

Holbrook Board of Selectmen

Minutes of the Regular Session of

Tuesday, August 28, 2012

Present: Timothy J. Gordon, Chairman
Brinsley A. Fuller, Vice-Chairman
Kevin J. Sheehan, Clerk
Richard B. McGaughey, Associate
Matthew V. Moore, Associate (Arrived at 7:02 pm)

In attendance: William J. Phelan, Town Administrator
Marjorie E. Godfrey, Assistant Town Administrator

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.

MINUTES:

MOTION: By Mr. Fuller, second by Mr. Sheehan, to approve the regular session minutes of July 24, 2012, as printed

VOTE: 4:0

CITIZEN CONCERNS: None

It was announced that a Retirement Roast will be held on Thursday, October 4, 2012, for THOMAS R. CUMMINGS, the Superintendent of Public Works who retired on June 29, 2012. Mr. Cummings began working for the town in 1954. Tickets are available at the town hall and the Council on Aging.

TOWN ADMINISTRATOR'S REPORT:

Mr. Phelan reported that there are bid openings scheduled on Thursday, August 30, 2012 for pavement CRACK SEALING all over the town, and for the repaving of PLYMOUTH STREET from Newton Ave. to Abington Ave. Other roadway projects will wait until next spring so that a proper design can be created. The purchase of a street sweeper is going out to bid now.

UPDATED STUDY ENROLLMENT CERTIFICATION FROM MSBA:

In preparation for a feasibility study of a new school project, a revised study enrollment certification has been issued by the Mass. School Building Authority (MSBA) which now includes a potential K-8 project. The new study enrollment certification must be approved by the Board of Selectmen, School Committee, and Superintendent.

MOTION: By Mr. Fuller, second by Mr. Moore, to authorize the Chairman to execute the updated Holbrook Junior-Senior High School Study Enrollment Certification from the Massachusetts School Building Authority (MSBA)

VOTE: 5:0

CLERICAL UNION AGREEMENT:

Mr. Phelan explained that initial agreement has been reached with the Clerical Union representative about opening the town hall on Tuesday evenings from 5 pm – 8 pm. In exchange, the town hall would close at noon on Fridays from Labor Day until June 15th. Prior to next summer, the Union would like to talk about the summer-time Tuesday evenings. The town hall already closes on Fridays at noon during the summer.

The second issue discussed with the Clerical Union is the creation of one full-time clerical position to cover the Conservation office, Building Department, Zoning Board, and Board of Health office. Currently, those offices are staffed by different part-time employees. This position would be a 35 hour position with overtime for night meetings. It was discussed that there is a 25 hour position open in Public Works that could be combined with 15 hours in inspectional services to save money on overtime. Daniel Moriarty, the Building Inspector, explained that the Building Department's clerk works 20 hours, which could be combined with additional hours from the Zoning Board, Plumbing, Gas and Wiring to make the position full-time.

The Planning Board clerk's position is non-union and will stay separate with 13 – 15 hours per week. Mr. Fuller, who is the Chairman of the Conservation Commission, said these changes are time sensitive, but the Conservation clerical work could be helped by filling the Conservation Agent's position.

MOTION: By Mr. Moore, second by Mr. Fuller, to execute a Memorandum of Understanding with the American Federation of State, County and Municipal Employees AFL-CIO, State Council 93, Local 1395 (Clerical Union) to combine part-time positions into one full-time position

VOTE: 5:0

MOTION: By Mr. Gordon, second by Mr. Fuller, to modify this vote to include the agreement on the opening of the town hall on Tuesday evenings from 5 pm – 8 pm

VOTE: 5:0

Mr. Phelan said that he met with town counsel to put the finishing touches on a request for proposals (RFP) for a SOLAR PROJECT on town property. The RFP was sent to the Department of Energy Resources (DOER) today for approval. It will then have to be placed in the Central Register and advertised in the Patriot Ledger. There will be a mandatory pre-bid meeting on October 10th, and the bids will be due in by October 30th. The town will evaluate the proposals and select a firm. There are three potential sources of revenue, including the savings that will be realized from selling the energy, the taxes that will be received on the solar panels, and the revenue from a lease agreement.

Mr. Phelan advised that most towns use a consultant who can negotiate the best agreement for the town. The other option would be for the Board to create a small committee to select the entity from the RFP's, together with the consultant. The Board will consider establishing a committee at the next meeting, and Mr. Phelan will obtain resumes of consultants.

