



Office of
SELECTMEN
148 Peck Street
Rehoboth, MA 02769

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

BOARD OF SELECTMEN
MEETING MONDAY, JUNE 29, 2020
MEETING MINUTES
TOWN HALL – BOARD OF SELECTMEN'S MEETING ROOM

Present: Selectman Gerry Schwall, Selectman Jim Muri, Selectman Dave Perry, Selectman Mike Costello, Selectman Frederick "Skip" Vadnais and Deborah Arruda, Interim Town Administrator

At 6:30 PM it was voted to enter into Executive Session pursuant to *M.G.L. Chapter 30A, (4) To discuss the deployment of security personnel.*

Roll Call Vote: Schwall, aye; Vadnais, aye; Perry, aye; Muri, aye; Costello, aye. Vote 5-0

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

1.0) Consent Agenda

Warrants for June 29, 2020: D. Perry read the weekly Warrants; 20-53B Payroll, \$224,668.46; 20-52A Withholdings, \$145,093.13; 20-52 Warrant, \$98,163.33; 20-52R Refund Warrant, \$855.95; 20-52R1 Refund Warrant, \$358.60; 21-01V Veterans Warrant, \$9,659.23. D. Perry made a motion to approve the weekly Warrants as read. Second by J. Muri. Vote 5-0.

Minutes: Regular Minutes: 5/4/20 and 5/11/2020
Executive Session Minutes: 10/7/2019

J. Muri motion to approve the Regular Meeting Minutes for the May 4th meeting. Second by D. Perry. Vote 5-0.

J. Muri motion to approve the Regular Meeting Minutes for the May 11th meeting. Second by D. Perry. Vote 5-0.

Open Forum – Announcements:

Just a reminder, Friday July 3rd Town Offices will be closed due to upcoming Fourth of July holiday on Saturday. Wishing everyone one a safe July 4th weekend.

Next Selectmen's meeting will be held Monday, July 6th at 7:00 PM at the Rehoboth Senior Center, 55 Bay State Road.

G. Schwall –A reminder that tomorrow is Election Day at COA 55 Bay State Road, noon till 4:00 PM
-Thank you to the 1100 plus people that requested early voting/absentee ballots to date.
-You have until 8:00 PM June 30th to return your ballot to the box outside Town Hall.
-Town Clerk Office is closed, all will be working at COA for Election.
-Bring a pen and face covering to vote

Town Administrator's Report

None

NEW BUSINESS:

Action Item #1: Vote to Approve Reserve Fund Transfers, as submitted

D. Perry -Two weeks ago, we had a request for a reserve fund transfer from the Building Department to cover inspector fees. Last week I explained that it is just a guestimate, as you never know how many permits will be taken out. Building Commissioner is asking for additional funds to be transferred, previous amount was incorrect.

Building Commissioner B. McDonough explained corrections. Wants to amend original amount requested from \$4400 to \$1500. There was a May payment that was not paid yet for over \$3000, which is the difference.

D. Perry explained that this money has already been collected, it goes into the General Fund.

B. McDonough said he tries to be frugal when estimating, so as not to allocate too much money at the beginning of the year. Going forward, there will be a new way to track inspections/permit fees.

G. Schwall questioned if this could be set up on a revolving account? We will talk to Town Counsel first to see if its legal. It might be a good way to go. Regarding mileage, should we change fee structure and just include an increase to each inspection fee?

B. McDonough agreed both suggestions are worth looking into.

D. Perry motion to approve Reserve Fund Transfer in the amount of \$1500 for the Building Department to cover inspector wages and mileage and forward to the Finance Committee for consideration and action. Second by M. Costello. Vote 5-0.

S. Vadnais asked B. McDonough about waiving permit fees for municipal permits.

B. McDonough stated it was up to the Board. It would be stated in Bid Packet whether it was waived or not. He would suggest per project, not an omnibus.

The Board discussed creating an upcoming action item in regards to this.

D. Perry motion to approve Reserve Fund Transfer in the amount of \$1000 for the Board of Selectmen's /Contracted Services/Expense/Fire-Burglary line to cover upgrade costs and forward to the Finance Committee for consideration and action. Second by J. Muri. Vote 5-0.

