

**BOARD OF SELECTMEN
MINUTES OF MEETING
APRIL 26, 2022**

In attendance were 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 was absent. Vice Chairman Salvucci opened the meeting at 6:00 p.m.

Mr. Salvucci asked everyone to stand and recite the Pledge of Allegiance. This was followed by a moment of silence.

Mr. Salvucci announced the meeting is being recorded and televised by WHCA.

Mr. Bezanson **MOVED** to approve bill and payroll warrants. **Second** Mr. LaMattina, **so voted 4-0.**

Mr. Bezanson **MOVED** to accept correspondence in the Read File. **Second** Mr. LaMattina, **so voted 4-0.**

SCHEDULED HEARINGS/MEETINGS

At 6:05 p.m. Mr. Salvucci opened a public meeting in connection with the application of Marie Fries, dba Best Choice Livery for a Livery License and a Livery Driver's Certificate on the premises located at 56 Vincent Street. Ms. Fries advised the Board of her employment as a driver for other companies and her willingness to now venture out on her own. Mr. Bezanson **MOVED** to approve the application of Marie Fries, dba Best Choice Livery for a Livery License and Livery Driver's Certificate on the premises located at 56 Vincent Street, subject to proof that the vehicle has been registered with the Mass. RMV as one to be used for livery service; and an updated certificate of insurance. **Second** Mr. LaMattina, **so voted 4-0.**

Mr. Salvucci opened public forum and no one in attendance came forward to address the Board.

At 6:10 p.m. Mr. Salvucci opened a joint meeting with the Department of Public Works Commissioners for the purpose of interviewing the following candidates for interim appointment in order to fill one vacancy: Ronald Delmonico; Joseph Iannone; and Francis Lynam. Present for the Board of Public Works Commissioners were Kevin Cleary, David Cook and Kenneth Lailer. Mark Poirier was absent. Mr. Salvucci outlined the process of the meeting, stating each candidate will be asked to provide a brief statement as to why they wish to be appointed to the vacant seat. This will be followed by questions by the members of the Board of Selectmen and Board of Public Works Commissioners. The names of all candidates will then be placed into nomination and the members of each board will be asked to state the name of the candidate they wish to vote for. He then turned the gavel over to the chairman of the Board of Public Works Commissioners, Kevin Cleary.

Ronald Delmonico, Joseph Iannone and Francis Lynam each provided a brief statement of their qualifications and why they are interested in filling the vacancy.

Mr. Delmonico stated that he served as Public Works Commissioner for many years before stepping away due to health reasons. He feels he has more experience than the other candidates and would be the best choice to fill the vacancy.

Mr. Iannone stated that he was unaware of the vacancy until he was approached by Mr. Cook and asked to apply. While he has no experience in public works matters, he feels he will bring a purpose and passion that has been lacking for some time.

Mr. Lynam stated that as the former town administrator, he has a great deal to contribute due to his management skills and his experience with the town budget. He is aware of the difficulty in hiring and retaining employees within the Public Works Department; and the need for a new facility and feels he can be very helpful with those issues.

Some of the questions asked of each candidate were:

- What is the most important issue you think the Board of Public Works Commissioners is facing?

- Why didn't you run for the seat in the May, 2021, Annual Town Election?

- If you are selected to fill the vacancy, do you plan to seek re-election in 2024?

- Do you have any experience with municipal budgets?

Following the questioning of the candidates, Mr. Bezanson asked if he should abstain from the vote due to the fact his wife is an employee of the Department of Public Works. Mr. Heineman stated that while he is not in the position to provide legal advice, if Mr. Bezanson feels there is the perception of a conflict of interest, he would have to make an official filing with the Ethics Commission.

Mr. Lailer **MOVED** to place the names of all three candidates into nomination. Second Mr. Salvucci. Roll call vote revealed the following: Mr. LaMattina – Francis Lynam; Mr. Evans – Francis Lynam; Mr. Salvucci – Francis Lynam; Mr. Bezanson – abstain; Mr. Cook – Joseph Iannone; Mr. Lailer – Joseph Iannone; and Mr. Cleary – Joseph Iannone. So voted 4-4-1. The motion failed to elect.

Mr. Delmonico was removed from the next vote.

A second vote was taken and revealed the following: Mr. LaMattina – Francis Lynam; Mr. Evans – Francis Lynam; Mr. Salvucci – Francis Lynam; Mr. Bezanson – abstain; Mr. Cook – Joseph Iannone; Mr. Lailer – Joseph Iannone; Mr. Cleary – Joseph Iannone. So voted 4-4-1. The motion again failed to elect.

