**Meeting of the Board of Selectmen March 2, 2021**

**Phone: 669-224-3318**

**Access Code: 220-595-605**

**Executive Session – 6:15 p.m.**

Chairman Patricia Riley called the meeting to order at 6:15 p.m. in the Donald McKinnon Meeting Room at Veterans Memorial Town Hall, located at 558 South Main Street. In addition to Chairman Riley, Selectmen Joseph Pacheco and Richard Schiavo were in attendance, along with Town Administrator Graham Waters and Town Counsel Ted Pietnik. Selectman Schiavo made a motion, seconded by Selectman Pacheco, to enter into Executive Session in accordance with Massachusetts General Laws, Chapter 30A, Section 21, to conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel and also 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. On a roll call vote, Mr. Pacheco, Mr. Schiavo, and Ms. Riley each voted “I” to go into Executive Session.

**7:00 p.m. Regular Meeting – with Remote Public Access**

Chairman Riley called the open meeting to order at 7:00 p.m. in the Donald McKinnon Meeting Room at Town Hall. In addition to Chairman Riley, Selectmen Joseph Pacheco and Richard Schiavo were in attendance. Ms. Riley announced, “Pursuant to Governor Baker’s March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L.C.30A, §18, and the Governor’s 2020 Order imposing strict limitations on the number of people who may gather in one place, this meeting of the Raynham Board of Selectmen is being conducted with the Public Body members in person at Veterans Memorial Town Hall and with the general public following the proceedings remotely. Every effort has been made to ensure that the public can adequately access the proceedings as provided for in the Order. For real time access, residents can join the live broadcast on the Raynham Channel, use the “gotomeeting” online feature, and/or call in using their phone. The Town will post a record of this meeting on the Town’s website as soon as we are able. Also, in accordance with the Executive Order, other town officials and staff participating in the meeting and in attendance include: Town Administrator Graham Waters, Police Chief James Donovan, Building Commissioner Robert Iafrate, Public Safety Building Committee member Dan Andrade, Rick Pomroy of Pomroy & Associates, Town Moderator John Donahue, and Library Board of Trustees Chair Dr. Leigh Kozak. This meeting is being recorded and, for the record, we are returning from Executive Session with nothing to report at this time.”

**Pledge of Allegiance**

Ms. Riley led the Board in the Pledge of Allegiance.

**Acceptance of the Minutes**

Ms. Riley asked for a motion to approve the minutes of the Selectmen’s meeting held on February 23, 2021. Mr. Pacheco made a motion to approve, Mr. Schiavo seconded, and Ms. Riley made it unanimous.

**Department Heads**

1. **Jim Donovan, Police Chief – Monthly Repor**t

Chief Donovan reported, “During the month of February, the department received 1,456 calls, 441 calls were received via 911, 44 people were booked, and all of the employees who wished to get the second vaccine did. Mr. Tanis and Chief LaCivita did a great job coordinating the event.” Chief Donovan also reported, “In the past few months, we’ve been having some difficulty with the hotels in the area, some more than others. There are social service agencies and charitable groups that are paying for people who are homeless to stay at the hotels. Some have substance abuse problems, mental health problems, and it has generated a lot of calls for services from us. They get into trouble in one hotel and are transferred to another. One of the hotels, on our advice, has hired private security to try to mitigate some of the issues. If this continues, we will have to take stronger action, but so far, we have had good cooperation from hotel management.” Mr. Pacheco asked, “If these people are getting kicked out of one hotel, why are these agencies paying to put them in another hotel?” Chief Donovan replied, “We tried to have those conversations with them. We brought this to their attention. It’s difficult.” Mr. Schiavo said, “This is going to be a burden on our police budget.” Chief Donovan said he would continue to monitor the situation closely. Ms. Riley thanked the Chief and the members of his department for all of their efforts.

