

**BOARD OF SELECTMEN
MINUTES OF MEETING
MAY 5, 2020**

In accordance with Governor Baker's March 12, 2020, Order suspending certain provisions of the Open Meeting Law G.L. c.30A, §20, the meeting was held remotely in an on-line conference mode hosted on Zoom.com and members of the public were not able to physically attend. The meeting was broadcast live on Comcast channel 12 and was able to be viewed via live stream at WHCA.tv. The meeting was subsequently broadcast on YouTube.com.

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 to recite the Pledge of Allegiance. This was followed by a moment of silence dedicated to the victims of COVID-19 and the father of Finance Committee member RoseMary Connolly who passed away earlier today.

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

Mr. Salvucci **MOVED** to approve bill and payroll warrants. **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.**

Mr. Salvucci **MOVED** to accept correspondence in the Read File. **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.**

SCHEDULED MEETINGS/HEARINGS

Joint Meeting with the Finance Committee

At 7:03 p.m. Chairman Kowalski opened a joint meeting with the Finance Committee. Finance Committee members present were: Chairman Richard Anderson; Vice Chairman David Codero; and members Charles Colby, RoseMary Connolly, John Galvin, Scott Lambiase, Ralph Mitchell, Kathleen Ottina and Alfred Cafferty.

Finance Committee Chairman Richard Anderson announced that the Finance Committee has been meeting weekly via Zoom; and commended the members for their dedication. He also recognized Mr. Galvin for his efforts in putting together a summary of the towns' revenue projections. Mr. Galvin stated that he has been working closely with Mr. Lynam and over the last week, they have come closer together on the budgets that each of them has developed. Mr. Lynam stated that he expects a significant impact will be in state aid and certain areas of local revenue. The numbers that he has provided are his best guess for 2020-2021, and they have become the basis for how we move forward. He also noted that he is relying heavily on the ambulance fund in order to preserve free cash. In a conversation with the town accountant and the fire chief earlier today, it was determined that we have taken in an estimated \$984,000. Mr.

Lynam stated that he feels those funds should be left as is and any excess will be flowed into free cash for next year.

Mr. Codero advised that the Buildings, Facilities and Capital Expenditures Committee has reviewed and voted on some capital items, including a chairlift for the Duval School, the Whitman Middle School feasibility study and \$100,000 for road repairs. He also advised that the committee has questions on some of the larger requests, such as the request to upgrade the phone system for the schools. Mr. Anderson noted the importance of the Board of Selectmen taking time to review capital articles. He then discussed lease/purchases for police cruisers and the possibility of purchasing cruisers outright. Mr. Lynam stated that the plan was to purchase two cruisers; however, one police cruiser was totaled in an accident and will be replaced at a cost of approximately \$2,000 to the town.

Mr. Anderson asked Mr. Lynam to explain Article 31. Mr. Lynam advised Mr. Anderson that this is a request of the Council on Aging to pay the outgoing director to stay on for an additional two weeks in order to train a newly hired director. This is not a typical request and will need to be discussed by the Board of Selectmen. Mr. Anderson suggested the Board of Selectmen consider passing over this article at Town Meeting or eliminating it from the warrant completely. Mrs. Ottina asked if the feasibility study for the Whitman Middle School will be paid from free cash or if the town will be borrowing. Mr. Lynam stated that in looking at the significant impact this will have on our finances, it would make more sense to borrow rather than to use free cash. It can be done as a BAN (3 year) or amortized over a three-year period. If we decide to go with BAN's, we will need to come up with \$850,000 at the end of the three-year period. Mr. Lynam noted that because the school district must be the borrower, he has asked John Tuffy to come up with some numbers. Mr. Anderson advised that the Finance Committee will continue to discuss this issue at its upcoming meetings.

