

Holbrook Board of Selectmen

Minutes of the Regular Session of

Tuesday, July 24, 2012

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

In attendance: William J. Phelan, Town Administrator  
Marjorie E. Godfrey, Assistant Town Administrator  
Benjamin Ecord, Supervisor, Public Works

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, and began with the Pledge of Allegiance.

The Chairman read the Board of Selectmen's MEETING PROCEDURES for public participation in meetings. All comments are to be about an issue before the Board, not about questioning a Board member about a course of action, nor a time for debate. There are to be no personal complaints about personnel, and comments should be brief. Public participation by the public in open meetings is addressed under MGL Chapter 39 Section 23C.

CITIZEN CONCERNS:

Mr. David Baskin spoke in support of a full set of traffic lights at the intersection of Weymouth, Pine and Sycamore Street.

Present: School Committee members: Barbara Davis, Chairman; Ann Jackman Poppenga; John Flanagan

Residents (25-30) were present to address the Board prior to a vote this evening to request that a K-8 school building project be added to the Enrollment Certification from the Massachusetts School Building Authority (MSBA), in addition to the three projects on the current Certification, and that all four projects be included in the feasibility study.

Chairman Gordon said he would take comments from those here to speak about the school building project, and that he would make a statement afterwards.

Mrs. Jeanne Moore, 2 Dalton Terrace, addressed the Chairman and suggested that his mind was already made up on the issue if he had prepared a statement prior to hearing the comments tonight. Mrs. Jessica Barry, 15 Abington Ave., said that tuitioning out the students is not an option. Mrs. Karen Santorelli, 31 Clover Road, spoke in opposition of tuitioning out or regionalization and said there is only 1 option.

Mr. Stephen Gallagher, 6 Wood Road, said that there was support for a K-12 building six months ago and asked for an explanation of what happened. Mr. Gordon replied that the idea of a K-8 project is not new to the Selectmen or the Permanent School Building Committee. Mr. Charles Greely, 214

Weymouth Street, said that tuitioning out is wrong. School Committee member Ann Poppenga, 45 Royal Ave., asked that the Board sign the feasibility study for a 7-12, 6-12, and K-12 project, and not jeopardize the feasibility study. Mr. John Fitzgerald, 24 East Division Street, explained that, in his opinion, a K-12 school will not work. Ms. Amie Pierce, 261 Union Street, spoke in favor of a K-12.

Mr. Paul Anastasio, 11 Norma Road, said that he had the impression the Board was behind the schools,

but a huge divide is being created. Mr. Greely said town meeting voted not to form a regionalization committee.

Mr. Gordon said his position on the subject has been communicated to the taxpayers at town meeting, in an article in the Holbrook sun, on April 10<sup>th</sup> when he spoke at a Board of Selectmen's meeting, in May, and on June 11, 2012 to the MSBA and the Dept. of Elementary and Secondary Education (DESE). He said the state wanted an educational study on regionalization and they wanted Holbrook to reach out to its neighboring communities. He stressed that the focus should be on the quality of education, and there is an obligation to the students and the taxpayers to do that. There could be benefits to regionalization, including reduced cost and the ability to offer additional programs to a larger student population. Mr. Gordon said that there has only been one study completed, which was in 1994.

Mr. Gordon explained that although the Board has been told that all issues would be taken up in the feasibility study phase, Mr. Gordon was told by the MSBA last week that the options available are those in the Enrollment Certification, not the feasibility study agreement. The K-8 option needs to be added to the Enrollment Certification to be considered. He indicated that the Board of Selectmen may continue to explore regionalization and tuitioning out.

Mr. Moore pointed out that a statute mentioned in the feasibility study agreement under Article B would allow us to include regionalization and tuitioning out as part of the study. Mr. Gordon said the MSBA has not been consistent about that, and the MSBA must be notified by August 10<sup>th</sup> if the town is requesting that the enrollment certification be amended. The Permanent School Building Committee (PSBC) has voted to include the K-8 option in the enrollment certification. Michael Reith, the Vice-Chairman of the PSBC explained that the enrollment agreement overrides the feasibility study agreement, and it has been difficult to get direction from the MSBA.

Mr. Moore said that the feasibility phase takes a long time, and there has not been a lot of guidance from the MSBA; therefore, the perception is that the members are dragging their feet, which adds to the confusion. He said that K-12 schools are built in other areas of the country. Mr. Sheehan said that the town election showed that the K-12 agenda did not pass with the voters.

