

Holbrook Board of Selectmen

Minutes of the Regular Session of

Tuesday, September 28, 2010

Present: Robert A. Powilatis, Chairman
Matthew V. Moore, Vice-Chairman (Arrived at 7:12 p.m.)
Richard B. McGaughey, Associate
Brinsley A. Fuller, Associate
Absent: Paul S. Currie, Clerk

In attendance: Michael D. Yunits, Town Administrator
Thomas R. Cummings, Superintendent of Public Works
Marjorie E. Godfrey, Selectmen's Secretary

The meeting was called to order at 7:05 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 turned off and the Pledge of Allegiance.

Everyone remained standing, saluting the Flag, in memory of MR. PATRICK QUINN, a recently retired Police Officer who passed away after serving the Holbrook Police Department for 13 years.

ADJOURN TO EXECUTIVE SESSION:

MOTION: By Mr. Fuller, second by Mr. McGaughey, to adjourn to executive session to discuss strategy as it relates to litigation in a Land Court case, and return to open session in about 30 minutes.

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

RETURN TO OPEN SESSION:

MOTION: At 8:00 pm, by Mr. Fuller, second by Mr. McGaughey, to return to open session.
VOTE: 4:0

MINUTES:

MOTION: By Mr. Fuller, second by Mr. Moore, to accept the minutes of the regular session of June 22, 2010, as printed.

VOTE: 4:0

MOTION: By Mr. Fuller, second by Mr. Moore, to accept the minutes of the regular session of July 8, 2010, as printed.

VOTE: 4:0

MOTION: By Mr. Fuller, second by Mr. Moore, to accept the minutes of the regular session of July 20, 2010, as printed.

VOTE: 4:0

MOTION: By Mr. Fuller, second by Mr. Moore, to accept the minutes of the executive session of July 20, 2010, as printed.

VOTE: 4:0

TOWN ADMINISTRATOR'S REPORT:

Mr. Yunits informed the Board that:

- A concern has been received from an anonymous caller about unleashed DOGS and owners who are not picking up after their dogs at the new walking track at the Sumner Field. Signs have been ordered and the Animal Control Officer will monitor the area. Complainants were asked to leave their name and the time of day when this is occurring.
- A complaint has been received about commercial vehicles parked at 394 South Street.
- A complaint has been received about construction work being done at night at the Highland Plaza.
- Resident Andrew J. LaFerriere, a member of Boy Scout Troop 5 in Brockton, has earned his Eagle Scout award. The Board commended and congratulated him on behalf of the Town. A citation will be sent to him acknowledging this achievement.
- Norfolk County Registry of Deeds will hold Holbrook Office Hours at the Town Hall on September 29, 2010 from 10 AM – 12 PM.
- There will be a Fall Lantern Walk in the Town Forest on Saturday, October 16, 2010 at 6:30 pm.
- Union Street Lanes has applied for a Keno license from the Mass. State Lottery Commission. If the Board objects, it must do so within 21 days of receipt of the notification.
- Bulky Items and white Goods will be collected the weeks of November 15 and December 6, 2010. Two items may be put out, but residents must purchase a sticker for each item, and Allied Waste must be called and notified in advance about white goods.
- Norfolk County Sheriff Michael Bellotti will be discussing programs beneficial to the elderly during the TRIAD meeting on October 5 at the HCAM studio, 140 N. Franklin St.

The Chairman announced that the Holbrook Patrolmen's Association has established a POLICE K-9 PROGRAM for the Town. Norfolk County Sheriff Michael G. Bellotti has provided a K-9 cruiser and the Barnstable County Sheriff's Department will provide the K-9 training at no cost. A fund has been established to purchase a German Shephard and equipment, and donations are welcome.

Chairman Powilatis explained that he understands that the \$50 fee for a one day special beer and wine license at SOUTH SHORE POKER CLUB is being charged back to the charity. He asked that Mr. Yunits find out if that is okay.

Mr. Yunits will contact the Old Colony Planning Council (OCPC) and the Metropolitan Area Planning Council (MAPC) regarding assistance that may be available to consider an industrial development project at the Holbrook/Avon line off Spring Street in Holbrook.

