

 **Raynham Board of Selectmen**

**Regular Meeting and Executive Session**

 **March 12, 2024 @ 6:45 p.m.**

 **Veterans Memorial Town Hall**

 **558 South Main Street**

 **Raynham, Massachusetts**

**Members Present: Town Administrator:**

Ms. Patricia Riley-Chair Mr. Gregory Barnes

Mr. Joseph Pacheco-Vice Chair **Staff:**

Mr. Kenneth Collins-Clerk Ms. Dawn Caradonna

**Called to Order:**

Ms. Riley called the Board of Selectmen’s meeting to order at 6:45 p.m. and asked for a motion to go

into Executive Session. Mr. Pacheco made that motion, and Mr. Collins seconded it for the following stated reason:

1. Pursuant to M.G.L. Ch. 30A, Section 21(a)(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.

 **Roll-Call Vote**: Mr. Pacheco-Aye; Mr. Collins-Aye; Ms. Riley-Aye. Vote: 3-0-0

 6:55 p.m. – The Board returned to open session, and Ms. Riley asked for a motion to recess the meeting.

**Motion:** Moved by Mr. Pacheco and seconded by Mr. Collins to recess the meeting. Vote: 3-0-0

7:00 p.m. – Ms. Riley reconvened the Board of Selectmen’s meeting and informed the public that the Board is returning from Executive Session with nothing to report at this time, and the Board will be returning to Executive Session following the open session of the meeting. She also announced that the meeting is being broadcasted live on Comcast Channel 98 and Verizon Channel 34, and it is also being recorded by RayCAM for replay on the Raynham Channel and later on YouTube.

**Pledge of Allegiance**

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

**Acceptance of Minutes – March 5, 2024**

**Motion:** Moved by Mr. Pacheco and seconded by Mr. Collins to accept the Board of Selectmen’s meeting minutes of March 5, 2024, as printed. Discussion: None. Vote: 3-0-0

 **Department Head Reports**

No Department Head Reports were scheduled.

**Appointments**

No appointments were scheduled for this evening.

**Public Hearing**

 **Opting out of Vote-by-Mail for the 2024 Town Election**

**7:02 p.m.** - Ms. Riley opened the Public Hearing.

Ms. Riley read the letter received from Town Clerk Marsha Silvia.

Ms. Silvia was present and informed that the letter was forwarded to the Board for informational purposes.

Ms. Silvia informed that for the 2024 Presidential Primary, her office mailed out 2,015 ballots that were requested, and 487 of them were not returned. The cost to the Town to mail out the ballots was $1,773.20. She requested the Hearing to inform every one of the additional time and staff that it takes to process the Vote-By-Mail ballots. If the Board chooses to opt-out, the only requirement to notify voters that there will be no voting by mail for the Town election is to post it on the Town’s website. There is no requirement to mail the notification. The State’s Elections Division suggested that it also be posted in a local newspaper, but that is not mandatory. Absentee ballots will be available as usual.

Mr. Pacheco asked Ms. Silvia to explain the voting options if the Board decides to opt-out of the Vote-by-Mail. Ms. Silvia informed that residents will be able to vote by absentee ballots in the Town Clerk’s Office and naturally in person at the Raynham Middle School, the Town’s polling place, on election day.

Mr. Collins said his only concern was that voters would still have the option of voting by absentee ballot.

Ms. Riley asked if individuals could call the Clerk’s office to request an absentee ballot if, for example, they are homebound or do they need to come into the office. Ms. Silvia informed that ordinarily voters come to the Town Clerk’s office for absentee ballots, but they could apply online and request one be mailed to them.

Ms. Riley asked for public input. No public comments were offered.

Mr. Pacheco said he has confidence with the absentee ballot process. He suggested the Board try it this year, recognizing that it requires an annual vote, and if there are issues, the Board does not have to do it again next year. He said he has had no input from residents, and the one thing that was weighing on him was whether there would be any concerns expressed by community members.