Mr. Codero questioned the request for funds for street lights. Mr. Lynam explained that the town borrowed the money to purchase the street lights and the payment is due. There are available funds to pay the interest and a portion of the principal, but he would like to pay the remaining balance rather than carry it into the future. He also noted that he plans to hold National Grid responsible for the cost to replace defective wiring before the new street lights were installed. Mr. Anderson noted that the Finance Committee has not made any recommendations or voted on any articles.

Mr. Lynam announced that the only union receiving a salary increase is the fire union. Mr. Anderson stated that he hopes the sacrifices the town departments are making is recognized by other departments; and noted that he feels it is time for the employees of the school district to see how they can help with the school budget. Mr. Lynam recognized that as an important point, and stated that the areas that have significant costs are education, storm water management, trash, veterans' benefits, county retirement, medical and life insurance and general insurance.

Ms. Connolly asked if funds could be taken from the Recreation Department and given to the Police and Fire Departments and the Board of Health. Mr. Lynam stated that the approach we take when budgeting entails the function of the departments. Most of Recreation's expenditures are covered by a revolving account. The entire budget for Recreation is \$32,000 which includes \$20,000 for the director's salary.

Mr. Salvucci questioned an 18 percent increase in the Town Meetings & Elections expense line. Mr. Lynam reminded Mr. Salvucci that there is a Presidential Election this year that generally costs approximately \$14,000. Mr. Salvucci also noted an increase in the school budget of \$760,000; and asked about an 18 percent increase in the Library expense line. Mr. Lynam stated

that this is in line with the cost of periodicals, etc. He also noted that two other towns have furloughed library employees until September, and suggested this might be something the Board of Selectmen should discuss with the Library Trustees. Mr. Anderson noted that the accreditation of the library was close to being lost.

Mr. Anderson stated that he probably spoke more than he should have at the last Regional Agreement Amendment Committee meeting with respect to the compromised negotiations with the Town of Hanson; and noted that the Finance Committee has voted numerous times to use the statutory method in order to determine the assessment for the school district each year. Mrs. Ottina stated that the statutory method was never properly utilized and over the last 6 fiscal years, Whitman has paid \$4.1 million dollars that would have been paid by Hanson if the statutory method had been used. Hanson lost \$3 million dollars in Chapter 70 aid, which is attached to individual towns; and the shift to the statutory method is now forcing Hanson to pay more. Mrs. Ottina went on to say that she understands a compromise has been suggested and she feels any compromise is not in the best interest of the Whitman taxpayers.

Ms. Connolly questioned why we cannot give COLA's to our town employees, yet we can pay for another community. She then said that she feels that if Hanson cannot pay its share of the assessment, then Hanson should contact the state regarding the amount of Chapter 70 aid they receive. She feels that if Hanson is not getting more Chapter 70 aid than Whitman is, that means Hanson can afford to pay more of the assessment.

Mr. Evans advised that Hanson does not plan to fully fund the school budget. He stated that we can allow that and force a 1/12 budget or we can make up the difference and protect the schools and students from a disagreement between the two towns.

Ms. Connolly stated that she feels it is up to the leaders of Hanson to step forward and set a budget.

Mr. Anderson stated that he feels that Whitman has been taken for a ride. It is time to move forward with the purpose of the Regional Agreement Amendment Committee and develop an agreement that is in the best interest of the students and faculty. He then asked Mr. Evans if he has seen a budget. Mr. Evans stated that he received the information this week. Mr. Anderson stated that this is part of the charade, and Hanson needs to educate its citizens about how the bills are going to be paid because Whitman is not going to pay them. We have done our due diligence with the Override Committee, etc. and to suggest that we supplement Hanson's budget at the expense of the Whitman taxpayers is absurd. Mr. Evans noted that the chairman of the Hanson Board of Selectmen has said that she believes the statutory method will be used going forward. He also noted that a compromise will bring back 4 teaching positions.

Mrs. Ottina stated that she appreciates the efforts of those who have the children's' best interest, but she is willing to move forward with a 1/12 budget, noting that Hanson has been stonewalling us and would not set a budget until we compromised.

