

Holbrook Board of Selectmen

Minutes of the Regular Session of

Tuesday, March 13, 2012

Present: Timothy J. Gordon, Chairman
Matthew V. Moore, Vice-Chairman (Arrived at 7:15 pm)
Brinsley A. Fuller, Clerk
Kevin J. Sheehan, Associate

Absent: Richard B. McGaughey, Associate

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

The meeting was called to order at 7:00 pm by Chairman Gordon, in the Selectmen's Meeting Room, 50 North Franklin Street, Holbrook, MA 02343.

The Pledge of Allegiance was lead by Boy Scouts Adam Bussiere and Thomas McMann, who were working on earning a Boy Scout badge for citizenship.

MINUTES:

The minutes of December 13, 2011 were postponed.

MOTION: By Mr. Sheehan, second by Mr. Fuller, to approve the minutes of the regular session of February 15, 2012, as printed

VOTE: 3:0

MOTION: By Mr. Fuller, second by Mr. Sheehan, to approve the minutes of the executive session of February 15, 2012, as printed

VOTE: 3:0

TOWN ADMINISTRATOR'S REPORT:

Mr. Phelan reported that:

- The bids for the fencing at the Castle Canyon Playground have been received, and there is a meeting scheduled to review the present equipment and discuss retrofitting equipment.
- He is awaiting a cost estimate to renovate the upper floor of the former fire station.
- Normally, the tax levy goes up 2 ½% annually, but requests have been increasing faster than the revenue. There is a large amount of debt exclusion debt, and the town has been taxing to the levy limit and beyond due to the water and sewer projects and the closing of the landfill. Compared to area towns, Holbrook's tax rates are high. In order to ease the burden on homeowners, there is a significant shift in taxes toward the business and commercial properties.
- In response to a question from Mr. Sheehan about the retained earnings in the sewer enterprise fund, Mr. Phelan looked into using that money to offset the sewer debt to give taxpayers a break on their bill. Kevin Costa, the Chairman of the Finance Committee said that the money is being left there to fund sewer phases 5 and 6 without borrowing. Mr. Phelan explained that there is \$2 million available for a sewer project, and the use of some of the retained earnings should be considered. At this time, there is a 50% reserve, but only 10% is needed. Mr. Sheehan has

suggested using some of the surplus to pay off sewer debt. Currently, the sewer debt is being paid by the taxpayers, not the sewer enterprise fund. The best use of the retained earnings will be considered at an upcoming meeting.

Mr. Gordon reported that a representative of O'Brien and Sons will be coming out to look at Castle Canyon Playground on March 20th to make suggestions on how the playground can be improved.

It was announced that:

There will be a leaf and yard waste collection on Saturday, May 5th.

There will be a bulky item and white good collection the week of April 30th – May 4th.

Colonial Insurance will be at the town hall offering short term disability and life insurance to town employees on Friday, March 30th.

SALARY ADMINISTRATION:

MOTION: At 7:45 pm, by Mr. Moore, second by Mr. Fuller, to open the hearing to consider amendments to the Salary Administration Plan

VOTE: 4:0

Present: Benjamin Ecord, Public Works Supervisor and Connie Orlando, Council on Aging Coordinator

The list of positions included under the Salary Administration Plan, and those that have been given personal contracts or have been vacant, was reviewed. The positions under this by-law have not received raises since fiscal year 2008. During that time, the unions and contract employees have received raises, with the exception of the Firefighters who are expected to sign agreements this evening. Some positions included under the Plan are allowed to have personal contracts, and the positions do not have to all receive the same percentage raise. Mr. Phelan said he has a resource for conducting salary surveys as the by-law requires. Articles will be included on the town meeting warrant in May to provide for pay raises.

