

September 17, 2018 Board of Selectmen Regular Minutes – Gladys L. Hurrell Rehoboth Senior Center, 55 Bay State Road

Present: Selectman Costello, Selectman Schwall, Chairman Vadnais, Selectman Perry, Selectman Muri, Helen Dennen

1.) Call to Order: 7:01 PM Open with Pledge of Allegiance to the Flag

WARRANTS: On a motion made by Selectman Schwall, seconded by Selectman Muri, the following warrants were approved by the Board (Vote 5-0): 19-11A Withholdings \$27,532.90; 19-12B Payroll \$91,774.86; 18-46 Warrant \$41,265.98

MINUTES: On a motion made by Selectmen Schwall, seconded by Selectman Perry, the Board approved Regular Minutes for 4/17/18; Vote 5-0

On a motion made by Selectmen Schwall, seconded by Selectman Costello, the Board approved Regular Minutes for 5/7/18; Vote 4-0 – Perry abstained

ANNOUNCEMENTS: The next Board of Selectmen's meeting will be held on 9/24/18 at the Senior Center starting at 7 PM.

Senator Feeney – will hold Office Hours at the Rehoboth Senior Center on Monday September 24 from 11:30 a.m. to 12:30 pm.

375th Keep Rehoboth Beautiful Committee is still looking for any interested citizen to volunteer to help with the Town-wide Cleanups prior to the 375th Anniversary Parade on October 7th. If you are interested contact the Selectmen's Office for a Talent Bank form or go to our website for a copy.

The **375th Rehoboth Anniversary Parade** will be held on Sunday, October 7th starting at 12 noon. Parade is expected to be 2 ½ to 3 hours in duration.

TOWN ADMINISTRATOR'S REPORT:

Administrator Dennen reported the following:

We have received 29 applications to date for the position of Assistant Treasurer. We began interviews today to fill the position and will continue with interviews on Tuesday and Wednesday.

I have registered for an Annual Conference for Municipal Officials and staff to be co-hosted by Governor Baker and Lt. Governor Polito and division of local services on 9/24/18 in Worcester from 8:30 am to 2:00 pm. Topics of discussion will focus on Community Compact Best Practice areas relating to climate resiliency, housing strategies, economic development and innovation.

The Town Clerk received information on a survey from SRPEDD. They are in the process of updating the region's Coordinated Human Service Transportation (CHST) Plan. The plan identifies the transportation needs of older adults, persons with disabilities, and low income individuals. The plan is also used to inform the Community Transit Grant Program (more information here) as well as regional planning efforts.

As part of the update, SRPEDD and the South East Regional Coordinating Council on Transportation (SERCCOT) are conducting an Unmet Transportation Needs Survey in order to identify where unmet need exists.

The survey has two versions. The first is for agencies, organizations, municipalities, or any other entity that works with older adults, persons with disabilities, low income individuals, or others who have unmet transportation needs. The second version is designed for consumers/direct users/members of the public who have unmet transportation needs.

Information on the survey has been put our Town website by the Town Clerk and can also be found at the Town Hall and here at the Senior Center.

October 3rd is “National Coffee with a Cop Day”. Rehoboth Police Officers will be at both Dunkin Donuts from 7-11 a.m.

NEW BUSINESS:

Action Item: Crown Castle Cell Tower Lease Extensions

On a motion made by Selectman Muri, seconded by Selectman Perry, the Board voted to approve lease extensions with Crown Castle for the following cell tower locations: 334 Anawan Street; 333 Tremont Street; 148R Peck Street.

Selectman Schwall noted that we need to get this wrapped up and will be assisting the Town Administrator with information to be contained in the RFP.

Action Item: Hand-Me-Downs Request

Tabled at last week’s meeting: Linda Magulas, a representative of Hand-Me-Downs was present to continue discussion on request to place clothing containers at various Town locations including: Town Hall; Highway Department; Senior Center; and South Fire Station.

Administrator Dennen had contacted Town Counsel on how the Town would handle funds received from Hand-Me-Downs and counsel suggested a possible license agreement. Ms. Magulas had provided information on Towns which allowed containers to be placed on Town property. Town Counsel will be providing a recommendation.

