

Holbrook Board of Selectmen

Minutes of the Regular Session of

Tuesday, October 9, 2012

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

Absent: Matthew V. Moore, Associate

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

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. Sheehan, second by Mr. Fuller, to accept the minutes of the regular session of September 11, 2012

VOTE: 4:0

CITIZEN CONCERNS – None

It was announced that:

There will be a fall YARD WASTE COLLECTION on the Saturdays of October 27 and December 8, 2012.

There will be a BULKY ITEM AND WHITE GOODS COLLECTION during the week of November 5, 2012.

Mr. Andrew Noonan, who has served as the VETERANS' AGENT since 1998, resigned on September 28, 2012, for health reasons. Mr. Noonan was thanked for his service.

TOWN ADMINISTRATOR'S REPORT:

Mr. Phelan reported that there was a meeting with the Mass. School Building Authority (MSBA) relative to a SCHOOL BUILDING PROJECT in Holbrook, and the MSBA voted to move Holbrook on to the next phase in the process. Mr. Phelan explained that the Selectmen voted on the enrollment certification required by the MSBA, and now must vote to authorize the Chairman to sign the feasibility study agreement.

VOTE: By Mr. Fuller, second by Mr. Sheehan, to authorize the Chairman of the Board of Selectmen to sign the Massachusetts School Building Authority Feasibility Study Agreement on behalf of the Board of Selectmen

VOTE: 4:0

Richard Reuss, the Emergency Management Director, has been notified that he has been awarded a GRANT for the procurement of portable radios by the Massachusetts Emergency Management Agency (MEMA). This grant does not require a funding match by the town because volunteer hours were used.

MOTION: By Mr. Fuller, second by Mr. Sheehan, to authorize the Chairman to execute the contract documents for a grant from the Massachusetts Emergency Management Agency (MEMA) in the amount of \$3,360.00

VOTE: 4:0

Mr. Sheehan mentioned that Mr. Reuss had the Emergency Operations Center (EOC) open on Saturday during the Fire Department Open House so that residents could tour the facility, and he did a great job.

Benjamin Ecord, the Public Works Supervisor, requested that the Board of Selectmen approve his recommendation to hire DANIEL MULRY for the position of Craftsman/Laborer II in the Public Works Department. Mr. Ecord spoke highly of Mr. Mulry's qualifications and dedication.

MOTION: By Mr. McGaughey, second by Mr. Fuller, to accept the recommendation to hire Daniel Mulry to the Craftsman/Laborer II position posted with the Public Works Department, as recommended by Supervisor Ecord

VOTE: 4:0

Mr. Ecord presented the Board with a summary of the results of a Joint Salt Bid for 2012 – 2013 roadway SALT. Mr. Ecord explained that the town uses solar salt, which melts quickly.

MOTION: By Mr. Fuller, second by Mr. McGaughey, to award the salt bid for FY13 for Solar Salt to Eastern Minerals for a delivered price of \$48.20 per ton

VOTE: 4:0

HEARING ON THE TRANSFER OF THE ALL ALCOHOL RESTAURANT LICENSE FROM ZHENG'S, INC. DBA GOLDEN PACIFIC RESTAURANT TO LG JIAN, INC. DBA GOLDEN PACIFIC RESTAURANT, 470 N. FRANKLIN ST.:

Present: Christopher Coleman, Esq., representing the applicant
William Merrigan, Esq., representing the sellers
Mr. Jian Guang Guan, the applicant
Mr. Denny Zheng, the seller

Mr. Gordon read the hearing notice, which was published in the *Patriot Ledger* on Saturday, September 15, 2012.

MOTION: At 7:15 pm, by Mr. Fuller, second by Mr. Sheehan, to open the hearing

VOTE: 3:0:1 (Mr. McGaughey abstained)

Atty. Coleman introduced his client and indicated that there will be 4 – 6 employees, and that they will receive alcohol training. There will be cosmetic changes to the restaurant, but no major changes at this time. Atty. Merrigan indicated this transfer is subject to a lease agreement.

