

Holbrook Board of Selectmen

Minutes of the Regular Session of

Wednesday, May 14, 2014

Present: Timothy J. Gordon, Chairman  
Matthew V. Moore, Vice-Chairman  
Kevin J. Sheehan, Clerk  
Richard B. McGaughey, Associate  
Daniel F. Moriarty, III, Associate

In attendance: William J. Phelan, Town Administrator  
Marjorie E. Godfrey, Assistant Town Administrator

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

MINUTES:

MOTION: By Mr. Moore, second by Mr. Moriarty, to approve the minutes of the regular session of Wednesday, April 9, 2014, as printed

VOTE: 5:0

MOTION: By Mr. Sheehan, second by Mr. Moriarty, to approve the minutes of the executive session of Wednesday, April 9, 2014, as printed

VOTE: 5:0

State Representative Ronald Mariano will be contacted relative to any potential funding for a project to provide lighting at the Sumner Field ball field.

It was announced that:

- The Norfolk County Registry of Deeds, William P. O'Donnell, Register, will hold office hours at the Town Hall on Thursday, May 22<sup>nd</sup>, from 10 am until noon.
- The Memorial Day celebration on Monday, May 26<sup>th</sup>, will begin with a ceremony to honor the dead at Wendell Cemetery at 8:30 am, followed by a ceremony at 9 am at Union Cemetery. All marchers will meet at Holbrook Junior-Senior High at 9:30, and the parade will step off at 10 am. The parade will march from the high school to Holbrook Square for ceremonies at Mary Wales Holbrook Park, and will end there with refreshments available. The Memorial Day Committee, including Co-Chairs Robert McKenna and Edward O'Brien were thanked for all their work.

Mr. Phelan reported that:

- The upcoming water main and paving projects have gone out to bid.
- He met with State Senator John Keenan months ago about the process of providing tax incentives for an economic target area that should be established by the end of the summer.
- The issue of the ownership of property in Edgewood Park should finally be resolved by the end of summer.

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- The Juniper Road drainage project will start May 19<sup>th</sup>. Linwood Street will be paved next week, and Maple Ave. is being completed, with paving due in July or August.
- The Spring Street area will be paved by mid to late July.
- Street sweeping is ongoing, and the light posts in the Square are being painted.
- A concern has come in from those in charge of Soccer about the relocation of the storage trailer. A pad has been put in place so that a building can be constructed for storage by Little League.
- In order to add swings for young children at the Sumner Field, an area with mulch will need to be constructed. The cost will need to be determined.
- Benjamin Ecord, the Superintendent of Public Works, will be asked to fix the fence at the Little League field.

MOTION: By Mr. McGaughey, second by Mr. Moriarty, at 7:15 pm, to recess the meeting and open the alcohol license hearing upstairs in the large meeting room

VOTE: 5:0

CONTINUED FROM APRIL 23 – HEARING: PRIVATE CLUB LICENSE FOR ALL ALCOHOLIC BEVERAGES FOR THE BUILDING ASSOCIATION OF WILLIAM B. DALTON POST 137 AMERICAN LEGION, INC. (PAUL ANASTASIO, PRESIDENT), 777 PLYMOUTH STREET

Selectmen Moore, Sheehan and Moriarty participated in the hearing. Selectmen Gordon and McGaughey recused themselves and were not present at the hearing.

Mr. Moore read the hearing notice and the hearing was re-opened with Attorney Jeffrey K. Clifford, counsel for the Building Association, Mr. Paul Anastasio and Mr. Matthew Nelson, and other members and supporters present.

Mr. Phelan explained that he met with Mr. Clifford, and they participated in a conference call with the Alcoholic Beverages Control Commission (ABCC). The ABCC advised that the application as a profit corporation would not have been approved for a club license, and that the applicant would be going at their own risk if an amended application is submitted. The applicant decided to go with an amended application, and adjusted the corporate structure attempting to alleviate the issues raised. The tax identification number has been moved to the non-profit corporation with a similar name, and the articles of organization have been amended. Mr. Clifford said the application has been modified, and the “No.”, the abbreviation for “number”, has been removed from the corporate name, and all names involved now match.

MOTION: By Mr. Moore, second by Mr. Moriarty, to approve the Private Club License to Expose, Keep for Sale, and to Sell Alcoholic Beverages to be Drunk on the Premises in the name of the Building Association of William B. Dalton Post 137 American Legion, Inc. at 777 Plymouth Street

VOTE: 2:1 (Mr. Sheehan against)

At 7:38 pm, the meeting was called back to order in the Selectmen’s Meeting Room on the first floor, and all five Selectmen were present.

A notice was posted asking for volunteers to serve on an INTERIM CHIEF OF POLICE SELECTION COMMITTEE as Citizens at Large. Three applications were received.

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MOTION: By Mr. McGaughey, second by Mr. Sheehan, to establish a 5-member committee, to be known as the Interim Chief of Police Selection Committee, the membership to include the Police Commissioner, the Town Administrator, and three Citizens at Large

MOTION: By Mr. McGaughey, second by Mr. Moriarty, to appoint Mark Shanly, David Martineau, and Michael Mihalow as Citizens at Large on the Interim Chief of Police Selection Committee

VOTE: 5:0

MOTION: By Mr. Moore, second by Mr. Moriarty, to appoint Police Commissioner Paul Porter and Town Administrator William Phelan to the Interim Chief of Police Selection Committee

VOTE: 5:0

Mr. Phelan reported that he had interviewed the applicants for the VETERANS' AGENT's position, that each one was qualified, and he recommended that the Board appoint Mr. Leo Fuller to the position. Mr. Fuller is a lifelong resident of Holbrook, raised his family here, and his schedule allows him to be flexible in being available to meet the needs of the veterans.

