

**ACUSHNET BOARD OF SELECTMEN  
REGULAR MEETING  
TOWN HALL MEETING ROOM**

**Tuesday, February 25, 2020**

**I. CALL TO ORDER**

I call the February 25, 2020, regular meeting of the Board of Selectmen to order. I want to remind all present that this meeting is being audio and video recorded.

Please rise for the Pledge of Allegiance.

**II. CONSENT AGENDA**

The Consent Agenda only requires a single motion as follows:

Should the Board concur, the following motion may be in order:

To approve the Consent Agenda including the release of the minutes of the Regular Session Board of Selectmen's Meeting of February 11, 2020 as presented. Selectman Gaspar motioned to approve and add an addendum to the 2/11/20 meeting minutes, Selectman Desroches seconded and all were in favor.

**III. MEETING MAIL**

**1. LETTER FROM CHARLENE CORREIA REGARDING THE SENIOR WORK-OFF PROGRAM**

The Senior Work-off Program was voted at a town meeting years ago but has never been implemented. There is a lot of info that needs to be gathered.

Table and gather the required information.

**2. LETTER FROM TED CIOPER RESIGNING FROM THE CONSERVATION COMMISSION**

Mr. Cioper has been a member of the Commission since its inception. The Board thanks Mr. Cioper for his service to the town. No vote taken

3. LETTER OF INTEREST REQUESTING TO BE APPOINTED TO THE  
CONSERVATION COMMISSION

There are openings on the Conservation Committee- Ryan Rezendes & Richard Pimental are requesting appointment.

Selectman Gaspar motioned to appoint Ryan Rezendes and Richard Pimental to the Conservation Committee as presented, Selectman Desroches seconded and all were in favor.

IV. APPOINTMENTS

PJ KEATING

PJ	Keating	License	Agreement:
Attorney Blake stated he was there to advise the Selectmen on how they can move forward on the storage tank license. He said there were three options the Selectmen could take, under the regulation & statute the town held a hearing, and heard evidence, the 3 options #1-one was to grant the permit, As Is- #2 Second was to grant the permit with conditions and #3 third was to deny with respect to the permit that is on file. #3 – a lot of people, a lot of issues. Legitimate condition – white noise. Blake has seen more nuisances that are regulated by Board of Health.			

Attorney Blake cautioned that the Selectmen would need to have a rational purpose to do option two or three. You have heard from neighbors at the public hearing, adding that the basis could be the health of neighbors, noise, traffic, explosive and flammable hazardous materials. Attorney Blake stated the next step was to continue the hearing that was held on 2/11/20, and move forward from there. The date of the continuance is Tuesday, March 24. Attorney Blake told the Board they can deliberate on what they want to do, but it has to be done in public, not at one of their regularly scheduled Board of Selectmen's meetings. Chairman Cabral said that the PJ Keating public hearing on 2/11, he heard from residents that were not happy. He said he got involved with the Selectmen two and half years ago and attended public hearings back then regarding PJ Keating, and he felt that the neighbors are still complaining about the same things and still not getting any attention to the matters. Chairman Cabral said. I think PJ Keating has a right to do their business on their property; just as Acushnet and Fairhaven residents have that right to live their lives without a disturbance. He also stated-PJ Keating needs to be a better neighbor. He mentioned that he attended the community forum at the North Fairhaven Improvement Association last week and there were a lot of Fairhaven neighbors who complained about the same things that Acushnet was had issues with. He said it was the big trucks going down Main Street at all hours. He said the volume of trucks is out of control. Selectman Gaspar asked Mr. Vigneau why didn't PJ Keating come to the Board of Selectmen before they moved their asphalt building to the front of the property, Mr. Vigneau said that he wasn't working there at the time of that.

Attorney Blake regarding license permit request from P.J. Keating – he stated that the town is required to hold a public meeting, which was done two (2) weeks ago, and continued the meeting to March 25, 2020 date certain.

PJ Keating meeting involved the moving of flammable tanks from one location to another, and this may evolve, in his opinion, more than the flammable storage License. Attorney Blake also mentioned the courts would rather see grant with conditions rather than denial (so as not to typically stop all work).

–Fire Chief – among conditions on license 88,000 flammable liquid storage – rational basis to have discretion.

