

**Town of Rehoboth-Rehoboth Board of Selectmen-Minutes of Regular Session Meeting on December 14, 2015 at Gladys L. Hurrell Rehoboth Senior Center** **Page 1 of 6**

Present: Chairman Costello, Selectman Perry, Selectman Pimental, Selectman Vadnais, Selectman Schwall, Helen Dennen and others.

Chairman Costello called the meeting together at 6:02 PM

On a motion made by Selectman Pimental, seconded by Selectman Vadnais, it was voted by roll call vote to enter Executive Session per *MGL Chapter 30A, Section 21A (1) To discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual. The individual to be discussed in such executive session shall be notified in writing by the public body at least 48 hours prior to the proposed executive session; provided, however, that notification may be waived upon written agreement of the parties. A public body shall hold an open session if the individual involved requests that the session be open. If an executive session is held, such individual shall have the following rights:*

- i. to be present at such executive session during deliberations which involve that individual;*
- ii. to have counsel or a representative of his own choosing present and attending for the purpose of advising the individual and not for the purpose of active participation in the executive session;*
- iii. to speak on his own behalf; and*
- iv. to cause an independent record to be created of said executive session by audio-recording or transcription, at the individual's expense.*

*(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 property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body;*

*Topic of Discussion: Complaint Re Town Employee; Police Contract Negotiations; Landfill Lease*

Roll Call vote: Perry aye; Pimental aye; Vadnais aye; Costello aye; Schwall aye.

**1.) Chairman Costello called the regular meeting back to order at 7:00 p.m.**

Meeting was opened with the Pledge of Allegiance to the Flag

**Business for Discussion:**

**WARRANTS:** 16-23A Withholdings \$30,567.68; 16-24 Invoices \$43,345.46; 16-24B Payroll \$80,500.63

**MINUTES:** None

**OPEN PUBLIC FORUM:**

- Town Clerk Laura Schwall gave a presentation on town's new website. We created a website that is user friendly to drive citizens to the website. It is easy to create and thank you to virtual town hall for helping create this website, Helen Dennen, Jeff Ritter, the Board of Selectmen, and the IT Committee for making this happen. Laura Schwall explained ribbons and tabs on how to get around website. She also explained about persistent links and how to use them. Laura went through Departments. She explained that alerts posted can be sent to citizen's email if they go in and add it. Gerry Schwall added that each Department Head is responsible for their own portion of website do not put it on Helen or Laura or Derek.

## **BOS Meeting Minutes 12/14/15**

### **Page 2 of 6**

- Chief Trombetta informed us last week that a 5 year case of Kimberly Pino ended in a 1<sup>st</sup> degree murder conviction of her 2 ½ year old son and was sentenced to life without the possibility of parole. I want to thank the hard work of all our officers on this case. Detective Ferreira and Detective Ramos led investigation and did an excellent job. Justice was served and thank you to all the officers.
- Chief Trombetta announced this morning Taunton Superior Court closed on a case that came to us on 1/20/12. The REPAC case where \$167,467.10 was stolen that lead to the indictment of Schagrin in March of 2013. I can't tell you the number of hours, by Detective Ramos, put on this case. We were able to locate and seize those funds. The case was closed on a plea agreement. I have a check for the town for \$117,560.00 the amount that Schagrin wrote out to himself. The rest of the money will be forth coming. Sergeant Ramos deserves a big pat on the back. We are lucky to have officers of this caliber on this force. A job well done. M. Costello thanks everyone for the support and a great outcome. The money will go back to Local Access where they can utilize the money.
- Jane Foster stated that picking up strange dogs (someone did in Norton and brought it to me) is very dangerous. Stop picking up dogs from other towns. The owner will get fined by the town because of leash laws, leave the dog there. To touch someone else's dog and put it in your car puts passengers in danger, leave the dog alone. "If it's furry and doesn't belong to you don't touch it."

