

Holbrook Board of Selectmen

Minutes of the Regular Session of

Tuesday, March 27, 2012

Present: Timothy J. Gordon, Chairman
Matthew V. Moore, Vice-Chairman
Brinsley A. Fuller, Clerk
Kevin J. Sheehan, Associate

Absent: Richard B. McGaughey, Associate

In attendance: William J. Phelan, Town Administrator
Thomas R. Cummings, Superintendent of Public Works
Marjorie E. Godfrey, Selectmen's Secretary

The meeting was called to order at 7:00 pm by Chairman Gordon, in the Selectmen's Meeting Room, 50 North Franklin Street, Holbrook, MA 02343, and began with the Pledge of Allegiance.

MINUTES:

The minutes of December 13, 2011 were postponed.

MOTION: By Mr. Moore, second by Mr. Sheehan, to approve the minutes of the regular session of February 28, 2012, as printed

VOTE: 4:0

MOTION: By Mr. Sheehan, second by Mr. Fuller, to approve the executive session minutes of February 28, 2012, as printed

VOTE: 4:0

The Chairman asked if anyone present had a Citizen Concern, and there were none.

TOWN ADMINISTRATOR'S REPORT:

Mr. Phelan reported that Superintendent Joseph Baeta held a meeting relative to the mold issue in a room at the Junior-Senior High School in response to the concerns of the parents. The Finance Committee and the Permanent School Building Committee have been notified. Nine of ten rooms that were checked were okay, but one room has been closed off. The cause is a lack of maintenance of the HVAC system, and the Superintendent has been addressing the lack of a maintenance budget.

Residents Debi and John Joyce were present to represent Fr. John Currie of St. Joseph Parish for a ONE DAY ALCOHOL LICENSE for a Scholarship Fundraiser to be held on April 18, 2012 at St. Joseph School. They explained that the fundraiser was to raise money for the Sean Joyce Foundation for scholarships and the maintenance of the Sean Joyce Field.

MOTION: By Mr. Fuller, second by Mr. Sheehan, to grant a One Day Alcohol License to Rev. John Currie, representing Saint Joseph Parish, for the sale of alcoholic beverages for a Sean Joyce Foundation Fundraiser on Saturday, April 28, 2012, during the hours of 6:00 pm to midnight

VOTE: 4:0

CHANGE OF MANAGER AT HALFWAY CAFÉ:

Present: Michael James, the Director of Operations for Halfway Cafe, Inc.
Travis White, the proposed new manager in Holbrook

It was explained that this is a request for a change of manager only, from Sean Finn to Travis White, on the All Alcohol Restaurant License in the name of Halfway Cafe, Inc. dba Halfway Cafe at 200 South Franklin Street, Holbrook.

MOTION: By Mr. Fuller, second by Mr. Sheehan, to approve the request for the change of manager from Sean Finn to Travis White on the All Alcohol Restaurant License in the name of Halfway Cafe, Inc. dba Halfway Cafe, at 200 South Franklin Street

VOTE: 4:0

MR. CUMMINGS said that he expects to RETIRE this fiscal year. He was hired at the age of 16, and has worked for the town for 68 years. He is planning to work until the end of April and expects to be off the payroll by the end of June. Mr. Cummings is the only life-tenured employee, which was granted to him through a legislative process and after a vote of support from the residents of Holbrook. Mr. Cummings was thanked for his extensive service to the town.

COMMON VICTUALLER'S LICENCE – 134 SOUTH FRANKLIN ST.:

Present: Maria Panos, the former owner of Maria's Pizzeria
Bavly Elias, the new owner and proposed licensee

MOTION: At 7:15 pm, by Mr. Fuller, second by Mr. Sheehan, to open the hearing on the application of St Mary & St Yuana Inc. dba Maria's Pizzeria for a Common Victualler's License for the purpose of serving prepared foods at 134 South Franklin Street

VOTE: 4:0

Mrs. Panos explained that she and her family have operated the restaurant for 18 years, and Mr. Elias is purchasing the business, but not the building. There were no comments from the audience when the Chairman asked if anyone would like to speak. Mr. Phelan reported that the Health Agent has visited the restaurant and found everything in order.

