

Holbrook Board of Selectmen

Minutes of the Regular Session of

Tuesday, November 8, 2011

Present: Matthew V. Moore, Vice-Chairman
Brinsley A. Fuller, Clerk
Richard B. McGaughey, Associate
Kevin J. Sheehan, Associate

Absent: Timothy J. Gordon, Chairman

In attendance: William J. Phelan, Town Administrator
Marjorie E. Godfrey, Selectmen's Secretary

The meeting was called to order at 7:00 pm by Vice-Chairman Moore, in the Selectmen's Meeting Room, 50 North Franklin Street, Holbrook, MA 02343, and began with the Pledge of Allegiance.

MINUTES:

MOTION: By Mr. Fuller, second by Mr. Sheehan, to approve the minutes of the regular session of September 27, 2011, as printed

VOTE: 4:0

MOTION: By Mr. Fuller, second by Mr. Sheehan, to approve the minutes of the regular session of October 3, 2011, as printed

VOTE: 4:0

MOTION: By Mr. Sheehan, second by Mr. Fuller, to approve the minutes of the executive session of October 3, 2011, as printed

TOWN ADMINISTRATOR'S REPORT:

Mr. Phelan announced that:

- o Several committees have vacancies, including the Permanent School Building Committee, the Conservation Commission, the Zoning Board of Appeals (Alternate member), and the Library Board of Trustees. Those interested were encouraged to send a letter of interest to the Selectmen's office.
- o The Town is continuing the work with the Department of Revenue and preparing to have the tax rate set on time. Free Cash has been certified. There will be one budget amendment article on warrant for the special town meeting to address on November 29, 2011.
- o The Pavement Management Committee has met a number of times, and the recommendations will be discussed later in this meeting.
- o The Board of Health is accepting applications for the Health Agent position. The current agent, Mr. William Murphy, is working 10 hours per week to bridge the gap, but that is insufficient, and it is anticipated that the position will be filled as soon as possible.

School Superintendent Joseph Baeta discussed the MASS. SCHOOL BUILDING AUTHORITY (MSBA) Statements of Interest (SOI) for the Kennedy and South Schools. He explained that any district interested in improvements files an SOI, which is nonbinding on both parties. No changes have been

made to the major parts of the form; it is the same paperwork as last year, just updated. The high school is already in the queue with the MSBA.

School Committee member Mr. John Flanagan arrived at 7:15 pm, during the reading of these motions:

MOTION: By Mr. Fuller, second by Mr. McGaughey, that having convened in an open meeting on the 8th of November, 2011, the Holbrook Board of Selectmen of Holbrook, MA and the Public Schools of Holbrook, MA, in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest dated January 26, 2011 for the South Elementary School located at 719 South Franklin Street, Holbrook, MA which describes and explains the following deficiencies and the priority category(s) for which the South Elementary School of Holbrook, MA may be invited to apply to the Massachusetts School Building Authority in the future
Priority 1: Replacement or renovation of building
Priority 2: Elimination of overcrowding
Priority 5: Replacement, renovation or modernization of school facility systems; and
Priority 7: Replacement of or addition of obsolete buildings in order to provide for a full range of programs consistent with state and local requirements
and hereby further specifically acknowledges that by submitting this Statement of Interest, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits Holbrook, MA to filing an application for funding with the Massachusetts School Building Authority.

VOTE: 4:0

MOTION: By Mr. McGaughey, second by Mr. Sheehan, that having convened in an open meeting on the 8th of November, 2011, the Holbrook Board of Selectmen of Holbrook, MA and the Public Schools of Holbrook, MA, in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest dated January 26, 2011 for the John F. Kennedy Elementary School located at 339 Plymouth Street, Holbrook, MA which describes and explains the following deficiencies and the priority category(s) for which the John F. Kennedy Elementary School of Holbrook, MA may be invited to apply to the Massachusetts School Building Authority in the future
Priority 1: Replacement or renovation of building
Priority 2: Elimination of overcrowding
Priority 5: Replacement, renovation or modernization of school facility systems; and
Priority 7: Replacement of or addition of obsolete buildings in order to provide for a full range of programs consistent with state and local requirements
and hereby further specifically acknowledges that by submitting this Statement of Interest, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits Holbrook, MA to filing an application for funding with the Massachusetts School Building Authority.

