



Office of  
SELECTMEN  
148 Peck Street  
Rehoboth, MA 02769

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**BOARD OF SELECTMEN  
MEETING MONDAY NOVEMBER 13, 2018  
MEETING MINUTES  
GLADYS L. HURRELL REHOBOTH SENIOR CENTER**

**Present:** Frederick "Skip" Vadnais, Chairman; Gerald Schwall, Vice Chairman; Dave Perry, Clerk; Michael Costello, Member

**Also present:** Deborah Arruda

**Absent:** Selectman James Muri

**Executive Session: Call to Order at 6:00 p.m.:**

Pursuant to MGL Chapter 30A, Section 21a: (3) To discuss strategy with respect to collective bargaining or litigation if an open meeting may have detrimental effect on the bargaining or litigating position of the public body and the chair so declares;

**Topic of Discussion:** Rehoboth v. RePac

Motion made by Selectman Perry, second by Selectman Schwall it was voted to enter into Executive Session

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

**1.0) Consent Agenda**

**Warrants for November 13, 2018:** S. Vadnais read the weekly Warrants; 19-19A Withholdings, \$29,422.78, 19-20B Payroll, \$108,185.68; 19-19 Warrant, \$34,535.27 G. Schwall motioned to approve the weekly Warrants as read. Second by D. Perry. Vote 4-0

**Minutes:** Chairman Vadnais announced that Executive Minutes for 10/29/18 were voted on to accept and hold, during the Executive Session.

**Open Forum – Announcements:**

Next Selectmen's meeting will be held on Monday, November 19<sup>th</sup> at 7:00 PM at 55 Bay State Road, Senior Center.

Diane Russo of Hillside Avenue has a concern with the gas approval on Skylar Way. At this time the "right of way" is along the perimeter of the properties, will there be a fire access road at some point put in at the back of the development? There are 2-3 dead ends in the back. If there is an emergency the current roadway will make it difficult for emergency vehicles to pass through. There is a thermal lift at the top of the hillside, if there is a fire below the heat will rise up straight towards Hillside Ave. The pathway that is there now has many trees down due to all of the current storms and may not be passable by any emergency vehicles.

M Costello – Phase II will begin at Lot 12 and up to Colonial Way, that will be the other access roadway. You can attend a Planning Board meeting before Phase II begins and voice your concerns there and they will help you.

D. Perry – We have current fire vehicles that can plow through brush and our fire fighters are equipped to cut down any trees or brush to get to a fire. Phase II of the project should take care of that issue.

Tish Vadnais – From a Planning Board aspect, please list the addresses from Eastwood Estates that were approved tonight and can move forward.

G. Schwall – We will put the list together and get it out to Stacy Vilao for the Planning Board.

S. Vadnais – At the upcoming April Town Meeting Election we will be asking a non-binding ballot question on how the town feels about the National Gas extension availability within the town.

### **NEW BUSINESS:**

#### **Action Item #1 Resignation of Albert O. Bourchard – Member of Agricultural Commission**

Effective on November 2, 2018 the Town Clerk's office received the resignation of Mr. Bourchard as member of the Agricultural Commission. Mr. Bourchard served on AgCom for 15 years; his appointed term was to expire on 6/30/20.

S. Vadnais - Great job and Thank You to Al for all of his hard work. He will be greatly missed.

Motion made by M. Costello to accept Albert Bourchard's resignation, second by G. Schwall. Vote 4-0

#### **Action Item #2: Resignation of Kathleen J. Conti as Water Commissioner**

On November 6, 2018 we received the resignation of Kathleen Conti as Water Commissioner. Her current term was to expire on 4/6/20. Her resignation is pursuant of MGL Ch51, Section 25, she can not be a member of the Board of Registrars and hold an elected position as well.

The Board of Selectmen will be in touch with the Water Commission and have them attend a meeting to discuss the vacancy.

Motion made by G. Schwall to accept the resignation of Kathleen Conti as Water Commissioner, second by D. Perry. Vote 4-0

#### **Action Item #3: Resignation of Laura E. Dias Samsel**

On November 6, 2018 we received the resignation of Laura E. Dias Samsel as member of Agricultural Committee. Her term was to expire on 6/30/21.

Motion made by M. Costello to accept the resignation of Laura E. Dias Samsel from the Ag-Com, second by D. Perry. Vote 4-0

#### **Action Item #4: 7:30 pm Continuance of Public Hearing Application**

Continuance of a Public Hearing from 11/5/18 Selectmen's Meeting on the application for a Class II Auto License from Ali Kabli dba Town Auto at 178 Providence Street.

Selectman Dave Perry motioned to reopen the Public Hearing from 11/5/18, second by Selectman Michael Costello.

Roll Call to reopen Public Hearing: Perry, aye; Costello, aye; and Vadnais, aye.

Mr. Kabli's purpose for the Class II Auto License is to buy and sell cars at auctions and online. He has an agreement with Seekonk Town Auto to work on any repairs and NO transactions will take place at his home. It is strictly a Wholesale Only Business.

**Discussions:**

Christine & Author Daluz from 174 Providence Street, abutter to Town Auto had no prior knowledge that this business was taking place until she received the certified mailing. Her concerns are:

1. Storage of vehicles on property
2. People coming and going from property. She has small children and is concerned with "traffic flow" of strangers in the area.

Mr. Kabli confirmed that there will not be any storing of vehicles on his property. Vehicles bought at auction will remain on the premises until sold by him. His business is an Online business and will not have people coming to his home.