### **Announcements:**

- Next regular Selectmen's meeting will be Monday December 28, 2015 at the Senior Center at 7:00PM

### **Town Administrator's Report:**

The letters have all gone out for the Electric Program everyone should have received one, if not it's a mistake or your with another company. Call us if you feel you should have received one. Lots of information is on the website: MASSCEA.COM. There is a question and answer page. If you do not opt out you are automatically in the program. If you do opt out you cannot change your mind and opt back in. There is a great portion of the website where you can put in your bill and it will provide you with the savings you will get in this program. I want to thank Laura Schwall for helping with the website she worked hard and Derek too.

### **Action Item (1) Police Chief Trombetta Re: 2015 Secure View Next Generation Grant & Request for Reserve Fund Transfer**

Chief Trombetta discussed grant application for the Secure View Next-Gen NUC Computer and requested a reserve fund transfer for \$4,999.00 to be transferred into Line 01203-52490 Software Maintenance/Upgrade to funds for the purchase of equipment and software.

Trombetta states that this is a great tool used to retrieve information off people's cell phones when needed in an investigation. Currently, we don't have the capability to do this in house so we have to send it out with the turnaround time being a couple of weeks to two months. We had an incident a couple of weeks ago in Beckwith School involving threats so we seized three phones through search warrants and those phones are still with the State Police. This makes our investigation stall. Year to date we have seized approximately thirty cell phones. Each phone we have seized required full or limited forensic processing from an outside agency. The cost of the equipment is approximately \$13,000.00 we are being offered a grant of \$4,999.00 which is a huge savings. I went to the IT Committee Meeting making sure that this model won't interfere with other systems we use or data we have. This unit actually retrieves deleted information which is useful and uses its' own computer system. Overall this is a very key piece of

## **BOS Meeting Minutes 12/14/15**

### **Page 3 of 6**

equipment that we can use. Trombetta states that the deadline for this is tomorrow. The cost savings is \$7,391.00 for this unit so we would be looking for a reserve fund transfer for \$4,999.00. G. Schwall asked: when did the need for this come about? Trombetta: We have always had a need for this. G. Schwall stated we were offered a State grant I did not see this on the list. Trombetta: I would not have taken the \$12,000.00 State Grant money to spend on this, but at a discounted fee I feel this is the time to get it. G. Schwall states from my research, this is not a grant underwritten by the government, but an item on sale and they are calling it a grant. Schwall asked Trombetta if he has talked to the local detective divisions (Brockton, Medford, Tiverton) that have received this equipment in 2014. JT.: no I have not. I have read what it provides and I feel that it will enhance our ability to perform out duties in investigations. I would respectfully ask the Board of Selectmen to approve this grant. G. Schwall asked if Trombetta has looked at any other competitive products? JT.: No but if you find out of the same price and as good as this one I will be willing to purchase it. Schwall mentioned that a review stated that this unit has a very low chance of retrieving deleted data and may have an \$1800 per year update charge. Trombetta stated the unit we will be purchasing will collect deleted data, its stated right in the description. I had Sergeant Todd, who is computer savvy, research and review this equipment because I am not computer savvy. S. Vadnais stated that Brady said one of your providers will not be offering this service anymore, where would you go. JT: to the State Police. We have also reached out to Swansea and Seekonk. Seekonk is applying for this grant for this piece of machinery also. There is an annual maintenance fee of \$1495.00. The upgrades for the first year are included.

On a motion made by Selectmen Pimental, seconded by Selectmen Vadnais it was voted to approve the grant to go forward to the Finance Committee All Vote 4-0 Selectmen Schwall- Nay

### **Action Item (2): Algonquin Gas**

Jon Bonsall, on behalf of Algonquin Gas presented a power point presentation on the Access Northeast Project and discussed the possibility of locating a compressor station in North Rehoboth. Frank Gesner Project Manager for Land and Rights of Way for Algonquin Gas, Jim Lesgate Regional Director of Engineering Construction with Spectra Energy Algonquin Gas were also present.

Jon Bansall: Access Northeast Project has three primary project developers: Eversource Energy, National Grid, and Spectra Energy. Algonquin Gas Transmission has been operating in our region since 1953. It's regulated by the Federal and U.S. Department of Transportation. Algonquin does not own the gas it just transports it for their customers. **See Attached handout given by Algonquin gas:**

There will be an open house in the first quarter of the year. They are in the process of buying 120 acres of land that they will access through Finnegans Way.

