

**BOARD OF SELECTMEN
MINUTES OF MEETING
JUNE 20, 2023**

In attendance were Chairman Dr. Carl Kowalski, Vice Chairman Daniel L. Salvucci; Clerk Justin R. Evans; Members Shawn M. Kain and Laura Howe; and Town Administrator Mary Beth Carter.

Chairman Kowalski opened the meeting at 6:00 P.M.

The Pledge of Allegiance was recited and was followed by a moment of silence for Paul Holmes and Ava Patete.

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

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

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

Mr. Salvucci **MOVED** to approve the Open Session minutes of the meeting held on May 23, 2023. **Second** Mr. Evans, **so voted 5-0.**

NEW BUSINESS

Appointment: Town Accountant

Town Administrator Mary Beth Carter announced that Karen Clancy is the best candidate for the position of Town Accountant. Mr. Salvucci **MOVED** to appoint Karen Clancy to the position of Town Accountant subject to successful negotiations. **Second** Mr. Evans, **so voted 5-0.**

SCHEDULED EVENTS

At 6:05 p.m. Chairman Kowalski opened a public meeting in connection with the application of Platinum Automotive Sales Corp. (Collin Emerson) for a Class II Auto Dealer's License on the premises located at 10 Buckley Avenue. He then asked for a vote to move into Executive Session.

At 6:05 p.m. Mr. Salvucci **MOVED** into **EXECUTIVE SESSION** pursuant to M.G.L., c.30A, §21(a) (1) to discuss the physical condition or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual; and (7) to comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements

- Platinum Automotive Sales Corp.; 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 (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

- Extended Sick Leave; 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 (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.

- Extended Sick Leave; and

pursuant to M.G.L., c.30A, §21(a)(2) to conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel.

- Town Accountant

Second Mr. Evans. Roll call vote revealed Mr. Evans – yes; Ms. Howe – yes; Mr. Kain – 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 or litigating position of the public body. The meeting will reconvene in open session.

At 7:07 p.m. the meeting reconvened.

OLD BUSINESS

Flag Display; Painted Crosswalks

Chairman Kowalski read a proclamation into the record proclaiming that Town officials will take necessary action to paint the crosswalks at the Whitman Public Library in a rainbow design; and to display Pride flags on the grounds and flagpoles of Town Hall during the month of June. Mr. Evans **MOVED** to accept the proclamation. **Second** Mr. Kain. Discussion took place where Mr. Salvucci stated he would like the Town property to wave the flags of state, town, military, and MIA, and would only like to see pride flags on private property. Chairman Kowalski stated that the Chairman of the Board of Library Trustees asked for more information for their next meeting, at which time they will vote on the issue of the painting of the crosswalks. Ms. Howe would like to see the crosswalks painted at the park rather than the library because of its location to the church. Mr. Kain reminded the Board that civil rights issues are celebrated inside of the library; and feels those issues should be allowed to be celebrated outside of the library as well. Mr. Kain **MOVED** to accept a donation of “progressive Pride” flags and other services and supplies from the non-profit Whitman PRIDE, Inc. **Second** Mr. Evans. Chairman Kowalski agreed to hear comments from former selectman Brian Bezanson and Rose Mary Connolly. Mr. Bezanson spoke on the matter and expressed his opposition by stating that acceptance of the proclamation would be like opening Pandora’s box and will ~~create~~ result in other social or religious groups requesting to post their flags on Town property. Rosemary Connolly stated that it is important that 17% of children who identify as LGBTQ+ feel loved and supported. Mr. Kain stated that he differs from Mr. Bezanson’s opinion in that the library aims to celebrate civil rights within the community. Mr. Fred Small suggested posting a proclamation within Town buildings that recognizes Pride Month - such as the Town of Abington did - as opposed to flying flags and painting crosswalks. Mr. Bezanson asked why Mr. Evans was asked to leave the meeting of May 23, 2023, and not this meeting, if this matter was raised by a family member of his. Attorney

McNulty clarified that the reason Mr. Evans did not leave this meeting is because after she further reviewed this issue, she determined that if an immediate family member was returning before the Board this evening, then Mr. Evans should recuse himself so that his presence does not cause any influence. At this point in time, it is no longer a request by a third party, this has simply become government speech, thus there is no conflict of interest. Mr. Evans also noted that he called the State Ethics Commission and filed a Disclosure of Appearance of Conflict of Interest with the Town Clerk's office. Chairman Kowalski asked for a vote in connection with the approval of the proclamation for Pride month. **So voted 3-2** (Ms. Howe and Mr. Salvucci opposed). Chairman Kowalski asked for a vote in connection with the motion to accept the donation from Whitman PRIDE, Inc. **So voted 3-2** (Ms. Howe and Mr. Salvucci opposed).

At 7:41 p.m. Mr. Salvucci **MOVED** into Executive Session pursuant to M.G.L., c.30A, §21a (1) to discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against a public employee; and (2) to conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel.

