



Office of
SELECTMEN
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**BOARD OF SELECTMEN
MEETING MONDAY, MARCH 30, 2015
MEETING MINUTES
GLADYS L. HURRELL REHOBOTH SENIOR CENTER**

Present: Michael Costello, Chairman; Fredrick “Skip” Vadnais, Vice Chairman; Joseph Tito, Clerk; David Perry; and Susan Pimental

Also Present: Jeff Ritter, Town Administrator

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

2.0) Consent Agenda

Warrants: M. Costello read the weekly Warrants: 15-38A, Withholdings, \$115,299.48; Payroll: 15-39B, \$87,172.85; Invoices: 15-39, \$13,346.72; Snow Removal, 15-39R, \$6,730.43; Refunds, 15-39R, \$1,515.17; and Veterans, 15-39V \$14,616.29. J. Tito made a motion to approve the weekly Warrants as read. Second, S. Pimental. Voted 5-0

Minutes: S. Pimental made a motion to approve and release the Meeting Minutes from March 23, 2015. Second, J. Tito. Voted 5-0

Executive Session Meeting Minutes: J. Tito made a motion to approve and hold for release the following Executive Session Meeting Minutes from March 1, 2015. Second, S. Pimental. Voted 4-0-1 (Vadnais)

J. Tito made a motion to approve and hold for release the following Executive Session Meeting Minutes from March 23, 2015. Second, S. Pimental. Voted 5-0

3.0) Open Forum – Announcements: Bill Maiorano, Emergency Management Director and Doug Forbes, from the Massachusetts Emergency Management Agency Regional Office in Bridgewater were present. They jointly announced that Rehoboth had achieved the Local Emergency Planning Committee start-up designation by the Commonwealth. The Board congratulated B. Maiorano for his commitment to the residents of Rehoboth.

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B. Maiorano stated there are now quarterly LEPC meetings which has helped in achieving the start-up certification. Also, there will be citizen "CERT" training for about twenty-five residents who are interested in learning about emergency management techniques and planning.

Chief of Police, James Trombetta was present and took a moment to thank Selectman Joe Tito for his dedication and leadership over the last several years. This is the last meeting for J. Tito as a member of the Board.

Laura Schwall, Town Clerk was present and announced that Monday, April 6th was election day in Rehoboth. Poles open at 7:00a.m. and will close at 8:00p.m. Voting will take place at all three polling locations, Town Offices – Precinct I, Senior Center – Precinct II, and South Fire Station – Precinct III.

M. Costello announced the next regular meeting of the Board of Selectmen will be held on Monday, April 7, 2015 starting at 7:00p.m. at the Senior Center.

Jim Muri, Boy Scout leader asked that information be printed in the Warrant that Troop 13 would collect food at the Annual Town Meeting.

Town Administrator's Report: J. Ritter announced he received a letter from Mass Highway District 5 that pothole repairs would start on Rt. 44 today. He read the letter from District 5 and encouraged residents to contact District 5 or the Mass Pothole Hotline to report potholes on state roads and the Rehoboth Highway Department for potholes on Town roads.

4.0) NEW BUSINESS: Action Item #3: Vote to Sign MassDoT Contract for Winter Recovery Assistance Program for \$92,369: S. Pimental made a motion to authorize Chairman Costello to sign the Winter Recovery Assistance Program contract document between the Commonwealth and the town of Rehoboth in the amount of \$92,369. The monies will be used to repair potholes around town due to the extreme winter conditions. Second, J. Tito Voted 5-0

Action Item #4: Vote to Approve Snow & Ice Removal Invoices for \$18,933.92 for a Total Deficit of \$158,588.57: J. Tito made a motion to deficit spend for snow and ice removal and to authorize payment of invoices totaling \$18,933.92 which will result in a deficit balance of \$158,588.57. Second, S. Pimental. Voted 5-0