**Motion:** Moved by Mr. Pacheco and seconded by Mr. Collins to approve opting out of Vote-by-Mail for the 2024 Annual Town Election. Discussion: None.

**Roll Call Vote:** Mr. Pacheco-Aye; Mr. Collins-Aye; Ms. Riley-Aye. Vote: 3-0-0

**7:10 p.m**. Ms. Riley closed the Public Hearing

**Regret Distillery, 1377 Broadway – Change of Manager/Ownership, Robby Lombardi**

Mr. Barnes informed that it was his understanding that the applicant did not want to move forward with the change as presented on the agenda. Mr. Pacheco noted that the Building Commissioner has indicated that until the applicant has completed the construction of the parking lot and drainage in accordance with the approved plans, he will not be able to give his approval. Mr. Pacheco said he would not be inclined to support anything until the construction is complete and the Building Commissioner is satisfied.

**Motion:** Moved by Mr. Pacheco and seconded by Mr. Collins to accept the withdrawal of the request for a change of manager as listed, and, after the construction is complete in accordance with the approved plans and the Building Commissioner is satisfied, at that point schedule a date for the public hearing. Discussion: None. Vote: 3-0-0

**J and A Auto – Request for additional vehicles to be allowed at the dealership located at 211**

**Broadway in Raynham**

**7:12 p.m.** - Ms. Riley opened the Public Hearing

Robert Pellergrini, 63 Main Street, Bridgewater, was in attendance representing the applicant. He explained that the request is for an expansion of the license for used car sales. J and A Auto has been in business since 2006. Since used car sales are mostly an online market now, dealers are struggling to compete. Increasing the number of vehicles on site would have the advantage of requiring less vehicle trips on and off the site. Most deals are finalized online. Mr. Pellegrini said a plan is being proposed with customer parking in the front and employee parking in the rear. He explained that he has been in contact with Attorney Ryan Prophett, who represents the property owner at 179-251 Broadway, which directly abuts 211 Broadway. He said he is aware that Attorney Prophett sent a letter to the Board because there is ongoing litigation between Attorney Prophett’s client and the landowner of property in the rear. Mr. Pellegrini said Attorney Prophett’s concern was with snow being stacked up in the rear. Mr. Pellegrini said that, currently, the owner of J and A Auto has snow storage against the retaining wall and there is no change proposed.

Ms. Riley read the letter from Attorney Prophett expressing concerns regarding the request to increase the number of vehicles at the location. He informed of the approval received from the Zoning Board of Appeals to construct a residential development at 251 Broadway. Attorney Prophett explained that in developing the plans, his client worked extensively with the owner of 211 Broadway and their civil engineer to design a drainage system to prevent flooding, and the system requires there be no piling of snow on the drain. Attorney Prophett wrote, “With the addition of 20 more cars, the location of J and A Auto’s snow removal is of grave concern as any disruption to the drainage system will negatively affect both properties.” He further added that even with the current license, J & A consistently has over the 40-car limit on the lot, and increasing the number of vehicles on the license would only increase the number further. The letter also expressed concerns with the parking of vehicles for repair and power washing in the back of the property. Attorney Prophett requested a continuance of the public hearing.

Building Commissioner and Zoning Enforcement Officer Robert Iafrate was in attendance, and he explained that when he began inspections of Class II Licenses, he found conditions to be deficient across the board, including this location. They had many more vehicles than was allowed, upwards of 65 to 70 vehicles at times. When it was brought to their attention, the number of vehicles was reduced. Mr. Iafrate encouraged the owner to come forward with a plan to identify how many spots are available on the lot. This would allow designation for employee parking spaces and customer parking spaces, and the Town would be able to appropriately apply conditions with any approval. He also noted that the proposed plan does not include a snow storage area. He suggested a condition might be that excessive snow must be removed from the site. There is ongoing engineering work being done for drainage, but Mr. Iafrate has not seen the plans for the drainage system. Mr. Iafrate said, “There could be improvements made to the plan as there is adequate room to have an increase allowed in the number of vehicles on the property.” He noted, however, that at this point he does not know what that number should be. He also noted that it is a difficult site for stormwater management and for customers entering and exiting the site.

