

Holbrook Board of Selectmen

Minutes of the Regular Session of

Tuesday, March 23, 2010

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

In Attendance: Michael D. Yunits, Town Administrator  
Thomas R. Cummings, Superintendent of Public Works  
Robert Haley, Temporary Treasurer/Collector

The meeting was called to order at 7:00 pm by Chairman Powilatis, in the Selectmen's Meeting Room, 50 North Franklin Street, Holbrook, MA 02343, and began with a request that all cell phones be shut off and the Pledge of Allegiance.

MINUTES:

MOTION: By Mr. McGaughey, second by Mr. Fuller, to accept the regular session minutes of December 9, 2009, as printed.

VOTE: 3:0

MOTION: By Mr. McGaughey, second by Mr. Fuller, to accept the regular session minutes of December 22, 2009, as printed.

VOTE: 3:0

MOTION: By Mr. McGaughey, second by Mr. Fuller, to accept the executive session minutes of December 22, 2009, as printed.

MOTION TO AMEND: By Mr. Fuller, second by Mr. McGaughey, to accept the executive session minutes and to insert the word "former" prior to the word Selectman in the last paragraph, third line from the bottom.

VOTE: 3:0

TOWN ADMINISTRATOR'S REPORT:

Mr. Yunits announced:

- That the Fire Department has received FLOOD CLEANUP KITS supplied by the American Red Cross Disaster Services in response to the record flooding in the area recently. Residents may pick them up at the Fire Department.
- That there will be a Turkey Hill Firewise CHIPPER DAY on Saturday, April 17, 2010.
- RAINBARRELS and COMPOSTERS are available for sale to residents. They must be pre-ordered by May 14, 2010 from the New England Rain Barrel Company, and be picked up at the Town Hall on May 18, 2010.
- The spring LEAF & YARD WASTE collection is scheduled for Saturday, May 8, 2010.
- A BULKY ITEM & WHITE GOODS collection is scheduled for the weeks of April 5 and May 10, 2010.

- There was damage and FLOODING on South Street, the Grove area, Abington Ave., Bradford Street, Plymouth Street, and others, due to the recent heavy rain. Mr. Richard Reuss, the Emergency Management Director, has put in a great deal of time and is currently compiling an inventory of the damage in Holbrook, to aid the Commonwealth of Massachusetts in filing for a federal disaster declaration. The Chairman asked that a letter be sent to Mr. Reuss commending him for his services and recognized Mr. Thomas Cummings and the Public Works Department for the work they did.
- A 5% cut in state LOCAL AID is being used in computing the FY11 budget. Mr. Yunits reviewed some expenses that will increase in FY11, including health insurance, Blue Hills Regional School, and the Norfolk Agricultural High School. The Chairman will meet with the departments under the purview of the Board of Selectmen to identify possible cuts.

Mr. Cummings explained that tonight he will leave the contract for the TRAFFIC SIGNALIZATION project at the Public Safety Building with the Board for review.

The proposed contract with PENNICHUCK WATER COMPANY for the water meter replacement program is being written in a way to protect both parties in the contract. Mr. Cummings said that Pennichuck has expressed a concern about the Town discontinuing the services after a couple of years, thereby preventing Pennichuck from recouping its capital outlay.

The owners of LOBO & VEIGA PACKAGE STORE at 41 Plymouth Street will be asked to attend a meeting to discuss the reports that the store has been closed during the licensed hours.

Mr. Yunits explained that the company that is going to do the SOLAR PANEL PROJECT at the Landfill is waiting to hear from the Department of Public Utilities regarding their permit applications.

Temporary Treasurer/Collector Robert Haley discussed an article in the *Boston Herald* about a company that installs SOLAR PANELS on private homes for free.

Mr. Yunits reported that the TOWN GOVERNMENT STUDY COMMITTEE will be coming before the Board with an article they would like to present to town meeting, and the FIREFIGHTERS' UNION has requested that the Board prepare an article to fund any raises awarded by an arbitration settlement prior to town meeting.

#### CHANGE OF MANAGER AT HALFWAY CAFE:

Present: Mr. Michael James, General Manger for Halfway Cafe  
Mr. Robert M. Ready, Proposed Manager

Mr. Ready explained that the request is to change the manager on the Alcohol License from Thomas Cahillane to Robert M. Ready, and he detailed his background and experience.