1. **Mr. Robert Iafrate, Building Commissioner**

Mr. Iafrate reported, “These are the numbers for 2 months. There were 25 electrical permits issued, 41 plumbing and gas permits, 58 building permits, 5 sheet metal permits, and 3 trench permits for a total of $56,129 in revenue. It has been a little slow, but I expect it to pick up with the warmer weather. The housing market is still strong. The new electronic permits are much quicker and involve no paper. The second set of applications for the Permitting Clerk have been reviewed, and we will be bringing in five of those applicants for interviews.” Mr. Iafrate also reported, “The Planning Board has a full schedule ahead of them. There are a couple of new buildings going up. There will be a glass company going up next to the Flea Market. On Ryan Drive, there will be a 66,000 sq. foot building going up for potential commercial units. At 1768 Broadway, there will be 22 commercial bay units going in and another 7,400 sq. foot building going in on Richmond Street. The Friendly’s on Rt. 44 will become a Starbucks. Silko Honda is expanding on Rt. 44 at the former site of a used car dealership that sustained a fire.” Mr. Iafrate discussed SRPEDD’s workshop on Raynham’s Master Plan held last night via Zoom. He said there were 20 participants, and it focused mostly on open space and recreation. Another workshop is scheduled for March 10th, and, after the next workshop, they will be developing some draft ideas for review.

1. **Matt Tanis, Health Agent**

Mr. Tanis called in to update the Board on Earth Source. He explained, “They have been issued a public health order resulting from many calls about the odor coming from their location. The DEP has also issued a public health order.” Mr. Tanis continued, “Currently the plant is not operating based on the DEP order. When Earth Source satisfies the DEP’s order, we will continue to work with them to ensure continued compliance. As far as COVID is concerned, the State went to Phase 3, Step 2, yesterday and the main change is the capacity limits. As long as the trend continues to go down, they will go to Phase 4, Step 1, at the end of March. In Raynham, we only have 42 active cases, and two months ago we were well over 200 cases. There have been 1,350 total cases since last March, which includes the long-term care facilities, 82 deaths, and 1,226 people have recovered. As of March 1st, the State is no longer supplying first dose vaccines to any local Board of Health or community with the exception of the 20 communities that have been hardest hit. Raynham is not one, so we will no longer be receiving those vaccines. We did two clinics, and we will have the follow-up clinic for the second dose for the first clinic, but, so far, we have not been able to get the second dose for the second clinic. We are doing everything we can to ensure that we can get the second dose and can complete the vaccine for those who received them. The State is entertaining plans for regional sites that multiple communities can sign into for that.” Mr. Tanis said he has discussed this with Bridgewater and Bridgewater State University because they have the infrastructure to be able to set up a mass vaccination site. He has also had discussions with the cities of Taunton and Fall River.

**Completion of Old/Continuing Business**

**a. Public Safety Building Committee Update**

Building Committee member Dan Andrade attended the meeting to discuss plans for the new Public Safety Building and how the Committee plans to reduce costs without reducing the quality of the project. He explained that the Committee members have all worked very hard to design the proposed building with a very tight budget. He said, “I think we were able to accomplish it without reducing the quality of the building, heating, air conditioning or square footage. Mr. Pomroy, who is the Project Manager, has worked very hard to make this happen. There are a couple of ways to reduce the dollar amount. It’s either by reducing the square footage or assuming some of the responsibility. We have a lot of talented people and they have a lot of equipment and knowledge. Having the land donated by Mr. Campbell and Mr. Noblin saved the Town somewhere between $500,000 and $1 million. We are very confident we can get this building done for what our bottom line is.” Mr. Andrade reviewed a fact sheet listing the various parts of the project and how the Committee intends to reduce costs to reach the bottom line of $30,500,000. The base building cost is estimated at $22,465,000 with the general construction contingency at $1,150,000. He explained that’s a number based on a percentage of the overall cost of the building, which may change. He added, however, that “The $1,500,000 that is designated for the storage/raining building that both chiefs realize is critically important can be used as contingency funds for the completion of the main building if needed. The ACO building that the Board of Selectmen and the Building Committee have approved is included, and $2,800,000 is allocated for Dore & Whittier’s architect and engineering work, but that will be reduced by $340,000. He continued, “Project Manager, Pomroy & Associates, works for us and he will oversee the complete project and complete the budget from the bidding process to the occupancy permit, ensuring the best quality facility at the best price. I am confident that we can get it done. The site work is huge. We have very good site contractors in town, and we took $1.3m off of the site work to get the numbers down. The only way we are going to do this is to take on more responsibility. We will put that out to bid and we are confident that we will be able to make that happen.” Mr. Andrade explained that the Town will be responsible for the builders’ risk policy. He continued, “For the costs of the Fire Department alert system, data system, audio visual computer equipment, radios and interior furnishings, they have allocated $1.4m and I think we can do it for half of that. And hopefully it will pass at Town Meeting. We will need a new communication tower and we will get it at the best price. Everything that’s movable, we will move. We can move the exhaust manifolds. There’s nothing wrong with them and there is a lot of things that each department will be able to move to save money to reach all of our goals. If the Town approves the $30,500, 000, seeing that the Police and Fire Chiefs have made some big concessions, we will have a great building. I hope you approve this tonight because we still have a long road to go. The Town of Raynham Public Safety Stabilization fund, the Town should be really proud that we have $3.7m to put towards that. I know that you, Joe, have been a huge proponent to put as much money aside as you have. The Fire and Police Departments all appreciate it too.” Mr. Pacheco said, “Thank you, Dan. I know you gave a lot of credit to others, but much of the credit goes to you and we really appreciate the effort that you put forward on this. I think this project has a high likelihood of getting approved and I think this is a great compromise and I think we should move forward on this.” Mr. Schiavo said, “I echo Joe’s comments and it’s clear that the committee is taking on a lot more work that will make this possible. Not only have you managed the costs, you have managed the priorities and I fully support what you have presented”. Ms. Riley thanked Mr. Andrade and all of the members of the Building Committee and asked for a motion on the project as proposed. Mr. Pacheco made the motion to approve, Mr. Schiavo seconded, and Ms. Riley made it unanimous.