Mr. Pacheco questioned the number of vehicles on the site. He referred to a memo received from Mr. Iafrate on the number of vehicles on site during a recent visit. Mr. Iafrate noted that on his last visit, there were approximately 2-3 cars over the limit of 40. He said he could not identify if the vehicles were customers, sales, repairs, or employee cars. A new plan should clearly delineate how many parking spaces for each. Mr. Pacheco asked if Mr. Iafrate has seen any plans from car dealerships to ensure that they are at or below their threshold. Mr. Iafrate advised that the way to handle that would be multiple inspections at different intervals throughout the year.

Mr. Collins said he would also like to see a plan in place before the Board gives approval for an additional 20 cars as requested.

Ms. Riley asked for public input. No public comments were offered.

Mr. Pellegrini indicated that he would agree with a continuance, and Mr. Pacheco advised him that his client should come up with a plan to ensure compliance with the vehicle limitations on the license rather than risk a suspension for not complying. Mr. Pacheco then recommended continuing the public hearing for two weeks for the drainage plans to be reviewed and for the applicant to come up with a plan to ensure compliance.

**Motion:** Moved by Mr. Pacheco and seconded by Mr. Collins to continue the Public Hearing for J and A Auto’s request for additional vehicles to be allowed at the dealership at 211 Broadway in Raynham until March 26, 2024, at 7:00 p.m. Discussion: None. Vote: 3-0-0

**Completion Old/Continuing Business**

 **Highway Superintendent Interview - Norman Sturtevant**

 Ms. Riley read the recommendation received from the Collins Center which stated in part “While others had positive attributes, the Collins Center team felt they do not possess all of the attributes the Town had identified as critical for the Highway Superintendent’s position. Mr. Sturtevant exhibited the leadership, team-building and technical knowledge to best serve the Town.”

Mr. Sturtevant explained that he has been a resident of Raynham for over 25 years and a member of the Raynham Highway Department for 20 years. In 2003, he joined the Highway Department as a member of the road crew. In 2007, he moved to Park and Grounds, and, in 2016, he was promoted to Forman of Park and Grounds. During this time, he also continued working on some road projects and solid waste projects while filling in for vacations.

Mr. Pacheco thanked Mr. Sturtevant and all the candidates for applying for the position. He then asked Mr. Sturtevant why he applied for this position at this time and what appealed to him that led him to do so.

Mr. Sturtevant replied that he has enjoyed working for Raynham. He is a proud member of the Department and hopes that he has been able to make a difference over the 20 years in the positions he has held. He is hoping to make a bigger difference at a higher level. He has a business background as he ran a business for eleven years. He believes that his background and experience will assist with everything involved in doing the job. He will have a learning curve naturally, but one advantage is that he already knows all the members of the department and he knows the roads.

Mr. Pacheco pointed out that part of the Superintendent’s position is being a working Superintendent and a part of the portfolio involves plowing. He asked if that would be a problem.

Mr. Sturtevant replied that it would be harder to keep him in the office than to stop him from getting in a truck or piece of equipment. He understands that there are duties that must come first as Superintendent, but he noted that he is not the type to sit by and watch.

Mr. Pacheco noted that the Board has had a lot of respect and admiration for the past Superintendent and one of his best qualities was to motivate the Department. He asked if Mr. Sturtevant has any concerns about his ability to continue motivating the members of the Department.