MOTION: By Mr. Fuller, second by Mr. Powilatis, to approve the requested change in manager from Thomas Cahillane to Robert M. Ready on the All Alcohol Restaurant License in the name of Halfway Cafe, Inc. dba Halfway Cafe, 200 South Franklin Street.

VOTE: 2:0:1 (Mr. McGaughey abstained)

Mr. Robert Haley discussed his ongoing TAX COLLECTION efforts and an INVESTMENT POLICY that he and the Town's auditors, Melanson Heath and Company, recommend that the Board accept on behalf of the Town. Prior to the establishment of a formal written policy, the Town follows the statutes under Mass. General Law. The objectives, either way, are safety, liquidity and yield.

MOTION: By Mr. Fuller, second by Mr. McGaughey, to adopt the Investment Policy recommended by the Town Treasurer on March 17, 2010.

VOTE: 3:0

Mr. Haley said that during February, \$400,000 in water bills were collected, but the Town placed liens totaling \$71,000. The payment plans that have been put in place have helped to keep people current, but local receipts are down compared to last year.

Regarding EDGEWOOD PARK, Mr. Haley said that his understanding is that the Town wants to put those 400 parcels back on the tax roll as soon as possible. Attorney John Finnegan, who represents the Town in tax title cases, recommended a land-of-low-value auction. There is \$1.5 million delinquent on those properties. Discussion took place regarding the parcels owned by the Blatchford family which would be included in the auction process if the back taxes are not paid. Mr. Haley advised that properties with an amount due of less than \$3,000 be brought to small claims court.

MOTION: By Mr. McGaughey, second by Mr. Fuller, that the Board of Selectmen authorize the Treasurer to go forward with the tax title attorney as the attorney of record to go forward with the process and settle this.

VOTE: 3:0

Mr. Haley has spoken to the tax title attorney about 15 properties that do not have agreements with the Town and authorized him to go forward with foreclosure petitions on those 15 homes.

Mr. Haley spoke about the Group Insurance Commission (GIC) increases in HEALTH INSURANCE and a TEACHER SALARY DEFERRAL process that would require a home rule petition. The Town Administrator will speak to the Town's legislative delegation about this possible option.

Mr. Cummings advised that CVS has submitted a new set of plans for the proposed project at the HIGHLAND PLAZA, and recommended that the Board of Selectmen write a letter to the Dept. of Transportation (DOT), with a copy to the District Office, explaining that there was no drainage problem during the recent record rainfall.

Present: William D. Marble, Jr., Chief of Police

The Chairman explained that the Board has come to an agreement on a CONTRACT WITH THE POLICE CHIEF.

MOTION: By Mr. Fuller, second by Mr. McGaughey, that the Board of Selectmen execute the employment agreement with Chief Marble.

VOTE: 3:0

Mr. Gary Brennan, Principal Assessor, reviewed the SENIOR WORK OFF TAX ABATEMENT PROGRAM qualifications. Currently, eligibility is limited to residents with an individual income limit of \$15,000 and an asset limit of \$30,000 per individual. Since only 2 people have qualified and received the benefit of the program since its inception, Mr. Brennan asked that the Board consider revisions to the income and asset requirements. He presented information regarding the limitations in other towns, and suggested that the Board consider eliminating the asset limitation all together and changing the income limit to \$30,000 per single resident or \$45,000 per married couple. All other existing provisions would remain unchanged.

**MOTION:** By Mr. Fuller, second by Mr. McGaughey, to accept the changes as recommended by Principal Assessor Gary Brennan, by changing the income limit to \$30,000 per single person and \$45,000 per married couple and eliminating the asset limit.

**VOTE:** 3:0

**SPECIAL TOWN MEETING WARRANT:**

**MOTION:** By Mr. Fuller, second by Mr. McGaughey, to open the special town meeting warrant of May 19, 2010 at 7:30 tonight, and close it on April 5, 2010 at 4:00 p.m.

**VOTE:** 3:0

**STREET OPENING PERMITS:**

**MOTION:** By Mr. Fuller, second by Mr. McGaughey, that the Board of Selectmen approve a permit to open a street or sidewalk for CJP & Sons Construction, 1420 Main Street, Millis, on the roads as listed, Dig Safe Numbers 2010-110- 5087 down to 2010-110-5129, with a start date of 3-15-10, for the installation of water mains; CJP & Sons, for the installation of water mains, Dig Safe Numbers 2010-110-8108, down to 2010-110-8149, start date of 3-17-10.