VOTE: 4:0

MOTION: By Mr. Sheehan, second by Mr. Fuller, to authorize Mr. Moore to sign the documents on behalf of the Board of Selectmen

VOTE: 4:0

Mr. Moore reviewed the request from Fire Chief Edward J. O'Brien relative to the AMBULANCE ABATEMENTS for the quarter including July 1, 2011 through September 30, 2011, and indicated that they are routine adjustments made based on insurance coverage.

MOTION: By Mr. McGaughey, second by Mr. Fuller, to grant the ambulance abatements for the quarter of July 1, 2011 – September 30, 2011, in the amount of \$85,307.46, as requested by New England Medical Billing and Chief O'Brien

VOTE: 4:0

Mr. Phelan discussed the recommendations of the PAVEMENT MANAGEMENT COMMITTEE relative to the use of Chapter 90 funds. Also present from the Committee were Mr. David Reilly, Selectman Kevin Sheehan, and Police Chief William D. Marble.

Mr. Phelan explained that the committee had a representative from an engineering company attend a meeting, and Fire Chief Edward O'Brien has requested a proposal from BETA Group, Inc., an engineering and landscape design company that inspects and examines roadways and evaluates and reports on the needs of the streets. In some cases, crack sealing may be recommended instead of repaving. They would do a roadway inventory and compare the Chapter 90 data to the Dept. of Transportation (DOT) information and do a data base installation. The Committee recommends that the Selectmen expend \$15,000 - \$20,000 of Chapter 90 funds to have BETA Group perform the services. The Committee also recommends that the Selectmen vote to purchase the following EQUIPMENT for the Department of Public Works: A street sweeper for \$179,500; a 1 ton dump truck for \$54,000; and a heavy-duty dump truck with a plow and sander for \$120,000.

Mr. Phelan explained that if Chapter 90 money is used, it will cut the red tape for the \$1.5 million federal earmark for the improvements on ROUTE 139. It was suggested that the same company that did the project need request be used, Howard Stein Hudson Engineering.

Also, the same company could be used to do the project need request for the intersection of WEYMOUTH, PINE AND SYCAMORE Streets. Chapter 90 money could be used, and the project could get on the Traffic Improvement Plan (TIP). If it is completely designed, they feel the town will get state money to complete the project.

Mr. Phelan will do a formalized list of these recommendations for the next meeting.

Mr. Moore discussed the terrible PAVING job done on Union Street between Dunkin Donuts and the Union Street Cemetery when the road was patched recently, and indicated that contractors should be held to a high standard. Mr. Phelan said that Mayor Menino had legislation passed in Boston so that a fee is charged and the paving is done in house. The law indicates that it has to be put back in substantially the same condition.

Mr. Moore announced that the Halfway Café is running a fundraiser for the Police Department's CHILD PASSENGER SAFETY PROGRAM. Twenty percent (20%) of the total bill for food sold to people who present tickets will be donated to the program to help keep the program going.

SPECIAL TOWN MEETING WARRANT:

The warrant for the special town meeting to be held on Tuesday, November 29, 2011, was reviewed.

Article 1 – Mr. Phelan explained the budget adjustment that must be done to reduce the Water Enterprise Budget.

MOTION: By Mr. Moore, second by Mr. Fuller, to approve Article 1, Amend the Water Enterprise Budget
VOTE: 4:0

Article 2 – Mr. Phelan explained that an unpaid bill for Unemployment could be paid from the Treasurer’s current year Unemployment budget.

MOTION: By Mr. Moore, second by Mr. McGaughey, to accept Article 2, Unpaid Bill from Prior Fiscal Year – Unemployment
VOTE: 4:0

Article 3 – The Town Administrator advised that this bill could be paid out of existing revenue.

MOTION: By Mr. Moore, second by Mr. McGaughey, to accept Article 3, Unpaid Bill from Prior Fiscal Year – Pitney Bowes
VOTE: 4:0

Article 4 – Mr. Phelan explained that the Treasurer ran out of money and did not pay approximately \$7,000 - \$8,000 of Medicare reimbursement for FY11.

MOTION: By Mr. Moore, second by Mr. McGaughey, to approve Article 4, Unpaid Bill from Prior Fiscal Year – Medicare
VOTE: 4:0

Article 5 – It was explained that this article is to fund the Firefighters’ arbitration award/agreement, and will be absorbed in the existing Fire Department budget.

