

Holbrook Board of Selectmen

Minutes of the Regular Session of

Tuesday, February 9, 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
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 the Pledge of Allegiance.

MOTION: By Mr. Moore, second by Mr. McGaughey, to accept the REGULAR SESSION MINUTES of October 28, 2009, as printed.

VOTE: 5:0

MOTION: By Mr. Moore, second by Mr. McGaughey, to accept the EXECUTIVE SESSION MINUTES of October 28, 2010, as printed.

VOTE: 5:0

TOWN ADMINISTRATOR'S REPORT:

Mr. Yunits announced that State SENATOR MICHAEL W. MORRISSEY will be holding office hours at the town hall on Thursday, February 18, 2010, from 3:00 to 4:00 pm. The Chairman recognized Senator Morrissey for his efforts with the solar panel project at the former landfill. The HISTORICAL COMMISSION is cancelling its meeting scheduled for tomorrow night due to the impending storm.

Mr. Yunits said that a letter has been sent to the Mass. Department of Revenue (DOR) confirming that a resolution was passed at the February 2, 2010 special town meeting to reduce the Town's authorized SEWER EXPENDITURE by \$500,000, and that Town Clerk M. Shirley Austin has amended page 4 of the Recap with that information. We are awaiting the approval of the DOR.

The PUBLIC LIBRARY has been notified that they will be receiving their state funding this year. The Library staff was thanked for the work they did in securing the funding.

The SCHOOL BUILDING COMMITTEE has paperwork that must be approved as to form by Town Counsel and submitted to the School Building Authority (SBA), and Mr. Yunits requested direction from the Board. Board members indicated that part of the feasibility study for the School Department should include considering regionalization.

The employees under the WAGE & SALARY PLAN submitted a request to meet with the Board.

Mr. Yunits advised that the applicants for a liquor license for a poker room at 27 Maple Ave. were in and asked to move forward. The applicant is dealing with issues that need to be

addressed by both the town and the state, including handicapped accessibility and a sprinkler system upgrade. The Chairman indicated that a liquor license would be premature at this point.

HEARING ON THE APPLICATION of N.D. AUTOS, INC. DBA BARGA MOTORS FOR A CLASS II LICENSE TO SELL SECOND HAND MOTOR VEHICLES AT 334 NORTH FRANKLIN STREET:

MOTION: At 7:15 p.m., by Mr. Currie, second by Mr. Fuller, to open the hearing.

VOTE: 5:0

Present: Masoud S. Buisir, President

Mr. Buisir said he is the manager for the Prime Gas Stations on the South Shore, including Randolph, Holbrook and Quincy. He is relocating his used car business to Holbrook. Mr. Buisir requested to be licensed for 8 vehicles; the previous license on the property included 5 vehicles. He indicated that there are renovations being done, and the property will be kept clean. Prime owns the garage, and Mr. Buisir will be leasing it. The applicant indicated that there have been no complaints filed about his business in Quincy.

Mr. Yunits indicated that the abutters have been notified of the hearing and the newspaper has been paid for the publication of the hearing noticed.

Mr. Currie said he has a concern about the location of the propane tank and the underground tanks in relationship to where the cars will be parked. Mr. Buisir explained that the cars will not be parked on top of the concrete mat where the underground tanks are. The ice chest will be moved to the rear of the building.

Mr. Moore drove by the property and indicated that it appears to be well maintained and that a new fence has been installed.

The Chairman indicated that the information would be taken under advisement and the hearing would be continued to allow the Town Administrator and/or Chief of Police to check references.

MOTION: By Mr. Fuller, second by Mr. Currie, to continue the hearing for N.D. Autos, Inc. until February 23, 2010 at 7:15 pm.

VOTE: 5:0

BOND ISSUE FOR MASS. WATER POLLUTION ABATEMENT TRUST (MWPAT) LOAN:
Mr. Haley explained that approximately 9.3 million dollars has been approved for water projects. This bond issue will bring the total of the amount borrowed up to 6.1 million dollars. Federal Stimulus Funds, applied for by the Town Administrator and the Superintendent of Public Works, Thomas R. Cummings, will reduce the amount of principal on the loan by over one million dollars, so the Town will borrow one million dollars less.

MOTION: By Mr. McGaughey, second by Mr. Currie, that the Board of Selectmen and the Treasurer, Town of Holbrook, borrow six million one hundred thirty-four thousand five hundred dollars (\$6,134,500.00) at an interest rate of .25% as an interim loan note to the Mass. Water Pollution Abatement Trust.