Discussion:

D. Arruda -They upgraded our alarm system from 3G to 4G, with a promotional offer.

Action Item #2: Vote to Award FY21 Contract for Materials/Equipment/Services for Highway Department

D. Perry motion to approve winning bids as read. Second by J. Muri. Vote 4-0. M. Costello abstained.

Documentation: list of bids

Action Item #3: Vote to Approve Outdoor Seating, as submitted

Per the Governor's Order #35 dated June 1, 2020 Phase II of the Re-Opening Plan, Restaurants providing seated food service prepared on-site and under retail food permits issued by municipal authorities pursuant to 105 CMR 590.000, including beer gardens, wineries/distilleries meeting these criteria are allowed to have outdoor seating. With the approval of the Zoning Officer and Health Agent making sure the establishment meets all required safety & health protocols. The Interim Town Administrator is asking for the Boards approval and vote allowing her to authorize the following businesses to begin serving outdoors. Applications have been properly filled out and seating plan has been approved by ZO and Health Agent.

J. Muri motion to vote to allow Interim Town Administrator to sign Outdoor Seating Application for Kalimay, LLC dba iAlive Restaurant. Effective dates: June 29th, 2020 through November 1, 2020 or when the State of Emergency is lifted, whichever comes first. Second by M. Costello. Vote 5-0
*pending satisfactory final reinspection by Building Department and Health Agent

Discussion:

G. Schwall questioned the change in number of tables, drawing shows a table in the handicap ramp.
D. Perry, drawing is not to scale, Building Inspector will need to go down and check in person.

J. Muri motion to vote to allow Interim Town administrator to sign Outdoor Seating Application and application for Town-Owned Land for American Legion Post 302 Effective Dates: June 29, 2020 through November 1, 2020 or when the State of emergency is lifted, whichever comes first. Second by M. Costello. Vote 5-0.

Action Item 4: Vote to Exercise Right of First Refusal-180 Pleasant Street, Pleasant Investments LLC

Board of Selectmen's office received information on "change of use of classified land" for 180 Pleasant Street-Veader Farm. All appropriate Boards/Committees have been notified and will not be exercising their "right of first refusal."

J. Muri motion to waive the Town's right of first refusal and to notify the attorney for Pleasant Investments, LLC of the Town's decision. Second by M. Costello. Vote 4-0. G. Schwall abstained.

Discussion:

G. Schwall stated concerns of not having our own Town Counsel's opinion and following the correct procedure.

S. Vadnais- We passed out paperwork to all boards/committees to see if they have any interest and they do not, regardless of price. Agreed we should research how to determine a value on such properties going forward.

G. Schwall – It has not been in Chapter very long since the new purchase has been in possession very long. Our Town Counsel should opine to see what is the best use. Discussed price and how value of land is assessed.

The Board further discussed whether or not to wait to get Town Counsel's opinion before proceeding and proper procedure going forward.

Interim Town Administrator will review Chapter 61 procedure with Town Counsel and ask for his opinion in regards to other attorney's (Brainsky's) opinion, as well as guidance on different scenarios and how to approach this in the future.

Action Item 5: Approve Transfer of Class II Auto License

The Board held a public hearing on June 15th to discuss the Class II Auto dealership license at 242 Anawan Street. It was voted to award the license to Quality Auto Sales of Rehoboth, LLC dba Auto Sales of Rehoboth.

G. Schwall recused himself.

The Board discussed minor changes to wording to clarify the location of the 14 cars for sale, and whether such changes can/should be made by one selectman once Board voted on conditions and after the public hearing is closed. J. Muri states he was just clarifying language. M. Costello is concerned with following procedure.

J. Muri motion to amend original language of bullets #4, 6 and 7, restrictions and add the following: Second by M. Costello. Vote 3-1. (*Changes italicized*)

D. Perry voted against.

J. Muri motion to approve transfer of Class II Auto License to Quality Auto Sales of Rehoboth, LLC dba Auto Sales of Rehoboth, with the following restrictions as amended. Second by M. Costello. Vote 4-0

- Hours of operation 7am-8pm Monday-Saturday/Sunday-noon to 4pm
- Loading/unloading-Off Street only from Anawan Street-Hours: 9am-5pm Monday-Saturday. NO deliveries on Sunday
- Enter/Exit for customers from Fairview Avenue-only
- Maximum vehicles for sale 14-*within 45' x 70' rectangle located in the rectangle marked "inventory" on applicant's site plan.* (No vehicles at corner of Fairview and Anawan St. Must be at least 35 ft away from retention pond. Vehicles may be parked between concrete foundation and Anawan St. but not to *encroach* on Town property or roadway easement).
- No repairs or servicing of vehicles on premises
- No changes to existing site plan dated 2006 without *Planning Board* prior approval.
- No additional paving or *impervious surface* without Board of Selectmen approval
- No changes to outdoor lighting-will require amendment to license and a Public Hearing.
- Changes to signage-Requires a permit from the Building Dept and must follow Town bylaws.