PUBLIC EMPLOYEE COMMITTEE AGREEMENT:

Lt. Luke McFadden of the Fire Department, Chairman of the Public Employee Committee (PEC), and Retired Firefighter William Walsh were present to review a proposed successor agreement between the town and the PEC to continue the health insurance through the Group Insurance Commission (GIC) from July 1, 2011 through June 30, 2014. Lt. McFadden explained the current waiting period of 60 days in the GIC for new hires to have health insurance, and discussed the language that has been added to the

agreement as Sections 22 and 23, titled "Hiatus Period". Mr. Moore said that the 90/10 Town/Employee split of the premium for the health insurance is unreasonable, and will have to be dealt with in the future. Mr. Walsh indicated that the costs have gone up for the subscribers in the GIC over the past year.

MOTION: By Mr. Fuller, second by Mr. Moore, to renew a contract between the Town and the Public Employee Committee for health insurance for the employees of the Town.

VOTE: 4:0

CHANGE OF MANAGER – DALTON CLUB:

Christopher J. Reichert, Commander of the American Legion, was present. He explained that Frank Thomas, the current Manager on the Alcohol License, does not have the time to devote to being at the Club, and that the Club is requesting that the manager be changed to Mr. Reichert, who is TIPS certified. Mr. Yunits verified that the application is in order.

MOTION: By Mr. Fuller, second by Mr. McGaughey, that the Holbrook Board of Selectmen approve the request for a change of manager from Frank A. Thomas to Christopher J. Reichert on the All Alcohol Club License in the name of the Building Association William B. Dalton Post #137, American Legion dba Dalton Club.

VOTE: 4:0

WATER SUPPLY ALTERNATIVES:

Present: Mr. Jeff Hanson, Hanson & Associates
Residents, Mr. Tim Stinson and Mr. Henry Lee, who have expressed an interest in serving on an advisory committee to research the various options.

Since town meeting voted that the Selectmen should do so, Chairman Powilatis has been working to find the most cost effective way to supply the Town of Holbrook with water by researching Holbrook's alternatives.

Mr. Hanson presented information about Aquaria Water and the opportunity to purchase water from the City of Brockton with an intermunicipal agreement. Brockton is paying Aquaria for more water than it needs, making it a better bargaining opportunity for another town that wants to purchase water from Brockton. Other alternatives, including a new water treatment plant and the dredging of the reservoir, purchasing water from the Mass. Water Resources Authority (MWRA) or directly from Aquaria Water were outlined. Mr. Hanson recommended that the Town look at diversifying the water supply by joining with other towns to utilize the economy of scale, possibly by purchasing the Aquaria plant.

Mr. McGaughey indicated that Mr. Powilatis has been working hard on behalf of the Town to get a 20% deal for Holbrook on the building of a new Tri-Town water treatment plant, and he got it, so a deal can now be made. Any dredging would be at 15% of the cost, and the cost of the water would be based on the percentage used. The Chairman indicated that those numbers are too high, not defined, unclear, and the future is a new deal based on usage. Mr. Moore said that the Board needs hard numbers, and suggested that a committee be organized to study the alternatives.

MOTION: By Mr. Moore, second by Mr. Fuller, to invite Mr. Tim Stinson, Mr. Henry Lee, and Mr. Paul Digirolamo to help and assist us in moving forward by joining an advisory committee to study the water alternatives.

VOTE: 4:0

Mr. Cummings informed the Board about an issue with a SEWER PUMP STATION recently.

Mr. Powilatis explained that Town Clerk M. Shirley Austin is concerned about vehicles that are parked for a long period of time in parking spaces designated as VOTER PARKING around the circle at the place (Holbrook Junior-Senior High School) during elections. Mr. McGaughey indicated that the School Superintendent should be notified to ask School employees, also, to not park on the rotary and that a 15-minute time limit should be reasonable.

MOTION: By Mr. Moore, second by Mr. Fuller, that, at the request of the Town Clerk, the Board of Selectmen will ask the Police Department to make sure cars are not parked in voter parking for more than fifteen minutes.

VOTE: 4:0

Mr. Yunits advised that the acceptance of SPRING LANE was voted at Town Meeting, and the plans have been signed by the Planning Board. The next step in the process is for the Board of Selectmen to vote to sign the plans and to have an attorney draw up a deed to be recorded with the plans at the Registry of Deeds.

MOTION: By Mr. Fuller, second by Mr. McGaughey, that the Board of Selectmen sign the plan of Spring Lane, which has been received from the Planning Board.