- Deputy Chief of Police contract.

Second Mr. Evans. Roll call vote revealed Mr. Evans – yes; Ms. Howe – yes; Mr. Kain – yes; Mr. Salvucci – yes; and Chairman Kowalski – yes. **So voted 5-0**. The meeting will reconvene in open session.

At 8:04 p.m. the meeting reconvened.

Chairman Kowalski announced that Karen Clancy has accepted the Town's offer of employment for the position of Town Accountant. Mr. Salvucci **MOVED** to approve the Offer of Appointment to Karen Clancy for the position of Town Accountant; and to authorize Chairman Kowalski to sign said agreement. **Second** Mr. Evans, **so voted 5-0**.

Chairman Kowalski announced that the Deputy Police Chief's contract has been negotiated, approved, and executed. Mr. Salvucci **MOVED** to approve the Contract of Employment between the Town of Whitman and Deputy Chief of Police Joseph E. Bombardier for the period July 1, 2023, through June 30, 2026. **Second** Mr. Evans, **so voted 5-0**.

CHAIRMAN'S REPORT

Chairman Kowalski announced that The MA Walking Tour and concert will be held on June 23, 2023, in the Town Hall auditorium.

NEW BUSINESS (cont'd)

Authorization to Sign Payroll & Bill Warrants

Mr. Salvucci **MOVED** to authorize Asst. Town Administrator Kathleen Keefe to sign payroll and bill warrants. **Second** Mr. Evans, **so voted 5-0**.

Renewal of Pool Table License: Memorial Field Association

Mr. Salvucci **MOVED** to renew the Pool Table License for Memorial Field Association, Inc., dba American Legion Post #22, through April 30, 2024. **Second** Mr. Evans, **so voted 5-0**.

FY24 Annual Appointments

Mr. Salvucci **MOVED** to approve FY24 annual appointments as listed in a document on file in the Board of Selectmen's office. **Second Mr. Evans, so voted 5-0.**

Board/Committee Vacancies

Chairman Kowalski announced the current board/committee vacancies.

Rate Increase for Legal Services

Mr. Salvucci **MOVED** to approve the request of Murphy, Lamere & Murphy to increase the rate for legal services to \$215.00 per hour, effective July 1, 2023. **Second Mr. Evans, so voted 4-1** (Mr. Kain opposed). Going forward, Mr. Kain would like any increase in the fees for legal services to be submitted in time to be added to the annual budget. He would also like to review the invoices for legal services to better understand how the money is being spent.

SSRC Inter-Municipal Extension

Mr. Salvucci **MOVED** to Approve the South Shore Recycling Cooperative Inter-Municipal Agreement Extension, effective July 1, 2023, through June 30, 2028. **Second Mr. Evans, so voted 5-0.**

PCRA: Chapter 269 of the Acts of 2022

Mr. Salvucci **MOVED** to accept the request of the Plymouth County Retirement Association to accept Chapter 269 of the Acts of 2022. **Second Mr. Evans, so voted 5-0.**

La Vita e Bella 5K

Mr. Salvucci **MOVED** to approve the request of Lori Dondero-Erna to hold a La Vita e Bella 5K on Sunday, October 1, 2023, subject to the route of the race being approved by the Chief of Police. **Second Mr. Evans, so voted 5-0.**

Holmestead Harvest: Requests for One-Day Liquor Licenses

Mr. Salvucci **MOVED** to approve the request of Holmestead Harvest (Lizz Wilson) for a One-Day Liquor License on the premises located at 30 Temple Street, Unit C for the following events:

- July 9, 2023: Farm to Table dinner event with wine (16-person event, 6:00 p.m. to 9:00 p.m.)
- July 23, 2023: Dinner event with wine (serving 20 people, 4:00 p.m. to 7:00 p.m.)
- August 6, 2023: Pasta making class with wine (12 people; 4:00 p.m. to 6:00 p.m.)

Second Mr. Evans, so voted 5-0.

McGuiggan's Pub 5K

Mr. Salvucci **MOVED** to approve the request of Richard Rosen on behalf of McGuiggan's Pub to conduct the 13th McGuiggan's Pub 5K Road Race on Sunday, September 24, 2023; to close off Legion Parkway from 1200 noon to 500 p.m.; and a One-Day liquor License to serve from a tent set up at 16 Legion Parkway, subject to receipt of license fee. **Second Mr. Evans, so voted 5-0.**

Resignation from CPC: Michelle LaMattina

Mr. Salvucci **MOVED** to accept with regret the resignation of Michelle LaMattina from the Community Preservation Committee, effective May 20, 2023. **Second Mr. Evans, so voted 5-0.**