M. Costello – Licenses are renewed yearly so if you have a concern or any questions you can bring them up at that point.

Motion made by M. Costello, second by D. Perry to close the Public Hearing.

Roll call vote: Perry, aye; Costello, aye; and Vadnais, aye.

Motion made by M. Costello, second by D. Perry to accept the Class II Application from Mr. Kabli dba Town Auto with the following restrictions:

1. No business signage on any type may be erected at 178 Providence Street.
2. No advertising of any type at 178 Providence Street
3. No customer traffic of any type at 178 Providence Street
4. No vehicles may be bought, sold, detailed or repaired at the 178 Providence Street location
5. No transport vehicles allowed at 178 Providence Street

Vote 3-0 (G. Schwall stepped away)

**Action Item #5: Discussion: Open Gas/Building Permits-Eastwood Estates**

Tabled from 11/5 meeting

**Motion:** To exempt the following sites within Eastwood Estates from the natural gas installation moratorium approved on October 22, 2018. The rationale for the exemption is the substantially completed nature of construction of the houses.

Included in the exemption:

<u>Lot #</u>	<u>Address</u>
5B	2 Skyla Way
6	3 Skyla Way
7	7 Skyla Way
9	15 Skyla Way

Motion made by G. Schwall; seconded by M. Costello. Vote unanimously approved (4-0).

A sidebar discussion occurred with Mr. DuVally regarding clarification as to the construction status of the building located on Lot 5A, 4 Skyla Way. At the conclusion of the discussion G. Schwall made the following motion.

**Motion:** To exempt the following site within Eastwood Estates from the natural gas installation moratorium approved on October 22, 2018. The rationale for the exemption is the substantially completed nature of construction of the house.

Included in the exemption:

**Lot #**

**Address**

5A

4 Skyla Way

Motion made by G. Schwall; seconded by M. Costello. Vote unanimously approved (4-0).

**Action Item #6: Comcast PEG check**

Motion made by M. Costello second by D. Perry to accept Comcast PEG funding check in the amount of \$57,637.91 for the quarter of July thru September 2018.

Vote 3-0

**Action Item #7 Chapter 61A Release**

Board of Selectmen received a request for the Town to either exercise or waive its rights to purchase the following parcel, being used for a solar farm:

6 Acres on 297 Winthrop Street-Map 39, Lot 36

Planning, ConCom, Agcom and Carol Williams have all waived their rights to purchase the land.

Motion made by M. Costello, second by D. Perry the Board waives their right to purchase the 6 acres of land on 297 Winthrop Street.

Vote: 3-0

**OLD BUSINESS:**

**Action Item # 1: Trench Permit-Draft**

G. Schwall – Researched other towns on how they deal with trench permits and what their fees are. All of them copied the town before them.

M. Costello – Made up a form as well with similar details like Gerry has. Form has all do's and don'ts and process; my fee is \$25. I feel fee should be low because the homeowner is paying out a lot of money in other areas.

S. Vadnais – The fee will cover administration costs.

G. Schwall – Fees varied from other towns, from \$25 to \$150. Not looking to generate revenue, but would like to see a permit form be established so we have better control on the work that is being done when it comes to trenches and gas. Looking to close the loop hole in the bylaw.

D. Perry – Not a fan of fees either, but not opposed to the process. If the fees get too high the homeowner will shy away from the work or process.

S. Vadnais – Mike and Gerry will work together to come up with a form that works for our town. When it is ready to be reviewed, we will add it as an agenda item.

M. Costello – After we have the form, we will need to work on instituting a process and we will have to include the BOH, Building Dept, and Highway Dept. The form should also be on our website.

### **DEPARTMENT HEAD REPORTS**

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

**Vadnais: No Report**

**Schwall:** On November 26<sup>th</sup> we will have visitors from MassDOT to review Rt44/118 designs. Mike Costello and Dave Perry worked together on this project.

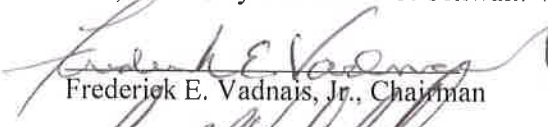
M. Costello – MassDOT has 3 designs to show the BOS and public. They are great ideas and they have reasons why one works better than the others.

**Perry:** I wear many hats and I try to answer all calls that come in and deal with any issues. I would like to thank the Highway Dept for helping us out today and cleaning the drains. I really appreciate it.

**Muri: Absent**

**Costello:** Thank you to the governor, senate, and all representatives for the passing of the increase on Chapter 90 for 2019 \$735K has been allotted!

**ADJOURNMENT:** Selectmen M. Costello made a motion to adjourn the Regular Session Meeting at 8:05 PM., Second by Selectmen G. Schwall. Vadnais – aye; Perry – aye; Costello – aye; and Schwall – aye.

  
Frederick E. Vadnais, Jr., Chairman

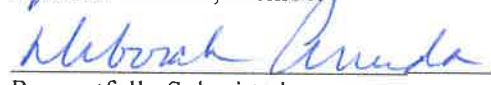
  
Gerald V. Schwall, Vice Chairman

  
David A. Perry, Jr., Clerk

**Absent**

James Muri, Member

  
Michael Costello, Member

  
Respectfully Submitted,  
Deborah Arruda  
Assistant to the Town Administrator

**Approved: 1/14/19**