



Office of  
SELECTMEN  
148 Peck Street  
Rehoboth, MA 02769

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**BOARD OF SELECTMEN**  
**MEETING MONDAY, November 20, 2017**  
**MEETING MINUTES**  
**GLADYS L. HURRELL REHOBOTH SENIOR CENTER**

**Present:** Frederick “Skip Vadnais, Chairman; Gerald Schwall, Vice Chairman; Susan Pimental, Clerk; Dave Perry, Member

**Absent:** James Muri, Member

**Also present:** Helen Dennen

**1.0) Executive Session:** At 6:03 p.m. S. Pimental made a motion to enter into Executive Session, 2<sup>nd</sup> by G. Schwall, pursuant to Massachusetts General Law, Chapter 30A, and Section 21; (2) To conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion 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\*

**Topics of Discussion:** Police Contract Negotiations\*

**Call to Order at 7:03 p.m.:** The Board and the public participated in the Pledge of Allegiance to the Flag.

**2.0) Consent Agenda**

**Warrants for November 13, 2017:** S. Vadnais read the weekly Warrants; 18-20A: Withholdings, \$27,246.87; 18-21B, Payroll, \$85,653.32; 18-20 Invoices; \$4,214,229.11; 18-20R Refunds; \$18,824.74 S. Pimental made a motion to approve the weekly Warrants as read. Second D. Perry. Voted 4-0

**Minutes:** D. Perry made a motion to approve the Regular Session Meeting Minutes from November 13, 2017. Second S. Pimental, All Vote 4-0.

**Town Administrators Report:**

- M. Costello and I will be meeting with Ann Malley of National Grid. She will provide information on LED street lights which they now offer at savings to the Town.
- Bristol County Advisory Board Meeting Thursday, November 30, 2017 at 6PM at the Taunton Superior Courthouse, 9 Court Street. Skip not available, Sue will check.
- There is a Form M in regards to the Boys & Girls Club of Pawtucket 205 Winthrop Street would you like to schedule a Gravel Committee Meeting? SV. Yes. M. Costello will report to Planning Board and inform them of the upcoming meeting that will be scheduled for December 4th.

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**Open Forum – Announcements:**

- Next Selectmen's Meeting will be on Monday December 4, 2017 at the Senior Center at 7PM.
- 375<sup>th</sup> Anniversary Committee: Dinner Dance Ball, Saturday January 27, 2018 @ Hillside Country Club, Cocktails @ 6:30PM / Dinner @ 7:30PM, Tickets are \$60. pp: 3 dinner choices (beef, chicken, or vegetarian), MUSIC: DANCING: RAFFLES, Costumes encouraged: Dress for your favorite time period! Please purchase/ reserve tickets by January 17 through [BallTickets@Rehoboth375.com](mailto:BallTickets@Rehoboth375.com) or Kelly Hathaway @ Town Office/ Board of Selectmen's Office, this is a fundraiser to help with 375<sup>th</sup> parade in October 2018
- FLU VACCINE CLINIC, anyone 3 years of age and older regardless of insurance Rehoboth TOWN HALL: 148 Peck Street, Tuesday November 28, 2017 2:30PM – 5:00PM  
\*questions can be directed to Town Nurse Jaime Conlon 508-252-5947 x3127

**NEW BUSINESS: Action Item #1: 7:15PM Public Hearing for Kalimay, LLC dba iAlive Restaurant**

On a motion made by S. Pimental Second by G. Schwall it was voted to open the Public Hearing on the Common Victualler All Alcohol Liquor License held by Kalimay, LLC dba iAlive Restaurant on 569 Winthrop Street to address alleged violations pursuant to 204 CMR 4.03 and G.L. c. 138, §18 and to consider possible suspension/revocation. Pimental – aye; Schwall – aye; Perry – aye; Vadnais – aye.

Kimberly Faria, Licensee and her father Joe Faria present.

K.F. I thought that I was within the law when I placed the add, and when I realized it wasn't I took the add down. D.P. I went to the restaurant and talked to your father in regards to the ad and he was not aware that it was illegal and immediately called you (K.F) to take it down off Facebook. DP. There is no excuse, to hold a liquor license is valuable and you should review the laws. KF. Apologized. GS. You hold a license for liquor and food and with that comes responsibility of knowing your business. SV. When was the time frame the ad ran? KF. The beginning of July. GS. This says starts October 3<sup>rd</sup>. Did you run one in July also? KF. No answer. SV. Did you receive the compliance letter from ABCC? KF. Yes. SP. The fact that they took the ad down immediately after talking with D. Perry, I believe their intent is to do the right thing.

SV. There is an allegation that you have purchased liquor other than through a wholesaler. S. Pimental reviewed the receipts from wholesalers and the Board of Selectmen accepts the Clerk's review of invoices which date back to the opening of the restaurant.