VOTE: 5:0

Mr. Yunits explained that the Town received notification of the Fiscal Year 2011 appropriation for the NORFOLK COUNTY RETIREMENT SYSTEM. The Board can choose between paying the assessment in one lump sum or in two equal payments. A savings of \$28,613 can be realized by paying in full on July 1, 2010.

MOTION: By Mr. McGaughey, second by Mr. Moore, to pay the Norfolk County Retirement System for FY11 by making one lump sum payment of \$1,403,721 on July 1, 2010 under Option 2.

Discussion: Mr. Powilatis noted that this assessment is \$50,870 more than last year, and asked the Town Administrator to contact the County with a copy to the Public Employees Retirement Commission to determine why the assessment has gone up so much.

VOTE: 5:0

Mr. McGaughey asked for an update on the PENNICHUCK WATER SYSTEM contract. Mr. Yunits indicated that he has not received anything. Mr. McGaughey said that the 4% increase per year requested by Pennichuck appears to be their annual cost increase, and that it has nothing to do with the cost to Pennichuck for borrowing funds for the project. It was discussed that the Town could borrow the money at a lower interest rate and save money on the project. Mr. Yunits will check with Mr. Cummings to see if Pennichuck has come back with a revised proposal. Discussion took place regarding the services that Pennichuck is offering the Town and what services the Town could do on its own.

AMBULANCE ABATEMENTS:

The Chairman explained that Fire Chief Edward O'Brien submitted a request that the Board approve the ambulance abatements for the quarter including October 1, 2009 through December 31, 2009, in the amount of \$47,113.13.

MOTION: By Mr. Powilatis, second by Mr. Moore, to abate the ambulance list of \$47,113.13

VOTE: 5:0

SOURCE CAPTURE DIESEL EXHAUST SYSTEM BID AWARD:

Fire Chief Edward O'Brien explained that a \$50,000 federal grant, with a 5% match by the Town, was awarded to the Fire Department in March 2009 to allow for the completion of the source capture diesel exhaust system at the Public Safety Building. After going out to bid three times, a qualified bid was received at \$29,143.00. The Town is responsible for \$1,457.15.

MOTION: By Mr. Fuller, second by Mr. Currie, to award the bid to Air Cleaning Specialists of Hanover, MA, for a bid price of \$29,143.00.

VOTE: 5:0

APPOINTMENT OF ASSISTANT BUILDING INSPECTOR:

Present: Richard Monahan, Building Inspector

Mr. Monahan explained that he recommends that Mr. Michael J. McGourty be appointed as the Assistant Building Inspector. He is the Inspector in Braintree and is very well qualified. He is

available on his lunch hour, or before or after work in Braintree. Mr. Monahan indicated that he had contacted all six candidates.

MOTION: By Mr. McGaughey, second by Mr. Currie, to appoint Mr. Michael J. McGourty as the Assistant Building Inspector.

VOTE: 5:0

CHIEF OF POLICE POSITION:

Present: Sergeant William D. Marble, Jr., Acting Chief of Police, and members of his family.

Mr. Marble detailed his career history, and indicated he has been on the Holbrook Police Department since 1989, and worked as a patrolman until being promoted to sergeant in 1997. He has been the acting chief since January, 2009. Sgt. Marble spoke about the challenges facing the department due to the current financial constraints facing the Town, and said that civilian dispatch is needed to get those officers off the desk. He feels that negotiations should be completed in a way so that his final contract is fair to both sides. Sgt. Marble advocated the Town hiring a professional grant writer to prepare grant applications for all the departments. He would like to see a regular schedule for replacing the cruisers, radar signs showing drivers what the speed limit is and what speed they are traveling, and adding a couple of detectives to the department.

MOTION: By Mr. McGaughey, second by Mr. Currie, to appoint William Dexter Marble as the Chief of Police for the Town of Holbrook.

VOTE: 5:0

Town Clerk M. Shirley Austin swore Chief Marble in to the position.

MOTION: At 8:20 pm by Mr. Fuller, second by Mr. Currie, to adjourn to executive session to discuss strategy as it relates to collective bargaining with union personnel, strategy as it relates to contract negotiations with non-union personnel, strategy as it relates to litigation, and not return to open session.

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

Paul S. Currie, Clerk