MOTION: By Mr. Moore, second by Mr. McGaughey, that the Board of Selectmen appoint Mr. Leo Fuller as the part-time Veterans' Agent for Holbrook

VOTE: 5:0

Discussion took place relative to whether an applicant for the interim Police chief's position would be excluded from applying to be the permanent chief. The Board indicated it did not want to exclude anyone. Police Commissioner Porter concurred.

MOTION: By Mr. Gordon, second by Mr. Moriarty, to allow the individual that is appointed as the interim chief to also apply and be considered for the permanent Police chief's position

VOTE: 5:0

The hearing notice relative to the Town-owned property at 18 NEWTON AVE. was read. Mr. and Mrs. William Nichols, abutters who have indicated that they would like to purchase the property, and have been ordered by the Building Inspector to clean the property of their personal items, were present. Mr. Phelan explained that a neighbor has expressed a concern about the condition of the property, and wants it cleaned up, and the abutter using the property wants to purchase the parcel. Mr. Nichols has moved his boat off the property and cleaned it up. Now, the Board needs to decide whether to keep the property for the Town or whether to put it up for auction. Mr. Nichols and his wife, from 22 Newton Ave., presented a petition signed by the neighbors asking that the property be "conveyed" to Mr. and Mrs. Nichols. Mr. Nichols still has a shed on the property.

MOTION: By Mr. Moore, second by Mr. Moriarty, that the Town follow the public procurement laws and put the property on the market

VOTE: 5:0

Paul Digirolamo, the Town Treasurer/Collector, advised that the next auction is a couple of months away. The Board of Selectmen and Treasurer will need to determine the minimum bid amount.

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MOTION: At 8:05 pm, by Mr. Moriarty, second by Mr. Moore, to close the public hearing on 18 Newton Avenue

VOTE: 5:0

Local Cultural Council (LCC) Chairman, Stephanie Trowbridge, requested that a new member of the LCC be appointed by the Board.

MOTION: By Mr. Sheehan, second by Mr. Moore, that the Board of Selectmen appoint Esther Rastegari to the Town of Holbrook Local Cultural Council, with a term to expire on May 14, 2017

VOTE: 5:0

Fire Chief Luke McFadden said that the AMBULANCE RECEIPTS are outpacing last year's receipts. The Board asked that the ambulance receipts and New England Medical Billing be discussed at an upcoming meeting.

MOTION: By Mr. Moriarty, second by Mr. Sheehan, that the Board of Selectmen grant the ambulance abatements in the amount of \$93,062.61 for the quarter including January 1, 2014 to March 31, 2014, as requested by New England Medical Billing

VOTE: 5:0

Mr. Phelan explained that the JUNIPER ROAD DRAINAGE PROJECT is part of the pavement management plan. It went out to bid, five bids came in, and the contract with the lowest bidder was before the Board for approval.

MOTION: By Mr. Moore, second by Mr. Moriarty, to execute a contract between the Town of Holbrook and Aqua Line Utility, Inc. for the Juniper Road Drainage Improvements

VOTE: 5:0

Mr. Phelan explained that an ORDER OF CONSTRUCTION for the sewer projects needs to be signed and recorded at the Registry of Deeds in order to place betterments on each of the properties in the sewer projects in the Spring Street area and Plymouth Street area.

MOTION: By Mr. Moriarty, second by Mr. Moore, to adopt an Order for the Laying Out, Establishment and Construction of a System of Sewerage in the Spring Street area and Plymouth Street area, as presented in Exhibit A

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

Mr. Phelan said there has been an effort by the NORFOLK COUNTY AGRICULTURAL SCHOOL to collect tuition from the Town, but it is a gray area whether the Town owes it. The School has started assessing an additional amount over the amount set by the state, and they have quoted a statute, which Mr. Phelan said does not apply. A letter was sent stating that the Town does not owe it, but the issue has not been resolved. Some other towns have paid, and some have not. There is a county assessment for the school on the cherry sheet. The Finance Committee is aware and had held money for a couple of years for the \$1,500 - \$2,000 surcharge.

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Treasurer/Collector Paul Digirolamo explained that he is rolling over four sets of notes, combining two into one, so that they are all due at the same time next year. They are for water and capital articles. They will be short term notes at an interest rate of 0.55%, and only need to be signed because they have already been voted and passed at town meeting.

MOTION: At 8:30 pm to adjourn to executive session to discuss strategy and conduct collective bargaining with Union personnel (Police), and to discuss the reputation, character, physical condition or mental health, rather than the professional competence of an individual, and not return to open session

ROLL CALL VOTE: Mr. Sheehan – Yes  
Mr. Moore – Yes  
Mr. McGaughey – Yes  
Mr. Moriarty – Yes  
Mr. Gordon – Yes

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Kevin J. Sheehan, Clerk

Documents:

Agenda  
Minutes  
Application for alcohol license (Dalton Post)  
Interim Chief Committee applicant letters  
18 Newton Ave. hearing notice & Building Inspector notice  
Request to appoint member to LCC  
Ambulance Abatements  
Juniper Road Drainage agreement  
Veterans' Agent posting  
Order of Construction for sewer projects