Discussion:

D. Perry – Cannot agree with 45'x70', was not engineered, just a drawing, should not be included.

M. Costello discussed additional changes and what he agreed to and didn't agree to.

M. Costello said no one, no selectmen, can add/change conditions, to this after the fact as it was done in public hearing, as a Board. Concerned with Board following procedure.

J. Muri stated he was just amending language, typos.

Action Item 6: Vote Special Budget Amendments, as submitted

D. Perry motion to approve the following SPECIAL budget amendment for the Town Administrator's Office. Second by G. Schwall. Vote 5-0.

Increase Line	011241-51110	Town Administrator Salary	\$1112.78
Decrease Line	011351-51935	Accounting Dept-Certification	\$1000.00
Decrease Line	011353-57120	Accounting Dept-Hotel/Meals	\$112.78

D. Perry motion to approve the following SPECIAL budget amendment for the Highway Department. Second by J. Muri. Vote 4-0. M. Costello abstained.

Increase Line	014211-51110	Wages/Salary	\$300.00
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Decrease Line	014212-51940	Wages/Licenses Renewal	\$300.00
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D. Perry motion to approve the following SPECIAL budget amendment for the Treasurer Department. Second by G. Schwall. Vote 5-0.

Increase Line	019193-51770	Medicare	\$1000.00
Decrease Line	011453-53121	Misc. Charges	\$324.00
Decrease Line	011453-57110	Mileage	\$44.73
Decrease Line	011453-57120	Hotels/Meals	\$631.27

Action Item 7: Vote Appointments, as submitted

As per the terms of the Deputy Chief's contract, upon his retirement he is requesting to be appointed as a "retired-Reserve Officer."

G. Schwall motion to appoint James Medeiros as a "retired Reserve Officer" upon his retirement on June 30, 2020. Effective dates: 7/1/2020 – 6/30/2021. Second by J. Muri. Vote 5-0.

G. Schwall motion to appoint Patricia Dias-Election Day Worker-Inspector-Unenrolled, Precinct 1. Effective dates: 6/29/2020 – 10/31/2020. Second by M. Costello. Vote 5-0

G. Schwall motion to appoint Laurianne Duquenoy-Election Day Worker-Inspector-Unenrolled, Precinct 2. Effective dates: 6/29/2020 – 10/31/2020. Second by M. Costello. Vote 5-0.

OLD BUSINESS:

None

OTHER BUSINESS:

None

OPEN FORUM-PUBLIC:

None

DEPARTMENT HEAD REPORTS

Selectmen's Reports:

Costello: Attended walk through with 3 bidders in Dartmouth, can't find dollies and hitches have been removed, not stored anywhere,

-G. Schwall stated that Dartmouth sold them

-Suggested to remove trash, and if Derek could remove monitors, as they do not travel well.

-Also, small furniture needs to be removed before travel.

-Disconnect electrical, if we can take panel with us, it will save us money

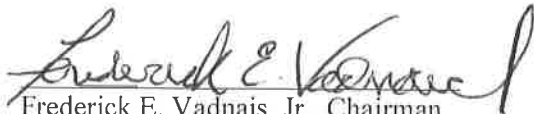
Muri: no report

Perry: no report


Schwall: no report

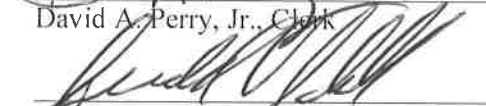
Vadnais: Reviewed new insurance coverage, Deb pursuing question regarding cybersecurity insurance and conferred with Derek.

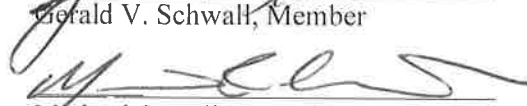
ADJOURNMENT: Selectmen J. Muri made a motion to adjourn the Regular Session Meeting at 8:40 PM. Second by Selectmen M. Costello. Vote 5-0.



Frederick E. Vadnais, Jr., Chairman

James Muri, Vice Chairman


David A. Perry, Jr., Clerk


Gerald V. Schwall, Member


Michael Costello, Member


Respectfully Submitted,
Cindy McDonough
Assistant to the Town Administrator

Approved 8/10/2020

