

**BOARD OF SELECTMEN
MINUTES OF MEETING
MARCH 15, 2022**

In attendance were Chairman Carl F. Kowalski; Vice Chairman Daniel L. Salvucci; Clerk Brian J. Bezanson; Member Justin R. Evans; Member Randolph G. LaMattina; and Town Administrator Lincoln D. Heineman. Chairman Kowalski opened the meeting at 6:00 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 family of Rosalie Rodick and the people of Ukraine.

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 no one in attendance came forward to address the Board.

Mr. Salvucci **MOVED** to approve the Open Session minutes of the meeting held on Tuesday, February 15, 2022. **Second Mr. Bezanson, so voted 5-0.**

Mr. Salvucci **MOVED** to approve the Open Session minutes of the meeting held on Tuesday, March 1, 2022. **Second Mr. Bezanson, so voted 5-0.**

NEW BUSINESS

Margaret Schnabel: Request for Appointment to Historical Commission

Mr. Salvucci **MOVED** to approve the request of Margaret Schnabel to be appointed to the position of Associate Member of the Historical Commission for the remainder of a three-year term, through June 30, 2022. **Second Mr. Bezanson, so voted 5-0.**

Adelaide M. Carew: Reappointment as Registrar of Voters

Mr. Salvucci **MOVED** to approve the request of Town Clerk Dawn Varley to reappoint Adelaide M. Carew to the position of Registrar of Voters for the period April 1, 2022, through March 31, 2025. **Second Mr. Bezanson, so voted 5-0.**

Whitman Recreation Commission: Request for Permission to Use the Town Hall Auditorium

Mr. Salvucci **MOVED** to approve the request of Kathleen Woodward on behalf of the Whitman Recreation Commission for permission to use the Town Hall Auditorium on Saturday, April 9, 2022, in order to conduct an egg hunt. **Second Mr. Bezanson, so voted 5-0.**

Sleipnir Transportation: Renewal of Taxi/Livery License and Taxi/Livery Driver's Certificate

Mr. Salvucci **MOVED** to renew the Taxi/Livery License and Taxi/Livery Driver's Certificate for Eric Young, dba Sleipnir Transportation, 8 Danecca Drive, for the period April 1, 2022, through March 31, 2023, subject to the receipt of all required paperwork and license fees. **Second** Mr. Bezanson, **so voted 5-0.**

Town Policy re: Minimum Wage

Mr. Evans reminded the Board of a previous vote to raise the hourly rate for election workers to minimum wage, which is currently \$14.25 per hour. The rate will increase to \$15.00 per hour on January 1, 2023, and he suggested all non-contractual employees be paid minimum wage, effective immediately. Mr. Salvucci asked if the Recreation Commission has enough money in its budget to absorb the cost. Mr. LaMattina said no; and Mr. Heineman suggested performing a transfer in FY23 if needed. Mr. LaMattina was not in agreement and asked Mr. Heineman to adjust the budget for FY23 to reflect the increase. Mr. Heineman agreed to do so. Mr. Salvucci **MOVED** that all hourly employees who are not under a collective bargaining agreement be paid minimum wage in accordance with M.G.L., c.151, §1 and §7, effective immediately. **Second** Mr. Bezanson, **so voted 5-0.**

Draft Town Meeting Warrant

Mr. Heineman announced the Board has the first draft version of the warrant. He then advised the Board that he is seeking an opinion from town counsel as to whether or not all of the articles submitted by the WHRSD have to be placed on the warrant or if the Board can choose which articles to add. He also noted the district has requested \$54,000 for mold removal from the Whitman Middle School but did not request it as a capital item. Mr. Heineman also discussed Articles 42 and 43 which reflect expanding property tax write-offs associated with the Senior Tax Program and Gold Star parents.

Mr. Evans asked about a citizen's petition for accessory apartments. Mr. Heineman advised that Articles 40 and 41 are associated with the petition. Town counsel has advised the articles are not lawful; however, there is no easy way to remove Article 40. Both articles will remain on the warrant, Town Meeting can vote on Article 40 and Article 41 will be postponed indefinitely.