**VOTE:** 3:0

**MOTION:** By Mr. Fuller, second by Mr. McGaughey, that the Board approve a street opening permit for A. Andreassi & Son, Inc., 32 Robinwood Road, Norwood, for the purpose of a water main replacement on Plymouth Street and Abington Ave., Dig Safe Numbers 20101203934 and 20101203950.

**VOTE:** 3:0

**TOWN BY-LAW 3-8, FORESTRY – USE OF MOTOR VEHICLES:**

**Present:** Patricia Greely, Chairman, Town Forest Committee

The Town Forest Committee has presented a draft copy of a notice to residents regarding the enforcement of the Town By-Law restricting motorized vehicles from the Holbrook Town Forest.

**MOTION:** By Mr. Fuller, second by Mr. McGaughey, to approve the public notice of the enforcement of the Town By-Law 3-8, Forestry – Use of Motor Vehicles.

**VOTE:** 3:0

Mr. Powilatis welcomed the Superintendent of Schools and members of the School Committee to present information on SCHOOL PROGRAMS.

**Present:** Joseph Baeta, Superintendent  
Barbara Davis, Chairman, School Committee

Mr. Baeta presented the Board with information regarding a SCHOOL CHOICE PROGRAM that he recommends for the Holbrook Public Schools. He explained that there is no longer any funding available for regionalization. Continuing School Choice would be a year-to-year vote of the School Committee, but students who are accepted into the program stay until they graduate or leave the system. Mr. Baeta explained the School Choice program and the options available with the program going forward. Currently, the number of students accepted would not exceed 110. Mr. Baeta discussed the current advanced academic classes offered to the high school students. The New England Association

of Schools and Colleges (NEASC) has put the high school on probation because the building is not appropriate for teaching and learning, the curriculum instruction is not where it should be, and the community resources are not what they should be. Mr. Baeta said that School Choice will begin to answer the Chairman's question about how many students it takes to make the education more viable. Mr. Baeta's recommendation is to grow the population of the high school to 300 – 325 for more viability. The reimbursement for each student would be \$5,000 and would be used to directly improve the school.

Mr. Baeta presented the Board with printed information regarding the pros and cons of regionalization, and indicated that Holbrook does not have a partner community for regionalization. For Holbrook, it would mean sending the students out of town, due to the condition of the school buildings. He spoke about a superintendency unionship, which was described as two separate school districts with one shared administration. For Holbrook, Mr. Baeta said the savings would not be much because Holbrook's administration has already been cut. More communities are trying to get out of regionalization than are trying to regionalize. However, the Superintendent recommends that regionalization still be explored. Supt. Baeta spoke about the building of new school buildings and the associated costs. The feasibility study will look at all options. No matter what plan is put in place, the issue of the condition of the buildings needs to be addressed.

Mr. Baeta is open to discussions regarding the joint procurement of office supplies. The School Department is considering other options for transporting students, including purchasing vans, which will require the purchase of gasoline that the School Department is not currently purchasing. The School Department will be seeking an on-call electrician, and Mr. Powilatis indicated the Town would be interested in looking at joining in the sharing of the electrician's services.

Mr. Baeta acknowledged Mr. Cummings for the assistance he provides during snowstorms.

Mr. Baeta suggested that the fees paid to New England Medical Billing be taken out prior to the money being turned over to the Town, rather than the Town receiving a bill for the services.

The possible expansion of the Agape Inn and the cost to the Town was discussed.

The Chairman reminded everyone to get out and vote at the Annual Town Election on Tuesday, April 6, 2010, and asked that residents support the question and change the treasurer/collector's position to an appointed one.

**MOTION:** At 9:10 pm, by Mr. Fuller, second by Mr. McGaughey, to adjourn to executive session to discuss strategy as it relates to collective bargaining with union personnel, negotiations with non-union personnel, strategy as it relates to litigation, and not return to open session.

**ROLL CALL VOTE:** Mr. Fuller – Yes  
Mr. McGaughey – Yes  
Mr. Powilatis – Yes

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