Mr. Evans advised that he spoke to Christine Lynch of DESE today and a 1/12 budget means the school would go into FY21 with the same budget as last year. This will result in 40 positions being lost. Mrs. Ottina stated that this is a scare tactic. Ms. Connolly stated that she wants to hear from the commissioner directly. Mr. Anderson told Mr. Evans that he is being played. He understands that we need to have a good relationship with Hanson, but not this way - \$500,000 is a big deal for the Whitman taxpayers. Mr. Salvucci stated that he watched the meeting and it is clear to him that Hanson is trying to stretch this out.

Mr. Anderson asked if the Board of Selectmen is prepared to make a recommendation to proceed with a compromise. Chairman Kowalski stated that he does not think the motivation is there amongst the board as a whole.

Mr. Evans suggested holding off until he has more information.

Chairman Kowalski stated that he was approached with the possibility of a phase-in. Hanson wants us to pay \$500,000 this year, with a phase-in for next year, which was not part of the agreement. He went on to say that he was in favor of the compromise but he is not in favor of it after the last meeting of the Regional Agreement Amendment Committee. He now agrees with Mr. Anderson, Mrs. Ottina and Ms. Connolly and it is time for us to say that Hanson needs to pay its share of the assessment. Whitman has always come through for the students.

Ms. Connolly stated that if true leadership comes through in Hanson, the voters will do the right thing if they are told the truth. Chairman Kowalski agreed, and stated that it is time for us to take a stand. We have been the victims of fake news from Hanson. He then asked if the Regional Agreement Amendment Committee should be done away with. Mr. Anderson answered no, only the part about Whitman paying half of the additional \$1 million assessed to Hanson. The statutory method needs to be added to the agreement along with any amendments.

Mr. Evans stated that the Town of Whitman has always come through for the students and it is the students that will pay for our disagreement with Hanson. He then stated that he would like the chance to present more information to the Board before a vote is taken. He also stated that because we are leaving a gap, we are hurting the schools. Ms. Connolly disagreed, and noted that we are funding our departments. She will not take away from our departments and not give COLA's in order to fund Hanson.

Mr. Bezanson agreed with Mr. Anderson, Ms. Connolly and Mrs. Ottina, stating that we have paid our fair share and our employees have paid, too. We need to tell our members of the school committee to do their job and Hanson needs to pay their bills.

Ms. Connolly noted that Whitman has paid 24 percent above its minimal contribution and Hanson paid on average 6 percent. She noted that she asked a member of the Hanson Board of Selectmen how that came to be but she never received an answer.

Mr. Salvucci **MOVED** to reaffirm our commitment to using the statutory method in determining the assessment for the schools for FY21. **Second** Mr. Bezanson. Mr. Salvucci asked if Hanson will reimburse us and Mr. Evans stated no. Mr. Salvucci then asked why we should do this and Mr. Evans stated it will keep the schools from taking a hit and having to rebuild.

Mr. LaMattina stated that he feels we are casting blame in the wrong direction. The previous administration is responsible and the problem was swept under the rug. We cannot blame the people of Hanson and by voting this, we are forcing the schools into a 1/12 budget. If they are making cuts and using stabilization, then we should come to a compromise. Ms. Connolly began to object and Mr. LaMattina asked the chairman for a point of order and to move the vote.

Mr. Evans suggested Mr. Salvucci remove the motion from the floor and allow him to gather more information to bring back to the Board at a later date. Mr. Salvucci refused to remove the motion. The motion did not carry.

After a brief discussion about town employees not receiving a salary increase and whether or not the teachers will agree to a one year salary freeze, Mr. Salvucci **MOVED** to direct Mr. Evans to advise the Regional Agreement Amendment Committee that Whitman is supporting the statutory assessment method for the school district budget beginning in FY2021; and has no interest in a compromise with the Town of Hanson. **Second** Mr. Bezanson. Roll call vote: Mr. Bezanson –

yes; Mr. Evans- no; Mr. LaMattina – yes; Mr. Salvucci – yes; and Chairman Kowalski – yes. **So voted 4-1.**

With respect to strategic planning, Mr. Anderson stated that the Finance Committee has been following the recommendations of the financial consultant and the Override Committee.

