

Holbrook Board of Selectmen

Minutes of the Regular Session of

Tuesday, February 22, 2011

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

In attendance: 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 7:00 pm by Chairman Moore, in the Selectmen's Meeting Room, 50 North Franklin Street, Holbrook, MA 02343 and began with the Pledge of Allegiance.

MINUTES:

MOTION: By Mr. Fuller, second by Mr. Currie, to approve the minutes of the regular session of January 25, 2011, as printed

VOTE: 4:0

MOTION: By Mr. Fuller, second by Mr. Currie, to approve the minutes of the executive session of January 25, 2011, as printed

VOTE: 4:0

It was announced that:

- o State Senator John F. Keenan will be available to meet with constituents in the Selectmen's Meeting Room from 9 am to 10 am on Friday, February 25, 2011
- o State Representative Ronald Mariano has resumed conducting Town Hall Office Hours from 12:30 pm to 1:30 pm on the first Friday of each month in the Veterans' office
- o There is a vacancy on the Capital Improvement Planning Committee for a Citizen at Large. Letters of interest should be sent to the Board of Selectmen. Mr. Dale Lewis, who has resigned from the Committee, was thanked for his service.
- o Fire Lieutenant David Kincus retired on February 17, 2011, after serving the town and the fire department for 38 years, originally joining the department on June 30, 1973 as a provisional appointment.

Mr. McGaughey recused himself and left the room.

CHANGE OF MANAGER – DALTON CLUB:

Present: Mr. Carl Eric Davey, new manager, Legion Post
Mr. Gary Newton, Treasurer, Legion Post

This is a request for a change of manager from Mr. Christopher Reichert to Mr. Carl Eric Davey. Mr. Davey is TIPS certified.

MOTION: By Mr. Fuller, second by Mr. Currie, to grant the change of manager from Christopher Reichert to Carl Eric Davey on the All Alcohol Club License at the American Legion dba Dalton Club, 777 Plymouth Street

VOTE: 3:0

CHANGE OF MANAGER – HALFWAY CAFÉ:

Present: Mr. Sean Finn, new manager, Halfway Cafe
Mr. Michael James, Operations Manager, Halfway Cafe

Mr. Finn has been working for the Halfway Cafe at other locations. He is TIPS certified.

MOTION: By Mr. Fuller, second by Mr. Currie, to grant the change of manager from Robert M. Ready to Sean H. Finn on the All Alcohol Restaurant License at Halfway Cafe, 200 South Franklin Street

VOTE: 3:0

Mr. McGaughey entered the room and returned to his seat.

SCHOOL DEPARTMENT – SCHOOL REPAIR WARRANT ARTICLES:

Present: Joseph Baeta, School Superintendent
School Committee members:

Barbara Davis, Chairman; John Flanagan; Ann Poppenga; Louis Pransky

Mr. Baeta reviewed five town meeting warrant articles, approved for submission by the School Committee, requesting a total of \$495,000 of funding for repairs to the schools. The Superintendent explained that there is particular concern about the school roofs, and the parking lots are in poor condition. The roof at the Kennedy School is the worst, and an insurance claim is pending. The South School roof has a leak, and the Junior-Senior High School's roof is in bad condition. The parking lot at the Junior-Senior High is the worst, with the South School second. It was reported that there is an air flow problem in the ventilation systems at the schools, especially the South School, which could lead to a mold problem, followed by an air quality issue. The boiler at the Junior-Senior High needs repair. It was discussed that the Capital Improvement Fund does not have enough available funding for these requests at this time. Mr. McGaughey suggested that the Town speak to Rep. Ronald Mariano. Mr. Baeta advised that if a new building is built, \$1 million could be added to the cost and set aside for the purpose of funding similar capital maintenance costs in the future. Doing so, would qualify the town to receive 1% more in reimbursement.

TOWN ADMINISTRATOR SEARCH ADVISORY COMMITTEE:

The Chairman explained that Town Administrator Michael Yunits has accepted the Town Manager's position in the Town of Norton. He suggested that a 5-member committee be established to weed through the applications for the position and come back to the Board of Selectmen with recommendations on finalists who will be interviewed by the Selectmen. Mr. Moore indicated that the committee should include a member of the Board of Selectmen, the Finance Committee, the School Committee, and two members of the community, preferably with a human resource or recruiting background.

MOTION: By Mr. McGaughey, second by Mr. Moore, to nominate Mr. Fuller as the Selectmen's Representative on the Town Administrator Search Advisory Committee

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

REQUEST FOR PROPOSALS (RFP) – LEASE OF MUNICIPAL PROPERTY FOR A WIRELESS COMMUNICATIONS TOWER:

Town Administrator Michael Yunits requested that the Board review an RFP he has prepared for wireless telecommunications facilities interested in leasing a portion of Town-owned land located Off White Rock Spring Rd, to permit, build, lease, own and operate a wireless communication facility.

MOTION: By Mr. Fuller, second by Mr. McGaughey, to move to go forward with the advertisement for the Lease of Municipal Property for Wireless Communications Tower

VOTE: 4:0

SPECIAL TOWN MEETING:

MOTION: By Mr. Fuller, second by Mr. Currie, that the Board of Selectmen schedule a Special Town Meeting at 8:15 pm on Tuesday, May 3, 2011, at the Junior-Senior High School, and that the warrant for said meeting open immediately and close at 3:00 pm on Friday, March 18, 2011

VOTE: 4:0

BUILDING INSPECTOR'S CERTIFICATION:

Present: David DeLuca, Esq., Murphy, Hesse, Toomey & Lehane (Town Counsel)

Mr. Moore explained that Building Inspector Richard Monahan is currently out of state, but a letter has been received from the Commonwealth of Massachusetts regarding Mr. Monahan's status as a Building Code Enforcement Official. When Mr. Monahan was appointed, he had 18 months to become certified, and he has failed to complete that process.

Attorney DeLuca said that MGL Ch. 143 § 3 mandates the minimum qualifications required for this position, and that Mr. Monahan's appointment has been a conditional appointment, limited to the 18 months allowed to take the exams. Mr. Monahan did not take the opportunity to take the exams, and requested an extension of time, which the Mass. Board of Building Regulations and Standards denied. Mr. DeLuca went on to say that Mr. Monahan has requested an appeal of that decision, but the Town does not have a certified building inspector.

Discussion took place about appointing an interim building inspector. The Board discussed appointing former Building Commissioner Daniel Moriarty, Jr., who is fully qualified.

MOTION: By Mr. Currie, second by Mr. McGaughey, to rescind Richard Monahan's conditional appointment as the Building Inspector

VOTE: 4:0

MOTION: By Mr. Currie, second by Mr. Fuller, to appoint two individuals to fill the void. Mr. Daniel Moriarty, Jr. will perform the duties as the Interim Building Inspector, and Mr. William Forte as an Assistant Building Inspector

VOTE: 4:0

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MOTION: At 7:55 pm, to adjourn to executive session to discuss strategy as it relates to litigation in a Land Court case, 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

Draft minutes

Announcements: Sen. Keenan, Rep. Mariano, Capital Improvements
Email from Chief O'Brien re: Lt. Kincus retirement

Change of Manager applications: Dalton Post and Halfway Cafe

ATM warrant articles from School Committee

Draft RFP for Wireless Communications Tower

STM draft motion

Information re:

Building Code Enforcement Official Certification

Request for extension of time

Examination Score Report

Attendance sheets

Board of Building Regulations and Standards 2/16/11 letter

Letter from Mr. Monahan requesting an appeal