MOTION: By Mr. Fuller, second by Mr. Sheehan, to authorize the Town Administrator to issue a Request for Proposals (RFP) /Request for Qualifications (RFQ) for solar panels

VOTE: 5:0

Town Treasurer/Collector Paul Digirolamo updated the Board on the work in his department. He said that he is currently working on the month of June, and when he completes the debt schedule, he will be

done preparing for the audit. He said that the collection of receivables is continuing, with more water revenues being received. Although he has not listed the tax title properties in the newspaper yet, there are six properties that he will be preparing for auction in the next few months, after his appointment as custodian. He will provide the Board with a list of the locations of the properties, the date of taking, and all taxes, fees and interest due.

Mr. Phelan reported that the SUMMER HELP in the Public Works Department is almost done for the year. The STREET SWEEPER bids are due on September 7th. The town will also be acquiring a basin cleaner, dump truck, sander and plow.

The TOWN HALL improvement project is tentatively scheduled to begin the second week of September when the SHERIFF'S Department will be gutting out the former fire station adjacent to the town hall. The construction is expected to be completed in December.

Mr. Sheehan explained that although some roadway construction projects will be postponed until the spring of 2013, BETA Group has been working on listing and marking all the streets in town in preparation for the upcoming work. Mr. Phelan said that the Chapter 90 money that the state had been holding was just released about three weeks ago.

Benjamin Ecord, the Public Works Supervisor, is following up on the concrete and electrical work to be done at the SUMNER FIELD.

The RANDOLPH SAVINGS BANK called and offered some financial assistance on a town project. Mr. Phelan will follow up with the bank.

A DRAINAGE PIPE BROKE in the ceiling at the Junior-Senior High School. Mr. Phelan reported that a state plumbing board member happened to be in his office when the word came in that there had been a problem involving the flooding of a couple of classrooms. In order to do the repairs, the School needs a variance to allow the work to be done on an emergency basis. Daniel Moriarty, the Building Inspector explained that the water will be redirected.

Mr. McGaughey said he has spoken with Mr. Jack Walsh about the status of the TRANSFER STATION, and it is still progressing. Mr. Phelan said that there was a change in the entity involved and special counsel should review the documents and make certain the town will still receive the same benefit that was originally negotiated. Mr. Phelan will make a recommendation about land use lawyers and will contact Mr. Walsh about having the principals of the new entity sign the lease agreement.

Members of the TOWN GOVERNMENT STUDY COMMITTEE (TGSC) were present to review version 5.02 of the DRAFT TOWN CHARTER and the changes they have identified that will be included in the next updated version.

Present: Kevin Costa, Chairman; James Taggart; Stephen Gallagher; Vincent Digiacomo
Mr. Costa compared and contrasted Holbrook's present government structure with the proposed changes if the charter is accepted. A representative town meeting, with 240 members, would continue, and the position of Town Manager would be created. The proposed budget process would model the process recommended by the Division of Local Services (DLS) at the Department of Revenue (DOR). Many

positions now appointed by the Board of Selectmen, including department heads, would be appointed by the Town Manager, and the Board of Selectmen would have a review period during which they can reject an appointment. Mr. Gordon asked that the charter stipulate the time frame within which the town manager must notify the Selectmen of all appointments. Filling the town manager's position would require a simple majority of the Board of Selectmen (3 of 5), and firing the town manager would require a super majority (4 of 5). The proposed structure of a new Planning and Economic Development Board was discussed. Mr. Phelan commented on how difficult it is to open a business in Holbrook, and advocated for streamlining the process. There is a seven-year periodic review of the charter and by-laws built in to the charter. The proposed town manager screening committee and the lack of any specific qualifications for the town manager were discussed. Mr. Gordon spoke in opposition to the way the town manager would be chosen because it would take away the Board's right to appoint the individual of their choice. The positions of Human Resource Director and Management Information Systems Director would be established as shared resources with the School Department. Mr. Costa explained that boards that are policy boards would be elected, but boards that function by following the law would be appointed.

The Town Government Study Committee will meet and consider the comments of the Board of Selectmen, and will meet with town meeting members to review the document on September 27th. The TGSC will attend the meeting of the Board of Selectmen on September 11, 2012 and review any changes they have made to draft version 5.02.

MOTION: At 9:45 pm, to adjourn to executive session to discuss strategy with respect to collective bargaining with union employees (Clerical), and strategy as it relates to litigation (water supply), and not return to open session

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

Kevin J. Sheehan, Clerk

Documents:

Agenda

Draft minutes

Draft charter

8/13/012 MSBA Study Enrollment Certification