Mr. Heineman suggested postponing the joint meeting to a later date in order to allow all members of both boards to be present. This would also allow Mr. Bezanson time to obtain a ruling from the Ethics Commission.

At this time, Mr. Lynam withdrew his name from nomination.

A third vote was taken with only Joseph Iannone's name in nomination. Roll call voted revealed the following: Mr. LaMattina – abstain; Mr. Evans – Joseph Iannone; Mr. Salvucci – Joseph Iannone; Mr. Bezanson – abstain; Mr. Lailer – Joseph Iannone; Mr. Cook – Joseph Iannone; and Mr. Cleary – Joseph Iannone. So voted 5-0-2.

At 6:45 p.m. Mr. Cook **MOVED** to adjourn the joint meeting. **Second Mr. Lailer, so voted 7-0.**

At 6:45 p.m. Mr. Bezanson **MOVED** into **EXECUTIVE SESSION** pursuant to M.G.L., c.30A, §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, being the Deputy Chief of Police; and (3) to discuss strategy with respect to collective bargaining with the DPW Employees Union, AFSCME, Council 93, Local 1700; the Whitman Firefighters

Union, Local 1769, IAFF; the Whitman Public Library Employees Union, SEIU, Local 888; the Police Union, Whitman Police Association, MassCOP #494; and the Town Hall Employees Union, OPEIU, Local 6, if an open meeting may have a detrimental effect on the bargaining position of the public body and the chair so declares. **Second** Mr. LaMattina. Roll call vote revealed: Mr. Bezanson – yes; Mr. Evans – yes; Mr. LaMattina – yes; and Mr. Salvucci – yes. **So voted 4-0.** Mr. Salvucci 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 7:33 p.m. Mr. Bezanson **MOVED** to reconvene in Open Session. **Second** Mr. LaMattina, **so voted 4-0.**

TOWN ADMINISTRATOR'S REPORT

Update: COVID-19

Mr. Heineman announced the positivity rate in Whitman is 4.08 percent, the highest since February 24th. The vaccinate rate has increased significantly to 68 percent.

Library Directorship

Mr. Heineman announced the Board of Library Trustees has appointed David Aronson as the Library Director.

Park Avenue School Disposition

Mr. Heineman advised the Board the disposition of the Park Avenue School has been a long-running issue. He recently met with Keith and Tom Evans and Keith's fiancé Nichole, who have some ideas regarding the use of the school. They are seeking space for Artisan House, Inc., one that would be ready quickly and close to the train station. Mr. Heineman provided information on how the Town acquired the school, noting certain conditions can no longer be met; therefore, town counsel will be filing a ci pres application with the Attorney General's office in order for the town to have more options.

Keith Evans advised the Board they have no interest in any other space. They would like to demolish the school and rebuild it as an art center.

Mr. Heineman stated he does not know how long the legal process will take but he does suspect the building is a tear-down.

Nichole asked if the Town would be willing to allow them the first right of first refusal.

Selectman Evans stated he would like to see the Town maintain control of the property but would consider leasing it.

Mr. Heineman advised the sale of the property would have to be approved by Town Meeting, as would a lease of more than 3 years.

Mr. Bezanson asked if something similar could be done with the building being used by Self-Help.

Tom Evans advised the Board that they plan to fund the entire project.

Mr. LaMattina stated that when he saw this item on the agenda, he was hoping to hear that things were finally moving forward, however, 7 months have passed since any discussion has taken place with respect to this building and we are clearly not in a position to move forward on this.

Selectman Evans suggested a long-term lease with an established entity would be more attractive to Town Meeting.

Whitman Middle School Project

Mr. Heineman announced one of the four applicants for designer has been eliminated by the designer selection panel. The three remaining applicants will be interviewed next week. The panel hopes to finalize a contract with the chosen applicant on May 10th.

66 Pond Street

Mr. Heineman advised the Board that he and the building commissioner met with the new owners of 66 Pond Street who have expressed interest in filing a 40B application for the property which is industrial zoned. They are proposing 231 rental units and would like to meet with the Board of Selectmen to further discuss the proposal.

Mr. Salvucci asked why, since they would ultimately have to file the application with the Board of Appeals.

Mr. Heineman stated the owners asked and he said he would present their request to the Board.

Mr. LaMattina suggested waiting until they are further along in the process.

Following a brief discussion, Mr. Heineman asked if the Board would like him to arrange a meeting.

Mr. LaMattina asked Mr. Heineman if he has seen plans for the proposed project and Mr.

Heineman said no. Mr. LaMattina advised Mr. Heineman not to arrange a meeting at this time.

