

Holbrook Board of Selectmen

Minutes of the Regular Session of

Tuesday, June 22, 2010

Present: Robert A. Powilatis, Chairman  
Matthew V. Moore, Vice-Chairman  
Paul S. Currie, Clerk  
Richard B. McGaughey, Associate  
Brinsley A. Fuller, Associate

In attendance: Michael D. Yunits, Town Administrator

The meeting was called to order at 7:00 pm by Chairman Powilatis, in the Selectmen's Meeting Room, 50 North Franklin Street, Holbrook, MA 02343, and began with a request that all cell phones be turned off and the Pledge of Allegiance.

MINUTES:

MOTION: By Mr. Fuller, second by Mr. McGaughey, to accept the regular session minutes of Tuesday, March 23, 2010, as printed.

VOTE: 3:0:2 (Mr. Moore and Mr. McGaughey abstained)

MOTION: By Mr. Fuller, second by Mr. McGaughey, to accept the executive session minutes of Tuesday, March 23, 2010, as printed.

VOTE: 3:0:2 (Mr. Moore and Mr. McGaughey abstained)

MOTION: By Mr. Currie, second by Mr. Fuller, to accept the minutes of the regular session of Wednesday, April 7, 2010, as printed.

VOTE: 4:0:1 (Mr. Moore abstained)

MOTION: By Mr. Currie, second by Mr. Fuller, to accept the minutes of the executive session of Wednesday, April 7, 2010, as printed.

VOTE: 4:0:1 (Mr. Moore abstained)

TOWN ADMINISTRATOR'S REPORT:

Mr. Yunits announced that the Holbrook Historical Society's annual STRAWBERRY FESTIVAL will be held Thursday, June 24, 2010, at the Little Red Schoolhouse on Union Street, from 4 – 7 pm.

The HOLBROOK SCHOLARSHIP COMMITTEE awarded three \$500 scholarships to Holbrook residents this year:

Mr. Brendan Murphy, Boston College High School

Ms. Mary T. Gainey, Blue Hills Regional Technical School

Ms. Kelly P. Long, Cardinal Spellman High School

Mr. Yunits informed the Board that the COPELAND FAMILY FOUNDATION, INC. has, once again, donated \$5,000 to be used for the Animal Shelter.

MOTION: By Mr. Currie, second by Mr. Fuller, to accept this generous gift, with gratitude, and send them a letter of appreciation for the gift.

VOTE: 5:0

The Chairman commended PUBLIC WORKS SUPERVISOR BENJAMIN ECORD for the work on the pedestrian crossing signs in front of the Holbrook Playground, and thanked the ROTARY, GALWAY BAY PAINTERS, YARDS OF PLEASURE, and the PUBLIC WORKS DEPARTMENT for their contributions to the planters in front of the Town Hall.

Mr. Powilatis reported that the three towns in the TRI TOWN WATER district will have to address the cost to repair a DAM that suffered damage during the severe flooding in the spring.

Mr. Yunits informed the Board that the Planning Board will be conducting a hearing on a request by T.L. EDWARDS to re-zone acreage off SOUTH STREET from industrial to residential.

The Town Administrator notified the Board that a contractor working on a project for the Town of Avon spilled asphalt on SPRING STREET near the railroad crossing. The contractor has been working on restoring the area.

Mr. Yunits notified the Board that the FINANCE COMMITTEE has approved the year-end appropriation transfers submitted to them to date. Their next meeting is July 12, 2010. The Finance Committee has three vacancies. Interested residents were encouraged to contact the Town Moderator to request appointment.

Discussion took place regarding the request of T.L. Edwards to re-zone land behind Southeastern Construction on Spring Street, and over to the area of Teed Road, off of South Street, from industrial/commercial to residential. They are proposing to build 4 homes and gift a large portion of the land to the Town. The Board expressed a concern about losing a potential commercial tax base.

Mr. Currie discussed the lack of SIDEWALKS in the neighborhoods where water projects are being done because the old asphalt is not being dug up before the new asphalt is put down, and suggested changing the scope of the work.

**MOTION:** By Mr. Currie, second by Mr. Fuller, that Mr. Cummings provide the Board with the Scope of Services, if it could have included sidewalks, is there a way to get it included, the bond capacity, if the streets can be covered properly, and why it was not done.