The town department heads were asked for any comments they may have about this request, and all indicated they had no issues.

MOTION: By Mr. Fuller, second by Mr. Sheehan, to approve the transfer of the License to Expose, Keep for Sale and to Sell All Kinds of Alcoholic Beverages to be Drunk on the Premises from Zheng's, Inc. dba Golden Pacific Restaurant (Jin Rong Zheng aka Denny Zheng, Manager), to Lg Jian, Inc. dba Golden Pacific Restaurant (Jian Guang Guan, Manager), at 470 North Franklin Street

VOTE: 3:0:1 (Mr. McGaughey abstained)

MOTION: By Mr. Fuller, second by Mr. Sheehan, to close the hearing

VOTE: 3:0:1 (Mr. McGaughey abstained)

HEARING ON THE APPLICATIONS OF LG JIAN, INC. DBA GOLDEN PACIFIC RESTAURANT, 470 NORTH FRANKLIN STREET, FOR A COMMON VICTUALLER'S LICENSE, A POOL TABLE LICENSE, AN AUTOMATIC AMUSEMENT DEVICE LICENSE, AND AN ENTERTAINMENT LICENSE:

Present: Christopher Coleman, Esq., representing the applicant
William Merrigan, Esq., representing the sellers
Mr. Jian Guang Guan, the applicant
Mr. Denny Zheng, the seller

Mr. Gordon read the hearing notice, which was published in the *Patriot Ledger* on Saturday, September 15, 2012.

MOTION: At 7:20 pm, by Mr. Fuller, second by Mr. Sheehan, to open the hearing on the four (4) licenses:

1. Common Victualler in order to serve prepared foods
2. A Pool Table License for one (1) pool table
3. An Automatic Amusement Device License for two (2) video game devices
4. An Entertainment License for Background Music and Karaoke, with no live entertainment

VOTE: 3:0:1 (Mr. McGaughey abstained)

Atty. Coleman said that there will be no substantial changes to the current operation. They may try Karaoke on Fridays and Saturdays, but are not sure whether it will work. They have requested the same licenses currently held at that location, with no changes.

Mr. Kevin Lacey, 140 West Division Street, Braintree, said that Karaoke can be loud when the doors are left open to the restaurant. He asked that the doors be closed when there is Karaoke, and Atty. Coleman indicated that could be done.

Marylou Hall of West Division Street expressed a concern about the pool table. She mentioned that there were issues at the plaza when the billiards hall was there. It was explained that the license is only for one pool table, and the current owners are licensed for one pool table at the restaurant now.

MOTION: By Mr. Sheehan, second by Mr. Fuller, to grant the request for a Common Victualler's License in order to serve prepared foods, a Pool Table License for one pool table, an Automatic Amusement Device License for two (2) video game devices, and an Entertainment License for Background Music and Karaoke, with no live entertainment, to Lg Jian, Inc. dba Golden Pacific Restaurant, 470 North Franklin Street

VOTE: 3:0:1 (Mr. McGaughey abstained)

MOTION: By Mr. Fuller, second by Mr. Sheehan, to close the hearing
VOTE: 3:0:1 (Mr. McGaughey abstained)

HEARING ON THE APPLICATION TO TRANSFER THE ALL ALCOHOL PACKAGE STORE LICENSE FROM MARY DAY LE DBA HOLBROOK LIQUORS (MARY DAY LE, MANAGER) TO HAI DANG & HA NGUYEN DBA HOLBROOK LIQUORS (HAI DANG, MANGER) AT 4 SOUTH FRANKLIN STREET:

MOTION: At 7:32 pm, by Mr. Fuller, second by Mr. Sheehan, to open the hearing
VOTE: 3:0:1 (Mr. McGaughey abstained)

Present: John J. Galante, Jr., Esq., representing the applicants
Hai Dang & Ha Nguyen, the applicants
Mary Day Le, the seller

Mr. Galante introduced his clients, and explained that Mr. Dang has a degree in engineering and has worked with his father in a liquor store for seven years, while Ms. Hguyen has operated her own nail salon for 13 years. It was discussed that the applicants may close the store a couple of hours earlier than they will be licensed for. Otherwise, there are no changes to the operation.