1. **Animal Control/Kennel Bylaw Updates**

Mr. Pacheco made a motion to approve the Kennel By-Law updates as presented last week by Animal Control Officer Linda Brackett. Mr. Schiavo seconded, and Ms. Riley made it unanimous.

1. **Town Library Bylaw & Updates**

Town Moderator John Doinahue, who serves on the Library Board of Trustees, discussed the proposed By-Law to establish the Library Board of Trustees. He noted, “We only have two – three weeks to get this done.” Mr. Pacheco said, “The only thing I would suggest is we change it from a nine- to a five-member board. I’ve talked about how challenging it is to fill vacancies in town I believe it’s going to be a challenge to fill a nine-member board. This would be the largest public body in town and, even regionally, and I think five is more realistic. The Board has seen when we have had 0 or 1 applicant for numerous vacancies. We used to have seven on the Finance Committee. Now we are down to five because we couldn’t fill vacancies on that. Outside of that, I have no issues with the By=Law.” Ms. Eden. Fergusson, Library Director, called in to the meeting and she pointed out that the Board of Trustees has to be divisible by three because of the rotation of the Board. She explained, “The reason I suggested nine is because I have worked with boards of 12 and am currently working with a board of 10. This will be a policy-making board and it’s important to listen to diverse opinions and perspectives when you are setting policy. Therefore, I would like to recommend that we stay with the nine.” Mr. Schiavo said, “Based on my experience, the bigger the board, the tougher the decisions and I think we do quite well with a Board of three.” Dr. Kozak said, “We currently have a board of 10 – 12, but I would be happy with a board of six. I would not be happy with a board of three.” Mr. Pacheco made a motion to approve the By-Law with one amendment, namely that the Board oif Trustees would consist of six, rather than nine members, and the terms would be adjusted to allow for that. Mr. Schiavo seconded and Ms. Riley made it unanimous. Ms. Fergusson said, “I’m happy to work with six.” Mr. Donahue said, “That’s a good compromise.” He added, “On the title search, I think we are good.” Mr. Waters discussed the Memorandum of Understanding and noted that, as of February 2nd, that has been executed. Dr. Kozak discussed the dissolution of the 501 C (3) and said, “We are all ready to go and are just waiting on a document from you.” Ms. Riley said, “That is before us right now.” Mr. Pacheco made a motion to approve the Entry of the Interlocutory Order, Mr. Schiavo seconded, and Ms. Riley made it unanimous. Dr. Kozak said, “That is the last document we needed, and we will submit this to the Attorney General’s Office and upon review they will submit it to the Court system.” Mr. Pacheco said, “There is one signature needed and Town Counsel suggested that the Chairman sign it.” Ms. Fergusson said she has had conversations with the library staff and the consensus is they would prefer to come in as contract employees. She explained, “The reason for this is that we want to protect our employees and allow them the benefits that they have earned over the years they have worked here and specifically state the terms of their employment in the contract.” Mr. Donahue explained, “Eden, on behalf of the employees, is not looking for anything that they don’t already enjoy from the tenure that they’ve had working for so many years. It’s important that we get them in on day one, and if they chose to join the union at some point, that will be on them. We think that’s the cleanest way to do this and, if the Board is amenable to this, Eden can get started working with the Town Administrator on individual contracts. The other issue or concern is more of a legal concern. We would like the employees to come in without any obstacles and start on July 1st as an employee without having to apply for their job.” Mr. Pacheco said, “We can start having conversations, but I would want Counsel to be involved and it would benefit the Board to see what the salary and wages of the employees are now, as opposed to inherit those. But overall, I think that makes sense, though I would not want to commit to anything beyond that until I see what the numbers are.” Ms. Fergusson said, “The salaries have already been submitted to the Finance Committee and are in the wage scale of OPEIU.” Mr. Donahue said, “You will find that the salaries are tied to the wage scale of the OPEIU.” Mr. Schiavo said, “I make a motion that we bring these employees into the Town under contract and without posting the jobs.” Mr. Pacheco seconded the motion, and Ms. Riley made it unanimous. Mr. Donahue asked, “Pending successful negation of individual contracts?” The Board agreed.

