

**BOARD OF SELECTMEN  
MINUTES OF MEETING  
MARCH 6, 2018**

Meeting called to order at 5:00 P.M. by Chairman Kevin Gaspar, Sr., Selectman Michael Cioper- and Selectman Roger Cabral Meeting Minutes Approved- None

**MEETING MAIL**

MASSDOT CHAPTER 90 TRANSPORTATION FUNDING- MASSDOT is pleased to inform the Board that Chapter 90 local transportation aid funding for Fiscal year 2019 will total \$200 million statewide, pending legislative approval. This letter certifies that pending final passage the Town of Acushnet's apportionment for Fiscal 2019 will be \$317,144.00. There was no vote taken.

**APPOINTMENTS**

HEATHER SYLVIA-COUNCIL ON AGING DIRECTOR FY19 BUDGET PRESENTATION- Ms. Sylvia presented the Council on Aging's proposed budget for Fiscal Year 2019, reviewing the level services spending plan for senior center operations starting July 1.

Sylvia told the board that the \$122,807 budget request keeps staffing at current levels, with the small increase over this year's funding reflecting the need to adjust the salaries of a custodian working 35 hours per week, and a part-time van driver employed up to 19.5 hours per week. Both positions were mid-year hires, and there were insufficient funds in this year's budget to cover both salaries, the director indicated.

The proposed budget is only about \$4,000 more than the \$118,765 appropriation for COA operations for the current fiscal year.

Selectmen discussed the possible funding of up to \$125,000 for renovations and equipment at the senior center designed to bring the facility up to Red Cross standards for emergency public shelters. At present, the building is designated only as a "warming center" for residents who have lost power due to a storm or other natural disaster.

The funding request is to be put before voters at the annual town meeting in May as a capital improvement article. Chairman Gaspar noted that the \$125,000 figure was only a "place-holder number" for budget planning purposes, and that figure was likely to change before town meeting, once firm estimates for the planned renovations have been obtained.

Acushnet Emergency Management Agency Director Gerard Bergeron said the proposed work includes a new generator that would provide enough electricity for lights and kitchen equipment like refrigerators in the event of a widespread power outage.

Handicapped accessible bathrooms with separate shower facilities for men and women are also required to become a certified emergency shelter; the center already has the mandated "pet friendly space" needed for residents who want to bring their animals with them if they have to evacuate their homes, Bergeron indicated.

The new shower facilities will also provide a year-round benefit for seniors living alone who are afraid to shower at home because no one is in the house to help them in case of a slip or fall, the EMA director suggested.

At the senior center, staffers would be available to assist anyone who has an accident while using the shower facility, Bergeron explained. Adding showers is going to be "a plus for the Council on Aging at the same time" it serves all residents as an emergency shelter, he said.

During a recent severe storm with widespread power outages, up to 10 residents sought temporary shelter at the center for short periods of time, Bergeron reported. He had trouble

starting the old generator at the center, then found it didn't turn out enough electricity to power the entire facility, he advised selectmen.

The only qualified emergency shelters in town are the schools, but it is much more expensive to open such a large facility than it would be to accommodate a small number of residents at the senior center, Bergeron said.

The COA will also be seeking a smaller capital appropriation at town meeting to purchase some new chairs for the dining room.

## **OLD BUSINESS**

**ACCESS TO LEGAL COUNCIL TO RESPOND TO SUMMONS** -The Planning Board is requesting the BOS for the ability to secure legal defense to answer the summons brought against the Planning Board in the appeal of a decision on Deep Brook Estates Subdivision. The Planning Board does not have authority to provide funds for its legal defense. Mr. Gaspar started by saying because they were in litigation he did not want to divulge much about the planning board issue; however he did say that the Planning Board approved a subdivision that included Town Water and Sewer, which is really up to the Selectmen to decide. Chairman Gaspar also said that he believed the Selectmen should get their town attorney to review the letter before they make the decision to give the Planning Board right to seek legal counsel. Mr. Young stated that he was speaking on behalf of the Planning Board and that were asking for legal representation to defend their actions. Mr. Young did state they had to reply to the appeal by March 25, 2018. Selectman Cabral said it was very unfortunate where the two boards are at this time and he felt that the Selectmen needed to seek their own Town Counsel and make a decision to resolve or allow counsel to the Planning Board at their request. Selectman Cabral said he felt that it was inappropriate that the Planning Board could not get counsel's advice and he would hope the Boards could resolve the situation without attorneys. The Board asked the Town Administrator to check with Town Counsel on the request.

