

Holbrook Board of Selectmen

Minutes of the Regular Session of

Tuesday, January 12, 2010

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

In Attendance: Michael D. Yunits, Town Administrator
Thomas R. Cummings, Superintendent of Public Works

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 the Pledge of Allegiance.

Chairman Powilatis recognized STATE REPRESENTATIVE A. STEPHEN TOBIN from Quincy, who explained that he was present to observe how a small town governs itself. Mr. Currie recognized MICHAEL O'BRIEN, a town resident and former Holbrook teacher who is leaving on his third military tour of duty.

MOTION: By Mr. Fuller, second by Mr. McGaughey, to approve the regular and executive session MINUTES of July 28 and August 6, 2009, as printed.

VOTE: 3:0:2 (Mr. Currie & Mr. Moore abstained)

MOTION: By Mr. Moore, second by Mr. Fuller, to approve the regular and executive session MINUTES of September 1, September 9 and September 22, 2009, as printed.

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

TOWN ADMINISTRATOR'S REPORT:

Mr. Yunits reported that the Finance Committee has begun reviewing the budgets of various departments that come under the Board of Selectmen. Chairman Powilatis spoke about the consolidation of certain expenses with all departments including the schools, in order to realize a cost savings.

Mr. Cummings notified the Board that the SNOW AND ICE EXPENSE account is in deficit and asked the Board to authorize deficit spending.

MOTION: By Mr. Currie, second by Mr. Moore, that the Board of Selectmen adopt the provisions of Chapter 44, Section 31D of Mass. General Law regarding Line Item 01-423-5532-000, Snow and Ice Expense, for Fiscal Year 2010.

VOTE: 5:0

The Chairman asked about the status of the report that is due on the American Recovery and Reinvestment Act (ARRA) funds on February 5, 2010. Mr. Cummings reported that he is

working with Temporary Treasurer/Collector Robert Haley to meet that deadline. Not filing on time would jeopardize grants and loans to the town.

JOINT MEETING WITH THE LIBRARY BOARD OF TRUSTEES TO FILL A VACANCY:

Library Trustees present: Patricia McCarthy and Marianne Morelli

There is a vacancy on the Library Board of Trustees due to the resignation of Janet L. Page. Mr. Jeffrey A. Farash, 14 French Road, has expressed interest in being appointed to fill the vacancy until the Annual Town Election in April, 2010.

MOTION: At 7:15 pm by Mr. Moore, second by Mr. Fuller, to open the joint meeting between the Library Trustees and the Selectmen.

VOTE: 7:0

Ms. Ruth Hathaway, Director of the Library, introduced the Trustees and Mr. Jeffrey Farash. Mr. Farash explained the importance of the Library in his life, and stated that he would like to give back to the Library by serving as a Trustee.

MOTION: By Mr. McGaughey, second by Mr. Fuller, to appoint Mr. Jeffrey Farash to fill the vacancy on the Library Board of Trustees until the annual town election on April 6, 2010.

VOTE: Unanimous – 7 in favor, 0 opposed

Chairman Powilatis recognized the efforts of Temporary Treasurer/Collector Robert Haley. Since assuming the position in August, 2009, Mr. Haley has collected \$1,117,000 in previously uncollected taxes. Mr. Haley thanked the Holbrook Cooperative Bank and the Randolph Savings Bank for accepting tax and water and sewer payments at their offices.

TAX CLASSIFICATION HEARING:

MOTION: At 7:30 pm, by Mr. Currie, second by Mr. McGaughey, that the Holbrook Board of Selectmen open the Tax Classification Hearing to be held today, January 12, 2010.

Discussion: The legal notice published in the newspaper was read.

VOTE: 5:0

Chairman Powilatis discussed the complexity of this process, due to the reclassification of all properties this year. The state's preliminary certification was received in December, and was followed by a 14-day period of public disclosure. The final valuations were then sent to the state, and the final certification was received on December 29, 2009. After tonight's vote, the information will be sent to the Mass. Department of Revenue (DOR) for final approval prior to the issuance of the tax bills.

Mr. Gary Brennan, Principal Assessor, spoke on behalf of the Board of Assessors, and detailed the purpose of this hearing. The Board of Selectmen will determine the allocation of the tax levy between the various classifications of property and make a determination on the residential and small commercial exemptions. Mr. Brennan explained that the property values have declined, and reflect the value of the property on January 1, 2009, based on sales during 2008. Having

adopted Chapter 200 of the Acts of 1988, the town is allowed to use a tax shift at a maximum of 1.75 for commercial, industrial and personal property. Mr. Brennan and Mr. Powilatis reviewed the information prepared by the Assessors for this meeting and the options available for the Board's consideration. Mr. Brennan explained that last year we dropped to a 1.73 shift. The Chairman of the Finance Committee, Mr. Costa, spoke about the larger tax increase on businesses versus the residential properties over the last several years, as did Mr. Brennan. Mr. Costa advised that if the Board accepts the shift of 1.69, the tax rate will increase 3% on both commercial and residential properties. Discussion took place regarding other shifts and their impact on the tax rates. Mr. Moore spoke about demonstrating that the Town is business friendly.

MOTION: By Mr. Fuller, second by Mr. Currie, to set the tax shift at 1.69 for Fiscal Year 2010

VOTE: 5:0

Mr. Brennan explained the two exemptions, the Residential Exemption, and the Small Commercial Exemption.