MOTION: By Mr. Fuller, second by Mr. Moore, to continue the hearing until 7:15 pm on March 27, 2012

VOTE: 4:0

NEW BOND ISSUE:

Present: Paul Digirolamo, Town Treasurer/Collector
Margaret MacLean, Advisor from Unibank Financial Services

Ms. MacLean explained that the town put some existing bonds out for bid recently and received two bids. The new rate will be 1.57%, and the town will realize a savings of approximately \$549,000 over a 10 year period. The bonds mature in 2021, the same timeframe as the original bonds.

MOTION: By Mr. Fuller, second by Mr. Sheehan, that in order to reduce interest costs, the Treasurer is authorized to issue refunding bonds, at one time, pursuant to Chapter 44, Section 21A of the General Laws, or pursuant to any other enabling authority, to refund a portion of the Town's \$8,080,000 General Obligation Municipal Purpose Loan of 2001 Bonds dated

December 1, 2001 maturing on December 1 in the years 2012 through 2021 (inclusive) (collectively, the "Refunded Bonds") and that the proceeds of any refunding bonds issued pursuant to this vote shall be used to pay the principal, redemption premium and interest on the Refunded Bonds and costs of issuance of the refunding bonds.

VOTE: 4:0

FIREFIGHTERS' CONTRACTS:

Present: Edward J. O'Brien, Fire Chief

Lt. Luke McFadden, FF Eric Beltramini, and FF Dale Campbell

The Board of Selectmen and the Firefighters' union have reached agreement on the renewals of the union contract that expired on June 30, 2006. Five agreements have been negotiated for the fiscal years including FY2007 through FY2015.

Agreement #1: Regarding Stipends

It was explained that there have been three retirements since June 30, 2006 by long-time members of the department. This agreement provides for them by increasing the stipends for services they were instrumental in providing between June 30, 2006 and their retirement.

MOTION: By Mr. Moore, second by Mr. Fuller, to approve Agreement #1 Between the Town of Holbrook and the International Association of Firefighters, Local 1452 Regarding Stipends

VOTE: 4:0

Agreement #2: July 1, 2006 – June 30, 2009

This agreement bridges the last contract (2006) and provides no money changes for the three years.

MOTION: By Mr. Moore, second by Mr. Fuller, to approve Agreement #2, a Memorandum of Agreement Between the Town of Holbrook and the International Association of Firefighters Local 1452, effective July 1, 2006 and expiring on June 30, 2009

VOTE: 4:0

Agreement #3: July 1, 2009 – June 30, 2012

This agreement provides for a 6% raise on January 1, 2012 and a 6% raise at 11:59 pm on June 30, 2012.

MOTION: By Mr. Moore, second by Mr. Fuller, to approve Agreement #3, a Memorandum of Agreement Between the Town of Holbrook and the International Association of Firefighters Local 1452, effective July 2009 and expiring on June 30, 2012

VOTE: 4:0

Agreement #4: July 1, 2012 – June 30, 2015

This agreement provides a 2% raise on January 2013, 2% on July 1, 2013, 1.5% on July 1, 2014 and addresses the EMT stipends, in-house training, and payment of payroll while attending the fire academy.

MOTION: By Mr. Moore, second by Mr. Fuller, to approve Agreement #4, a Memorandum of Agreement Between the Town of Holbrook and the International Association of Firefighters Local 1452, effective July 1, 2012 and expiring on July 30, 2015

VOTE: 4:0

Agreement #5: Second Ambulance Operation

This agreement provides for the use of the second ambulance if personnel are available and the situation warrants it. It is an enhancement of the services offered by the Fire Department and may generate additional revenue at no additional cost to the town.

MOTION: By Mr. Moore, second by Mr. Fuller, to approve Agreement #5, a Side Letter of Agreement Between the Town of Holbrook and the International Association of Firefighters, Local 1452

VOTE: 4:0

The Union was commended for the way they negotiated, considered the impact on the budget and were willing to compromise. Lt. McFadden, the Union President, echoed the comments and thanked everyone for handling the negotiations in a professional manner. These agreements will go before town meeting on May 1, 2012.

