

Office of  
SELECTMEN  
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Rehoboth, MA 02769



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**BOARD OF SELECTMEN**  
**MEETING MONDAY, March 27, 2017**  
**MEETING MINUTES**  
**GLADYS L. HURRELL REHOBOTH SENIOR CENTER**

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

**Also present:** Helen Dennen

**1.0) Executive Session:** At 6:01 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; (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\*

**Topics of Discussion:** Disposition of Town Owned Land; Dispatcher’s Contract; Fire Chief Contract; TA Contract; Town Counsel Update on Legal Matters\*

**Call to Order at 7:35p.m.:** The Board and the public participated in the Pledge of Allegiance to the Flag.

**2.0) Consent Agenda**

**Warrants:** S. Vadnais read the weekly Warrants; 17-38A, Withholdings, \$125,263.44; 17-39B, Payroll, \$92,233.68; 17-38 Invoices: \$132,949.86; 17-39V, Veterans; \$9,234.63. S. Pimental made a motion to approve the weekly Warrants as read. Second, G. Schwall. Voted 4-0

**Minutes:** S. Pimental made a motion to approve the Regular Session Meeting Minutes from March 6, 2017. Second, D. Perry. All Vote 4-0

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**Open Forum – Announcements:**

- Next Selectmen's Meeting will be on Tuesday April 4, 2017 at the Senior Center at 7PM.
- Laura Schwall: Election is April 3, 2017, all three polls are open 7AM – 8PM. There are three contested races (Board of Selectmen, School Committee and Parks Commission) and 2 ballot questions.
- Jay Crandall: I have some questions and concerns from residents regarding the Municipal Complex. 1) Can money received by the Town of Rehoboth for solar leases and sold town property be used to pay down the debt exclusion on a new Town Complex? G.S.: Absolutely and that is part of the plan. We currently have an account called the sale of town property that has \$450,000, a solar/ pilot account that has \$355,000. This will all be used towards the project. We also have from the pilot account recurring income that will also be used. Every year we will go to Town Meeting and ask for approval to use funds to pay into the principal and interest within that year in order to maintain tax exempt bond status. J.C. Do we have 4 contracts out now for solar farms? G.S.: We have one that we just approved at Town Meeting and have not received proceeds yet and a few others in the system already. J.C. Realistically we could receive payments of approximately \$2 -3 million, from solar farms, towards the cost of this project in a twenty-year span. G. S.: Correct. J.C. Will the Town receive money from the Anawan School project? G.S. We will be receiving a rental payment, but that money will go in the general fund. J.C. What is the projected tax increase per \$1,000? G.S. Right now, we are projecting it on the high side at \$0.40 per \$1,000. We truly believe that we can get the project done at less than that. J.C. I hope people will vote for this project. If we don't do this, it will just cost more in the long run.
- Carolyn Panofsky: What kind of energy system will be used in the building? G.S. We as a Board will look into alternative resources as soon as we are able to have a plan in place. C.P. Will there be public input at that point? G.S. Yes.
- M. Costello: People need to vote for the new Municipal Complex. I would like to know if someone has been thinking about the Town's 375<sup>th</sup> Birthday which is next year, and putting a committee together to plan for this celebration? It is a yearlong process to plan it. S.V. We will put it on an upcoming agenda to discuss further.
- G. Schwall: I read a letter posted today that stated the new Municipal Complex does not have sufficient space for future expansion built in. If you look at the plans and see rooms that are labeled conference rooms, file rooms and closets, these can and will be used for future offices. We have anticipated much future growth with the life expectancy for this building at approximately 40 – 50 years. This a good design.
- S. Pimental: These buildings are a disgrace and it's not going to get any cheaper.
- Tish Vadnais: Back when the 350<sup>th</sup> Town Birthday Celebration was planned there was a capsule that was buried and I believe they wanted it uncovered for the 375<sup>th</sup> Celebration. The Board might want to get in touch with the former members from the last planning committee.
- M. Deignan: G. Schwall maybe you can recap what the numbers are for the new Municipal Complex, because people have received miss information in the Rehoboth Reporter