Mr. Sturtevant replied that a few years ago, he was asked to be Union Steward. He said he likes everybody that he works with. Even in his own business, he led by example and feels that he has built up a good work ethic. He has not had any conflict with anyone and wants everybody to be successful. He added that if he is appointed, there are not many things that need to be changed. He said Raynham has always been proud to maintain its equipment, which could be an example for other communities. He acknowledged that Raynham, like other communities, has experienced difficulty getting help in the door with a lack of applicants and with employee retention. He said that going forward, he would support new and old employees. He would help new employees get acclimated to the equipment so that they can operate it safety and with confidence and so that they will want to stay.

Mr. Pacheco asked Mr. Sturtevant what his first 90 days would look like.

Mr. Sturtevant responded that they would be busy. He would like to work on obtaining certification, meeting the engineers working on current and future Town projects, and getting involved on the regional level to meet other Superintendents.

Mr. Pacheco asked what Mr. Sturtevant sees as the biggest challenge facing the Department.

He replied that the biggest challenge would be to get applicants. He was involved in the hiring process with former Superintendent Ed Buckley, and he knows it was not always an easy process. The Department is down three positions. Two have been filled successfully. He spoke of the process the Department follows in hiring new individuals.

Mr. Collins pointed out that one of Mr. Sturtevant’s strengths, as identified by the Collins Center, was team building, and he asked him to discuss the importance of developing employees and promoting within.

Mr. Sturtevant replied that as a manager, you need to look at attendance, support employees, and allow them the opportunities they need to get their required licenses.

Mr. Collins asked Mr. Sturtevant if he sees any possible hindrances in becoming the boss after working for the Highway Department over the past 20 years. Mr. Sturtevant replied that he feels that he has the support of every member of the department. He said it sets a good example to care about your job and employer. He has nothing negative to add about the position and loves all three divisions within the Highway Department. If appointed, he realizes that he will be vacating an important position and is hopeful someone equally committed will fill the post.

Mr. Barnes asked Mr. Sturtevant what he considers to be his greatest strength.

Mr. Sturtevant replied that he has been working since he was thirteen years of age, and working is part of his DNA. He is proud of working and his work ethic. His belief has always been that if you don’t know the answer, you find it. He will give the Town his best.

Mr. Barnes asked Mr. Sturtevant what he considers to be his greatest weakness.

Mr. Sturtevant replied that in working with Mr. Buckley on contracts, he has learned that there are a lot of files in the computer. He wouldn’t say it is a weakness, but he would like to get acclimated with the files.

Ms. Riley asked for additional information on Mr. Sturtevant’s business experience.

Mr. Sturtevant received an Associate’s Degree from a trade school and at the time he was working for a landscaper and loved going to the job. He subsequently built his own landscaping company and completed his own payroll. Once he was well established, he hired a firm to do the payroll process.

Ms. Riley pointed out that one of the best things about Raynham is how the departments all work together, and she asked Mr. Sturtevant for an example of his involvement in a team effort across departments.

He replied that one example has happened with the storms that have occurred where multiple departments work together to accomplish what needs to be done. He recalled one event where a member of the Raynham Police Department, who was in uniform, was on scene moving branches from a tree that had fallen across the roadway. He said, “Everybody cares about each other which makes a difference in Town.”

In closing, Mr. Sturtevant said that if he is appointed, he would give it his best and that he won’t let anybody down. He is proud to have the opportunity to be interviewed. He has never given up on anything in life and he said he is not going to start now.

Mr. Pacheco pointed out that the Board received a recommendation of Mr. Sturtevant from Mr. Buckley as well as three other references, and he said he is comfortable with making a decision this evening.

Mr. Collins said he is also comfortable with making a decision this evening.