MOTION: By Mr. Sheehan, second by Mr. Fuller, to accept the application and grant a Common Victualler's License to St Mary & St Yuana Inc. dba Maria's Pizzeria, at 134 South Franklin Street

VOTE: 4:0

MOTION: At 7:20 pm, by Mr. Moore, second by Mr. Fuller, to close the hearing

VOTE: 4:0

Fire Chief Edward J. O'Brien explained that New England Medical Billing has advised that the Town should consider raising the AMBULANCE RATES. Their recommendation is predicated on the Medicare reimbursement rate. Raising the rates, as recommended, will leave the Town of Holbrook right in the middle of other towns that use New England Medical Billing.

MOTION: By Mr. Moore, second by Mr. Fuller, to accept the Fire Chief’s initiative and New England Medical Billing’s recommendation to raise the Ambulance Rates, effective April 1, 2012:

Procedure Code		Current Fees		Recommended Fee Increase 04/01/12
A0429	BLS Emergency Base Rate	\$ 595.00		\$ 645.00
A0427	ALS Emergency Base Rate	\$ 715.00		\$ 760.00
A0433	ALS 2 Emergency Base Rate	\$ 995.00		\$1,050.00
A0425	Mileage	\$ 16.00		\$ 18.00
A0396	Airways	\$ 138.00		\$ 138.00
93000	Cardiac Monitoring *	\$ 165.00		\$ 165.00
A0392	Defibrillation	\$ 138.00		\$ 138.00
A0424	Extra EMT	\$ 247.00		\$ 247.00
A0394	IV Therapy / IV Drugs	\$ 138.00		\$ 138.00
A0422	Oxygen	\$ 72.00		\$ 72.00
A0999	Extrication (Jaws of Life)	\$ 170.00		\$ 170.00
A7030	C-Pap (for future reference)	\$ 170.00		\$ 170.00
L0180	Cervical Collar	\$ 30.00		\$ 30.00
A0999	Longboard	\$ 45.00		\$ 45.00
A0398	Disposable Supplies ALS	\$ 60.00		\$ 60.00
A0382	Disposable Supplies BLS	\$ 50.00		\$ 50.00

VOTE: 4:0

Mr. Cummings provided an update on PUBLIC WORKS projects: ROADWAY SWEEPING is ongoing, but the winter equipment is being kept ready. The normal spring work is being done at this time.

Mr. Cummings has met with the low bidder on the design of the reconstruction of UNION STREET. Benjamin Ecord, the Public Works Supervisor, explained that the playground consultant recommended that the town use the larger mesh FENCING AT THE PLAYGROUND, due to the cost of the smaller mesh fence. It was suggested that the smaller mesh be used along the front of the playground and the larger mesh around the rest of the perimeter. The current poles, considered better materials than newer ones, will be re-used. There is nothing wrong with the current gate. The fence will be 5-foot vinyl coated chain link.

SALARY ADMINISTRATION:

Present: Benjamin Ecord, Supervisor, Public Works Department
 Connie Orlando, Coordinator, Council on Aging
 Edward J. O’Brien, Fire Chief
 William D. Marble, Jr., Chief of Police

A hearing notice was published in the Moneysaver on March 21, 2012.

MOTION: At 7:30 pm, by Mr. Fuller, second by Mr. Sheehan, to re-open the Salary Administration hearing from March 13, 2012

VOTE: 4:0

Mr. Phelan discussed the information presented to the Board, including a copy of the Salary Administration By-Law, copies of the Wage & Salary Schedule, and salary survey information for various positions. Mr. Phelan recommended that the Board consider raising the maximum salary range of most positions by 10%, but not recommending that the positions all be funded to the maximum salary. The positions under this by-law have not had raises since fiscal year 2008. This by-law only covers a few full-time employees: The Superintendent of Public Works, PWD Supervisor, Selectmen's Secretary, and Animal Control Officer. The Principal Assessor has had a personal contract with the Board of Assessors, but there is no legislative authority, so he will now be included under this by-law, and is full-time. The salary schedule maximum will be increased by 20% for the Principal Assessor, and by 15% for the PWD Supervisor. Several positions have personal contracts or no longer exist, and will be removed: Deputy Assessor, Assistant Assessor, Senior Clerk Part Time, Fire Chief, Call Men on Salary, Police Chief, School Officers, and Library Director. Other positions are vacant, but will be left on the schedule at this time.