At 6:14 p.m. Mr. Salvucci **MOVED** into **EXECUTIVE SESSION** pursuant to M.G.L., c.30A, §21(a)(3) to discuss strategy with respect to collective bargaining if an open meeting may have a detrimental effect on the bargaining position of the public body and the chair so declares; and pursuant to M.G.L., c.30A §21(a)(1) to discuss the physical condition or mental health, rather than professional competence, of a Police Department employee; and pursuant to M.G.L., c.30A, §21(a)(1) to discuss the physical condition or mental health, rather than profession competence, of a Police Department employee; and pursuant to M.G.L., c.30A, §21(a)(1) to discuss the physical condition or mental health, rather than professional competence, of a Police Department employee. **Second** Mr. Bezanson. Roll call vote revealed: Mr. Bezanson – yes; Mr. Evans – yes; Mr. LaMattina – yes; Mr. 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 position of the public body. The meeting will reconvene in Open Session.

At 6:46 p.m. **MOVED** to reconvene in Open Session. **Second** Mr. Bezanson, **so voted 5-0.**

The Board set the April meeting schedule for Tuesday, April 12, 2022, at 6:15 p.m. and Tuesday, April 26, 2022, at 7:00 p.m.

TOWN ADMINISTRATOR'S REPORT

Update: COVID-19

Mr. Heineman announced the Town is seeing the lowest positivity rates since August 5, 2021; and noted free test kits are available at Town Hall, the Council on Aging and the Whitman Public Library.

Announce New DPW Employee

Mr. Heineman welcomed new DPW employee Nathan Stewart.

OLD BUSINESS

FY2021 Operating Budget

Mr. Heineman advised that the Board has the most recent version of the budget, which reflects three changes since February.

Non-mandated Busing

Mr. Heineman stated that John Galvin and Shawn Kain will be discussing this issue with the Board after they make their presentation to the Finance Committee. While waiting for Mr. Galvin and Mr. Kain to arrive, Mr. LaMattina spoke of a recent meeting of the WHRSDC where the Town was portrayed as wanting to eliminate non-mandated busing. Mr. Bezanson asked if the administration or the school committee questions Mr. Galvin's numbers. Mr. LaMattina felt it was best Mr. Galvin answer that question. Mr. Bezanson recalled being chided by the WHRSDC at the joint meeting with the Hanson Board of Selectmen. Mr. Evans feels this reinforces the reason for an audit of the schools.

SCHEDULED MEETINGS/HEARINGS

Change of License Classification: Jai Maruti LLC, dba Whitman Convenience Store

At 7:05 p.m. Chairman Kowalski opened a public hearing in connection with the application of Jai Maruti LLC, dba Whitman Convenience Store for a change of license classification in connection with the Wine & Malt Package Store Liquor License on the premises located at 183 South Avenue. Smeeta Patel, owner of Whitman Convenience Store, advised the Board that she is applying to change the category of her current license to an All Alcohol Package Goods Store Liquor License. Mr. Heineman explained that due to a change in the towns' population, the town has earned an additional license for an All Alcohol Package Store. Mr. Salvucci **MOVED** to approve the application of Jai Maruti LLC, dba Whitman Convenience Store for a change of license classification in connection with the Wine & Malt Package Goods Store Liquor License currently held on the premises located at 183 South Avenue to an All Alcohol Package Goods Store Liquor License, subject to the receipt of the license, advertising and mailing fees; and final approval of the Alcoholic Beverages Control Commission. **Second** Mr. Bezanson, **so voted 5-0.**

Application for Class II Auto Dealers License: Unique Auto Group, Inc.

At 7:10 p.m. Chairman Kowalski opened a public meeting in connection with the application of Unique Auto Group, Inc. (Elisangela DeOliveira) for a Class II Auto Dealer's License on the premises located at 263 Bedford Street. Because the applicant was not present, the Board agreed to table the issue until the next meeting.

Non-mandated Busing (cont'd)

While waiting for Mr. Galvin and Mr. Kain to arrive, Chairman Kowalski discussed events that took place during the joint meeting with the Hanson Board of Selectmen, specifically grandstanding by members of the School Committee and Hanson Selectman James Hickey. He also discussed cutting off Mr. LaMattina when he wanted to speak, admitting he should not have done that because Mr. LaMattina likely could have handled those involved. Mr. LaMattina expressed his appreciation to Chairman Kowalski for his words. He advised the Board of an in-depth conversation he had with the chairman of the School Committee before the meeting where it was agreed that the meeting was strictly for informational purposes and that the selectmen from either town were not looking to negotiate.

At 7:16 p.m. Mr. Galvin and Mr. Kain arrived.