**Motion:** Moved by Mr. Collins and seconded by Mr. Pacheco to appoint Norm Sturtevant to the position of Raynham Highway Superintendent, subject to successful contract negotiations. Discussion: Mr. Pacheco commented on the development of employees in Raynham and the atmosphere where there is always room for advancement. He added, “This is a phenomenal opportunity where we have grown somebody for 20 years. He is invested in Raynham, and the Town has invested in him to a point where he is at a place in his career where he can apply for this position, get through a competitive screening process, come to the Board and have all the boxes checked.” Mr. Pacheco noted that Mr. Sturtevant referred to his nickname as “Numbers Norm”, but he would say “Authentic Norm”. Mr. Pacheco said, “We have an authentic presentation from a Raynham resident and employee looking for a promotion to lead a department. The questions asked and answered by Mr. Sturtevant were all answered thoroughly. The Board received a recommendation from the past Superintendent and three additional references from others. I am grateful Mr. Sturtevant stepped forward. I am grateful that Mr. Buckley has remained during the transition period, and I am grateful that there were good applicants who applied.”

**Roll Call Vote:** Mr. Pacheco-Aye; Mr. Collins-Aye; Ms. Riley-Aye. Vote: 3-0-0

**New Business**

1. **Lions Club – Request for 3 One-Day Special Licenses**

**Motion:** Moved by Mr. Pacheco and seconded by Mr. Collins to approve the Lions Club’s requests: the Sportsmen’s Game Dinner on Friday, March 22, 2024; the Clam Boil on Sunday, April 14, 2024; and the Golf Tournament on Friday, June 14, 2024. Discussion: All events were also approved by the Park and Recreation Department. Vote: 3-0-0

1. **Mastria Buick, Pontiac, GMC, Cadillac, Inc. – Amended name to Mastria GMC Cadillac Inc.**

**Motion:** Moved by Mr. Pacheco and seconded by Mr. Collins to schedule a Public Hearing for an amended name change from Mastria Buick, Pontiac, GMC, Cadillac, Inc., to Mastria GMC Cadillac, Inc., on March 26, 2024, at 7:00 p.m. Discussion: Nonc. Vote: 3-0-0

 **Town Administrator’s Report**

*Mr. Gregory Barnes, Town Administrator*

The Town has entered into negotiations with the Office Professional Union (OPEIU), and Executive Sessions are scheduled to review ground rules and proposals. The Board’s liaison is Mr. Collins.

 An auction company was invited to the Town to review several items that are surplus. The Board will need

 to approve a Surplus Policy which Mr. Barnes will have available next week. Information will be available

 on the Town’s website.

Mr. Barnes continues working through the budget process. The final budget figure was received from Bristol-Plymouth Regional Technical School. The full impact of the Debt Service for Bristol-Plymouth’s new building will begin in fiscal year 2026.

**Selectmen’s Report**

 *Mr. Pacheco*

Mr. Pacheco updated the Board on the State having not met the benchmarks for receipts in February. This is the ninth month that benchmarks have not been met, further indicating the extent of the financial challenges and constraints ahead.

Mr. Pacheco also noted that RayCam will be hosting “News from Town Hall Updates” where interviews will be conducted with Department Heads. Mr. Pacheco extended his appreciation to RayCam for putting this together.

 *Mr. Collins*

Mr. Collins has nothing to add at this time.

 *Ms. Riley*

The Business and Economic Development Commission has announced the recipients of their annual awards. They include: the Hyundai dealership, Ryan Iron Works, retired Highway Superintendent Ed Buckley, Tony Ferreira of Superior Iron Works, and the Raynham Girl Scouts. The awards will be presented at their next monthly Commission meeting on Monday, April 1, 2024.

The Bridgewater Raynham Educational Foundation is a nonprofit corporation whose mission is to promote, sponsor, and enhance the quality of the educational experience for public school students and their school communities of Raynham and Bridgewater at all grade levels. Their purpose is to raise funds supplemental to those received from public sources and to distribute those funds to the Bridgewater Raynham Regional School District. The organization held its 3rd Annual Gala Event on Saturday evening at Bridgewater State University and Ms. Riley had the opportunity to attend. Several grant awards were presented as well as the Judy McDougall staff award, and a new award was announced in honor of Michael Dolan, who has served on the School Committee for many years and who, along with former School Committee member Lil Holbrook, was instrumental in forming the Educational Foundation. Ms. Riley congratulated all the award recipients and the foundation for a job well done.