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- regarding the size of the building. G.S. The total building including Public Safety and Town Hall will be 30,000 sq. ft., 8,000 sq. ft. will be existing building. The Public Safety building will be 19,485 sq. ft. (including fire, police, REMA, ambulance and bays). The Town Offices Building will be 11,850 sq. ft. of new construction.
- Jim Muri: Has the Board looked into if something catastrophic happened, like a roof caved in and we have to house the employees. S.V. Sooner or later we are going to have to get portable facilities and move employees into them. J.M. There are a lot of hidden costs that people need to know, that will chew up our operating budget, if this new Municipal Complex doesn't go through.
- S. Pimental will be doing ribbon cutting for a new business in S. Rehoboth called Barre & Moon on Saturday.
- Maureen Whittemore: Some people don't understand that a debt exclusion and an override are two different things. G.S.: Debt exclusion is like a mortgage. You have a mortgage for 30 years, you make payments and after 30 years it is paid off. An override is a permanent resetting of the tax base and that remains forever.

**Town Administrator's Report:**

- MassDOT would like to invite you to attend a one hour field reconnaissance meeting on Wednesday, April 12, 2017 from 2p - 3p at bridge location Reed Street over Palmer River, Rehoboth, R-04-004. The purpose for this meeting is to develop bridge projects to 25% design. If weather delays our meeting MassDOT will notify you immediately.
- School Committee will hold public hearing on their FY18 budget at 6:30 pm tomorrow night, 3/28/17 in the Media Center at the high school.
- We received notification today from Department of Housing and Community Development that the application for project eligibility determination for the proposed Anawan School project has been approved under the low-income housing tax credit program known as LIHTC. Approval does not constitute a guarantee but creates a presumption of fundability and permits Women's Development to apply to the Rehoboth ZBA for a comprehensive permit.

**3.0) NEW BUSINESS: Action Item #1: FY18 Budget Review: Fire Department**

The Board is happy that they were able to enter into a new three-year agreement with Chief Barresi. The Board thanks the Chief.

- Barresi: On the wages, full time there is a 3.4% increase; reason is our call volume is up 17%. S.P. This is an on-call fire department. If the calls don't come in the money doesn't get used.
- The equipment repair and maintenance has gone up- this covers misc. equipment: power equipment. I cut this the past couple of years and now we have equipment that needs repair.

Capital Items:

- Purchase multi-gas detectors and single-gas detectors – we use these constantly and the ones we have are 10 years old.

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- Cold water survival suits- the ones we have are 20 years old.
- Litter 1- the turn table for litter is not working properly and it has many others repairs needed to be done, over \$47,000 worth- the truck is 32 years old – the Board will discuss this item further in the future. The Board discussed \$47,000 to be placed on the Special Town Meeting Warrant as space holder.
- \$14,805 – 4<sup>th</sup> year of a 5-year plan to replace the bottles for the breathing apparatus.
- Annual Town Meeting Warrant: Revolving account funds: haz-mat fees; not to exceed \$50,000; this will be at no cost to the Town; it will be reimbursed by the insurance companies.

**Action Item #2: Meeting with ZBA**

Ryan Duvally, ZBA Chairman and Mike O’Hern present.

Ryan handed the Board MGLs. on time frames for different items pertaining to ZBA.

The following issues have been brought to the attention of the Board of Selectmen:

1. Abutters to Zoning Board of Appeals decision locations allege that the ZBA decisions are not being filed in a timely manner. A consultant will be looking into timelines to get a current
2. Concerns among ZBA members that adequate time be provided to receive and review meeting materials prior to the hearing date. Mike O’Hern: stated this was not him and mentioned that this issue should have been brought up in Executive Session with the ZBA.
3. The Board of Selectmen wants reassurance that all applicable laws are considered and correctly interpreted.

