

Holbrook Board of Selectmen

Minutes of the Regular Session of

Tuesday, December 28, 2010

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

In attendance: Michael D. Yunits, Town Administrator
Marjorie E. Godfrey, Selectmen's Secretary

The meeting was called to order at 7:06 pm by Chairman Moore (see reorganization below), in the Selectmen's Meeting Room, 50 North Franklin Street, Holbrook, MA 02343, and began with the Pledge of Allegiance.

Mr. Moore explained that MR. ROBERT POWILATIS, formerly the Chairman of the Board of Selectmen, has notified the Town Clerk that he is no longer a resident of Holbrook, and has resigned from this Board, the Board of Assessors, and the Housing Authority. Mr. Moore expressed gratitude for Mr. Powilatis's years of service to the Town.

MINUTES:

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

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

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

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

TOWN ADMINISTRATOR'S REPORT:

Mr. Yunits announced that:

- Due to the recent snowstorm, Allied Waste was unable to pick up the trash on Monday, December 27, 2010, and he apologized for the inconvenience. Allied Waste will not be picking up the Monday route until Monday, January 3, 2011.
- The Ladies Volleyball Team is sponsoring a fundraiser on Thursday, January 6, 2011, at 7:00 pm, at the Junior-Senior High School, to benefit four children undergoing medical treatment.
- The Board of Assessors has reorganized and Mr. Daniel Lee is the new Chairman.
- The Festival of Lights and Holbrook Santa were successful due to the donations, time and in-kind donations of many businesses, organizations and residents.
- A discussion regarding the intersection of Weymouth, Pine and Sycamore Streets should be added to the January 11, 2011 agenda. A copy of a recent report on that intersection is available for viewing in the Selectmen's office.
- A hearing regarding the acceptance of Spring Lane should be added to the January 25, 2011 agenda, allowing time for the notification of the abutters.
- The tax classification hearing has been scheduled for 7:15 pm on Thursday, January 6, 2011.

ONE DAY ALCOHOL LICENSE:

Present: Mr. Paul Anastasio, South Shore Poker Club

Discussion took place regarding a One Day Special License application filed for 30 dates during January to April 15, 2011. South Shore Poker Club requested permission to sell beer and wine beginning at 2:00 pm until midnight on those dates. Mr. Currie said that the application was vague, and he would like clarification from Mr. Anastasio at the next meeting. Since the application was only received on December 23rd, he also indicated that there had not been enough time to request input from the Fire Chief and the Chief of Police.

MOTION: By Mr. Fuller, second by Mr. Currie, to grant a One Day Special License for the sale of Wine & Malt Beverages to South Shore Poker Club, 27 Maple Ave., for January 1, 7, and 8, 2011, from 5:00 pm to 12:00 am.

Discussion: Mr. Yunits and Mr. Anastasio will work together to clarify the requests for January 14 through mid April, and get input from the Chiefs on public safety.

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

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 c138 §77:

Present: Ms. Gilda Lobo and Ms. Estefania Veiga

MOTION: At 7:23 pm, by Mr. Fuller, second by Mr. Currie, to move to open the continuation of the hearing on Lobo & Veiga Package Store, 41 Plymouth Street.

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

Mr. Yunits reported that further documentation has been submitted for the transfer of this license, and it should be complete by January 25, 2011.

MOTION: By Mr. Fuller, second by Mr. Currie, to continue the hearing to consider the cancellation of the Retail Package Store License in the name of Lobo & Veiga Corporation located at 41 Plymouth Street until January 25, 2011 at 7:15 pm.

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

REORGANIZATION OF THE BOARD:

Former Chairman Robert Powilatis has moved out of Holbrook and resigned from the Board.

MOTION: Made by Mr. McGaughey to nominate Mr. Currie as the temporary chairman until the election in April.

MOTION WITHDRAWN

MOTION: Made by Mr. Fuller to nominate Mr. Moore for chairman
NO SECOND

Mr. McGaughey explained that he feels that Mr. Currie would be the best person for the chairmanship until the April election because of his knowledge of the water issues facing the town and his rapport with Mayor Sullivan in Braintree. Following further discussion:

MOTION: By Mr. McGaughey, second by Mr. Currie, to recommend Mr. Moore as the chairman through the election cycle.

VOTE: 4:0

The Board indicated that the town's attorneys and the Tri Town Water Board should be notified that all communications should be sent through the office, not to any one Selectman.

The Board discussed meeting with the Water Study Advisory Committee. Mr. Yunits will ask the Committee for information and the minutes of their meetings.

MOTION: By Mr. Fuller, second by Mr. Moore, to nominate Mr. Currie as Vice-Chairman.

VOTE: 4:0

MOTION: By Mr. Currie, second by Mr. McGaughey, to nominate Mr. Fuller as Clerk.

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

PUBLIC WORKS CONTRACT:

MOTION: By Mr. Moore, second by Mr. Currie, to accept the Memorandum of Agreement between the Town and AFSCME Local 1395, the Public Works Union, through June 30, 2013.

VOTE: 4:0

The discussion regarding the collection of town receipts was postponed until the meeting on January 11, 2011.

PERMIT TO SOLICIT VERIZON FIOS SERVICE:

Present: Ms. Andrea Atkinson from 212 Marketing Solutions, Inc.
William D. Marble, Jr., Chief of Police

Ms. Atkinson explained that 212 Marketing Solutions has been working with Verizon for five years. She anticipates that soliciting will be conducted between 2 pm and 7:30 pm, and that they should be soliciting in Holbrook for a month to a month and a half. The town by-law regarding door-to-door sales was discussed. The salespeople will be driving their own personal cars. Chief Marble said that copies of the picture identification of the salespeople will need to be left at the Police station. It was clarified that there is to be no soliciting after sunset.

MOTION: By Mr. Fuller, second by Mr. Currie, to grant permission to 212 Marketing Solutions, Inc. to solicit door to door on behalf of Verizon New England, Inc. with the following stipulations:

- All soliciting is to be conducted between mid-morning and sunset
- All soliciting is to be conducted Monday through Saturday only
- Prior to the start of any door-to-door sales, you must provide the Holbrook Police Department and the Town Administrator with the following: dates and hours during which sales will occur, the names of the personnel that will be soliciting,

photocopies of the identification of the solicitors, license plate numbers of the vehicles, and a list of the streets they will be canvassing.

- o A fee of \$100.00 will be paid to the Town of Holbrook

VOTE: 4:0

Residents can opt out of the soliciting by contacting the Town Administrator to be put on a list which will be forwarded to 212 Marketing Solutions when soliciting is to begin.

The Chairman thanked all of those who assisted during the recent snowstorm, including Mr. Richard Reuss, the Emergency Management Director; Fire Chief Edward J. O'Brien; William D. Marble, Jr., Chief of Police; Town Administrator Michael D. Yunits; the employees of the Public Works Department and Superintendent Thomas R. Cummings. It was noted that the cleanup is ongoing.

MOTION: At 7:55 pm, to adjourn to executive session to discuss strategy as it relates to collective bargaining with union personnel (Firefighters and Clerical) and not return to open session.

ROLL CALL VOTE: Mr. Fuller – Yes
Mr. Currie – Yes
Mr. McGaughey – Yes
Mr. Moore – Yes

Brinsley A. Fuller, Clerk

Documents:

Agenda and revised agenda

Draft minutes

One Day Special License application

Public Works Union memorandum of agreement

Letter to Mr. Moriarty, Attorney for Lobo & Veiga Package Store and motion

212 Marketing Solutions application, motion, and copy of 12/23/10 letter

Email from resident William Stetson asking that permission to solicit not be granted