A Solar Eclipse watch party co-hosted by the Raynham Library and the Raynham Senior Center will take place Monday, April 8, 2024, at 2:30 p.m. at the Senior Center. Those who wish to attend should sign up at the library or call 508-823-1344. Rainwater STEAM, a private entity that sponsors educational programing, is also sponsoring a Solar Eclipse watch party in the Bridgewater-Raynham Regional Schools on Monday, April 8, 2024. Additional information is available on Rainwater STEAM’s website.

The School Committee has scheduled a Public Hearing regarding the proposed FY2025 School Budget for tomorrow evening at the High School beginning at 7:00 p.m.

**Correspondence**

 **Tag Day Request – Adult & Teen Challenge**

**Motion:** Moved by Mr. Pacheco and seconded by Mr. Collins to approve the request for a Tag Day from Adult & Teen Challenge on March 20 & 21, 2024. Discussion: None. Vote: 3-0-0

 **Tag Day Request – Silver City Skating Club**

**Motion:** Moved by Mr. Pacheco and seconded by Mr. Collins to approve the request for a Tag Day from Silver City Skating Club on April 20 & 21 and May 11 & 12, 2024. Discussion: None. Vote: 3-0-0

**Press Time**

No one was present.

**Emergency Business**

There was no emergency business to report.

**Citizen & Community Input**

Ms. Barbara Gallagher, a resident of Pleasant Street in Raynham, asked if there were any plans for the North School.

Mr. Barnes informed that a committee will be formed to look at Town-owned buildings including North School.

**Performance of Administrative Duties**

Ms. Riley reported that she has reviewed and signed the Town of Raynham Invoice and Payroll Warrants dated March 12, 2024.

8:00 p.m. - Ms. Riley asked for a motion to return to Executive Session in accordance with and pursuant to

M.G.L. Ch. 30A, Section 21(a)(2) To conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel, specifically the Highway Superintendent,

And then to return to Open Session for the sole purpose of adjourning the regular meeting with no additional business to be conducted.

**Motion:** Moved by Mr. Pacheco and seconded by Mr. Collins. Discussion: None.

**Roll-Call Vote**: Mr. Pacheco-Aye; Mr. Collins-Aye; Ms. Riley-Aye. Vote: 3-0-0

8:36 p.m. - Ms. Riley reconvened the open session of the Selectmen’s meeting and asked for a motion to adjourn.

**Motion:** Moved by Mr. Pacheco and seconded by Mr. Collins to adjourn the Board of Selectmen’s regular meeting of March 12, 2024, at 8:37 p.m. with no additional business to be conducted. Vote: 3-0-0

*Respectfully submitted,*

*Dawn Caradonna*

*Recording Secretary*

List of Meeting Documents:

* Minutes – March 5, 2024
* Letter and supporting information regarding Opting out of Vote-by-Mail for 2024 Town Election
* Application from Regret Distillery, 1377 Broadway, for a Change of Manager/Owners
* Application from J and A Auto, 211 Broadway, for an increase in vehicles allowed at the Dealership
* Letter from Prophett Law Office, LLC, representing the direct abutter to 211 Broadway
* Collins Center’s recommendation regarding the Highway Superintendent’s position
* Letter of Interest/Resume from Norman Sturtevant re: Highway Superintendent’s position
* Raynham Lions Club’s request for three one-day Special Liquor Licenses.
* Mastria Buick, Pontiac, GMC, Cadillac, Inc – application to amend/change its name
* Tag Day request - Adult & Teen Challenge
* Tag Day request - Silver City Skating Club
* Town of Raynham Invoice and Payroll Warrants dated March 12, 2024