Action Item #5: Vote to Approve Budget Amendment for Board of Selectmen \$1,500: J. Tito made a motion to decrease budget line item 011873-52132 Board of Selectmen Facilities Maintenance, Council on Aging/Gas in the amount of \$1,500 and to increase budget line item 011873-52126 Board of Selectmen Maintenance Highway/Electric in the amount of \$1,500. Second, D. Perry. Voted 5-0

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Action Item #6: Discussion Re: Tow of Rehoboth's Municipal Representative Designation for Dighton Rehoboth Regional School District Committee Collective Bargaining: J. Ritter requested that this matter be tabled. J. Tito made a motion to table. Second, S. Pimental. Voted 5-0

Action Item #1: 7:15 Public Hearing – Application for a Class II Auto License for Car Crazy Auto, LLC, 51 Winthrop Street: J. Tito made a motion to open the Public Hearing. Second, S. Pimental. Roll Call Vote – Pimental – Aye; Perry – Aye; Vadnais – Aye; Tito – Aye; Costello – Aye. Voted 5-0

M. Costello invited the applicant, Mr. Robert Spigel to come forward. R. Spigel presented the green card notifications that all abutters had been notified about the Public Hearing and a check for \$95.22 for a legal ad published in the Taunton Daily Gazette.

R. Spigel briefed the Board that he wanted to sell used vehicles as well as classic/vintage vehicles at 51 Winthrop Street.

Zoning Enforcement Officer, Michael O'Hearn and Planning Board Chairman Jim Muri were both present. M. Costello stated if approved by the Selectmen this application would create a zoning violation given the Town's Bylaws state the must be 200s/f available for every parking space. Also, he has a concern about the possible flow of traffic around the building. There is a day care center on the site and a playground in the rear of the building. We need more information before proceeding.

J. Muri stated that the applicant would need site plan approval. The original application was for retail this would be a change of use which would trigger the site plan approval process.

M. O'Hearn stated he would be happy to work with the applicant review the file and help him through the process.

M. Costello asked if there were any public comments pro or con?

Oscar Caouette, 41 Winthrop Street approached the Board. He had several concerns. The Plaza has expanded causing there to be wetlands issues and drainage concerns and the resulting water is moving closer to his home and driveway.

Another concern is since this would be an auto dealership he is concerned that oil might leech into the ground impacting his well.

He was also concerned about possible lighting on the property, the delivery of cars late at night and other noise related issues.

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S. Vadnais said the applicant needs to address these issues and the Bylaw. D. Perry said the Bylaw is there for a reason and it might seem like a lot but it is tied to the current use of the building as retail.

R. Spigel stated there would not be any issues relating to spilled oil on the site because his repairs would be completed at another location. There would not be late night delivery of vehicles or any noise related issues. There are not any plans for exterior lighting.

J. Tito stated that this Board is struggling with current allowed uses of the building and future uses of the space and questioned what happens if a high volume user moves into the building several years from now?

M. Costello stated that we have to continue this Public Hearing until April 7th.

J. Tito stated for the record, that Gerry Schwall, who will most likely be the next Selectmen, is present in the audience and has heard the entire conversation.

J. Tito made a motion to continue the Public Hearing until April 7th. Second, S. Pimental. Voted 5-0

Action Item #2: Discussion with Town Moderator, Bill Cute Re: Town Meeting Articles:

B. Cute stated that Town Meeting is about six (6) weeks away. He received a draft of the Special Town Meeting Warrant and the Annual Town Meeting Warrant. He noticed an Article submitted by the Finance Committee to have a standalone article for the Regional School District Committee budget and wanted to know why this was done that way given it has always been past practice to have the Town and School budget together.

S. Vadnais said past practice was thrown out the window last year when the School Committee was allowed to take their budget out of order, increase it, and have it voted as a separate line item. Past practice would not have allowed for an increase of that size to be considered because it was beyond the scope of what was presented to the voters.

S. Pimental asked how is this different? Also, there is no conspiracy we are simply providing the voters what they want.

B. Cute said he wants to get this problem fixed before we get to Town Meeting.

J. Tito said the Chairman of the Finance Committee is present and invited him to approach the Board and provide an explanation and answer the questions.