VOTE: 4:0

TRAFFIC SIGNALIZATION PROJECT AT SOUTH FRANKLIN ST. & KING ROAD:

This contract was awarded to Camp, Dresser and McKee on September 8, 2010. The contracts have been prepared and require the Board's signatures.

MOTION: Mr. Fuller, second by Mr. Moore, that the Holbrook Board of Selectmen execute a contract with Camp, Dresser and McKee, Inc. for Design Services related to the installation of traffic signalization at the intersection of King Road and South Franklin Street.

VOTE: 4:0

WINTER SALT BID:

MOTION: By Mr. Fuller, second by Mr. Moore, that the Board of Selectmen vote to award a contract to Eastern Minerals, Inc., 130 Plain Street, Lowell, MA 01851 for the purchase and delivery of White Hy Test Solar Salt at a bid price of \$47.63 per ton as received by the Medfield Joint Salt Bid Consortium on September 9, 2010, and with said award to expire on June 30, 2011.

VOTE: 4:0

The Town Administrator discussed some of the details of the current EARLY MUNICIPAL RETIREMENT INCENTIVE, including that this fiscal year, the total of the salaries of new employees hired to fill the vacant positions created under this law can only total 30% of the total of all the salaries of the employees who take advantage of this incentive and retire. The retiring employees must give up

all accrued vacation and sick time. The Superintendent has indicated that the School Department is not interested in participating in this program.

MOTION: By Mr. Moore, second by Mr. Fuller, to table the discussion.
VOTE: 4:0

UNITED NATIONS DAY PROCLAMATION:

MOTION: By Mr. Fuller, second by Mr. Moore, that the Holbrook Board of Selectmen officially proclaim October 24, 2010 as United Nations Day.
VOTE: 4:0

Mr. Yunits provided the history of the REGIONAL SCHOOL DISTRICT PLANNING COMMITTEE, which was originally established under Article 57 of the 1988 annual town meeting, in compliance with MGL Ch. 71 § 14. The appointments are made by the Moderator. Currently, there is an Abington-Holbrook Ad-Hoc Regionalization Committee formed as a requirement of the School Building Authority (SBA), and this committee could recommend the formation of a Regional School District Planning Committee.

MOTION: By Mr. Fuller, second by Mr. Moore, to table this item to review the law so that appointments are in compliance therewith, and ask that anyone interested let Mr. Yunits know.
VOTE: 4:0

STREET OPENING PERMIT:

MOTION: By Mr. Fuller, second by Mr. Moore, that the Board of Selectmen grant a street opening permit to A. Zoulias Environmental Enterprises, LLC for the purpose of excavation of oil impacted bituminous concrete and soils at 199 Spring Street and said company shall return to the Town of Holbrook a copy of the Uniform Hazardous Waste Manifest issued by the MDEP Division of Hazardous Waste Materials for proper disposal of all materials.
VOTE: 4:0

ADJOURN TO EXECUTIVE SESSION:

MOTION: At 9:50 pm, to adjourn to executive session to discuss strategy as it relates to collective bargaining with union personnel, to conduct contract negotiations with union personnel (Fire & Police Unions), and not return to open session.

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

Paul S. Currie, Clerk

Documents used at the meeting:
Agenda

*Holbrook Board of Selectmen
Minutes of the Regular Session of
Tuesday, September 28, 2010*

Letter from Boy Scout Troop 5 and citation
Draft minutes
Notice regarding Norfolk County Registry of Deeds
Notice regarding Fall Lantern Walk
Bulky Items & White Goods Collection notice
Letter from Mass. State Lottery Commission
Police Department K-9 Fund notice
Draft Memorandum of Agreement with Public Employee Committee
Change of Manager application documents for American Legion dba Dalton Club
Aquaria Water LLC presentation booklet
Letters from Tim Stinson, Henry Lee, and Kevin Costa regarding water supply advisory committee
Spring Lane storm water issue update e-mail
Contract for South Franklin Street/King Road Traffic Signal
Letter from Mr. Cummings regarding Salt Bid Award
Information from PERAC, and the Towns of Kingston and Carver, and City of Salem regarding Early Retirement Incentive
United Nations Day Proclamation
Information on Regional School District Planning Committee
Street Opening Permit for A. Zoulias Environmental Enterprises LLC