

Holbrook Board of Selectmen

Minutes of the Regular Session of

Tuesday, November 23, 2010

Present: Robert A. Powilatis, Chairman  
Matthew V. Moore, Vice-Chairman (Arrived at 7:06 p.m.)  
Richard B. McGaughey, Associate  
Brinsley A. Fuller, Associate  
Absent: Paul S. Currie, Clerk

In attendance: Michael D. Yunits, Town Administrator  
Thomas R. Cummings, Superintendent of Public Works  
Cynthia M. Brennan, Town Accountant  
Marjorie E. Godfrey, Selectmen's Secretary

The meeting was called to order at 7:02 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 to the Flag.

Chairman Powilatis thanked the students and teachers for working with the American Legion and sending thank you notes to Holbrook VETERANS, and Mr. Powilatis wished all Holbrook residents a Happy Thanksgiving.

The ANNUAL FESTIVAL OF LIGHTS will be held on Tuesday, December 7, 2010 at 6:30 pm in front of the Town Hall. This year the celebration will be larger with the addition of adults and chorale groups from the local churches. The Historical Commission is seeking donations for the purchase of additional lights.

MINUTES:

MOTION: By Mr. Fuller, second by Mr. McGaughey, to approve the minutes of the regular session of September 28, 2010, as printed.

VOTE: 3:0

MOTION: By Mr. Fuller, second by Mr. McGaughey, to approve the minutes of both the regular session and the executive session of October 5, 2010, as printed.

VOTE: 3:0

7:06 p.m.: Mr. Moore entered.

TOWN ADMINISTRATOR'S REPORT:

Mr. Yunits announced that:

- o Today is MR. MCGAUGHEY'S 72<sup>nd</sup> BIRTHDAY.
- o There will be a BULKY ITEM AND WHITE GOOD COLLECTION during the week of December 6, 2010.
- o There will be a LEAF AND YARD WASTE COLLECTION on Saturday, December 4, 2010.
- o The WINTER PARKING BAN is in effect. Parking on public ways between the hours of 1:00 a.m. and 6:00 a.m. from November 15<sup>th</sup> through April 15<sup>th</sup> is prohibited.

- The Permanent Cable Television Advisory Committee has been negotiating a cable license with VERIZON. A hearing will be held on a draft contract on December 14, 2010.
- Holbrook Community Access and Media (HCAM) would like to upgrade the sound system that is used for broadcasting public meetings from the Town Hall on the Community Access Channel. Any upgraded equipment will remain the property of HCAM.

MOTION: By Mr. McGaughey, second by Mr. Fuller, to authorize the Cable Access (HCAM) to install and upgrade the acoustic sound system in the Town Hall, and recognize that the equipment remains the property of the nonprofit corporation.

VOTE: 4:0

**APPOINTMENT OF CUSTODIAN:**

The Treasurer needs to be appointed as the custodian of a parcel of land in order to sell the parcel.

MOTION: By Mr. Fuller, second by Mr. Moore, that as allowed under M.G.L. Chapter 60 Section 77B, the Board of Selectmen vote to appoint Treasurer/Collector Paul Digirolamo as custodian for the purpose of the sale of the parcel shown on Assessors' Map 9 as Parcel 002.

VOTE: 4:0

**SAND BID AWARD:**

Mr. Cummings explained that he received three bids for sand, and he is recommending that the award be made to the low bidder.

MOTION: By Mr. Fuller, second by Mr. McGaughey, that the Board of Selectmen vote to award a contract for Winter Washed Sand for snow/ice control to Kingstown Corporation, 61 Camelot Drive, Plymouth, MA 02360 at the bid price of \$12.92 per ton with said contract to expire on June 30, 2011.

VOTE: 4:0

MR. PAUL ANASTASIO of the South Shore Poker Club was present at this meeting. The Chairman welcomed him and asked that he provide the Board with a report of the organizations that have been assisted by the Poker Club and the amount raised, and that he consider making a donation to the Town for the Festival of Lights.

**CONTINUATION OF THE HEARING TO CONSIDER THE CANCELLATION OF THE RETAIL PACKAGE STORE LICENSE IN THE NAME OF LOBO & VEIGA CORPORATION DBA LOBO & VEIGA PACKAGE STORE AT 41 PLYMOUTH STREET, AS PER MGL CHAPTER 138 §77:**

Mr. Yunits explained that Kevin Reilly, Esq., represents the new buyer. Mr. Reilly dropped off a partial application for the transfer of the license this afternoon, and indicated that he is waiting for a signed lease from the landlord. The current owner has filed an application to renew the license for 2011. Mr. Yunits recommended continuing this hearing to December 28, 2010.

MOTION: By Mr. Fuller, second by Mr. Moore, to continue the hearing to December 28<sup>th</sup> at a time to be determined.

VOTE: 3:0:1 (Mr. McGaughey abstained)

**HEARING TO CONSIDER AMENDMENTS TO THE SALARY ADMINISTRATION PLAN:**

Mr. Cummings was present to represent the employees under this Plan.

**MOTION:** At 7:20 pm, by Mr. Fuller, second by Mr. McGaughey, to open the hearing to consider amendments to the Salary Administration Plan.

**VOTE:** 4:0

Mr. Cummings requested that the hearing be continued to the Board's next meeting, on December 14, 2010, and that it be conducted in executive session.

**MOTION:** By Mr. Fuller, second by Mr. McGaughey, to continue the Salary Administration hearing until December 14, 2010, in executive session.

**VOTE:** 4:0

The Board reviewed a report of the Town's REVENUE AND RECEIVABLES as of October 31, 2010. Town Accountant Cynthia Brennan reported that there are \$401,677 in outstanding water charges due the Town. The Chairman indicated that the Town needs to be more vigilant and enhance its collections. With a \$21,668 deficit in the solid waste enterprise account, discussion took place regarding the pay-as-you-throw program. Mandatory recycling and single stream recycling were discussed. Mr. Yunits was asked to research mandatory recycling and prepare an article for town meeting. Mr. McGaughey recommended that the banks be contacted about overdue bills on the properties where they hold mortgages.

**MOTION:** By Mr. McGaughey, second by Mr. Moore, to ask Mr. Digirolamo to look into a method of enforcing the collection of outstanding delinquent accounts – water, sewer, trash, personal property, real estate, excise – and get a report from the Collector to see what he collects on a monthly basis, and the aging.

**VOTE:** 4:0

It was confirmed that the vote taken earlier in this meeting, was to allow Holbrook Community Access and Media (HCAM) to upgrade the cable sound system in the Town Hall, not the Cable Advisory Committee.

**MOTION:** At 7:50 p.m., to adjourn to executive session to conduct negotiations and discuss strategy as it relates to collective bargaining with union and non-union personnel and pending litigation, and not return to open session.

**ROLL CALL VOTE:** Mr. Fuller – Yes  
Mr. McGaughey – Yes  
Mr. Moore – Yes  
Mr. Powilatis – Yes

Documents:

Agenda

Draft minutes: September 28, 2010 and October 5, 2010

Leaf & Yard Waste notice to residents

Bulky Items & White Goods notice to residents

Winter Parking Ban press release

Motion, field card, copy of MGL C60 §77B for appointment of Treasurer as custodian

List of bidders, recommendation of Superintendent, and motion for award of sand bid

Nov. 12, 2010 letter to Jonathan J. Moriarty, Esq. re: Package Store License at 41 Plymouth St.

Hearing notice and letter for Salary Administration hearing

Revenue/Receivable report as of 10/31/10