Mr. Kain advised the Board that the Town paid \$411,000 for non-mandated busing this year. The schools are asking for \$478,000 in FY23 however, it was discovered that if non-mandated busing was done away with, the savings did not add up to what the Town was paying. Mr. Kain joined forces with Mr. Galvin in order to figure things out and their findings indicated the cost should be between \$100,000 and \$131,000. They then met with Mr. Stanbrook to discuss the discrepancy. Mr. Galvin then explained to the Board how the district calculates the cost for non-mandated busing. Mr. LaMattina stated the Board received an email today from Superintendent Szymaniak who questions the document created by Mr. Galvin and Mr. Kain; and indicated that DESE has expressed some concerns as well, but would not elaborate on that. Mr. Galvin suggested meeting with DESE, as well as Mr. Heineman and Mr. LaMattina., in order to obtain further guidance. Mr. Galvin feels the district should be getting more reimbursement from the state and if that is requested, it could trigger an audit. Mr. Heineman noted the deadline for submitting bids for an audit has passed and no bids were received. Mr. LaMattina asked Mr. Kain if Whitman and Hanson have been subsidizing non-mandated busing for the district. Mr. Kain stated that it is difficult to say. Mr. Galvin noted if the Town were to do away with non-mandated busing, the district's reimbursement from the state would increase.

ATA/HR, Procurement and Grants Director Position

Chairman Kowalski advised the Board to inform Mr. Heineman if they have an interest in being part of the search committee. He also noted both job descriptions are almost identical – the difference is with the salaries. Mr. Evans stated that he feels keeping with an assistant town administrator provides more flexibility. When asked by Mr. Bezanson which he prefers, Mr. Heineman stated he feels an HR person makes more sense. A poll of the Board revealed that Mr. Evans and Mr. Salvucci would prefer to hire an assistant town administrator and Mr. Bezanson, Mr. LaMattina and Chairman Kowalski would prefer to hire an HR person. Mr. Heineman agreed to post a job description for the HR, Procurement and Grants Director position for a period of 3 to 4 weeks.

Building Commissioner Position

Mr. Heineman noted the job description for the Building Commissioner includes an increased amount of coverage in order to be a full-time position. Enforcement on decisions of the Zoning Board of Appeals is reflected in the job description and the salary increase is comparable with similar sized communities. The Board agreed with Mr. Heineman's suggestion to post the position for 1 month. Mr. Heineman also advised the Board that he would like Mr. Curran and his administrative assistant to be a part of the interview process. He would also like the chairmen of the Conservation Commission and the Zoning Board of Appeals to be included in the first round of interviews.

At 8:15 p.m. Mr. Salvucci **MOVED** to adjourn the meeting. **Second Mr. Bezanson, so voted 5-0.**

Immediately following adjournment, the owner of Unique Auto Group entered the meeting room and explained that he had spent more than an hour at a meeting being held in the auditorium, mistaking it for the Selectmen's meeting. The Board agreed to re-open the meeting.

At 8:16 p.m. Mr. Salvucci **MOVED** to re-open the meeting in order to act on the application of Unique Auto Group, Inc. **Second Mr. Bezanson, so voted 5-0.**

At 8:16 p.m. Chairman Kowalski opened a public meeting in connection with the application of Unique Auto Group, Inc. (Elisangela DeOliveira) for a Class II Auto Dealer's License on the premises located at 263 Bedford Street. Ms. DeOliveira explained that she is looking to take over the space recently used as a used car dealership. Mr. Salvucci **MOVED** to approve the application of Unique Auto Group, Inc. (Elisangela DeOliveira) for a Class II Auto Dealer's License on the premises located at 263 Bedford Street, subject to final inspection/approval of the Building Commissioner/Zoning Enforcement Officer. **Second Mr. Bezanson, so voted 5-0.** Chairman Kowalski asked for a motion to rescind the license currently held by Michael Irish, dba MDI Auto Brokers & Repair on the same premises. Mr. Salvucci **MOVED** to rescind the Class II Auto Dealer's License for Michael Irish, dba MDI Auto Brokers & Repair on the premises located at 263 Bedford Street. **Second Mr. Bezanson, so voted 5-0.**

At 8:19 p.m. Mr. Salvucci **MOVED** to adjourn the meeting. **Second Mr. Bezanson, so voted 5-0.**

Brian J. Bezanson, Clerk