S.V. Mentioned the Dewey Street case and how it was handled with the abutters, there was a lack of customer service. The abutters were not considered. The Board of Selectmen agrees.

Ryan will discuss, with his Board, having additional help at Town Hall for phone calls and timelines. After meeting with the ZBA, Ryan needs to contact Helen and discuss who could help and what the additional help would entail.

Town Counsel will be holding a seminar for the ZBA, Planning Board and Zoning Officer on land use and associated issues so that everyone is up to date; S. Vadnais will attend. G.S. Informed Ryan that Town Counsel is available for the ZBA to contact at any time with any questions.

Mike O’Hern: Stands by the decision made in regards to Dewey Street.

**Action Item #3: Discussion RE: FY18 Budget**

The Board of Selectmen will wait on this action item until all information is received.

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**Action Item #4: Review of May 8 STM & ATM Warrants**

On a motion made by G. Schwall Second by D. Perry it was voted to place the following article on the May 8, 2017 ATM Warrant and forward to the Planning Board for a Public Hearing pursuant to MGL Chapter 40A, §5:

**ARTICLE – ZONING BY AMENDMENT MARIJUANA TEMPORARY MORATORIUM**

SUBMITTED BY: PLANNING BOARD

To add the following new section to the Zoning By-law, Chapter E, Article 10.0

“10.0 TEMPORARY MORATORIUM.” And further to amend the Table of Contents to add Article 10.0.

“Temporary Moratorium” and the ensuing parts as proposed herein.

(as printed in the attached draft warrant)

On a motion made by D. Perry Second by S. Pimental it was voted to place the following article on the May 8, 2017 ATM Warrant and forward to the Planning Board for a Public Hearing pursuant to MGL Chapter 40A, §5:

**ARTICLE – AMENDMENT TO CHAPTER E ZONING BYLAW ARTICLE 6.7 SITE PLAN APPROVAL**

SUBMITTED BY: BOARD OF SELECTMEN

To see if the Town will vote to amend Section 6.7 of the Town’s Zoning Bylaws, entitled Site Plan Approval

(as printed in the attached draft warrant)

On a motion made by S. Pimental Second by G. Schwall it was voted to place the following article on the May 8, 2017 ATM Warrant and forward to the Planning Board for a Public Hearing pursuant to MGL Chapter 40A, §5:

**ARTICLE – AMENDMENT TO CHAPTER E ZONING BYLAW ARTICLE 2 - DEFINITIONS**

SUBMITTED BY: BOARD OF SELECTMEN

To see if the Town will vote to amend the definition of “structure” under Article 2 of the Town’s Zoning Bylaws so that the amended definition

(as printed in the attached draft warrant)

On a motion made by D. Perry Second by G. Schwall it was voted to place the following article on the May 8, 2017 ATM Warrant and forward to the Planning Board for a Public Hearing pursuant to MGL Chapter 40A, §5:

**ARTICLE – E ZONING BYLAW AMENDMENT TO ARTICLE 6.5 SIGNS**

SUBMITTED BY: PLANNING BOARD

To see if the Town will vote to amend Chapter E Zoning Bylaw by replacing the current Article 6.5 Signs in its entirety and replacing it with the following new section to the Zoning By-law, Chapter E, Article 6.5

(as printed in the attached draft warrant)

- The Board of Selectmen will discuss Speed Limit Article next week.

**Action Item #5: Approve & Sign Personal Kennel Permit for Robert & Judith Grant**

The Board and Town Clerk discussed minor changes to the Personal Kennel Permit new application and renewal application.