1. **Human Resource Coordinator Search Update**

Mr. Donohue reviewed the search process with the Board. He explained, “The position was posted in several venues on January 27th, and I appointed a committee. The first meeting was on Feb. 5th to start the process. The members did independent reviews and selected and grouped them accordingly by qualifications. The committee next met on Feb. 17th to review the applicants (30) and seven were chosen, one of whom did not respond. Interviews were held on February 22nd and 25th. Two candidates withdrew. So, we have offered two candidates for the Board’s review, Sarah MacDougall and Kelly Johnson-Usher. Both candidates met all requirements of the job description and both were ranked 1 or 2 by all six members of the committee. Both realize that they will need to get their certifications within one year.” Mr. Pacheco pointed out that “We have an applicant who is also a resident and notified me that when they heard of the position and went to search for it on the website, it was on page 9. One thing we could do is simply have an employment tab. Most towns have this, where all the job postings are centralized.” Mr. Schiavo said, “I second that if that’s a motion.” Mr. Pacheco said, “Yes, it is.” Ms. Riley called for a vote, which passed unanimously. Mr. Schiavo congratulated the committee “for making this happen in such a short time.”

**New Business**

1. **Discussion and Action: Part-time VSO Position and Job Description**

Veterans Service Officer Micaila Britto called in to the meeting and explained, “Pat Montagano was my assistant and worked here for many years before I was here. There was never truly a job description for her, so in conjunction with several other communities, I came up with this job description. Part of the agreement was if the Clerk for my office didn’t have anything else to do, or there needed to be coverage in the Board of Selectmen’s Office, they would be cross-trained with Ms. Dooney so they would be able to cover the position when Ms. Dooney is not available. The duties would include assisting clients with Chapter 115 Benefits, helping put them into the Health & Human Services System, doing the six-month re-certifications, collecting all the necessary documents to submit for Veterans or surviving spouses and dependents. It would also include getting the vouchers and warrants ready to be submitted to Accounting and the Mass. Dept. of Veterans Services.” Ms. Britto said the Clerk would also work closely with her to ensure the Veterans get full reimbursement from the State. The Clerk will also help with outreach once COVID is over. Mr. Pacheco made a motion to take the matter under advisement, Mr. Schiavo seconded, and Ms. Riley made it unanimous.

1. **Opening and Review of Draft May 17, 2021 ATM Warrant**

Mr. Pacheco made a motion to open the warrant, Mr. Schiavo seconded, and Ms. Riley made it unanimous.

