

Holbrook Board of Selectmen

Minutes of the Regular Session of

Tuesday, October 5, 2010

Present: Robert A. Powilatis, Chairman  
Matthew V. Moore, Vice-Chairman (Arrived at 7:20 p.m.)  
Paul S. Currie, Clerk  
Richard B. McGaughey, Associate  
Brinsley A. Fuller, Associate

In attendance: Michael D. Yunits, Town Administrator  
Marjorie E. Godfrey, Selectmen's Secretary (Arrived at 7:05 p.m.)

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 turned off and the Pledge of Allegiance to the Flag.

MINUTES:

MOTION: By Mr. Fuller, second by Mr. McGaughey, to accept the minutes of the regular session of July 27, 2010, as printed.

VOTE: 4:0

MOTION: By Mr. Fuller, second by Mr. McGaughey, to accept the minutes of the executive session of July 27, 2010, as printed.

VOTE: 4:0

MOTION: By Mr. Fuller, second by Mr. McGaughey, to accept the minutes of the regular session of August 24, 2010, as printed.

Discussion: Mr. Powilatis noted that on page 3, the motion at the bottom of the page should include contacting the Metropolitan Area Planning Council.

MOTION: By Mr. Fuller, second by Mr. McGaughey, to withdraw the original motion and move to accept the minutes of the regular session of August 24, 2010, as amended.

VOTE: 3:0:1 (Mr. Currie abstained)

MOTION: By Mr. Fuller, second by Mr. McGaughey, to accept the minutes of the executive session of August 24, 2010, as printed.

VOTE: 3:0:1 (Mr. Currie abstained)

TOWN ADMINISTRATOR'S REPORT:

Mr. Yunits informed the Board that:

- The Building Inspector has sent letters to the owner of 394 South Street regarding heavy equipment being kept in a residential zone. Although the owner has been notified of a \$100 per day fine, nothing has changed at the property and the fines have not been paid. The Chairman asked that a letter be sent that legal action will be initiated if the matter is not addressed in two weeks.

- A concern was received about an exit from the parking lot at Clerk's onto Plymouth Street which is close to a dangerous intersection, but is a pre-existing condition.
- A concern was received from 643 South Franklin Street about the dangerous condition of the trees in front of the house, which are on a state highway. Thomas Cummings, Superintendent of Public Works, has contacted Mass Highway.
- The new electronic sign at the Methodist Church on Plymouth Street is not in compliance with the zoning by-law. There are to be no traveling animated or flashing words. Mr. Powilatis asked that the by-law be reviewed for clarification.

Mr. Currie asked if anything has been done about the step at the door of Clerk's. Richard Monahan, the Building Inspector, will be asked to speak to them about the issue, which was a pre-existing condition.

HEARING ON THE APPLICATION OF GREGG LAKE ASSOCIATES, INC. DBA HIGHLAND LIQUORS (JOSEPH V. IERARDI, MANAGER), 464 NORTH FRANKLIN ST., FOR ALTERATIONS OF THE PREMISES ON THEIR RETAIL PACKAGE STORE LICENSE:

Mr. McGaughey recused himself and left the room.

Present: Mr. Joseph V. Ierardi

MOTION: At 7:18 p.m., by Mr. Fuller, second by Mr. Currie, to open the hearing on the application of Gregg Lake Associates, Inc. dba Highland Liquors, 464 N. Franklin Street.

VOTE: 3:0

Mr. Moore arrived.

Mr. Ierardi explained that the front doors are being moved a couple of feet in conjunction with the renovations of the plaza, and he is updating and relocating some shelving. Mr. Yunits stated that all documents and return receipts from the Postal Service for abutters' notices are in order.

MOTION: By Mr. Currie, second by Mr. Fuller, to grant Gregg Lake Associates, Inc. dba Highland Liquors permission for the alterations of the premises listed in his application.

VOTE: 3:0:1 (Mr. Moore abstained)

MOTION: At 7:21 p.m., by Mr. Currie, second by Mr. Fuller, to close the hearing on Highland Liquors.

VOTE: 3:0:1 (Mr. Moore abstained)

ONE DAY ALCOHOL LICENSE FOR SAINT JOSEPH SCHOOL:

Present: Rev. John Currie, Pastor of St. Joseph Church  
Gretchen Hawley, Principal of St. Joseph School

Mr. Currie welcomed Fr. Currie and Ms. Hawley to Holbrook. Both are new to St. Joseph's. Fr. Currie explained that they are requesting a one day special license for a fundraiser at the School on Saturday, November 13, 2010.

MOTION: By Mr. Moore, second by Mr. Fuller, to grant the one day special license for Saint Joseph School for the fundraiser on November 13, 2010.

VOTE: 4:0

Mr. McGaughey entered the room and returned to his seat.

Mr. Richard Reuss, the Emergency Management Director, was present to announce that he has received notification of the receipt of three GRANTS, totaling \$9,100, for the Citizen Corps. \$1,800 will be used for community response, \$1,800 will be used for police volunteers, and \$5,500 will be used for the four-town Medical Reserve Corps preparedness.