Chairman Vadnais stated he was not opposed to approving on a trial basis for up to one year, if Town Counsel can tie to a license agreement with any funding received by the Town to be used for Rehoboth Beautification Projects. It was the general consensus of the Board to approve with Selectman Schwall stating he would not support a for profit company using Town property without going out to bid.

Board reviewed various locations for placement of containers and concluded the best locations to be the Highway Department, North Fire Station and South Fire Station; the Town Offices was not a preferred location. It was noted by Ron Whittemore that the Salvation Army had a container at the Transfer Station and, therefore, not a good location for a container.

Board suggested Ms. Magulas contact the Fire Chief about placing containers at the North and South Fire Stations and come back to the Board after speaking with the Fire Chief. The Board will then make a determination and see if we can come to an agreement.

Action Item: Public Hearing Application for a New Class II Auto License

Board noted that the applicant for a Class II Auto License, Ali Kabli dba Town Auto, was not present. The Board discussed whether to open the Public Hearing and asked if anyone was present to discuss this application; no one came forward. Board noted that there were at least seven deficiencies with the application.

On a motion made by Selectman Costello, seconded by Selectman Schwall it was voted to table this action item without opening the hearing. Vote 5-0

Action Item: Green Energy Committee Request

Carolyn Panofsky requested the Board approve sending a request directed to the Department of Energy Resources authorizing access to energy data for the Town of Rehoboth that is included in the Massachusetts Department of Energy Resources MassEnergyInsight energy reporting system for:

Eric Arbeene, AICP
Principal & Chief Procurement Officer
SRPEDD earbeene@srpedd.org

On a motion made by Selectman Schwall, seconded by Selectman Muri, the Board voted to sign a letter to the Department of Energy Resources authorizing access to Eric Arbeene of SRPEDD, with the motion amended authorizing Administrator Dennen to sign letter. Vote 5-0

Action Item: 10/29/18 STM Warrant

The Board discussed the following items for placement on the 10/29/18 Special Town Meeting Warrant:

FY19 Budget Amendment:

Considerable discussion ensued regarding placing a line item and funding for a Facilities Maintenance Manager in the FY19 budget. On a motion made by Selectman Muri, seconded by Selectman Schwall it was voted to create and fund line in the amount of \$11,700 for a Facilities Maintenance Manager. Selectman Costello voiced he was not in favor of position.

Additional FY19 Budget Amendments TBD:

- Town Clerk Certification Line \$TBD
- Treasurer & Collector Overtime Wage Lines - \$TBD
- Line 019113 / 51760 Bristol County Retirement \$3,329.28 (for retirement contribution for a police officer while on military duty which should have been paid by Town to make employee whole)
- Town Insurance amount TBD
- BOS Office Expenses medical/physicals amount TBD
- BOS Office Expenses advertising amount TBD
- Town Counsel amount TBD
- Contractual Buyout Line -- Selectman Schwall requested this be reviewed

Zoning Bylaw Amendments:

On a motion made by Selectman Muri, seconded by Selectman Schwall, it was voted to place two articles for amendments to the Zoning Bylaws and forward to the Planning Board for a Public Hearing as follows: **(Vote 5-0)**

Article . Amendment to Chapter E Zoning Bylaw Article 2.0 Definitions

Submitted By: Board of Selectmen

To see if the Town will vote to amend Chapter E Zoning Bylaw Article 2.0 Definitions by adding the following after “Membership Club” and before “Mobile Home”:

Microbrewery: A facility where malt or brewed beverages are produced on the premises and then sold on-site or sold and distributed for off premises consumption. The facility must be licensed by the Massachusetts Alcoholic Beverage Commission and must be issued a license by the Town of Rehoboth. The facility will be limited in production to a maximum of 15,000 gallons per year. The facility’s production may be sold directly to the consumer on-site, within a retail shop, bar, tasting room, tap-room or other similar facility.