**VOTE:** 5:0

The Town Administrator read a letter from the MASS. DEPT. OF TRANSPORTATION (DOT) regarding the construction of the new CVS at the Highland Plaza. The letter re-stated that the current drainage connection is to be disconnected. Mr. Yunits will forward a copy of the letter to Rep. Ronald Mariano and Senator Michael Morrissey and thank them for their efforts.

The Chairman reported that the Chief of Police is working on getting the TRAFFIC LIGHTS at the railroad crossing on Union Street synchronized, in order to alleviate the traffic issues that have resulted recently.

**APPOINT COMMUNITY DEVELOPMENT CONSULTANT:**

One proposal was submitted in response to the Town's Request for Proposals (RFP) for a Community Development Housing Rehabilitation Consultant.

Mr. Wayne T. Darragh, Vice President of Community Opportunities Group, Inc., (COG) was present and spoke about COG's scope of services and experience in this capacity.

**MOTION:** By Mr. McGaughey, second by Mr. Currie, to appoint Community Opportunities Group, Inc. to be the Community Development Grant Administration and Housing Rehab Consultant, not to exceed \$40,900.

**VOTE:** 5:0

The RANDOLPH LODGE OF ELKS #2130 donated \$2,500 each to the Police Department and to the Fire Department. The Fire Department will use the funds for the purchase of an incident command board and extend-storage unit for Car #2, which will make the car more functional. The Police Department will purchase two Automatic External Defibrillators (AED's) for the police cruisers. Ms. Mary Evans, a Holbrook resident, school crossing guard, and the Exalted Ruler of the Randolph Elks was thanked for spearheading this effort.

MOTION: By Mr. Currie, second by Mr. Fuller, to accept the donation on behalf of the Holbrook Police and Fire Departments and send a letter of thanks for their generous contribution.

VOTE: 5:0

**TOWN TOWING:**

Police Chief William Marble notified the Board that he has been contacted by Mr. Michael McGrath of McGrath's Towing & Recovery, Inc. and Mr. William O'Brien of O'Brien Car Care. Both companies have requested that they be added to the Town's Police Tow list. Pine Hill Service Station and Revitalize Auto Reconditioning, Inc. are currently on the tow list.

Mr. Moore, Mr. Currie, Mr. McGaughey, and Mr. Yunits indicated that they know, or do business with O'Brien Car Care, and some members have filed disclosure forms.

MOTION: By Mr. Fuller, second by Mr. Currie, to approve these requests, pending evidence of insurance coverage and a secure storage area.

VOTE: 5:0

**YEAR-END APPROPRIATION TRANSFERS:**

The Chairman listed the requests:

- 1) \$7,000.00 to be transferred from 01-914-5173-019 Employee Health Insurance to 01-911-5177-019 Medicare.
- 2) \$210.00 to be transferred from 01-945-5174-019 Other Insurance to 01-122-5113-000 Selectmen.
- 3) \$225.00 to be transferred from 01-945-5174-019 Other Insurance to 01-292-5112-000 Animal Control Officer.
- 4) \$4,542.70 to be transferred from 01-914-5173-019 Unemployment to 01-151-5301-000 Town Counsel Professional/Technical.
- 5) \$10,000.00 to be transferred from 01-914-5173-019 Health Insurance to 01-220-5121 Fire Dept. Labor/Overtime.
- 6) \$20,000.00 to be transferred from 01-230-5113 EMT Salaries to 01-220-5121 Fire Dept. Labor/Overtime.

MOTION: By Mr. Currie, second by Mr. Fuller, to approve the Appropriation Transfer Requests as submitted

VOTE: 5:0

Chairman Powilatis reviewed changes to the Open Meeting Law, which are effective July 1, 2010. Other towns have asked that the implementation of the new law be postponed.

MOTION: By Mr. Fuller, second by Mr. Currie, that we let our elected officials and representatives know that we are not in favor of this moving forward on July 1, and we would like our

officials to vote to reconsider and extend the implementation of the Open Meeting Law revisions, and ask the State Auditor to look and see if this is an unfunded mandate.

VOTE: 5:0

Mr. Powilatis explained that he and Mr. McGaughey attended the Planning Board meeting concerning 3 PHILIPPS ROAD, at the request of the Planning Board Chairman. The Planning Board was addressing the issue of the streets in the area, including Mear Road, Water Street, and Philipps Road. Mr. McGaughey explained that while negotiating for the tonnage fee the Town would receive when the transfer station was built, it was agreed that the Town would take responsibility for the roads. Mr. Powilatis said this item is a good faith effort to move forward and bring this issue to town meeting.