On a motion made by S. Pimental Second by G. Schwall it was voted to amend both new Personal Kennel Permit application and renewal Personal Kennel Permit application. All Vote 4-0

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On a motion made by G. Schwall Second by D. Perry it was voted to approve Personal Kennel Permit for more than four dogs but not to exceed ten, for Robert & Judith Grant of 7 Willard Avenue effective 4/1/17 – 3/31/18

**Action Item #6: Approve & Sign Personal Kennel Permit for James & Ellen Burke**

On a motion made by G. Schwall Second by S. Pimental it was voted to approve Personal Kennel Permit for more than four dogs but not to exceed eight, for James & Ellen Burke of 134 Martin Street effective 4/1/17 – 3/31/18

**Action Item #7: Authorize & Sign Signatory Listing for REMA Grant**

On a motion made by S. Pimental Second by G. Schwall it was voted to approve and authorize Chairman Vadnais to sign contractor signatory listing for Rehoboth Emergency Management Agency to apply for MEMA Region 2 Grants. All Vote 4-0

**Action Item #8: Budget Amendment**

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

Account Number	Department	Increase	Decrease
011873-52126	BOS Fac Maint Highway/Electric	\$1000.00	
011873-52146	BOS Fac Maint Highway/Oil		\$1000.00

All Vote 4-0

**Action Item #9: One Day Special Wine & Malt Liquor Licenses**

On a motion made by S. Pimental Second by D. Perry it was voted to approve one day Special Wine & Malt only Liquor License for Young's Catering manager Carol Marcil; 64 Newman Avenue, Seekonk, MA for a Fundraiser on 4/29/17 from 5PM – 11PM at the Blanding Library, 124 Bay State Road, Rehoboth, MA, transfer dates: 4/28/17 & 4/30/17

-Discussion: The applicant cannot hold a fundraiser at a Town building. Item Tabled until applicant can resubmit proper applicant for event.

On a motion made by S. Pimental Second by D. Perry it was voted to approve one day Special Wine & Malt only Liquor License for Rumford Hunting & Fishing Club, Inc. manager Robert G. Lockhart; P.O. Box 314, Rehoboth, MA for a clam boil on 4/15/17 from 12PM – 8PM at the S. Seekonk Gun Club, 61 Reed Street, Rehoboth, MA, transfer dates: 4/14/17 & 4/16/17, Firing range to be closed during sale of alcoholic beverages. All Vote 4-0

On a motion made by S. Pimental Second by D. Perry it was voted to approve One Day Special Wine & Malt only Liquor License for Rumford Hunting & Fishing Club, Inc. manager Robert G. Lockhart; at 165 Providence Street, Rehoboth, MA for a Surf & Turf on 7/29/17 from 12PM – 8PM & a Pig Roast on 9/16/17 from 12PM – 8PM, transfer dates: 7/28/17 & 7/30/17 & 9/15/17 & 9/17/17, firing range to be closed during sale of alcoholic beverages. All Vote 4-0

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**Action Item #10: Resignation of BOH Member Karl Drown**

On a motion made by S. Pimental Second by G. Schwall it was voted to accept resignation of Board of Health member Karl S. Drown effective Thursday March 23, 2017 at 8:30AM. All Vote 4-0

**Action Item #11: Snow & Ice Deficit**

On a motion made by S. Pimental Second by G. Schwall it was voted to approve snow and ice deficit in the amount of \$28,767.59 which will result in a deficit balance of \$131,939.95. All Vote 4-0

**OPEN FORUM:**

**DEPARTMENT HEAD REPORTS**

**3/27/17 Selectmen's Reports:**

**Vadnais:** none

**Schwall:** none

**Pimental:** Everyone get out and vote.

**Perry:** none

**ADJOURNMENT:** Selectmen S. Pimental made a motion to adjourn the Regular Session Meeting at 9:50 PM., Second by Selectmen G. Schwall. Vadnais – aye; Perry – aye; Pimental – aye; Schwall - 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

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Respectfully Submitted,  
Kelly J. Hathaway,  
Interim Assistant Town Administrator

Approved 4/10/17