The actual sight will be 120 acres plus the 14 acres we already own off Tremont Street. The system will have two buildings at location. It does not affect any of the easements. The noise is 55 DBA ,24 hours a day. The pipeline is carbon steel and tested before put in. This new system will tie into the existing pipeline. G. Schwall: What does a compressor station do? Bonsall: They are located 50 miles apart and at these points pressure is added to pipe driven by turbine engines bringing pressure higher. It will move a greater volume of gas. Noise sounds like rushing water at the gates of entry. Building is insulated for sound. We have been operating for 60 years in New England with a tight safety criteria and with quality materials and the inspection process it thorough. We have a safe operating record. When someone is contracted to work around our sights we always have one of our workers present to oversee that safety is practiced. Ed Bertozzi approached bench concerned about Algonquin developing the rest of land for 100 houses and also the noise factor. Rehoboth has a noise ordinance of 50 DBA he believes. Algonquin assures him that they will not be developing houses and they will check on the noise ordinance being at property line.

## **BOS Meeting Minutes 12/14/15**

### **Page 4 of 6**

#### **Action Item (3): Joint Meeting with Planning Board**

John Moriarty resigned from his elected position on the Planning Board on 11/18/15. The Planning Board has recommended current Planning Board Associate Member John Scanlon to fill the vacancy until 4/4/16. Joint vote of Planning Board & Board of Selectmen to appoint John Scanlon to fill position vacated by John Moriarty effective 12/14/15 thru 4/4/16

Planning Board opened meeting with all ayes. They gave John Moriarty kudos and wish him and his family well.

On a motion made by S. Pimental 2<sup>nd</sup> by Tomas Ennis it was voted to appoint John Scanlon to fill position vacated by John Moriarty effective 12/14/15 thru 4/4/16 All were in favor.

On a motion made by T. Ennis 2<sup>nd</sup> by Chris Cooper they closed the meeting.

#### **Action Item (4): Agcom Appointment**

Discussion with the Board regarding appointment of Valerie Souza to the Agricultural Commission to fill open term effective 12/14/15 thru 6/30/18. The Agricultural Commission fully supports her appointment. S. Vadnais enthusiastically supports her filling this position. S. Pimental also stated how she is in support of Valerie and G. Schwall stated that we will be lucky to have her.

On a motion made by S. Vadnais 2<sup>nd</sup> by S. Pimental it was voted to appoint Valerie Souza to the Agricultural Commission effective 12/14/15 thru 6/30/18. All Vote 5-0

#### **Action Item (5): Valor Act Abatement**

Veteran's Service Officer not present to request approval from the Board to increase the allowable tax abatement under the Valor Act from \$400.00 to \$500.00 which would be credited in February & May 2017. This has received approval from the Assessors.

There was a motion made by S. Vadnais to table but was withdrawn All Aye

D. Perry explained that there was money in there and S. Pimental agreed due to the amount being \$100.00.

On a motion made by D. Perry to approve the increase for the allowable tax abatement under the Valor Act from \$400.00 to \$500.00 2<sup>nd</sup> by S. Pimental All Vote 5-0

#### **Action Item (6): Cultural Council Gallery Contract**

The Gallery Contract submitted by the Cultural Council for the Artists Reception and Exhibit has been reviewed by the Town Counsel. Recommended changes have been made and the contract is now being submitted to Board of Selectmen for approval. S. Vadnais stated that all our concerns were met.