Mr. Phelan recommended 4% raises for most positions, with the following exceptions: 3% for the Principal Assessor, 10% for the PWD Supervisor, 0% for the Selectmen Secretary.

The Fire Chief asked for 10% for the Laborer Part Time.

The Police Chief asked for 10% for the Special Officers.

The title "Fire Dispatcher Part Time" will be changed to "Public Safety Dispatcher" at an hourly rate of \$15 per hour.

The Selectmen's Secretary will become a contract employee with the title changed to Assistant Town Administrator.

The Council on Aging Coordinator's salary was discussed and will be changed to indicate that the position currently pays \$18.85 per hour, and the new maximum will be \$20.74 per hour.

MOTION: By Mr. Moore, second by Mr. Fuller, to amend the Wage and Salary Schedule to delete the positions indicated with an "X" (Deputy Assessor, Assistant Assessor, Senior Clerk Part Time, Fire Chief, Call Men on Salary, Police Chief, School Officers, and Library Director), eliminate the position of Fire Dispatcher Part Time, include the position of Public Safety Dispatcher at a maximum hourly rate of \$15.00, and accept the schedule, as amended

VOTE: 4:0

Discussion took place with Mrs. Orlando regarding the position of Council on Aging Coordinator. She indicated that her present hourly rate is \$18.85 per hour.

MOTION: By Mr. Fuller, second by Mr. Moore, to amend the Salary Schedule to reflect an hourly wage for the COA Coordinator at \$20.74, with an estimated budget increase for FY13 of \$2,457.00, and that Annual be changed to hourly

VOTE: 4:0

MOTION: By Mr. Moore, second by Mr. Fuller, to accept the amended Wage and Salary FY13 Budget Increase total of \$18,756.37

VOTE: 4:0

MOTION: At 8:40 pm, By Mr. Fuller, second by Mr. Sheehan, to close the hearing

VOTE: 4:0

DEMOLITION DELAY REVIEW BY-LAW:

Present: Historical Commission: Edna Bowers, Chairman, Pauline Smith and Richard Edward Dean
The hearing notice published in the Patriot Ledger on March 22, 2012, was read.

MOTION: At 8:43 pm, by Mr. Fuller, second by Mr. Moore, to open the hearing to consider a Demolition Delay Review By-Law for the Preservation of Historically Significant Buildings

VOTE: 4:0

Mrs. Bowers explained that the Historical Commission is proposing a by-law to delay the demolition of historically significant buildings for a period of 6 months to give the Commission time to research the history of a building, and perhaps persuade an owner to preserve history. The Commission would not try to preserve a building that has deteriorated beyond saving, and they would have no option to stop someone from ultimately doing what they want to do with a property. The Building Inspector would notify the Commission that an owner of a property 75 years old or more is planning changes to the building. The Commission would like the by-law in place in case it is needed, and the Commission would have to render a decision about a property within 6 months, sooner when possible. A list of historic houses, called the Historical Survey for Holbrook, can be found in the Commission office. Discussion took place regarding the required age of the properties affected.

MOTION: By Mr. Moore, second by Mr. Fuller, to accept the proposed by-law change, but identify the buildings as over 100 years of age, instead of 75 years of age

VOTE: 4:0

MOTION: At 9:10 pm, by Mr. Fuller, second by Mr. Moore, to close the hearing

VOTE: 4:0

Treasurer/Collector Paul Digirolamo will be added to the next agenda in order to provide the Board with an update on the CASH RECONCILIATIONS. As of today, the December report has not been filed with the state.

Mr. Phelan explained the RETAINED EARNINGS in the Sewer Enterprise Fund, which could be used to pay some of the old sewer debt from prior to the establishment of the enterprise fund, which would provide some tax relief for homeowners. Retained earnings are an available fund, and the amount available could be considered an excessive amount. There is not, however, an amount large enough to pay for Phases 5 and 6 of the sewer project. If \$250,000 were utilized to pay prior debt, there would still be a balance of almost \$750,000 in retained earnings. Discussion took place about whether to leave the money for future sewer projects or using the money to pay off old sewer debt.

Kevin Costa, the Chairman of the Finance Committee asked that the Selectmen attend the Finance Committee meetings and provide input on the FY13 budget while they deliberate between March 15 and April 15.