Mr. Phelan said that the worst reason to move forward is just to move forward. Regionalization cannot be considered in this feasibility study because there are no certified enrollment figures. However, the MSBA can do whatever they want because they have wide latitude. The Town Administrator explained that in May 2011 the MSBA told the town to explore the educational aspects of regionalization and listed what should be studied. Now, a building has to be built according to the enrollment certification, but regionalization was not included, and the Superintendent has said it would be included at the feasibility phase. Mr. Moore said the buildings need to be fixed because the townspeople do not want regionalization or tuitioning out. Mr. Phelan said Holbrook did not put its best foot forward in Avon, and the primary object should be to do what is right educationally for the children.

The per pupil cost is higher in Holbrook, at \$12,800. In Abington, it is \$10,200, and in Avon it is \$12,300. It was discussed that it is important that everyone be on the same page, and time is short. The enrollment certification was reviewed and discussed. Mr. Phelan explained that the numbers are computed by the MSBA and include enrollment information from the School Department, including historical data, and information from the Building Department. The MSBA prefers buildings with at least an enrollment of 600, but certified the enrollment of the three options so far, to include: a 7-12 building with 390 students; a 6-12 building with 490 students; and a K-12 building with 1,095 students. The MSBA already allowed for 10 extra students that might return to the public schools from private schools.

Resident Dwight Nelson, 10 Shirley Street, said that all options should be explored.

MOTION: By Mr. Fuller, second by Mr. Sheehan, to move to authorize the Chairman of the Board of Selectmen to sign on behalf of the Board of Selectmen a written request to the Massachusetts School Building Authority (MSBA) to prepare an Enrollment Certification which includes an additional enrollment scenario for a K-8 school

VOTE: 4:0 (Mr. Moore against)

**COMMON VICTUALLER'S LICENSE AT 424 NORTH FRANKLINLIN STREET IN THE NAME OF MAGED KAMEL DBA SARA'S PIZZA PALACE:**

Present: Mr. Maged Kamel

MOTION: At 8:59 pm, by Mr. Fuller, second by Mr. Sheehan, to open the public hearing on the application of Maged Kamel dba Sara's Pizza Palace for a Common Victualler's License for the purpose of serving prepared foods at 424 North Franklin Street

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

Mr. Kamel introduced himself and spoke about his 8 years of experience working in various similar businesses, including the Abington, New England, and Ashland Houses of Pizza. His application was reviewed. The Tax Collector, Board of Health, and Fire Department reported no issues with the application.

MOTION: By Mr. Sheehan, second by Mr. Fuller, to accept the application of Maged Kamel dba Sara's Pizza Palace, and grant a common victualler's license for the purpose of serving prepared foods at 424 North Franklin Street

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

**SOLID WASTE CONTRACT:**

Mr. Phelan said he spoke with Town Counsel about the bid put forth by Mike Delprete Trucking for solid waste and recycling services. He explained that Mr. Delprete failed to put in writing whether his single stream price was weekly or not, which would leave his bid open to challenge from another bidder. Allied Waste offered an Alternative option in addition to everything that was asked of them. The Alternative offered by Allied Waste is for weekly single stream recycling combined with solid waste pickup, and would be the least expensive at approximately \$950,000.00 for three years.

MOTION: By Mr. Fuller, second by Mr. Sheehan, to award the solid waste and recycling contract to Allied Waste, given that they are the lowest qualified bidder

VOTE: 5:0

**227 PLYMOUTH STREET:**

Mr. Phelan reported that the bids for the sale of 227 Plymouth Street were disappointing. Only two bids were received. A \$40,000.00 bid was received from a non-qualified bidder, and a \$50,000.00 bid was received from a qualified bidder. Mr. Phelan recommended that the Board consider different alternatives for the building, and the Board indicated it was taking no action on the bids received.

Mr. Gordon explained that the next step in designing the improvements of the intersection at WEYMOUTH, PINE & SYCAMORE STREETS involves an engineering company giving the town the options and the cost of the project after they have studied the area. Mr. Jack Fitzgerald, a resident, said

the problems are the speeders on Weymouth Street, the topography, and that the approaches from Pine and Sycamore Streets should be more narrow. He suggested a full set of traffic lights. Mr. Phelan said using Chapter 90 funds to engineer the project should help move the project up on the Transportation Improvement Plan (TIP), which is very competitive. Mr. Phelan said that next, the Metropolitan Area Planning Council (MAPC) should recommend the project for funding because of the safety issues. Mr. Phelan will find out from the engineers if there are interim steps that could be made to make the intersection safer until the project is complete, but a sign off from the engineers would be needed. Several residents spoke about the need for the improvements. Ms. Janet O'Neil of Belair Drive, Mr. David Baskin of 81 Loud Road, Mr. Allan Dunn of 68 Abington Ave., and Mrs. Ruth Davey of 333 Pine Street, all spoke in favor of improvements including signage, full traffic lights and traffic enforcement by the Police Department. Mr. Phelan will talk to Chief Marble, and the town's state senator and representatives will be asked to contact MAPC about recommending Holbrook's intersection as a priority on the TIP.