On a motion made by Selectman Vadnais, seconded by Selectman Pimental, it was voted to approve Gallery Contract by the Cultural Council for the Artists Reception and Exhibit All Vote 5-0

#### **Action Item (7): One Day Liquor License**

On a motion made by Selectman Pimental, seconded by Selectman Perry, it was voted to approve a One Day Liquor License for Joseph Ferrini, Tuff Scramblers, Inc., 20 Francis Street Rehoboth, MA 02769 for 5/14/16 and 10/15/16 from 10:00am to 6:00pm with transfer dates 5/13/16, 5/15/16 & 10/14/16, 10/16/16 All Vote 5-0

## **BOS Meeting Minutes 12/14/15**

### **Page 5 of 6**

#### **Action Item (8): One Day Entertainment License**

On a motion made by Selectman Pimental, seconded by Selectman Perry, it was voted to approve a One Day Entertainment License for Joseph Ferrini, Tuff Scramblers, Inc., 20 Francis Street Rehoboth, MA 02769 for 5/14/16 and 10/15/16 for annual running/obstacle course event from 8:00am to 5:00pm for use of amplification system. All Vote 5-0

#### **Action Item (9): Budget Amendments**

On a motion made by S. Pimental 2<sup>nd</sup> by D. Perry it was voted to approve the budget amendment for Line Item # 012453-57310 Building Department-Electrical Membership Dues Increase by \$102.00 and Line Item # 012453-57110 Building Department-Electrical Mileage Decrease by \$102.00 All Vote 5-0

#### **Action Item (10): Volunteer Coordinator Position Job Description**

Item was tabled due to an oversight in physical demands portion. Job description will be sent back to Personnel Board for review. Selectmen Schwall would like to add the ability to light up to 40 lbs. On a motion made by S. Pimental 2<sup>nd</sup> by G. Schwall to table item until reviewed and changed by Personnel Board. All Vote 5-0

#### **Action Item (11): CORI Authorization for Selectmen Schwall**

On a motion made by Selectmen Pimental 2<sup>nd</sup> by Selectmen Perry to authorize Selectmen Schwall to view CORI Reports for the Board of Selectmen's Office. All Vote 4-0 Schwall abstained.

#### **Action Item (12): Liquor License Renewals & ABCC Certification**

See Attached List:

On a motion made by Selectmen Pimental 2<sup>nd</sup> by Selectmen Schwall is was voted to approve listing of Liquor License Renewals for 2016 and sign ABCC 2016 Renewal Certification form. All Vote 5-0

On a motion made by Selectmen Vadnais 2<sup>nd</sup> by Selectmen Schwall to approve Hillside Golf LLC dba Hillside Country Club All Vote 4-0 Selectmen Pimental abstained

#### **Action Item (13): General License Renewals**

See Attached List:

On a motion made by Selectmen Pimental 2<sup>nd</sup> by Selectmen Perry is was voted to approve listing of General License Renewals for 2016 All Vote 5-0

On a motion made by Selectmen Pimental 2<sup>nd</sup> by Selectmen Perry is was voted to approve waiving fees for the American Legion Post 302, Inc. to \$25.00 for Common Vic & \$50.00 for 7 Day Entertainment All Vote 5-0

On a motion made by Selectmen Vadnais 2<sup>nd</sup> by Selectmen Schwall is was voted to approve General License Renewal for Hillside Golf, LLC dba Hillside Country Club All Vote 4-0 Selectmen Pimental-recuse

#### **Open Public Forum: none**

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

**Costello: none**

**Vadnais: none**

**BOS Meeting Minutes 12/14/15**

**Page 6 of 6**

**Schwall:** Thank you to the Garden Club for the beautiful wreaths that they place throughout the Town including the Veteran's Memorial.

- Thank you to Rep. Steve Howitt for being at every recent Town Event and then in between he headed to Dighton for an Eagle Scout Event. He is truly dedicated to his job.
- A great job to all of those who supported those events and to S. Pimental who also helped out at the Senior Dinner.

**Pimental:**

**Perry:**

**Adjournment:** On a motion made by Selectman Vadnais, seconded by Selectman Pimental, the meeting adjourned at 9:05 pm.

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Michael R. Costello, Chairman

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Frederick E. Vadnais, Jr., Vice Chairman

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Susan M. Pimental, Clerk

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David A. Perry, Jr., Member

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Gerald V. Schwall, Member

Respectfully submitted,

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Kelly J. Hathaway  
Interim Assistant Town Administrator

Approved by BOS on: 2/16/16