

Holbrook Board of Selectmen

Minutes of the Regular Session of

Friday, February 21, 2014

Present: Timothy J. Gordon, Chairman
Kevin J. Sheehan, Clerk
Richard B. McGaughey, Associate
Matthew V. Moore, Associate

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

The meeting was called to order at 10:00 a.m. by Chairman Gordon, in the Selectmen's Meeting Room, Holbrook Town Hall, 1st Floor, 50 North Franklin Street, Holbrook, MA 02343, and began with the Pledge of Allegiance.

MINUTES:

MOTION: By Mr. Moore, second by Mr. McGaughey, to accept the minutes of the Holbrook/Avon Joint Meeting of Monday, December 2, 2013, as printed

VOTE: 4:0

MOTION: By Mr. Moore, second Mr. McGaughey, to accept the minutes of the regular session of Wednesday, December 18, 2013, as printed

VOTE: 4:0

CITIZEN CONCERN:

Theresa Russo, 70 Summit Road, explained that she has a concern about proposed building on a property next to her home. She would like to speak to the Conservation Commission about wetlands she said are shown on a sewer plan for that property, but has been told that there is nothing on their agenda about the project at this time.

Mr. Phelan explained that Ms. Russo was left off the abutters' list for the Conservation hearings. At this time, the Chairman of the Conservation Commission has agreed to start the process over from the beginning, and the notice of intent has been withdrawn. Therefore, there is nothing before that committee at this time.

Mr. Gordon asked that the Chairman of Conservation be advised that the Board of Selectmen includes "citizen concerns" on its agenda. Mr. Phelan will contact Mr. Duggan.

REMOVE POLICE CHIEF'S POSITION FROM CIVIL SERVICE:

Mr. Phelan explained that he consulted Town Counsel, and received direction for the Board on how to proceed legally with a ballot question to be placed on the annual town election warrant in order to allow the Town to vote on whether to remove the police chief's position from Civil Service. The Town Clerk contacted the Elections Division and the attorney's opinion there differed from Town Counsel. The attorneys have now spoken.

Mr. Phelan said there are two proper ways to go. Town Counsel advised that the quickest way would be for the Selectmen to place a question on the ballot for a town vote on April 1, 2014. Another way is for a town meeting vote to forward special legislation to the state house. However, this process would take

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an estimated 6 months to a year after the town meeting vote, and town meeting is not until May. Civil Service chief's exams are held once a year, in May.

MOTION: By Mr. Gordon, second by Mr. Moore, that the Board of Selectmen place the removal of the Chief of Police from Civil Service on the ballot for the April 1, 2014 Annual Town Election, in accordance with M.G.L. Chapter 4, Section 4B, and the official ballot question shall read:

"Shall the acceptance by the Town of section 52(a) of chapter 31 of the General Laws be revoked?"

YES _____ NO _____"

and that the official ballot question shall be accompanied by the following summary:

"Massachusetts General Laws Chapter 31, Section 52(a) authorizes a town to accept the applicability of the civil service law and rules for the chief of police, or the officer performing similar duties, in any town. In 1987, the Town accepted the provisions of Massachusetts General Laws Chapter 31, Section 52(a) for the Town's Chief of Police."

VOTE: 4:0

ADJOURN:

MOTION: At 10:25 a.m., by Mr. Gordon, second by Mr. Moore, to adjourn the meeting

VOTE: 4:0

Kevin J. Sheehan, Clerk

Documents:

Agenda

Minutes

Memorandums from Town Counsel