**APRIL 2, 2018 ANNUAL ELECTION BALLOT QUESTION**- under Massachusetts General Laws, Chapter 94G, Section 3 allows a town, through adoption of bylaws, to prohibit all or certain types of marijuana establishments from operating in that town. In a town such as Acushnet that voted "yes" on Question 4 at the November 8, 2016 State Election, in favor of allowing adult use of marijuana and lawful operation of marijuana establishments, a ballot question is also required. In this case, the bylaw amendment at issue, if approved by Town Meeting and at this election, would prohibit all non-medical "marijuana establishments," as defined in Massachusetts General Laws, Chapter 94G, Section 1 from operating in Acushnet. Selectman Cioper motioned to approve placing the question on the ballot to change the marijuana by-laws, Selectman Cabral seconded and all were in favor. Motion Passes. In the event that local licensing of non-medical marijuana establishment is approved at the ballot box, town officials will have zoning and general bylaw changes ready for residents to enact at the annual town meeting as well.

## **NEW BUSINESS**

RESOLUTION TO DECLARE ITEMS AS SURPLUS PROPERTY- the Town of Acushnet Fire/EMS Department requests approval from the Board of Selectmen to declare the attached list of items as surplus property and properly dispose of them.

2001 Ford E450 Ambulance vin# 1FDXE45F41HA97481 mileage 115,743

2007 Ford E450 Ambulance vin# 1FDXE45P17DA13142 mileage 87,761

Selectman Cabral motioned to declare the Fire/EMS items as surplus property, Selectman Cioper seconded and all were in favor. Motion passes.

AMBULANCE BORROWING SIGNATURES- Kristie Costa, Treasurer this borrowing was approved at the Annual Town Meeting on June 5, 2017. Selectmen signed loan agreements with low bidder Eastern Bank to fund the recent \$285,000 purchase of a new ambulance for the Emergency Medical Services Department. The note and nearly \$29,000 in interest payments over the life of the loan will be repaid from EMS revenues. No vote was taken.

TOWN MEETING WARRANT ARTICLES- Please see attached list

REQUEST FROM TOWN CLERK FOR EXEMPTION OF TOWN BY-LAW FOR USAGE OF FEATHER FLAGS DURING THE ANNUAL ELECTION-the Town Clerk would like the Boards approval to be exempt from the Town's zoning by-law (Article 8 section 3.6 Signs) for usage of feather flags on Town property during the April 2<sup>nd</sup> annual election. The flags will help voters to recognize the polling areas. All voting for this year's local election will take place in the gymnasium of the Acushnet Elementary School.

Selectman Cabral motioned to exempt the Town Clerk from the zoning by-law Article 8 section 3.6 Signs on April 2, 2018 to place feather flags on Town Property, Selectman Cioper seconded and all were in favor. Motion Passes.

### **DEPARTMENT OF PUBLIC WORKS**

DRAFT LETTER TO GOV. BAKER REGARDING THE MUNICIPAL RECYCLING CRISIS- In January the Town received a notice that the contractor for its curbside recycling program was incurring unsustainable monetary losses due to spikes in the cost of processing at Massachusetts material recycling facilities. The notice demands additional payment to continue service and to maintain the viability of the program. Other towns in southeastern Mass. are receiving similar notices. We are hoping to get Gov. Baker's attention to the matter.

Selectman Cabral motioned to approve the letter to Gov. Baker regarding the recycling crisis and send it to the Governor, Selectman Cioper seconded and all were in favor. Motion Passes.

### **TOWN ADMINISTRATORS REPORT**

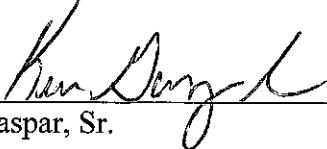
#### **INFORMATION ONLY**

CITY OF NEW BEDFORD-notifying the town of the annual fee adjustment for water will be \$3.59.

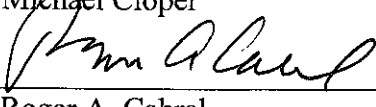
MORSES LANE-the layout for Morse's lane ends as shown on various plans.

148 PECKHAM RD.-Common Drive issues.

ADJOURNED REGULAR SESSION AT 6:30 P.M.

  
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Kevin Gaspar, Sr.

  
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Michael Cioper

  
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Roger A. Cabral