**TOWN ADMINISTRATOR'S REPORT:**

- Mr. Yunits reminded everyone that the FALL LANTERN WALK in the Town Forest will be held on October 16, 2010. On Wednesday, October 6, 2010, all are invited to make a lantern at 6:30 pm at the Town Hall.
- There is a BULKY ITEMS and WHITE GOODS pickup the weeks of November 15 and December 6, 2010. A sticker must be purchased for each item (\$10 each) at the Town Hall. Allied Waste must be called the week before the collection for white goods.
- Fire Chief Edward O'Brien issued a notice about Fire safety related to HOLIDAY DECORATIONS at local businesses.
- The School Department is participating in the "I WALK INTERNATIONAL, I WALK TO SCHOOL" program on Friday, October 8, 2010, at 8:00 a.m. The students from the John F. Kennedy School will walk from the Junior-Senior High School to the JFK School, and parents are encouraged to participate.
- There is a new TAX AMNESTY PROGRAM available that the Board will have to consider at a future meeting. Information regarding the outstanding taxes and the aging of the taxes will be requested from the Treasurer/Collector.
- The Mass Municipal Association (MMA) has informed the town that if ballot Question 3 on the November ballot passes, lowering the sales tax from 6.25% to 3%, there will be an estimated \$700,000 cut in local aid to the Town of Holbrook.
- Notification has been received from Randolph-Holbrook POP WARNER FOOTBALL & CHEERLEADING that they will be conducting fundraising over a period of six weeks. The issues of using of an outside marketing company to do fundraising was discussed.
- The new FLOOD PLAIN MAPS are currently under review, and the comment period is open until November 11, 2010. An article will have to be placed on the spring town meeting to accept the new maps.
- The current alcohol license holders at 41 Plymouth Street were given until October 7, 2010 to operate the business during the licensed hours or transfer the license to a new owner. A partial application has been filed.
- One individual has expressed interest in an appointment to the INDUSTRIAL DEVELOPMENT COMMISSION, and one of the three already appointed has expressed interest in continuing. In order to meet, the Commission requires a minimum of five members. Appointments will be made when more potential members express an interest.

**MOTION:** By Mr. Currie, second by Mr. Moore, that the Town Administrator write a letter to the state to remove the two trees at 643 SOUTH FRANKLIN STREET.

**VOTE:** 5:0

Mr. Moore stated that Mr. Kevin Costa, the Chairman of the Finance Committee, may have been overlooked when appointments were made to the WATER ALTERNATIVE STUDY COMMITTEE. The Chairman explained that Mr. Paul Digirolamo, the Town's Treasurer/Collector, was appointed due

to his municipal financial experience. Mr. Costa was contacted and is welcome to attend the meetings as a resource person.

Mr. Powilatis informed the Board that he, Superintendent of Public Works Thomas R. Cummings, and Treasurer/Collector Paul Digirolamo recently traveled to the PENNICHUCK WATER SERVICE COMPANY to discuss their water collection system for Holbrook. Various options for the supply and installation of the meters are being researched. Pennichuck is not in a position to take on any more debt at this time, so they would not be looking to finance the purchase of meters, but would be interested in installation, billing and collection services.

The Board will sign the street layout plans for SPRING LANE this evening.

The VOTER PARKING at the Junior-Senior High School was discussed. The parking around the circle is designated for voters and should be limited to 15 minutes. The Police Chief has indicated that his department can enforce the 150-foot buffer from the polling place, which is state law. The Superintendent will be speaking to those who hold signs at the entrance to the school and asking them to pick up after themselves.

There will be a ROAST OF TOM CUMMINGS, sponsored by Mass Highway, for the benefit of the Old Colony Hospice, on October 15, 2010, at the Brook Meadow Golf Course in Canton.

#### STREET OPENING PERMIT:

MOTION: By Mr. Currie, second by Mr. Fuller, to grant a street opening permit to DanDel Construction, Inc., not to exceed 25 feet by 5 feet, at 510 Plymouth Street, for a water and sewer service, Dig Safe No. 2010-391-0991, one police officer needed.

VOTE: 5:0

#### ADJOURN:

MOTION: At 8:03 pm, by Mr. Fuller, second by Mr. Moore, to adjourn to executive session to discuss strategy as it relates to collective bargaining with Union personnel, conduct contract negotiations with Union personnel (Fire and Police Unions), and not return to open session.

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

Documents used at the meeting:

Agenda

Draft minutes

Application materials for Highland Liquors hearing

Application for One Day Special License for St. Joseph School

Copies of grant award letters to Richard Reuss

Informational Guideline Release regarding Municipal Tax Amnesty Program

Email from Mass. Municipal Association regarding the Sales Tax Ballot Question

Letter from Randolph – Holbrook Pop Warner Football & Cheerleading Organization, Inc.

Permit to open street or sidewalk