Mr. Codero noted the Buildings, Facilities and Capital Expenditures Committee has been reviewing capital articles and will be making recommendations to the Board of Selectmen along with developing a plan to better manage capital needs.

Mr. Anderson discussed a proposal from Dawn Byers regarding non-mandated busing, and noted that we need to look at ways to create revenue, possible by creating a pay-to-ride program. Chairman Kowalski advised Mr. Anderson that the Board has discussed this issue and Mr. LaMattina felt that this is a bad time to begin this due to job loss, etc.

At 9:008 p.m. Mr. Anderson thanked the Board of Selectmen for the opportunity to hold this joint meeting. All members of the Finance Committee departed from the meeting with the exception of Mr. Galvin.

TOWN ADMINISTRATOR'S REPORT

Update: COVID-19

Mr. Lynam advised the Board that the town continues to operate with the guidelines presented to us. One particular department head has asked to bring employees back into the office on a more regular basis and he approved the request so long as social distancing is maintained.

Extension of Deadline for Applications for Tax Exemptions and Deferrals

Mr. Salvucci **MOVED** to extend the deadline for applications for tax exemptions and deferrals under MGL c.59, §5 [18A]; residential exemptions under ML c.59, §5C; and small commercial exemptions under ML c.59, §51 to June 1, 2020, as authorized by c.53, §10(a) (iv) of the Acts of 2020. **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.**

Cancellation of Memorial Day Parade

Mr. Salvucci **MOVED** to cancel the 2020 Memorial Day Parade due to a public health emergency. **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.**

COVID Funding for Plymouth County

Mr. Lynam advised the Board that the Plymouth County Commissioners received \$91 million in COVID aid which will be distributed to a broad range of programs. If the funds are not distributed according to federal guidelines, the money will have to be given up. Because of this, the state would prefer to handle the funds. Mr. Lynam went on to say that Brockton and Plymouth have sent letters to the Commissioners asking for the funds to be handed over to the state. Mr. Evans asked if we could send a letter on behalf of the town. Mr. Salvucci advised that he attended the meeting of the Plymouth County Advisory Board and he feels Brockton and Plymouth wanting the state to handle the funds is self-serving. He also noted that the Commissioners have hired someone to oversee the funds. Mr. Bezanson agreed with Mr. Salvucci, and noted he feels the state camouflages how it spends money. Mr. Lynam advised the Board that there are 16 communities in Plymouth County that have expressed their desire to have the Commissioners turn the funds over to the state. Mr. Salvucci stated that there was no

mention of that at the meeting. Mr. Lynam stated that he will send the list of communities to Mr. Salvucci. Further discussion on this issue will take place at the next meeting of the Board.

Regional Agreement Amendment Committee Report

Mr. LaMattina asked if the earlier vote regarding the school assessment can be revoked. Chairman Kowalski stated the vote can be reconsidered prior to the end of the meeting.

NEW BUSINESS

KENO Monitors: 7-Eleven and Quality Fuel

The Board had no objection to 7-Eleven at 634 Washington Street and Quality Fuel at 180 South Avenue each receiving a KENO monitor.