MOTION: By Mr. Moore, second by Mr. McGaughey, to accept Article 5 – Fund Collective Bargaining Agreement, Firefighters
VOTE: 4:0

Article 6 – Mr. Phelan said this article is to fund the approx. \$90,000 needed for the Dispatchers’ salaries in preparation for regional dispatch. A funding amount and source will be clearer closer to town meeting. Additional state aid is expected, new growth is double what was projected, and the first payment from the Town of Abington is due April 1, 2012.

MOTION: By Mr. Moore, second by Mr. McGaughey, to accept Article 6 – Supplemental Appropriation for the Fire Department
VOTE: 4:0

Article 7 – Mr. Baeta advised that the School Department is working on putting all funds into the classroom. Funding from this article will go directly to textbooks and supportive materials in the core areas Reading/ELA, math and science.

*Holbrook Board of Selectmen
Minutes of the Regular Session
Of November 8, 2011*

MOTION: By Mr. Moore, second by Mr. McGaughey, to accept Article 7, Supplemental Appropriation for the School Department

VOTE: 4:0

Article 8 – This article, submitted for the Treasurer/Collector, seeks a salary increase for the elected official.

MOTION: By Mr. Moore, second by Mr. Fuller, to approve Article 8, Supplemental Appropriation, a Salary Increase for the Town Treasurer/Collector

VOTE: 4:0

Article 9 – The former Regional School District Planning Committee would be disbanded so that a new committee could be formed.

MOTION: By Mr. Moore, second by Mr. McGaughey, to accept Article 9, Disband the Regional School District Planning Committee

VOTE: 4:0

Article 10 – An article to create a new Regional School District Planning Committee.

MOTION: By Mr. Moore, second by Mr. McGaughey, to accept Article 10, Create a Regional School District Planning Committee

VOTE: 4:0

Article 11 – Acceptance of MGL Chapter 41, Section 100B, which would allow the town to pay the unpaid medical bills of police officers and firefighters who were forced to retire due to an on-the-job injury and who have incurred medical bills directly related to the on-the-job injury that forced their retirement.

MOTION: By Mr. Moore, second by Mr. McGaughey, to accept Article 11, Acceptance of MGL Chapter 41 Section 100B – Indemnification of Police Officers and Fire Fighters

VOTE: 4:0

Article 12 – Establish a Town Government Study Committee

MOTION: By Mr. Moore, second by Mr. Fuller, to accept Article 12, Establish a Town Government Study Committee

VOTE: 4:0

Article 13 – Non-Binding Referendum, submitted by petition. Mr. Alexander Mann explained that the petitioners want to know what direction the town will take relative to a potential school building project. This article asks for a vote on a K-12 Educational Complex on the current site of the Junior-Senior High School.

MOTION: By Mr. Moore, second by Mr. Fuller, to accept Article 13

VOTE: 4:0

Article 14 – Stabilization Fund, to allow the town to place money in the Stabilization Fund at the end of the town meeting, if funds are available.

MOTION: By Mr. Moore, second by Mr. McGaughey, to accept Article 14, Stabilization Fund
VOTE: 4:0

WARRANT:

MOTION: By Mr. Moore, second by Mr. Fuller, to execute the warrant for the Special Town Meeting as presented
VOTE: 4:0

TOWN ADMINISTRATOR APPOINTMENT:

Mr. Moore explained the details of the employment agreement with Mr. William Phelan, which was recently approved by the Board of Selectmen.

MOTION: By Mr. McGaughey, second by Mr. Fuller, to approve the appointment of Mr. William Phelan as Town Administrator, effective October 3, 2011
VOTE: 4:0

MOTION: By Mr. Moore, second by Mr. McGaughey, that the Board of Selectmen appoint Town Administrator William Phelan to the Permanent School Building Committee, with a term to expire on June 30, 2014
VOTE: 4:0

Mr. McGaughey questioned the spending of the Chapter 90 money, which will be discussed at another meeting after the recommendations of the Pavement Management Committee have been formalized.

ADJOURN:

MOTION: At 8:15 pm, to adjourn to executive session to discuss the discipline or dismissal of, or complaints or charges against a public officer, employee, staff member or individual (New England Police Benevolent Association), and not return to open session

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

Brinsley A. Fuller, Clerk

Documents: Agenda, draft minutes, draft STM warrant, MSBA SOI and required motions, ambulance abatement request from Fire Chief