MOTION: By Mr. Fuller, second by Mr. Sheehan, to approve the transfer of the Retail Package Store License to Expose, Keep for Sale, and to Sell Alcoholic Beverages Not to be Drunk on the Premises from Mary Day Le dba Holbrook Liquors (Mary Day Le, Manager) to Hai Dang and Ha Nguyen dba Holbrook Liquors (Hai Dang, Manger) at 4 South Franklin Street
VOTE: 3:0:1 (Mr. McGaughey abstained)

Mr. Gordon explained that the materials necessary for an ELECTRICAL SERVICE CHANGE at the SUMNER FIELD have been purchased, and Mr. Paul Barker has been contacted about completing the work. Mr. Barker was present and said he met with Mr. Dowd, who ordered the stock. He feels that with the Holbrook Wiring Inspector, Alfred Oswald, and Mr. Donald Young from Randolph, the job can be completed.

Mr. Barker explained that there is currently 40 amps feeding the Public Works shed and the concession stand. This work would upgrade the electric service to one big circuit breaker box. Mr. Dowd purchased everything he could think of, but there could be another \$5,000 needed to complete the job. The Public Works Department will dig the 225-foot trench that is needed. The power will be off at the field for 7 to 10 days. The job includes piping up a pole and installing three lights between the buildings. It was discussed that there is a dark area where young people congregate, and that area should be lighted for security purposes. Installing a telephone pole is approximately \$600, plus the pole.

Mr. Ecord announced that the RE-PAVING OF ROUTE 139, PLYMOUTH STREET AND ABINGTON AVENUE, from Belcher Street to the Legion Post, will begin on October 15, 2012, and could take 60 days. The crosswalks will have concrete areas and the sidewalks will be completed also. Signs alerting the public about the start of the project have been placed at Walgreen's and Hallamore's. Mr. Phelan said a preconstruction meeting was held that was very productive. The Superintendent of Schools made a suggestion for temporary crosswalks, and is sending leaflets home to the parents. A reverse 9-1-1 call will be made to homeowners.

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A “Welcome to Holbrook” sign will be installed near Centre Street, on the fence, and another will be installed at a location on Sycamore Street where the water ban sign is now. A sign will be ordered for the Historical Society’s Little Red Schoolhouse on Union Street.

Mr. McGaughey said that Mr. THOMAS CUMMINGS, who has been hospitalized, is home and doing well.

Kevin Costa, Chairman of the Town Government Study Committee (TGSC), explained that they recently met with about a third of the town meeting members, reviewed the DRAFT CHARTER, and received good feedback. The TGSC will have a meeting next week when they will discuss everything and try to come to a final resolution. Mr. Phelan said it is important that the Board of Selectmen has a chance to vote on the issues they raised and make sure their votes are taken into consideration before a final document is voted on by the TGSC. Mr. McGaughey said that the final version should then be presented to the Selectmen and voted on by the Board. Mr. Costa indicated the TGSC would try to come to a resolution and come back to the Selectmen in order to come up with a final document that will not be amended at town meeting.

The Town Clerk, Moderator and School Department will be contacted about a SPECIAL TOWN MEETING on either January 15, 16, or 23, 2013.

MOTION: At 8:31 pm by Mr. Fuller, second by Mr. Sheehan, to adjourn the meeting
VOTE: 4:0

Kevin J. Sheehan, Clerk

Documents:

Agenda

Draft minutes

Yard Waste & Bulky Item announcements

MEMA grant contract documents

Craftsperson/Laborer job recommendation

Salt Bid Summary

License applications: Golden Pacific & Holbrook Liquors