Mr. James Crowley of Holbrook Insurance Center explained that the town's INSURANCE PREMIUMS have increased this year because the town's experience during a 5-year window has not been good. The casualty lines have been hit with claims. The insurance company said the premiums had to go up an average of 27% over last year, or they would not renew the town. Mr. Crowley checked with competing companies, and they would not do any better. Mr. Crowley recommended that the Safety Committee become more active, and said that the town has not historically had this type of experience.

Mr. Allan Dunn, the Chairman of the PERMANENT CABLE TV ADVISORY COMMITTEE explained that the committee was formed in 1983 with seven (7) members. After ten years, it became more difficult to maintain a quorum. He thought that the number of members had been reduced to five (5) by a previous Board of Selectmen, but there is no record in the Selectmen's office or the Town Clerk's office. He asked that the Board consider reducing the numbers of members to five.

MOTION: By Mr. Moore, second by Mr. McGaughey, to grant the request to reduce the number of members of the Permanent Cable TV Advisory Committee from seven (7) to five (5)  
VOTE: 5:0

Mrs. Ruth Davey, the clerk in the COMMUNITY DEVELOPMENT OFFICE, explained that she has been working in that office for six years, and has not had a raise. She was asking the Board to consider raising her hourly rate to \$17.78, the hourly rate for a Principal Clerk under Wage & Salary, effective July 1, 2012.

MOTION: By Mr. McGaughey, second by Mr. Fuller, to increase the hourly rate of pay for the clerk in the Community Development office, Ruth Davey, from \$16.44 per hour to \$17.78 per hour  
VOTE: 5:0

Mr. Ecord said that PUBLIC WORKS is working on the catch basins and sidewalks on the main street. He asked that Mr. Gordon meet him at Holbrook Playground and walk the area with him where a new patio is being considered. Repainting the lines in the parking area at the Playground was discussed, including moving the handicapped parking closer to the main entrance.

Mr. Phelan explained that the town has to have an inspection completed on the LAKE HOLBROOK DAM. He has been in contact with Tighe & Bond, an engineering firm that is familiar with these types of projects. They have notified Mr. Phelan that they will undertake the inspection and file the report for a fee of \$5,000.00.

Mr. Phelan also advised that Tighe & Bond will perform the LANDFILL MONITORING ANNUAL INSPECTION for a fee of \$15,000.00.

MOTION: By Mr. Moore, second by Mr. Fuller, to allow the Chairman to sign both agreements with Tighe & Bond, for the landfill inspection and for the landfill monitoring annual inspection

VOTE: 5:0

Mr. Phelan said the bid proposal package for a SOLAR PROJECT is being finalized. It was noted that the former Baird & McGuire acreage off South Street does not compare to the site of the former landfill. Mr. Phelan advised that the town cannot get credit for generating more energy than it can use. The successful bidder will lease the property from the town.

Mr. Phelan mentioned that the figures that were received from National Grid when the town approached them about purchasing the POLES AND STREET LIGHTS did not make any sense. They were much higher than was expected.

Mr. Phelan said two DUMPSTERS need to be ordered for the demolition of the second floor in the fire station adjacent to the town hall. Allied Waste will be contacted.

Mr. Ecord met with two representatives from BETA Group about the PAVEMENT MANAGEMENT program. A meeting will be held with Mr. Phelan on Friday at 10 am.

MINUTES:

MOTION: By Mr. Moore, second by Mr. McGaughey, to approve the minutes of the regular session of June 26, 2012 as printed

VOTE: 3:0:2 (Mr. Gordon and Mr. Fuller abstained)

MOTION: By Mr. Moore, second by Mr. Sheehan, to approve the minutes of the executive session of June 26, 2012, as printed

VOTE: 3:0:2 (Mr. Gordon and Mr. Fuller abstained)

MOTION: At 10:10 pm, to adjourn the meeting

VOTE: 5:0

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Kevin J. Sheehan, Clerk

Documents:

Agenda	Insurance premium information from Holbrook Insurance
Draft minutes	Meeting Procedures for Public Participation
Common Vic application	Minutes of the Solid Waste & Recycling bid opening
MSBA Feasibility Study Agreement	