken the Oath of Office. Also, should you ever have reason to resign, your resignation should be directed to the Town Clerk.

NAME: Susanne Patrick-MacKinnon
9 Justice Way
Rehoboth, MA 02769

Telephone No: 401-480-6194
Email Address: apatrickmackinnon/2lifefspan.org

POSITION: Keep Rehoboth Beautiful Committee

Effective: 10/18/2021-6/30/2022

New Appointment X
Reappointment

Frederick E. Vadnais, Jr., Chairman

David A. Perry, Jr., Vice Chairman

James Muri, Clerk

CLASSIFICATION:

Regular

Special X

George M. Solas, Sr., Member

Michael P. Deignan, Member

REHOBOTH BOARD OF SELECTMEN

OATH OF OFFICE: I, Susanne Patrick-MacKinnon having been appointed to the Keep Rehoboth Beautiful Committee for the Town of Rehoboth, swear to perform the duties and responsibilities of the office in a loyal and faithful manner to the best of my ability.

Sworn to before me this ____ day of _____, 2021

SIGNATURE

TOWN CLERK

I hereby acknowledge the receipt of Sections 23B and 23C of Section 3, of Chapter 303 of the General Laws of the Commonwealth of Massachusetts - Governmental Bodies - Meetings Regulated and the text and summary of the General Laws - Section 23 of Chapter 268A - The Conflict of Interest Law.

SIGNATURE

Office of
SELECTMEN
148 Peck Street
Rehoboth, MA 02769



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

Date: 10/18/2021

Dear: Ms. Mackinnon

Congratulations on your appointment as indicated below. Please present yourself, along with this form, to the Town Clerk prior to undertaking your duties. At that time, you will take the OATH OF OFFICE and receive copies of the OPEN MEETING LAW and CONFLICT OF INTEREST LAW.

You should be aware that no action can be taken by you in your position until you have taken the Oath of Office. Also, should you ever have reason to resign, your resignation should be directed to the Town Clerk.

NAME: Susanne Patrick-MacKinnon
9 Justice Way
Rehoboth, MA 02769

Telephone No: 401-480-6194
Email Address: apatrickmackinnon/2lifespan.org

POSITION: Keep Rehoboth Beautiful Committee

Effective: 10/18/2021-6/30/2022

New Appointment X
Reappointment

Frederick E. Vadnais, Jr., Chairman

David A. Perry, Jr., Vice Chairman

James Muri, Clerk

George M. Solas, Sr., Member

Michael P. Deignan, Member

REHOBOTH BOARD OF SELECTMEN

CLASSIFICATION:

Regular

Special X

OATH OF OFFICE: I, Susanne Patrick-MacKinnon having been appointed to the Keep Rehoboth Beautiful Committee for the Town of Rehoboth, swear to perform the duties and responsibilities of the office in a loyal and faithful manner to the best of my ability.

Sworn to before me this ____ day of _____, 2021

SIGNATURE

TOWN CLERK

I hereby acknowledge the receipt of Sections 23B and 23C of Section 3, of Chapter 303 of the General Laws of the Commonwealth of Massachusetts - Governmental Bodies - Meetings Regulated and the text and summary of the General Laws - Section 23 of Chapter 268A - The Conflict of Interest Law.

SIGNATURE

TALENT BANK
FORM



DATE: 8/2/21

Town Government needs citizens to give of their time and talents serving the Town of Rehoboth. A Talent Bank has been established as a means of compiling a list of interested citizens willing to serve on a voluntary basis on a variety of boards and committees. Some boards meet often—some require less time—and some are busy at different times of the year. From time to time, there is also a need for advisory committees or sub-committees appointed to work on a specific project.

If you are interested in serving, please indicate your preference below and return the completed form and resume to:

Selectmen's Office, Town of Rehoboth, 148 Peck Street, Rehoboth, MA 02769, email to: darruda@town.rehoboth.ma.us or FAX to 508-252-5342

<input type="checkbox"/> Agricultural Commission	<input type="checkbox"/> Election Day Worker	<input type="checkbox"/> Personnel Board
<input type="checkbox"/> Animal Advisory Committee	<input type="checkbox"/> Emergency Management	<input type="checkbox"/> Town Events Committee
<input type="checkbox"/> Board of Health	<input type="checkbox"/> Facility Study Committee	<input type="checkbox"/> Zoning Board of Appeals
<input type="checkbox"/> Cemetery Commission	<input type="checkbox"/> Finance Committee	
<input type="checkbox"/> Conservation Commission	<input type="checkbox"/> Green Energy Committee	
<input type="checkbox"/> Council on Aging Board	<input type="checkbox"/> Historical Commission	
<input type="checkbox"/> Cultural Council	<input type="checkbox"/> IT Committee	
<input type="checkbox"/> Economic Development Committee	<input type="checkbox"/> Keep Rehoboth Beautiful	

RECEIVED
AUG 05 2021
BOARD OF SELECTMEN

Other (Please Describe) Can help out on weekends + evenings

Name: Swanne Patrick MacBarnes

Address: 9 Justice way Rehoboth

E-mail address: spatrickmacbarnes@lifespun.org

Home Telephone: _____ Cell or Work Telephone: 401 400 6194

Are you a registered voter? in RI need to change to Mass.
yes no

Special interests and skills Have helped out with "taste of east bay" in the past for EBCAP and also did similar event for RISPCA, given my middle age, not a computer expert. I am in good health and can walk, lift, etc.

Education and experience Medical degree - practice medicine full time

Reasons for wanting to serve New to the area and would like to help out to meet people and keep town clean, funded for nature trails, parks and library.
Since I work full time, limited to helping out on weekends + evenings

10/18/21

Department Head Reports:

Selectmen's Reports:

Vadnais:

Deignan:

Perry:

Muri:

Solas: