

**BOARD OF SELECTMEN
MINUTES OF MEETING
AUGUST 6, 2019**

The meeting began was held in the Selectmen's Meeting Room. In attendance were Chairman Carl F. Kowalski; Vice Chairman Daniel L. Salvucci; Clerk Brian J. Bezanson; Member Randolph G. LaMattina; Member Justin R. Evans; and Town Administrator Francis J. Lynam. Chairman Kowalski opened the meeting at 7:00 p.m.

Chairman Kowalski asked everyone in attendance to stand and recite the Pledge of Allegiance. This was followed by a moment of silence dedicated to the victims of the mass shooting in Dayton, Ohio and the domestic terrorism attack in El Paso, Texas.

Chairman Kowalski announced the meeting is being recorded and televised by WHCA.

Mr. Salvucci **MOVED** to approve bill and payroll warrants. **Second** Mr. Bezanson, so voted **5-0**.

Mr. Salvucci **MOVED** to accept correspondence in the Read File. **Second** Mr. Bezanson, so voted **5-0**.

Chairman Kowalski opened public forum and Chief Grenno came forward and announced that mosquitos carrying EEE virus were found in Whitman and aerial spraying is set to begin Thursday evening. Chief Grenno encouraged everyone to visit the town website for more information.

Chief Grenno then read the following statement into the record regarding the recent heatwave:

"Mr. Chairman and Board members in light of all the social media issues we have experienced, I feel the need to publicly set the record straight and reassure our residents as it relates to emergency preparedness.

I am troubled that I need to come before you this evening to defend our great community, you the board and public safety after a rogue resident took to social media making false claims and statements related to the recent heat wave and in his words, failure of this Town.

This resident questioned our commitment to the community and our professional ethics to serve our residents on social media. The resident was quick to point out his personal opinion of how we were dealing with the impending heat wave, which was both an uneducated and ignorant view. He also took parts of an internal email, which I sent to this Board and dissected it to print only what was needed in an attempt to show incompetence in our operations.

Furthermore, what is most troubling is he verbally attacked and bullied one of my members at a local store, berating him in public as to why a cooling center was not open and my (chiefs) lack of action showed poorly on them. He continued as to why "we" weren't doing anything for the public or the senior population. It was so bad, another citizen looked at my firefighter and stated something to the fact of "I bet this what you want to hear while you're shopping". Bullying is

unacceptable in any venue, but to confront one of our members, in a public venue and berate them to the point others take notice and comment is ignorant and troublesome.

This type of soap box grandstanding, chest pounding antics prove nothing but the person is insolent and has no interest in the truth or topic at hand and is generally self-serving for a personal agenda. This type of attitude or politics this person routinely displays has no place in our Community. This person continues to speak his displeasure and dislike of me and our operations to many in the public, but he fails to display his displeasure when he sees me, which confirms to me his childish antics are simply for grandstanding and an attempt to show people how great he may be in his mind, but clearly demonstrates how insignificant he actually is.

*The facts are this, one person went on a rampage of dislike and discontent without obtaining specific facts related to our procedures. Assumptions were made without taking the time to make a simple phone call to inquire with **agency of responsibility** in these events. Had a simple call been made, all of this residents' concerns would have been addressed, and instead he chose to grandstand on social media.*

To reiterate for this Board and the residents, we are always prepared and we are ready for anything Mother Nature throws at us, that's our JOB. We have never and will never leave our residents unprepared or un-informed for these events. We use social media, reverse 911, the Town web site to notify residents and agencies.

*This was not my first heat wave or natural event and history proves in this community that no one, I mean NO ONE uses a cooling center, warming center or shelter while they still have electrical power and during the first 48 hours of any weather event. We have had cooling centers, warming centers and shelters in the past with zero attendance, **the only exception to the historic data is one year we opened a shelter as the power was out due to a snow storm for several days, residents came to charge their electrical devices and left. Even then it was not until 48 hours into the event of NO POWER.***

This event we had power, every housing authority location in Whitman— Harvard Court, Pine Circle and Stetson Terrace had their Community rooms open and air conditioned for their residents, they are basically self-sufficient.

But just because we know this does that mean we do not respond to the Communities potential needs??? the answer is NO. We had our plan in place on Thursday for that specific heat wave, the plan called for a cooling center under three potential conditions 1) we lost power 2) if the heat went longer than 48 hours 3) if we began to see issues in town with residents requesting assistance. Sunday was D day, and we were monitoring the conditions as we always do. We opened on Sunday because of two reasons – we were at the 48 hour mark and the potential for power failure as relayed to us by National Grid workers. I want to be perfectly clear, we did not open because of this rogue resident. We followed our plan.

Remember, we are on the street, we know what's going on in our Community, and we work closely with the Police, COA and Housing authority, we constantly maintain the pulse of this Community. Any upticks in calls, requests for assistance or negative changes we have the ability to modify and respond in an instant.

Finally, there was a comment about not using our volunteers because they will become burnt out. Mr. Chairman we had 2 volunteers available for the weekend for deployment. We deploy

when the need arises, had we opened a center on Friday or Saturday, we would have had no volunteers for Sunday, when the greatest potential was there for usage. There was a comment about it would not break the bank to open a center, who do you think we can hire back to staff these centers and where is the budget money coming from? There is no budget item, and when I addressed it several years ago it fell upon deaf ears. Our volunteers are required to have specific training in the policy and procedures for operating shelters by MEMA guidelines. We can't simply hire back firefighter, police officers, COA workers to staff these centers. We must rely on our volunteers who do a great job. Our CERT Director with one other member staffed the cooling center all day on Sunday, and with no great surprise, with no company, expect for residents stopping in to see if they could help out. That's what makes Whitman a great Town, our residents look out for each other."

Mr. Salvucci **MOVED** to approve the Open Session minutes of the meeting held on Tuesday, July 9, 2019. **Second** Mr. Bezanson, **so voted 3-0-2** (Chairman Kowalski and Mr. Evans abstained).

SCHEDULED HEARINGS/MEETINGS

Joint Meeting with Board of Health re: Hungry Coyote

At 7:11 p.m. Chairman Kowalski opened a joint public meeting with the Board of Health in connection with the status of licenses and permits issued by the Board of Selectmen and the Board of Health to Hungry Coyote Corporation, dba Hungry Coyote, on the premises located at 372 South Avenue. Board of Health members Barbara White and Mary Kelly were present, along with Health Inspector Alexis Andrews. Ms. Andrews advised the Board that this restaurant is very rarely open, resulting in her inability to perform required inspections. On the rare occasion when the restaurant has been open for business, she has found several violations, such as the front door being propped open and employees cooking and serving who are not certified to do so. Ms. Andrews advised the Board that these issues have been taking place since she was appointed as health inspector 3-1/2 years ago; and it is her recommendation that the licenses and permits be revoked. Mr. Lynam advised the Board that the licensee is required to operate according to the hours listed on his liquor license and he has failed to do so. Following discussion, Chairman Kowalski asked the Board of Health for a vote to revoke the permits issued to the Hungry Coyote by their office. Motion was made by Mrs. White and Seconded by Mrs. Kelly to revoke all permits issued by the Board of Health to Hungry Corporation, dba Hungry Coyote. **So voted 2-0.** Chairman Kowalski then asked for a motion from the Board of Selectmen. Mr. Salvucci **MOVED** to revoke the Common Victualler All Alcohol Liquor License and the Common Victualler License held by Hungry Coyote Corporation, dba Hungry Coyote, on the premises located at 372 South Avenue due to a violation of the M.G.L., Chapter 138, Section 77 ("...licensee ceases to conduct the licensed business") and Chapter 140, Section 9 ("...licensee as an innholder or a common victualler ceases to be engaged in the business he is licensed to pursue...."). **Second** Mr. Bezanson, **so voted 5-0.**

Public Meeting: Application for Class II Auto Dealer's License – Platinum Auto

At 7:19 p.m. Chairman Kowalski opened a public meeting in connection with the application of Platinum Auto Sales for a Class II Auto Dealer's License on the premises located at 10 Buckley Avenue. Chairman Kowalski read a letter dated July 26, 2019, from Building Commissioner/Zoning Enforcement Officer Robert Curran into the record:

*“Dear Honorable Board of Selectmen,
I have seen and reviewed the plan of Caroline Snow for a Class II Auto Dealer’s License at 10 Buckley Avenue. I have no objections to the issuance of this license however there are multiple zoning violations at this property unrelated to the applicant. These violations will need to be addressed to allow safe customer access to the display area. I have no objection to this license provided that this property is brought into compliance and inspected prior to the release of this license.”*

Chairman Kowalski then read into the record an email dated July 31, 2019, written by Mr. Curran to Mr. Lynam:

*“Frank,
As we discussed this morning, I have inspected the entire site at 10 Buckley Ave. There are many issues related to junk vehicles, junk storage and an illegal trailer at this site. I have spoken to the owner and will follow up with an enforcement order. There are also potholes in the roadway that the DPW has agreed to address. These issues are unrelated to the applicant of a Class II Auto Dealer’s License, however I would request that any new license be subject to the property being brought into compliance with our Zoning By-laws.”*

Attorney Ronald Whitney, representing the applicant, advised the Board that Caroline Snow’s husband, Collin Emerson, has operated C&C Automotive at this location for a few years. The property is owned by Kenneth Swezey and there are approximately six businesses located there. Ms. Snow is seeking approval to sell used vehicles. Her business will be completely internet based, with operating hours from 9:00 a.m. to 6:00 p.m. Monday through Friday; 9:00 a.m. to 3:00 p.m. Saturday; and Sunday by appointment only.