Michael Deignan stated the Finance Committee all agreed to adopt this approach and there were many reason for doing so. The motion last year was out of order. The Town's people want a

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better accounting of the School Committee budget including the Bristol Plymouth and the Bristol Agricultural budgets which we recommend be treated the same way pursuant to G.L. 71 Section 16B. It fosters transparency and accountability.

B. Cute asked if Town Counsel had reviewed the text? He wanted to make sure all the relevant information was presented and included.

B. Cute said last year was a difficult year and the decision was the will of the people attending the meeting. Some might have an issue with the size of the increase.

S. Vadnais said absolutely it was a three-fold increase and was out of order.

Action Item #7: Review May 11, 2015 Special Town Meeting and Annual Town Meeting Warrants Including Board of Selectmen Budget Statement: Chief of Police James Trombetta was present and reviewed initially the Police Department request for their capital items currently on the Special Town Meeting Warrant.

J. Trombetta reported that several frontline cars have between 150,000 and 160,000 miles on the vehicles. In FY16 he is recommending that four (4) vehicles be replaced. The Department disposed of six (6) vehicles last year. There is one (1) replacement vehicle and eight (8) patrol vehicles.

S. Pimental said the Board needs to review the plan before making a decision. We might be able to replace four (4) or might have to wait until next year.

Gerry Schwall, the Finance Committee liaison said the Department has a plan which can be presented next week.

5.0) OLD BUSINESS: None

6.0) OTHER BUSINESS: J. Tito made a motion to reappoint Jennifer M. Moitoso to the Board of Registrars for a term effective April 1, 2015 through March 31, 2018. Second, S. Pimental. Voted 5-0

7.0) OPEN PUBLIC FORUM: David Katseff, a member of the School Committee was present and asked if the School Committee's report on the Capital Plan was included in the Warrant. J. Ritter said it was.

Robert Materne, Chairman of the Conservation Commission was present and asked about the Petitioner Article currently in the Annual Town Meeting Warrant. This is not currently conservation land but the intent when it was donated to the Town was for it to be designated Conservation Commission and protected land somehow that was never done many years ago.

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The parcel is land locked and abutting existing Conservation Commission land.

D. Perry stated he was always in favor of acquiring land especially if it abuts another protected parcel. The petitioner is asking Town Meeting approval to authorize the Selectmen to sell the parcel, but he would make an amendment that on the condition the land is not subdivided.

S. Vadnais said as a Board we do not plan to take a position on the petitioner article. However, members might decide to individually take a position.

Michael Deignan, Chairman of the Finance Committee said that work on the budget has started and depending how one looks at the numbers we are looking at a \$1.1 million dollar deficit at this point in time. He will provide further updates next week.

Frank Barresi, Fire Chief was present and reminded the public that Station 3 will have a chicken bar-b-queue on April 3rd.

8.0) BOARD OF SELECTMEN REPORTS: S. Vadnais thanked Selectmen Tito for his service to the Town of Rehoboth. He was always fair, even handed and well prepared.

S. Pimental said Selectmen Tito came in and stepped up during an extremely difficult time four (4) years ago. The climate was very, very nasty but he demonstrated leadership and helped to get us where we are today.

D. Perry stated also expressed his thanks and gratitude. Selectman Tito is a true asset to the town and he will be missed.

M. Costello said Selectman stuck by him through some very challenging times but he was always there and always showed his loyalty and support. I'm proud to call him my friend.

J. Tito thanked his fellow Board members and said it has been an honor to serve and he looks forward to seeing everyone at Town Meeting.

9.0) EXECUTIVE SESSION: None

10.0) ADJOURNMENT: J. Tito made a motion to adjourn the meeting at 9:01p.m. Second, S. Pimental. Voted 5-0

Respectfully submitted,

J. Jeffrey Ritter
Town Administrator
Approved on 4/7/15