Microdistillery: A facility where distilled beverages are produced on the premises and then sold on-site or sold and distributed for off premises consumption. The facility must be licensed by the Massachusetts Alcoholic Beverage Commission and must be issued a license by the Town of Rehoboth. The facility will be limited in production to a maximum of 5,000 gallons per year. The facility’s production may be sold directly to the consumer on-site, within a retail shop, bar, tasting room or other similar facility.

Or take any other action relative thereto.

Comments: The Board of Selectmen has submitted this article in order to make microbreweries and microdistilleries permitted uses within the business zone, uses which are currently not allowed.

Article . Amendment To Chapter E Zoning Bylaw Article 4.0 Use Regulations

Submitted By: Board Of Selectmen

To see if the Town will vote to amend Chapter E Zoning Bylaw Article 4.0 Use Regulations – Section 4.2 **Business District – Use Regulations** by adding the following after “Laundries” and before “Motor Vehicle repair or body shop”:

Microbrewery

Microdistillery

Or take any other action relative thereto.

Comments: The Board of Selectmen has submitted this article in order to make microbreweries and microdistilleries permitted uses within the business zone, uses which are currently not allowed.

Additional Zoning Bylaw Amendment Articles:

Placeholder for amendment to zoning map – already voted on by Board

Zoning Amendments for Public Electric Utility Overlay District – already voted on & sent to Planning Board

Capital Articles: On a motion made by Selectman Schwall, seconded by Selectman Muri the Board agreed to be supportive of the following capital requests and place on the warrant:

- \$9,500 & \$9,000 respectively for North and South Fire Stations window replacements
- \$253,000 Replace 30 self-contained breathing apparatus units [10 per station] and all necessary ancillary equipment
- Cost TBD for two new SUV's for Police Department
- Cost TBD for upgrades to Police Department Dispatch area

Previous fiscal Years Unpaid Bills

\$182.00 Highway Road Program

\$ 95.00 Unpaid Police Detail

\$340.00 Reimbursable Police Grant Item

General Articles:

- \$5,000 for title searches for Sprague and Lindley Roads
- Board of Health Offset Receipts article
- Placeholder for General Bylaws amendment to address appointment/reappointment terms
- Placeholder request from Town Accountant to establish a reserve receipts fund for Network Transportation funding received from State – Commonwealth Infrastructure Fund distribution – Town Counsel to be contacted for correct article content
- Amend Agricultural Commission Revolving Account to include revenue from Farmers' Market
- Authorize Park Commission to enter into up to a 10 year contract for the leasing of Redway Plain for planting, haying, maintaining, etc.
- Park Commission Revolving Account Placeholder to amend language identifying purposes for which this account may be used
- Administrative amendment to correct designation of two Chapter M's in General Bylaws

Action Item: Seekonk Wampanoag Tribe Request for Sand

Junice Goldenfeather of the Seekonk Wampanoag Tribe came before the Board to request approximately six yards of sand to be place on Redway Plain for their upcoming PowWow to be used for a sacred fire and prayer ceremony. On a motion made by Selectman Muri, seconded by Selectman Schwall, it was voted to approve request for the Highway Superintendent to provide the six yards of sand on Redway Plain. Vote 5-0

Action Item: Horton Estates Yard Sale Committee

Carol Georgia of the Horton Estates Yard Sale Committee was present to address Board.

On a motion made by Selectman Costello, seconded by Selectman Schwall, it was voted to approve request from the Horton estate Yard Sale Committee to place signs announcing the Horton Estates Yard Sale at 15 Samantha Lane on Saturday, 9/29/18, at the following locations in the right of way and to be removed the day of the yard sale or the day after: (Vote 5-0)

- 2 signs at corner of Route 44 & Bay State Rd.
- 3 signs at corner of Route 44 & Route 118
- 1 sign at corner of Route 118 & Brook St.
- 1 sign at corner of Route 118 & Plain St.
- 2 signs at entrance to Horton Estates & Samantha Lane
- 1 sign at corner of Route 118 & Martin St.

Action Item: Clowning for Kidz Agreement

Amended agreement with Clowning for Kidz was presented to the Board for approval by the 375th Committee for their participation in the 375th Parade. The agreement was reviewed by Town Counsel, Sarah Bellino, who amended the agreement and added an addendum. Selectman Schwall noted that several red flags still exist in the amended contract and, therefore, he still has concerns with the contract and also felt that the addendum was too arduous.