Town Treasurer/Collector Paul Digirolamo explained that he has been working on the CASH RECONCILIATIONS, and should be done through December by the end of the week. Reports are submitted to the state quarterly, and the December report is overdue at this time and has not been reconciled to the general ledger. This item will be on the next agenda when it is expected that the reconciliations will be complete through February.

Richard Reuss, the Emergency Management Director, asked that the Board approve the town's participation in the EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG) Program and application for an FFY2010 grant. Mr. Reuss explained that this is a matching grant. The volunteer hours have been used for the match in the past, but the Mass. Emergency Management Agency (MEMA) is reluctant to do that. The list of items to be purchased under this grant are already approved, including television monitors for the Emergency Operation Center (EOC), weather radios, and 2 laptops. Mr. Reuss will find out what other towns are doing for the match.

MOTION: By Mr. Moore, second by Mr. Fuller, to approve the town's participation in the EMPG Program and the submittal of an application for an FFY2010 Emergency Management Performance Grant in the total amount of \$2,750

VOTE: 4:0

Mr. Phelan explained that the town has received invoices from TRIDENT INSURANCE for three \$7,500 DEDUCTIBLES to be paid as a result of settlements the School Department made with employees. There is a question relative to who is authorized to sign off on settlements. The insurance policy is paid for by the town; it does not come out of the School budget. Mr. Phelan said that the Board should have been notified of the employment or personnel issues and questioned whether the Board would be required to pay the deductibles if they did not sign off on the agreements. He suggested that the attorney involved give the Board a briefing and explain why these agreements are in the best interest of the town. In the future, the insurance company will notify the Board of Selectmen in this situation. Mr. Phelan said he did feel comfortable with the settlements after speaking to the insurance company, but this action may cost the town \$22,000, and they had no prior knowledge. Mr. Phelan will

ask the insurance company to have the attorney involved come to the next Selectmen's meeting to discuss in open session who is responsible, and in to discuss the particulars of the case in executive session because there is still one pending case.

Mr. Moore explained that the NORFOLK COUNTY MOSQUITO CONTROL DISTRICT sent a request that the Board support their request for a 3% budget increase for FY13, in order that they can complete the mosquito spraying projects without having to cut down on the number of annual applications.

MOTION: By Mr. Moore, second by Mr. Fuller, that the Chairman sign the declaration of support for Mosquito Control funding

VOTE: 4:0

The SEALER OF WEIGHTS AND MEASURES, Harold Boothby, submitted a request that a Deputy Sealer be appointed to fill in for him when he is away. The Sealer in Abington, Leo Donovan, had Mr. Boothby named as his Deputy for the same reason. There are no stipends involved.

MOTION: By Mr. Moore, second by Mr. Sheehan, to appoint Mr. Leo Donovan of Abington as the Town of Holbrook's Deputy Sealer of Weights and Measures

VOTE: 4:0

Benjamin Ecord, the Supervisor in the Public Works Department (PWD), reported that Public Works has begun sweeping the streets, cleaning debris, and getting ready for the baseball and Little League season.

Mr. James Duggan has submitted his notice that he is retiring from the Public Works Department (PWD) on April 13, 2012.

The salary budget will be reviewed to see if there will be money available to pay payroll for temporary summer help in that department (PWD).

ADJOURN:

MOTION: At 9:25 pm, to adjourn to executive session to discuss strategy as it relates to collective bargaining with union personnel (Public Works), to conduct contract negotiations and discuss strategy as it relates to contract negotiations with non-union personnel (Fire Chief), and not return to open session

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

Documents: Agenda, draft minutes, yard waste & bulky item collection notices, Salary Administration packet, bond issue vote, Fire agreements (5), MEMA grant info, Mosquito Control letter, letter from Harold Boothby

Kevin J. Sheehan, Clerk