On a motion made by S. Pimental Second by G. Schwall it was voted to close the Public Hearing. Pimental – aye; Schwall – aye; Perry – aye; Vadnais – aye.

On a motion made by S. Pimental Second by D. Perry it was voted there is no finding of a violation of MGL Ch138 §18 according to the records reviewed. All Vote 4-0

Violation CMR 4.03: D.P. It is evident that there was a violation, I believe it is lack of education. S.V. Failure to educate yourself when you were issued the license is a serious matter.

After deliberation; On a motion made by S. Pimental Second by D. Perry it was voted to give iAlive Restaurant a written warning to put in file and Kimberly Faria, manager of record, to supply the Board of Selectmen with a written document of a plan, by December 4<sup>th</sup>, on how she will take steps to educate her and all employees of the laws and regulations to holding a liquor license.

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**Action Item #2: Vote to Approve & Sign Chapter 90 Final Report Request**

On a motion made by D. Perry Second by S. Pimental it was voted to approve & sign Chapter 90 Final Report and Reimbursement Request in the amount of \$175,527.18 for Year 2 on a 3 Year lease on 3 new international 6-wheel dump trucks. All Vote 4-0

**Action Item #3: Budget Amendment**

On a motion made by S. Pimental Second by G. Schwall it was voted to approve budget amendment below:

Account Number	Department	Increase	Decrease
014212-51310	Highway Wages/OT	\$1,000.00	
014212-51910	Highway Wages/Uniform		\$1,000.00

All Vote 4-0

**Action Item #4: Discussion: Conservation Easement on Plain Street**

On November 2, 2015 the Town, at Special Town Meeting, voted to release the Conservation Easement on Plain Street. In order to have this go through, a Bill needs to be formed through the State. At the EOEEA (Executive Office of Energy and Environmental Affairs) they wanted to Amend Easement and not release, they could not provide us with the Amendment wording. This is putting a burden on the land owner. A letter will be drafted and signed by the Conservation Commission and the Board of Selectmen to be forwarded to EOEEA stating that we would like the exact language of the Town's vote in regards to this easement.

**Action Item #5: Discussion: Proposed DR Regional School District Agreement Amendments**

The Board of Selectmen received a copy of the proposed DR Regional School District Agreement Amendments and a request to meet. The Board of Selectmen sent a letter DRRSD to meet with the Rehoboth District to get an understanding of what this document meant to Rehoboth. The School District felt it was to be discussed among all parts of the district as well as the Finance Committee. The Board will discuss agreement with the Sub-committee and not attend meeting with Dighton and Rehoboth School Committee as a whole.

Sue McBride, Mike McBride and George Solas, members of the Regional School Agreement Study Committee present. SM. I would like to get together with the Board of Selectmen and Finance Committee to discuss this agreement and the new language for feedback and understanding. Discussion ensued.

George Solas gave his opinion and facts to viewers in regards to what the agreement means to tax payers of Rehoboth and Dighton.

M. Deignan: Chairman of the Finance Committee stated he will not be at the meeting with entire district and that the new proposed agreement has taken out all the benefits to Rehoboth. He also advised the entire Finance Committee that they may attend as a resident, not as a member of the Finance Committee.

On a motion made by S. Pimental Second by G. Schwall it was voted to respectfully decline meeting with the DRRSD based on Selectmen Vadnais's conversation with D. Katseff on the scope of the meeting, but look forward to a productive discussion with the Advisory Committee. All Vote 4-0

The Board of Selectmen has chosen December 7, 2017 at 6:30PM to meet with Regional School Agreement Study Committee.

**DEPARTMENT HEAD REPORTS**  
**11/20/17 Selectmen's Reports:**

**Vadnais:** none

**Schwall:** Helen when you meet with National Grid: Have M. Costello bring list of street lights that are out.

**Pimental:** Happy Thanksgiving!

**Perry:** Congressional Church donated 22 Thanksgiving baskets to Veterans Services, thank you. The new Veterans Services van was also delivered and there will be lettering done on it. The old van will go out to bid with the thanks of M. Costello.

**Muri:** absent

**ADJOURNMENT:** Selectmen S. Pimental made a motion to adjourn the Regular Session Meeting at 8:40 PM., Second by Selectmen G. Schwall. Vadnais – aye; Perry – aye; Schwall – aye; Pimental - aye

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Frederick E. Vadnais, Jr., Chairman

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Gerald V. Schwall, Vice Chairman

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Susan M. Pimental, Clerk

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David A. Perry, Jr., Member  
(absent)

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James Muri, Member

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Respectfully Submitted,  
Kelly J. Hathaway  
Assistant Town Administrator

Approved 12/18/17