MOTION: By Mr. Sheehan, second by Mr. Fuller, to move to ask Town Meeting to appropriate \$250,000.00 of retained earnings within the Sewer Enterprise Fund to pay a portion of the debt associated with the sewer projects which are normally funded with debt exclusion revenue raised on the recap. I further move to ask Town Meeting to reduce the amount raised in debt exclusion revenue by a corresponding amount for Fiscal Year 2013 only

*Holbrook Board of Selectmen
Minutes of the Regular Session
Of March 27, 2012*

VOTE: 3:1 (Mr. Moore against)

ANNUAL TOWN MEETING WARRANT:

The Board reviewed each article on the draft annual town meeting warrant for May 1, 2012.

MOTION: By Mr. Fuller, second by Mr. Moore, to approve Article 1 as printed

VOTE: 4:0

MOTION: By Mr. Fuller, second by Mr. Sheehan, to approve Article 2 as printed

VOTE: 4:0

MOTION: By Mr. Fuller, second by Mr. Moore, to approve Article 3 as printed

VOTE: 4:0

MOTION: By Mr. Fuller, second by Mr. Sheehan, to approve Article 4 as printed

VOTE: 4:0

MOTION: By Mr. Fuller, second by Mr. Moore, to approve Article 5 as printed

VOTE: 4:0

MOTION: By Mr. Fuller, second by Mr. Moore, to approve Article 6 as printed

VOTE: 4:0

MOTION: By Mr. Fuller, second by Mr. Sheehan, to approve Article 7 as printed

VOTE: 4:0

MOTION: By Mr. Fuller, second by Mr. Moore, to approve Article 8 as printed

VOTE: 4:0

MOTION: By Mr. Fuller, second by Mr. Moore, to approve Article 9 as printed

VOTE: 4:0

MOTION: By Mr. Fuller, second by Mr. Sheehan, to approve Article 10 as printed

VOTE: 4:0

MOTION: By Mr. Fuller, second by Mr. Moore, to approve Article 11 as printed

VOTE: 4:0

MOTION: By Mr. Fuller, second by Mr. Moore, to approve Article 12 as printed

VOTE: 4:0

MOTION: By Mr. Fuller, second by Mr. Moore, to approve Article 13 as printed

VOTE: 4:0

MOTION: By Mr. Fuller, second by Mr. Moore, to approve Article 14 as printed

VOTE: 4:0

*Holbrook Board of Selectmen
Minutes of the Regular Session
Of March 27, 2012*

MOTION: By Mr. Fuller, second by Mr. Moore, to approve Article 15 as printed
VOTE: 4:0

MOTION: By Mr. Moore, second by Mr. Fuller, to approve Articles 16 through 25, as printed
VOTE: 4:0

MOTION: By Mr. Fuller, second by Mr. Moore, to approve Article 26 as printed
VOTE: 4:0

SPECIAL TOWN MEETING WARRANT:

The Board reviewed each article on the draft special town meeting warrant for May 1, 2012.

MOTION: By Mr. Fuller, second by Mr. Moore, to accept Article 1 as printed
VOTE: 4:0

MOTION: By Mr. Fuller, second by Mr. Sheehan, to accept Article 2 as printed
VOTE: 4:0

MOTION: By Mr. Fuller, second by Mr. Moore, to accept Article 3 as printed
VOTE: 4:0

MOTION: By Mr. Fuller, second by Mr. Moore, to accept Article 4 as printed
VOTE: 4:0

MOTION: By Mr. Fuller, second by Mr. Moore, to accept Article 5 as printed
VOTE: 4:0

MOTION: At 10:05 pm, to adjourn to executive session to discuss strategy as it relates to contract negotiations with non-union personnel (Fire Chief), and not return to open session

ROLL CALL VOTE: Mr. Fuller – Yes
Mr. Sheehan – Yes
Mr. Moore – Yes
Mr. Gordon – Yes

Kevin J. Sheehan, Clerk

Documents: Agenda, draft minutes, request for Change of Manager at Halfway Cafe, Demolition Delay Review By-Law text, application for 1 day alcohol license, Salary Administration by-law and wage schedule, request from Fire Chief to raise ambulance fees, application for common victualler's license for Maria's Pizzeria, sewer enterprise information