Mr. Salvucci stated that Ms. Snow’s application indicates she is a sole proprietor, however the Workers’ Comp insurance affidavit she provided indicates she is an employer with two employees. He then asked Ms. Snow if she is referring to herself and her husband as the two employees. Ms. Snow said yes. Discussion ensued and Attorney Whitney advised the Board that Mr. Emerson will not be an employee of Platinum Auto Sales – he will continue to operate C&C Automotive. Chairman Kowalski suggested Ms. Snow submit a corrected Workers’ Comp insurance affidavit if she receives approval of her application.

Mr. Salvucci noted C&C Automotive has outstanding personal property taxes. Ms. Snow indicated on her application that she owns the business with her husband. If so, the outstanding taxes will need to be paid. Mr. LaMattina also expressed concern with this issue. Attorney Whitney advised the Board that the applicant was unaware of the outstanding taxes but has agreed to take care of this issue tomorrow. Hearing nothing further, Mr. Salvucci **MOVED** to approve the application of Platinum Auto Sales for a Class II Auto Dealer’s License on the premises located at 10 Buckley Avenue subject to the receipt of a corrected Workers’ Compensation insurance affidavit and the \$100 license fee; payment of delinquent personal property taxes; the requirements of the Building Commissioner outlined in a letter dated July 26, 2019, and an email dated July 31, 2019, being met; and final inspection/approval of the Building Commissioner/Zoning Enforcement Officer. **Second Mr. Bezanson, so voted 5-0.**

TOWN ADMINISTRATOR'S REPORT

Mr. Lynam announced that he expects to receive a final draft of a capital plan from the Collins Center soon. When it's received, a public hearing will be held in order to review it.

BUDGET REVIEW

Mr. Lynam advised the Board that he has asked for and received some departmental budgets that include 5-year projections. He also noted that he met earlier today with Mr. Galvin to discuss the excess levy limit.

BUDGET OVERRIDE EVALUATION COMMITTEE

Mr. LaMattina provided the Board with an update of the August 5th meeting of the Budget Override Evaluation Committee and advised that although much progress was made, it's unsure if things will be in order in time to present the town with an override question in October. Mr. LaMattina also advised the Board that the committee voted to seek authorization from the Board of Selectmen to hire an independent consultant to help with forecasting a 5-year outlook. The cost for a consultant would be not more than \$10,000. Mr. Lynam advised the Board that he will ask the Finance Committee if the cost can be taken from the Reserve Fund. He also noted that the work being done by the Collins Center does not include a financial plan. Chairman Kowalski asked if the consultant will be looking at the schools as well. Mr. Lynam said yes, the schools will be included. John Galvin, member of the Budget Override Evaluation Committee, advised the Board that Superintendent Szymaniak has also agreed to ask the Massachusetts Association of Regional School (MARS) to perform an audit of both the district and the town, as well. Mr. Bezanson asked if both audits reveal that an override is necessary, would 2 questions be placed on the ballot. Mr. Evans advised Mr. Bezanson that this is something that was discussed at the first meeting of the committee and it was agreed that multiple questions or pyramid style questions tend to confuse people. Mr. Lamattina agreed, and advised that this is something that needs to be put on hold for now. Mr. Salvucci **MOVED** to authorize the Budget Override Evaluation Committee to engage a financial consultant to assess town finances, cost limited to \$10,000 or less. **Second** Mr. Bezanson, **so voted 5-0**. Mr. Lamattina announced that the committee will meet next on August 26th.

NEW BUSINESS

Ally Motors: Request to Increase Vehicle Limit

Chairman Kowalski advised the Board that the applicant is seeking a vehicle limit of 114; however, Building Commissioner Robert Curran is recommending that 4 spaces at the northeast side of the lot adjacent to the driveway be eliminated. Mr. Salvucci **MOVED** to approve an increase in the vehicle limit from 60 vehicles to 110 vehicles for Ally Motors, Inc. in connection with the Class II Auto Dealer's License on the premises located at 934 Temple Street. **Second** Mr. Bezanson, **so voted 5-0**. Mr. Salvucci commended the applicant for the changes he's made on the premises.