MOTION: By Mr. Moore, second by Mr. Fuller, to place on a future town meeting warrant, the acceptance of Water Street, Mear Road and Philipps Road as public ways.

VOTE: 5:0

The Chairman explained that in order to comply with MGL CH. 41, SEC. 56, regarding the payment for goods and services before they are rendered, the Town Accountant and Treasurer/Collector have recommended that the payment of wages for employees whose payroll is paid to date be adjusted from a week ending on Friday to a week ending on Thursday. Currently, some employees are being paid for Friday when they have not yet worked the hours. The change will occur mid-July. Mr. Powilatis indicated that the payroll should be changed to a bi-weekly payment schedule by September, 2010.

MOTION: By Mr. Fuller, second by Mr. Moore, to ratify the Town Accountant and Treasurer's plan regarding the payment of payroll.

VOTE: 5:0

The Chairman indicated that the following requests for VACATION CARRYOVER from FY2010 into FY2011 have been received:

- 1) 7 vacation days by William D. Marble, Jr., Chief of Police
- 2) 7 vacation days by Edward J. O'Brien, Fire Chief
- 3) 10 vacation days by Thomas R. Cummings, Supt. of Public Works
- 4) 5 vacation days by Benjamin Ecord, Supervisor, Public Works
- 5) 30 vacation hours by Laurice Hedges, Animal Control Officer
- 6) 35 vacation hours by Marjorie Godfrey, Selectmen's Secretary
- 7) 5 vacation days by Michael D. Yunits, Town Administrator

MOTION: By Mr. Moore, second by Mr. McGaughey, to approve the vacation carryovers as requested.

VOTE: 5:0

#### ANNUAL APPOINTMENTS:

The Chairman read the first page of appointments and asked the Board to hold off on re-appointing the Assistant Town Accountant until a union grievance regarding the appointment of an Assistant Assessor is settled, and asked that the Board hold off on the re-appointment of the Measurer of Wood and Bark for medical reasons.

Expire June 30 unless noted

Animal Control Officer	Laurice Hedges	2011
**HOLD – Assistant Town Accountant		2011
Building Inspector	Richard P. Monahan	2011
Assistant Building Inspector	Michael McGourty	2011
Emergency Management Director	Richard Reuss	2011
Assistant Emergency Management Director	Joseph C. Morgan	2011
Field Driver/Pound Keeper	Laurice Hedges	2011
Gas Inspector	John Callahan	2011
Handicapped Rules & Regulations Coordinator	Thomas R. Cummings	2011
**HOLD – Measurer of Wood and Bark		2011
Metropolitan Area Planning Council Rep.	Michael D. Yunits	<u>8/7/2013</u>
Norfolk County Advisory Board Rep.	Paul S. Currie	2011
Parking Clerk and Hearings Officer	M. Shirley Austin	2011
Plumbing Inspector	John F. Callahan	2011
Assistant Plumbing/Gas Inspector	Mark J. Grzybinski	2011
Public Works Supervisor	Benjamin Ecord	2011
Right to Know Law, Municipal Coordinator	Edward J. O'Brien	2011
Sealer of Weights and Measures	Harold H. Boothby	2011
Soil Remover Inspector	Thomas R. Cummings	2011
Town Accountant	Cynthia M. Brennan	<u>2013</u>
Veterans' Agent	Andrew M. Noonan	2011
Veterans' Graves Officer	Leonard J. Curreri	2011
Wiring Inspector	Alfred G. Oswald	2011

MOTION: By Mr. Currie, second by Mr. McGaughey, to approve page 1 of the appointments with the exception of the Assistant Town Accountant and the Measurer of Wood and Bark.