MOTION: By Mr. Currie, second by Mr. Moore, not to adopt the Residential Exemption

VOTE: 5:0

MOTION: By Mr. Moore, second by Mr. Fuller, not to adopt the Small Business Exemption in Fiscal Year 2010, but look at it as an option for FY2011

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

MOTION: By Mr. Fuller, second by Mr. McGaughey, to close the Tax Classification hearing for Fiscal Year 2010

VOTE: 5:0

The Town Administrator detailed the RESOLUTIONS to be voted on at the MASS MUNICIPAL ASSOCIATION'S (MMA) Annual Business Meeting. The resolutions include more flexibility in health insurance changes, the Police Career Incentive (Quinn Bill), unfunded mandates, and opposing future unfunded local mandates.

MOTION: By Mr. Moore, second by Mr. Fuller, to endorse the Resolutions of the MMA

VOTE: 5:0

POLICE SERGEANT INTERVIEWS:

Three Holbrook Patrolmen were interviewed and considered for a promotion to the rank of Sergeant. One Sergeant's position will be open if Sgt. William D. Marble, Jr. is promoted to Chief.

Officer Thomas Gainey, Officer Joseph Salvucci, and Officer William Smith each introduced themselves and answered a series of questions about their experience, views on community policing, relationship with other officers, the most important duties of a sergeant, and why they believe they are the best candidate.

SPECIAL TOWN MEETING:

MOTION: By Mr. Fuller, second by Mr. Currie, that the Board of Selectmen schedule a Special Town Meeting to begin at 7:00 p.m. on Tuesday, February 2, 2010 at the Holbrook Junior-Senior High School, 245 South Franklin Street

VOTE: 5:0

MOTION: By Mr. Currie, second by Mr. Moore, that the warrant for the February 2, 2010 special town meeting be opened immediately, and that the Board of Selectmen insert the articles as presented this evening

VOTE: 5:0

Mr. Moore said that the Finance Committee has raised a concern about the lack of time allowed for them to consider the articles on a warrant and make recommendations to town meeting members. Mr. Powilatis explained that this special town meeting was scheduled quickly in order to meet the timeframe required for the town meeting members to vote on putting a question on the annual town election ballot to change the treasurer/collector's position to an appointed one, which was the main reason for the meeting. Otherwise, we would have to wait another year.

The Chairman and Town Administrator reviewed and explained the articles on the Special Town Meeting Warrant, and discussion took place among Board members.

MOTION: By Mr. Currie, second by Mr. Fuller, to put Articles 1, 2, and 3 on the Special Town Meeting warrant for February 2, 2010

VOTE: 5:0

MOTION: By Mr. Currie, second by Mr. Moore, that the Board of Selectmen put Article 4, as read, on the Special Town Meeting, February 2, 2010, and that Article 5 be separated into individual articles to be numbered 5 – 13, to be put on the Special Town Warrant February 2, 2010.

VOTE: 5:0

Discussion took place regarding the salary budgets of the Building, Plumbing, and Wiring Inspectors, and whether the three budgets should all be increased. Plumbing and Wiring will be reviewed for future consideration.

Considerable discussion took place regarding the sale of the former school at 227 Plymouth Street, and the value of that property.

MOTION: By Mr. Currie, second by Mr. Fuller, to put Articles 15 and 16, which are old Articles 6 and 7, on the Special Town Meeting warrant of February 2, 2010.

VOTE: 5:0

MOTION: By Mr. Moore, second by Mr. Fuller, to accept old Article 8, as printed.

VOTE: 5:0

Discussion took place regarding whether to add an article to allow town meeting to put money into Stabilization. Mr. Costa advocated for putting money away if possible, and Mr. Powilatis explained that putting money away is spending money, increases taxes, and adds to the burden on the taxpayer during these tough economic times.

MOTION: By Mr. Moore to add an article for Stabilization to the warrant.
No second, no vote.

MOTION: By Mr. Currie, second by Mr. Fuller, to close the warrant for the Special Town Meeting of February 2, 2010.

VOTE: 5:0

MOTION: By Mr. Fuller, second by Mr. Currie, to approve the warrant as amended and voted on this evening.

VOTE: 5:0

WATER IMPROVEMENT PROJECTS:

Mr. Cummings explained that this is the second part of the water projects from the \$9.5 million that the town is authorized to spend. C.J.P. & Sons was the low bidder out of 17 bids on the project. The Mass. Dept. of Environmental Protection has approved the contract.

MOTION: By Mr. Fuller, second by Mr. Currie, that the Board of Selectmen vote to award and execute a contract agreement with C.J.P. & Sons Construction Company, Inc., 1420 Main Street, Millis, MA 02054 for Distribution System Improvements and Water Main Replacement in Revere Acres, Washington Circle Area and Rocky Acres, DWSRF 3150, Contract No. 10-01, in the amount of \$1,932,155.30 (One Million Nine Hundred Thirty-Two Thousand One Hundred Fifty-Five Dollars and 30 Cents).

VOTE: 5:0

Mr. Cummings estimated that the town has approximately \$800 - \$900 thousand dollars in Chapter 90 money, and advised that public money cannot be used to help a private company, such as the new CVS Pharmacy that is trying to find a solution to drainage issues at the Highland Plaza where they have proposed to build a new building. Mr. Powilatis explained that this project would be a benefit to the town also, not exclusively CVS, so that may not be fully applicable.

MOTION: At 9:25 pm, by Mr. Fuller, second by Mr. Currie, to adjourn the meeting

VOTE: 5:0