NEW BUSINESS

Ratification of Contracts

Mr. Salvucci stated that earlier in Executive Session the Board voted to approve the contract of Deputy Police Chief Joseph Bombardier. He then asked for a motion to approve said contract in Open Session. Mr. Bezanson **MOVED** to approve the contract of employment between the Town of Whitman and Deputy Police Chief Joseph E. Bombardier for the period July 1, 2022, through June 30, 2023. **Second Mr. LaMattina, so voted 4-0.**

Drive-Thru Rabies Clinic

Mr. Bezanson **MOVED** to approve the request of the Board of Health for permission to conduct a Drive-Thru Rabies Clinic for dogs and cats on Friday, June 24, 2022, from 10:00 a.m. to 12:00 noon in the parking lot located next to the police station. **Second Mr. LaMattina, so voted 4-0.**

Inclusion of the WMS Building Project in the Strategic Plan

Mr. Bezanson **MOVED** to approve the draft version of the “Town of Whitman: Strategic Plan: 2022-2027” which includes the addition of the Whitman Middle School Building Project.

Second Mr. LaMattina, so voted 4-0.

Whitman Cultural Council: Request for Use of Town Hall Auditorium

Mr. Bezanson **MOVED** to approve the request of Dawn Byers on behalf of the Whitman Cultural Council to use the Town Hall Auditorium and the lower Town Hall as an alternate location in the event of inclement weather for Whitman Day events scheduled to take place on June 25, 2022. **Second Mr. LaMattina, so voted 4-0.**

Request to Appoint Checkers Mr. Bezanson **MOVED** to approve the request of Town Clerk Dawn Varley to appoint checkers for the May 2, 2022, Annual Town Meeting as outlined in a memo dated April 12, 2022. **Second Mr. LaMattina, so voted 4-0.**

Whitman Food Pantry: Request for Reverse 911 Call

Mr. Bezanson **MOVED** to approve the request of Tina Ouellette on behalf of the Whitman Food Pantry for a Reverse 911 call in connection with the May 14, 2022, Annual USPS/NALC Food Drive to benefit the Whitman Food Pantry. **Second Mr. LaMattina, so voted 4-0.**

W-H Band Boosters: Request for Use of Town Hall Auditorium

Mr. Bezanson **MOVED** to approve the request of Kevin Lynam on behalf of the Whitman-Hanson Band Boosters for permission to use the Town Hall Auditorium on Monday, May 23, 2022, from 5:00 p.m. to 9:00 p.m. in order to conduct the annual banquet; and to waive all fees associated with the use of the auditorium. **Second Mr. LaMattina, so voted 4-0.**

Draft Security Camera Policy

The Board agreed to review the draft version of the Security Camera Policy prepared by Technology Director Josh MacNeil and to vote on it at a future meeting.

Sharps/Needles & Drug Turn-In Day

Mr. Heineman announced Sharps/Needles & Drug Turn-In Day will take place on May 7, 2022, from 9:00 a.m. to 1:00 p.m. in the parking lot of the Whitman Police Station. This event is for Whitman residents only.

May Meeting Schedule

The Board set their May meeting schedule for Monday, May 2, 2022, at 7:00 p.m.; Tuesday, May 10, 2022, at 7:00 p.m.; and Tuesday, May 24, 2022, at 7:00 p.m.

OLD BUSINESS

Schools Audit

Mr. Heineman advised the Board the request for Invitation for Bids for an audit of the schools was April 15th and none were received; however, the Collins Center has expressed interest in performing the audit. Mr. Heineman and Mr. LaMattina met with Laura Fitzgerald-Kemmett, Lisa Green and two individuals from the Collins Center in order to get a clear picture of their proposal. The Collins Center has someone on staff who works extensively with regional school districts and Mr. Heineman hopes to have a proposal in time for the May 10th meeting.

Mr. Salvucci asked about the progress with the Town audit and Mr. Heineman stated the auditors are running behind this year but the audit is near completion.

Mr. LaMattina asked if the auditors have everything they require from the Town and Mr. Heineman confirmed that they do.

Building Commissioner Position

Mr. Heineman announced he has received 7 applications for the Building Commissioner position. Mr. Salvucci asked if he would have to abstain from voting on the final applicants if one of them is from Whitman because he has hired a few builders over the years that were recommended by the current building commissioner. Mr. Heineman suggested Mr. Salvucci seek a ruling from the Ethics Commission.

HR, Grants & Procurement Position

Mr. Heineman announced he has received only a few applications for this position and, with the Board's approval he would like to post the position on Indeed and other sites. There was no response from the Board.

At 8:16 p.m. Mr. Bezanson **MOVED** to adjourn the meeting. **Second** Mr. LaMattina, **so voted 4-0.**

Brian J. Bezanson, Clerk