Chief Hanlon: Request to Make Conditional Offers of Employment

Mr. Salvucci **MOVED** to approve the request of Chief Hanlon to make conditional offers to police candidates on the Civil Service list. **Second Mr. Evans, so voted 5-0.** Chief Hanlon stated that he has 3 candidates. Roger Kineavy is a corrections officer, Marine and purple heart recipient; Joshua Kelleher, lifelong Whitman resident, a volunteer with the Barnstable FD, and is in the hiring process with the environmental police; Alyssa Andrews, a SNHU criminal justice major who is employed by the TSA. Offers will be extended to Mr. Kineavy and Mr. Kelleher. Chief Hanlon would also like to extend a conditional offer of employment to Ms. Andrews in case one of the other candidates does not accept or must drop out due to receiving another job offer. Mr. Salvucci **MOVED** to approve the request of Chief Hanlon to make conditional offers to the top 3 candidates on the Civil Service list, with the understanding that the third candidate on the list is being presented with a conditional offer if one of the other two candidates is unable to accept. **Second Mr. Evans, so voted 5-0.**

Historical Commission: Request to Dispose of Items

Molly Schnabel of the Whitman Historical Commission presented the Board with a list of items to be deemed disposable. After Ms. Schnabel outlined the conditions of the items, Mr. Salvucci **MOVED** to approve the request of the Historical Commission to dispose of items outlined in lists received in the Office of the Board of Selectmen on May 10, 2023, and June 20, 2023, with said items being deemed disposable due to being broken beyond repair; having no context with the history of Whitman; irreparable water stains; and items being moldy/dusty. **Second Mr. Evans, so voted 5-0.**

Line-item Transfers

Mr. Salvucci **MOVED** to approve the request of Treasurer-Collector Ken Lytle for a line-item transfer in the amount of \$600.00 from line item #585 Treasurer-Collector Expense to line item #252 Debt Service. **Second Mr. Evans, so voted 5-0.**

Mr. Salvucci **MOVED** to approve the request of Chief Clancy for a line-item transfer in the amount of \$7,500.00 from line item #16 Salaries to Expense. **Second Mr. Evans, so voted 5-0.**

Mr. Salvucci **MOVED** to approve the request of Town Administrator Mary Beth Carter for a line-item transfer in the amount of \$40,000.00 from Medical Life Insurance (Town match) to Legal Services. **Second Mr. Evans, so voted 5-0.**

Mr. Salvucci **MOVED** to approve the request of Town Administrator Mary Beth Carter for a line-item transfer in the amount of \$15,000.00 from Medical Life Insurance (Town match) to Unemployment. **Second Mr. Evans, so voted 5-0.**

Mr. Salvucci **MOVED** to approve the request of Town Administrator Mary Beth Carter for a line-item transfer in the amount of \$5,000.00 from Norfolk County Agricultural H.S. to Vocational Transportation. **Second Mr. Evans, so voted 5-0.**

Mr. Salvucci **MOVED** to approve the request of Town Administrator Mary Beth Carter for a line-item transfer in the amount of \$45,000.00 from line item #20 Norfolk County Agricultural H.S. to line item #14 Facilities/Expense. **Second Mr. Evans, so voted 5-0.**

Mr. Salvucci **MOVED** to approve the request of Library Director David Aronson for a line-item transfer in the amount of \$34,000.00 from Salary-Assistant Library Director to Electricity (\$31,500) and Miscellaneous Expense Library (\$2,500). **Second Mr. Evans, so voted 5-0.**

July Meeting Schedule

The Board set their July meeting schedule for Tuesday, July 11, 2023, at 7:00 p.m.

TOWN ADMINISTRATOR'S REPORT

Request for Use of Town Hall Auditorium

Ms. Carter advised the Board that the Cultural Council is seeking permission to hold the summer concerts in the Town Hall auditorium in the event of rain. Mr. Salvucci **MOVED** to approve the request of the Whitman Cultural Council to use the Town Hall auditorium for the summer concerts in the event of rain. **Second Mr. Evans, so voted 5-0.**

Ms. Carter has received four applications for the Veteran's Services Officer position. Ms. Howe volunteered to be on the interview committee as she is the liaison for the Veterans' Services Department.

OLD BUSINESS (cont'd)

Auxiliary Administrator Appointment

Mr. Salvucci MOVED to appoint John J. Cannizzo, Jr. to the position of Auxiliary Administrator, effective June 20, 2023, through June 30, 2024; and because of this action, Mr. Cannizzo's appointment to the position of Auxiliary/Special Police Officer will terminate effective end of business on June 20, 2023. **Second Mr. Evans.** Union President Kevin Shanteler would like to request that there be a job posting to the public and secondly, that the appointment be tabled as there is a current investigation pertaining to Mr. Cannizzo. Ms. Howe agreed with Officer Shanteler. Chairman Kowalski noted that this is not a union position, therefore the union has no say in the matter. After clarification from Chief Hanlon regarding the schedule for this position, Chairman Kowalski called for a vote in connection with the motion on the floor. **So voted 4-1 (Ms. Howe opposed).**

At 8:48 p.m. Mr. Salvucci **MOVED** to adjourn the meeting. **Second Mr. Evans, so voted 5-0.**

Justin R. Evans, Clerk