Rescind Class II License: Japy, Inc., dba Star Auto Sales & Service

Mr. Salvucci **MOVED** to rescind the Class II Auto Dealer's License for Japy, Inc., dba Star Auto Sales & Service on the premises located at 470 Temple Street. **Second** Mr. Bezanson. Mr. Lynam noted the licensee is no longer conducting business at this location. Roll call vote revealed: Mr. Bezanson – yes; Mr. Evans – yes; Mr. LaMattina – yes; Mr. Salvucci – yes; and Chairman Kowalski – yes. **So voted 5-0.**

OLD BUSINESS

Further Extension to Town Meeting

Chairman Kowalski advised the Board that a vote is required to set a date for Town Meeting. Mr. Lynam noted the Town Moderator can only reschedule Town Meeting after the Board of Selectmen has voted to set a date. Mr. Lynam has asked Superintendent Szymaniak if Town Meeting can be held at the high school either in the gymnasium or the performing arts center. Town Meeting must take place in Whitman. The high school is located in Hanson but has a Whitman address. He will be looking into whether the high school can be used as a location for Town Meeting. Mr. Salvucci **MOVED** to set the Annual Town Meeting for Monday, June 22, 2020. **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.** Mr. Lynam advised the Board that if the date has to be changed, it must be done by the Town Moderator. Chairman Kowalski asked how many people separated by a 6 foot distance can be accommodated at the high school. Mr. Lynam told Chairman Kowalski that it has yet to be determined.

Whitman Middle School: Feasibility Study

Mr. Bezanson asked if a feasibility study could be done for a junior/senior high school in the event Hanson chooses to de-regionalize. Mr. Lynam advised Mr. Bezanson that it would require 2 feasibility studies which is not practical. Mr. LaMattina stated that we are probably closer to de-regionalizing than we were at the start of this meeting; and advised the Board that he does not want to be caught in a situation where we are one building short. Chairman Kowalski advised Mr. LaMattina that there is still time to reconsider the vote. Mr. LaMattina stated that he feels there was a lot of negativity earlier that was directed at the wrong group of people, as this is not Hanson's fault. He believes 100 percent in the statutory method but asked if it is worth destroying partnerships to get there. Mr. Salvucci disagreed, stating that Hanson balked at paying 50 percent this year and the full amount next year. Mr. Lynam reminded the Board that if

there is no school budget in 50 days, the schools will be operating off of a 1/12 budget. It would be to our benefit to keep the door open with Hanson – we should not be closing the avenues of discussion. By getting to a statutory assessment next year, we may have to get there by making some concessions. Mr. LaMattina stated that he thinks we have guaranteed a 1/12 budget based on the vote taken earlier. Because Chairman Kowalski felt that Mr. LaMattina was torn and not willing to make a motion to reconsider the vote taken earlier, he passed the gavel to Mr. Salvucci and **MOVED** to reconsider the vote to direct Mr. Evans to advise the Regional Agreement Amendment Committee that Whitman is supporting the statutory assessment method for the school district budget beginning in FY2021, and has no interest in a compromise with the Town of Hanson; and to replace the vote with the Board's willingness to discuss how the FY2021 budget is funded and to move forward with the full statutory method for FY2022 and beyond.