1. **Regional Vaccine Collaboration**

Mr. Pacheco said, “Senator Pacheco reached out to me and he is trying to coordinate within his Senate district the Regional Vaccine Collaborative and I let Mr. Tanis know this as well. If we had a choice, this would make the most sense where it’s coming directly and with State involvement, and, hopefully, we would offer our support as he moves forward with his planning as Raynham is part of his district.” Mr. Pacheco made a motion to offer full support, Mr. Schiavo seconded, and Ms. Riley made it unanimous.

1. **Discussion – Annual Town Administrator Evaluation**

Mr. Pacheco said, “The Administrator’s contract requires that the Board do an evaluation every April and last year we developed one. Our former colleague did not use it. Just give some thought to whether we continue to use it or if we want to refine it. When April comes around, I would like the Board to have adequate time to adjust to it and put forward our comments as a contractually required evaluation.” Ms. Riley said, “We will take this under advisement and revisit it.”

**Town Administrator’s Report**

Reviewing his report, Mr. Waters stated, “The Collins Center’s draft report is being finalized and should be sent to the Selectmen tomorrow, March 3rd. One of the recommendations of the DLS report was that the Town’s financial staff hold regular meetings to improve communication and coordination between the offices. The first meeting was held this past Friday with Treasurer/Collector Michael King, the Deputy Assessor, the Interim Town Accountant, and myself. Thank you to Mike, Jess, and Chris for being willing participants on this new endeavor to improve collaboration and communication among our departments.”

Mr. Waters also reported, “The Town has been notified that we will receive $505,273. for FY22 in Chapter 90 MassDOT funds for the upcoming fiscal year pending passage of the State’s bond bill.”

For upcoming meetings, Mr. Waters reported that the next regularly scheduled Selectmen’s Meeting will be held on Tuesday, March 9, 2021 at 7:00 p.m. in the Don McKinnon Meeting Room of Town Hall, 558 South Main Street, Raynham, Massachusetts. The public will be able to participate via the GoToMeeting platform or by watching the RayCam channel on Verizon, Comcast, or a recording posted later on YouTube. The Capital Planning Committee will hold a tele-meeting on March 4th at 6:30 p.m.”

**Selectmen’s Report**

Mr. Pacheco said, “A taxpayer came to Town Hall to pay an excise tax bill and realized that the Town Hall is closed. The bill still says we are open Tuesday evenings, and we haven’t been open on Tuesday evenings for about a year now. That is something that we need to adjust and is not acceptable.”

Ms. Riley said, “I had the opportunity to attend a D.I.C.E. listening event. D.I.C.E. is an organization that was founded in 2019 for diversity and inclusion for community empowerment.” She also reported that the Bridgewater-Raynham Regional Study Committee will be meeting on Thursday to try to finalize some changes, and the Raynham Library has many activities going on. Anyone interested can check out the Library’s website for all of the details.

**Correspondence**

1. **Mass Cultural Council – Grant Contract Form**

Mr. Waters explained, “The Cultural Council is applying for a grant and it does require a signature for participation.” Mr. Pacheco made a motion to accept, Mr. Schiavo seconded, and Ms. Riley made it unanimous.

1. **Letter of Resignation**

A letter of resignation was received from Jim Haluch of the Finance Committee. In the letter, he explained that he is moving out of town. Mr. Pacheco made a motion to accept with regret and send a letter of appreciation, Mr. Schiavo seconded, and Ms. Riley made it unanimous.

**Performance of Administrative Duties**

Mr. Pacheco motioned to approve the Town of Raynham Payroll and Invoice Warrants dated March 2, 2021, as submitted, Mr. Schiavo seconded, and Ms. Riley made it unanimous.

Mr. Schiavo then made a motion to approve the Police Department Payroll and Invoice Warrants dated March 2, 2021, as submitted, Ms. Riley seconded the motion and Mr. Pacheco abstained. Miss Riley asked for a roll call vote: Mr. Schiavo and Ms. Riley each voted, “I” to approve. Mr. Pacheco abstained. It was so vote

**Adjournment**

At 8:22 p.m., a motion was made, seconded, and approved to adjourn the meeting, sign the bills and warrants, with no additional business to be conducted.

Respectfully Submitted,

Janet Murphy

Recording Secretary