On a motion made by Selectman Schwall, seconded by Selectman Muri, it was voted to table for further discussion with the 375th Committee. Vote 4-0; Costello abstained

Selectman Schwall will reach out to Jean Grota.

Action Item: FEMA February 2013 Blizzard Contract

On a motion made by Selectman Schwall, seconded by Selectman Perry, it was voted to approve and authorize Chairman Vadnais to sign FEMA Contract for \$2,204.42 for FEMA February 2013 Blizzard Contract in payment of our costs for roadway debris removal.

Action Item: Senior Center Roof & Duct Work Repairs

Discussion ensued regarding quotes received for roof repairs and the requirement that it be bid out under prevailing wage. Selectman Muri noted that he had spoken with Town Counsel and the law considers a repair to a public building subject to the prevailing wage law. On a motion made by Selectman Muri, seconded by Selectman Perry, it was voted to table this action item. Vote 5-0

Don Welshman came before the Board and discussion ensued regarding the duct work needed at the Senior Center.

Action Item: One Day Liquor License Application

On a motion made by Selectman Perry, seconded by Selectman Schwall, it was voted to approve application for a One Day Wine Only Liquor License for: Carolyn Panofsky-- Rehoboth Antiquarian Society-Arts in the Village to be used at Goff Memorial Hall 124 Bay State Road on the following dates: 9/29/18, 11/10/18, 2/9/19, 3/25/19, 4/27/19 from 7:00 pm to 9:00 pm and for transportation of liquor: 9/28/18, 9/30/18; 11/9/18, 11/12/18; 2/8/19, 2/10/19; 3/24/19, 3/26/19; 4/26/19, 4/28/19. Vote 5-0

Selectmen's Reports:

Selectman Costello:

Advised Board he was approached by an individual who needed to perform 80 hours of community service. Superintendent Costello would like permission from the Board to have him work 8 hours a week at the Highway Department as long as the Police Chief okays it. He will be doing painting and will not perform any equipment operating. Selectman Schwall suggested we touch base with the union to see if they are okay with it as well as having Town Counsel prepare a waiver to be signed by individual as well as having the union sign it.

Noted paving will be done from Brook Street to Fairview.

Meeting with Mass Highway on 10/2/18 to discuss Rtes. 44 & 118 project; Rep Howitt and Helen will attend.

Selectman Muri:

Met with Building Committee this evening and architect Ted Rouse. Discussion included building reutilization which may allow us to cut back on costs.

Selectman Schwall:

Asked Highway Superintendent to get pricing on temporary speed bumps for the Town Offices which can be removed during the winter months and to have a crosswalk placed at Town Offices for police enforcement.

Raised concerns with Columbia Gas relative to any application they may submit and asked that they send a knowledgeable person who can address our concerns. Administrator Dennen stated an application had been received. Selectman Schwall indicated he wanted someone who can explain what they are going to do to place controls insuring we are not the next Lawrence, Ma.

A text was received from Rep Howitt advising that Rehoboth will be recognized as the City of the Day on a national Sirius Radio show.

Perry: No report

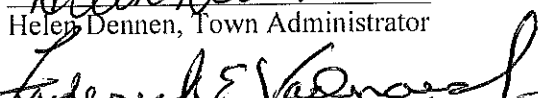
Vadnais: No report

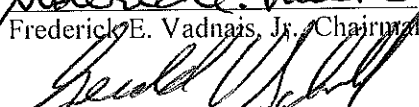
Adjournment

On a motion made by Selectman Schwall, seconded by Selectman Muri, it was voted to adjourn the meeting at 9:22 p.m. Vote 5-0

Respectfully submitted,


Helen Dennen, Town Administrator


Frederick E. Vadnais, Jr., Chairman


Gerald V. Schwall, Vice Chairman


David A. Perry, Jr., Clerk


James Muri, Member


Michael R. Costello, Member

BOARD OF SELECTMEN

Approved By: 9/24/18