Chief Grenno: Request to call for Fire Chief Exam

Chief Grenno advised the Board of his plan to retire in 2022; and asked the Board to begin the process for hiring a new chief by calling for an exam. He noted that a list would be valid for two years. Mr. Salvucci **MOVED** to call for a sole assessment center for the position of Fire Chief. **Second Mr. Bezanson, so voted 5-0.**

Chief Grenno: Storm Reimbursement Funds

Chief Grenno announced that through the MEMA Public Assistance Program, the town will be receiving \$39,564.69 in reimbursement of federal funds for debris removal and emergency preparedness associated with storms that took place in 2018. He then commended his administrative assistant Lisa Riley for all of her hard work in obtaining this reimbursement.

Whitman Recreation Commission: Reappointment of Non-Voting Member

Mr. Salvucci **MOVED** to reappoint Ronald Rock to the position of Non-voting Member of the Whitman Recreation Commission for a three-year term, through June 30, 2022. **Second Mr. Bezanson, so voted 5-0.** Chairman Kowalski noted that Mr. Rock was inadvertently omitted from the FY20 Annual Appointment list.

WEMA: Appointment of Deputy Director-Operations

Mr. Salvucci **MOVED** to appoint Alfred Cunningham to the position of Deputy Director-Operations, WEMA for a one year term, through June 30, 2020. **Second Mr. Bezanson, so voted 5-0.**

Starr's Tarot Cards: Renewal of License

Mr. Salvucci **MOVED** to approve the renewal of the Fortune Tellers License for Starr's Tarot Cards (Amanda Cole) on the premises located at 418 Bedford Street. **Second Mr. Bezanson, so voted 5-0.**

Constable Appointment: Kevin J. Dalton

Mr. Salvucci **MOVED** to reappoint Kevin J. Dalton to the position of Constable for a three-year term, through August 27, 2022, subject to the receipt of the required documentation. **Second Mr. Bezanson, so voted 5-0.**

Constable Appointment: George Vemis

Mr. Salvucci **MOVED** to appoint George Vemis to the position of Constable for a three-year term, through August 6, 2022. **Second Mr. Bezanson, so voted 5-0.**

Notification of Retirement: Chief of Police Scott D. Benton

Mr. Salvucci **MOVED** to accept with regret the notification of retirement from Chief of Police Scott D. Benton, effective September 16, 2019. **Second Mr. Bezanson, so voted 5-0.**

Promotional Lists for Chief of Police, Deputy Chief of Police and Police Sergeant

Chairman Kowalski suggested the Board take action to appoint a Chief of Police and Deputy Chief of Police now, effective upon Chief Benton's retirement and subject to negotiations, since the promotional lists have been issued based upon the results of the assessment center. Mr. Salvucci **MOVED** to appoint Timothy P. Hanlon to the position of Chief of Police effective

upon retirement of the current chief, compensation to be negotiated. **Second Mr. Bezanson, so voted 5-0.** Mr. Salvucci **MOVED** to appoint Joseph E. Bombardier to the position of Deputy Chief of Police effective upon the elevation of the current deputy chief, compensation to be negotiated. **Second Mr. Bezanson, so voted 5-0.** Chief Benton advised the Board that Joseph Bombardier currently holds the position of Sergeant and there is a Sergeant's list in place. In order to keep the transition smooth, he suggested appointing a sergeant now as well. Mr. Salvucci **MOVED** to appoint Patrick D. Burt-Henderson to the position of Police Sergeant effective upon the elevation of a current police sergeant. **Second Mr. Bezanson, so voted 5-0.**

The Board set their next meeting for Tuesday, August 20, 2019, at 7:00 p.m.

At 8:16 p.m. Mr. Salvucci **MOVED** into **EXECUTIVE SESSION** in accordance with the M.G.L., Chapter 30A, Section 21a, (2) to conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel; and (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. **Second Mr. Bezanson.** Roll call vote revealed: Mr. Bezanson – yes; Mr. Evans – yes; Mr. LaMattina – yes. Vice Chairman Salvucci – yes; and Chairman Kowalski – yes... **So voted 5-0.** Chairman Kowalski declared that having this meeting in open session will have a detrimental effect on the bargaining or litigating position of the public body. The meeting will reconvene in Open Session for the purpose of adjourning the meeting.

At 8:35 p.m. Mr. Salvucci **MOVED** to adjourn the meeting. **Second Mr. Bezanson, so voted 5-0.**

Brian J. Bezanson, Clerk