Grandfathering clause – does not have to comply  
(Doug Vigneau) Keating grandfathered on site pre-existing non-conforming – no longer in use No Vote Taken

Golf Committee Budget- David Flynn from the Golf Committee stated they still had \$100,000 in reserves with no intention of spending. They increased salaries across the board by 2%, and the expense categories were mostly level funded. There was a net change of \$1,000 in the long term debt, for a 2.2% increase. Selectman Gaspar asked when does the golf course close yearly. Mr. Flynn said it is normally closed December to March, depending, of course, on the weather. Mr. Flynn said that as of December 31 they were \$65,000 ahead of their yearly projections.

Board of Health budget- Selectman Gaspar discussed BOH Agent salary, he was concerned about the salary that Mr. Correia put down for himself as he thought the math was incorrect. Town Administrator said that because it is a leap year, there are 52.4 weeks this coming year it is 52.4. Ms. Hebert explained that they budget enough money to cover salaries, not necessarily the amount that the person receives.

Selectman Gaspar asked Ms. Hebert to look into each salary individually. Selectman Gaspar also had concerns on the part-time health inspector the Board of Health is planning to hire, and the wage they were advertising. Selectman Gaspar asked for a more in depth explanation of where the monies were coming from when Mr. Correia had stated the position was for PJ Keating.

Town Administrator Ms. Hebert explained that the primary function of the part-time health inspector would be for the PJ Keating project, possibly in off season, it would be to assist with Title V inspections and other regular Board of Health inspections.

Building Commissioner/Facilities Manager Jim Marot stated that he kept everything under 2%, and the only difference was longevity that is his employees who will be eligible in the coming years.

Police Chief, Richmond – progressing toward hiring – never achieved staffing levels in the past years. One (1) withdrew – four (4) full time academy SEMLEC full timer. Fiscal Year 2020 – dispatchers contract was not settled. This person has Seven (7) weeks into

training, has certification, offered her a step @ top step with 14 years' experience. I'm looking for approval for a lateral transfer. Trying to make job more appealing. Civil Service lateral transfer. comes with vacation time, plus flexible pay rate. If we are on the hook for 100% of retirement bring candidate in for appointment. Selectman Gaspar motioned to approve dispatcher, Selectman, David Desroches 2<sup>nd</sup>, all in favor. Once allowed to fill position based on seniority. MOU if person accepts salary would be at top-step. Selectman, Kevin Gaspar wants to know what the pension liability is.

#### V. OLD BUSINESS

1. Christopher Clark – available as a support role, define which role it will be. He has proposed an hourly rate. Selectman, Kevin Gaspar motion to look into research, Selectman, David Desroches second. All were in favor.  
Selectman Gaspar knows The TA wants to take it on, if she doesn't have that much of a problem, we would agree that we don't need additional support.
2. Signed Town Administrator contract – back dated to February 1, 2020.
3. Indirect cost schedule - Chairman, Roger Cabral wants to vote to motion not to assign indirect costs at this time Chairman Cabral burdening people with expenses that they should not be paying. Selectmen Gaspar motion no to indirect costs, David Desroches 2<sup>nd</sup>  
Chairman, Roger Cabral opposed

#### VI. NEW BUSINESS

1. Request for Reserve Fund Transfer:  
The trees at The Parting Ways Memorial need to be pruned and cut, the expense is \$3,915.00. Motion was made to approve and send to the Finance Committee for approval. Selectman Gaspar Motioned to approve the transfer, Selectman Desroches seconded all were in favor.
2. Assessors -AB 24.177.179 Selectman, Kevin Gaspar motioned to abate \$971.15 Selectman, David Desroches, 2<sup>nd</sup>, all in favor.
3. MOU – for fire employee – all time employee of school. Conversion from sick time to Fire Employee. Technically doesn't have to offer to him no buy back provision. Fire Chief and fire union with provision. Clarify – motion to approve Selectman Gaspar, Selectman Desroches 2<sup>nd</sup>. All in are in favor.

#### VII. DEPARTMENT OF PUBLIC WORKS

#### VIII. TOWN ADMINISTRATORS REPORT

1. DPW related Waste Management / regarding audit. Composition loads, contamination rate. Garbage bags – single use plastic bags – need to go in the trash. Makes a big difference, it impacts our rate. After audit - \$110.00 ton, \$50.00 ton for contaminated garbage. BOS advises everyone to pay attention to the things they place in the recycling bins.

IX. EXECUTIVE SESSION

ADJOURNED REGULAR SESSION AT 6:15 P.M.

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Roger A. Cabral, Chairman

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Kevin Gaspar, Sr.

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David Desroches  
Board of Selectmen