Second Mr. Lamattina. Mr. Bezanson stated that we have a responsibility to the taxpayers of Whitman, not Hanson, and he not inclined to be in favor of this. Mr. Evans stated that he feels the stakes are high and it is at least worth trying. Mr. Galvin stated that closing the window on negotiations is not a good idea, but feels there should be a limit on what we are willing to pay. Mr. LaMattina stated the he thinks both Mr. Bezanson and Mr. Salvucci are right but does not feel that we should cut ourselves off. If the Hanson Board of Selectmen were to tell us that they tapped into their stabilization and were \$200,000 short, would we still vote no and allow a 1/12 budget? Mr. Lynam reminded the Board that there is approximately \$800,000 in uncommitted funds. We are also assuming that all of the articles on the Town Meeting warrant will be approved and that may not be the case. Mr. LaMattina asked if Hanson were to present an offer, if we could vote to acknowledge it and then present it at one of our meetings for discussion. Mr. Evans felt there might be an advantage to that rather than continuing to participate in negotiations. Mr. Lamattina agreed, noting the ball would now be in Hanson's court. Mr. LaMattina then asked Chairman Kowalski to rescind his previous motion. Chairman Kowalski **MOVED** to rescind his previous motion. **Second** Mr. LaMattina. The motion did not carry. Mr. LaMattina **MOVED** to publicly address an offer from Hanson at a future meeting of the Board of Selectmen. **Second** Mr. Evans. The motion did not carry. Mr. LaMattina explained that if the Hanson Town Administrator presents an offer to Mr. Lynam, the offer will be brought forward at one of our meetings and publicly discussed. Mr. Lynam noted that essentially, we expect the statutory method to be used for FY2021; however, if Hanson presents an offer we will give it due consideration. Chairman Kowalski stated that it must be clear that offers for a compromise made by us through the Regional Agreement Amendment Committee have been rejected by Hanson. The School Committee has authorized the statutory method and that is what we expect. We are also saying that we are open to suggestions presented by Hanson. Mr. LaMattina added that we are not willing to do this for a second year and we are limited on the amount that we are willing to pay. Mr. Salvucci stated that it is hard for him to understand why we would give \$500,000 of our taxpayer's money to fund Hanson's school assessment. Mr. Lynam stated this will eliminate a disruption in the region. Mr. Salvucci said that he will not vote for this. Mr. LaMattina stated that this is not Hanson's fault. It is the fault of the former school administration. If the Commissioner of Education takes over, there is a good chance that we could pay more money and both towns will be losing fiscal control over the school district. Mr. Salvucci noted that we have already been paying more than our share and now is the time for this to be corrected. Mr. LaMattina told Mr. Salvucci that the Board is only voting to continue the discussion and that it does not mean we have to accept their offer. Mr. Bezanson agreed. Mr. LaMattina asked if the vote that was taken earlier will prevent Mr. Lynam from presenting

any offer from the Hanson Town Administrator to the Board. Mr. Lynam stated it will not; any proposal he receives will be brought to the Board. He will reach out to the Hanson Town Administrator tomorrow and tell him that the Board reaffirmed its position for using the statutory method on July 1st, and if the Hanson Board of Selectmen comes up with an idea that it would like to present, the Board will consider it. Otherwise, we are prepared to vote for the statutory method. Mr. LaMattina **MOVED** to authorize Town Administrator Francis Lynam to contact John Stanbrook, Town Administrator for the Town of Hanson, and advise him that the Board of Selectmen reaffirmed its position for using the statutory assessment method for the school district budget and will consider suggestions proposed by the Hanson Board of Selectmen regarding a compromise for FY2021. **Second** Mr. Bezanson. Roll call vote revealed: Mr. Bezanson – yes; Mr. Evans – yes; Mr. LaMattina – yes; Mr. Salvucci – no; and Chairman Kowalski – yes. **So voted 4-1.**

Annual Town Election Hours

Chairman Kowalski stated that he is in favor of holding the Annual Town Election from 9:00 a.m. to 5:00 p.m. He feels there is a better chance for social distancing if the polls are open for the usual hours as opposed to cutting back on the hours. Mr. LaMattina asked if any other locations could be used in conjunction with Town Hall as a polling place. Mr. Lynam said yes, but the Town Clerk would have to file the locations with the state. Mr. Salvucci suggested having 2 precincts vote in the upper level of Town Hall and 2 precincts vote in the auditorium. Chairman Kowalski suggested letting the Town Clerk handle this issue. Mr. Lynam noted there will be significant publicizing of voting by mail. Mr. LaMattina **MOVED** to set the Annual Town Election hours from 9:00 a.m. to 5:00 p.m. **Second** Mr. Evans. Roll call vote revealed: Mr. Bezanson – yes; Mr. Evans – yes; Mr. LaMattina – yes; Mr. Salvucci – yes; and Chairman Kowalski – yes. **So voted 5-0.**

At 10:15 p.m. Mr. Salvucci **MOVED** to adjourn the meeting. **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.**

Brian J. Bezanson, Clerk