VOTE: 5:0

Page 2:

Board of Registrars	Patricia J. Harding	2013
Conservation Commission	Joseph A. Davenport	2013
	Jason M. Pukt	2013
Constables	Ralph J. Colarusso	2011
Council on Aging	Ruth Ahern	2011
	Shirley Cartwright	2011
	Liliana Cesarini	2011
	Louise Currie	2011
	John Huxley	2011
	Robert Matson	2011
	Raymond Molling	2011
	Concetta Mosesso	2011
	Mary E. Pacuska	2011
	Monica Scanlan	2011
	Pauline Smith	2011

Emergency Management Auxiliary Police Officers

Robert DeMarco	2011
Michael Fenore	2011
James Gramm	2011
Gary Lawcewicz	2011
Joseph Morgan	2011
Richard Reuss	2011
Armando Soto	2011
Daniel Steele	2011
Dennis Sullivan	2011
Kenneth Terrill, Jr.	2011

Special Police Officers

Robert DeMarco	2011
James Gramm	2011
Gary M. Lawcewicz	2011
Michael Lee	2011
Joseph Morgan	2011
Joseph Nugent	2011
Michael Parker	2011
Richard W. Reuss	2011
Armando Soto	2011
Daniel Steele	2011
Dennis P. Sullivan	2011

MOTION: By Mr. Currie, second by Mr. McGaughey, to approve the appointments on Page 2.  
 VOTE: 5:0

Page 3:

Special Police Officer for School Attendance	Ralph J. Colarusso	2011
Holbrook Historical Commission	Marion G. Colburn	2013
	Esther L. Tucker	2013
Local Emergency Planning Committee	Robert A. Powilatis	2011
	William D. Marble, Jr.	2011
	Thomas R. Cummings	2011
	Edward J. O'Brien	2011
	Brian Macauley	2011
	Richard Reuss	2011
Permanent Cable Television Advisory	Henry Dye	2013
	Louis Pransky	2013
Permanent Veterans' Memorial Committee	Thomas R. Cummings	2013
Recreation Commission	Joan M. Brown	2011
	John Flanagan	2011
Self-Evaluation Steering Committee		
Handicapped Accessibility	Thomas R. Cummings	2011
	Dorothy Flint	2011
	Barbara A. Lloyd	2011
	Nancyanne Noone	2011

Town Forest Committee David O. Dingley 2013

MOTION: By Mr. Fuller, second by Mr. McGaughey, to approve the appointments on Page 3.  
VOTE: 5:0

Page 4:

Town Scholarship Committee David O. Dingley 2013

Marie O'Neil 2013

Linda Austin 2013

Zoning Board of Appeals James A. Day 2013

John Fredericks/Alternate 2011

Daniel Moriarty, Jr./Alternate 2011

Capital Improvements Planning Committee

Teresa McCue, Citizen at Large 2011

Dale Lewis, Citizen at Large 2011

Brinsley Fuller, Selectmen's Rep. 2011

James Taggart, Finance Committee Rep. 2011

Louis Pransky, School Committee Rep. 2011

Stormwater Advisory Committee

William Murphy, Board of Health Rep.

William Forte, Conservation Commission Rep.

Energy Committee Francis J. Duggan, Jr. 2011

Mark J. Svizzero 2012

Michael F. Fleming, Jr. 2012

Matthew V. Moore 2013

Thomas J. Taylor 2013

Town Government Study Committee

Robert S. Austin

Fred White (see motions below)

MOTION: By Mr. Currie, second by Mr. Fuller, to add the name of Mr. Richard McGaughey to the  
Town Government Study Committee list of appointees.

Discussion: The Chairman indicated there are three nominations for the Town Government Study  
Committee, but only two positions, and he would take the votes individually.

MOTION: By Mr. Fuller, and seconded, to vote for Mr. Austin.

VOTE: 4:0:1 (Passed)

MOTION: Made and seconded to vote for Mr. White.

VOTE: 1:3:1 (Failed)

MOTION: Made and seconded to vote for Mr. McGaughey.

VOTE: 3:0:2 (Passed)

MOTION: By Mr. Currie, second by Mr. Fuller, to approve the other appointments on Page 4.

VOTE: 5:0

TOWN COUNSEL:

MOTION: By Mr. Fuller, second by Mr. Moore, that the law firm of Murphy, Hesse, Toomey and Lehane, LLP be appointed as town counsel until June 30, 2011.

VOTE: 4:0:1 (Mr. McGaughey abstained)

PROCUREMENT OFFICER:

MOTION: By Mr. Fuller, second by Mr. Currie, to appoint Mr. Thomas Cummings as the Procurement Officer until June 30, 2011.

VOTE: 5:0

The Board discussed the importance of moving expeditiously on the water meter program contract with Pennichuck, due to the issues the Town experienced with the recent readings.

MOTION: At 8:10 pm by Mr. Fuller, second by Mr. Moore, to adjourn the meeting.

VOTE: 5:0

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Paul S. Currie, Clerk