

Holbrook Board of Selectmen

Minutes of the Regular Session of

Wednesday, March 13, 2013

Present: Timothy J. Gordon, Chairman
Brinsley A. Fuller, Vice-Chairman
Kevin J. Sheehan, Clerk
Richard B. McGaughey, Associate
Matthew V. Moore, Associate (arrived at 7:25 pm)

In attendance: William J. Phelan, Town Administrator
Benjamin F. Ecord, Superintendent of Public Works
Cynthia M. Brennan, Town Accountant
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, Holbrook Town Hall, 1st Floor, 50 North Franklin Street, Holbrook, MA 02343, and began with the Pledge of Allegiance.

The MINUTES were postponed to the next meeting.

It was announced that:

- State SENATOR JOHN F. KEENAN will conduct an information session relative to the income tax year 2012 Circuit Breaker for tax relief for senior citizens on Tuesday, March 19, 2013, from 12:00 – 1:00 pm, at Holbrook Town Hall.
- State REPRESENTATIVE RONALD MARIANO has resumed Town Hall office hours from 11:00 am – 12:00 pm on the first Friday of each month.
- The spring YARD WASTE COLLECTION will be held on Saturday, April 13th and Saturday, May 4th.

Mr. Phelan informed the Board that he has received another quote for COMPUTER-RELATED SERVICES, and he would like time to research the information further before the Board considers it.

A CITIZEN expressed a CONCERN about an ongoing issue with construction debris and equipment in a residential zone at 394 SOUTH STREET. Building Inspector Daniel Moriarty has visited the location and notified the owner that it must be cleaned up immediately. They are being notified of a \$100 per day fine until it is resolved.

Police Chief William D. Marble, Jr., requested that the Board accept two monetary donations to be used for the purchase of an AUTOMATIC EXTERNAL DEFIBRILLATOR (AED) for a marked Police cruiser. \$567 additional funding is needed to purchase one AED.

MOTION: By Mr. Fuller, second by Mr. Sheehan, to accept two monetary donations on behalf of the Police Department, to be used toward the purchase of an Automatic External Defibrillator (AED) for a Police cruiser: \$710 from a fundraiser run by Ruth Matson and \$350 from Holbrook Apartments Company (CMJ Management Co. at Ramblewood)

VOTE: 4:0

Mr. Phelan explained that former Superintendent of Public Works Thomas R. Cummings was the authorized representative on WATER IMPROVEMENT CONTRACTS through the Massachusetts Department of Environmental Protection (DEP) for low-interest loans. Following Mr. Cummings' retirement and the appointment of a new Superintendent, Mr. Benjamin F. Ecord needs to be authorized for this purpose.

The Board will vote to give the authority to the position of Superintendent, and then to specify Mr. Ecord. Funding has already been appropriated at town meeting for some water main improvement projects, and the funding will be borrowed through the SRF program through the DEP.

MOTION: By Mr. Fuller, second by Mr. Sheehan, that the Board of Selectmen vote to authorize the Superintendent of Public Works to act on behalf of the Town of Holbrook, as its agent, in filing for, executing agreements regarding, and performing any and all other actions necessary to secure for the Town such loan(s) for construction or planning of Water Pollution Abatement Projects as may be made available to the Town pursuant to the provisions of the Massachusetts Clean Waters Act (MGL c.21, section 27-33E, inclusive, as amended) and the Water Pollution Abatement Revolving Loan Program (MGL c.29C) for the following projects:

Holbrook, DWSRF 1998 – Water System Improvements Contract, DWSRF 3150 – Distribution System Improvements for Contract: 09-01 Sunset Gardens and Fairfield Areas and Contract: 10-01 Revere Acres, Rocky Acres and Washington Circle Areas and Contract 13-0 for Linfield Street and Cottage Street Areas and Linwood Street Area and Walsh Road and French Road Area

VOTE: 4:0

MOTION: By Mr. Sheehan, second by Mr. Fuller, that the Board of Selectmen adopt the “Authority to File” Resolution, as presented, and authorize the Chairman of the Board of Selectmen to execute the “Certifying Authority to File”, naming Mr. Benjamin Ecord as the new Authorized Representative on the Water Improvements Contracts DWSRF 3150 and DWSRF 1998

VOTE: 4:0

Mr. James Taggart sent a letter to the Board requesting to be appointed to a vacant seat on the Capital Improvement Planning Committee (CIPC) as a CITIZEN AT LARGE. Mr. Taggart was the Finance Committee's representative on the CIPC until recently.

MOTION: By Mr. Fuller, second by Mr. Sheehan, to appoint Mr. James Taggart as a Citizen at Large on the Capital Improvement Planning Committee, with a term to expire on June 30, 2013

VOTE: 4:0

SPECIAL TOWN MEETING:

MOTION: By Mr. Fuller, second by Mr. Sheehan, that the Board of Selectmen schedule a Special Town Meeting on Wednesday, May 1, 2013, at 8:15 pm, in the gymnasium of Holbrook Junior-Senior High School, 245 South Franklin Street, and that the warrant for said meeting open immediately and close at 4:00 pm on Wednesday, April 3, 2013

VOTE: 4:0

Police Chief William D. Marble, Jr., arrived at the meeting and explained that the Police Department has three DEFIBRILLATORS in cruisers. He would like a total of five. An additional \$567 is needed to purchase the fourth one because they are \$1,495.00 each.

THOMAS PALMER DBA T'S CAFÉ, 228 UNION STREET – COMMON VICTUALLER'S LICENSE:

Mr. Thomas Palmer was present.

MOTION: At 7:16 pm, by Mr. Fuller, second by Mr. Sheehan, to open the hearing on the application of Thomas Palmer dba T's Cafe for a Common Victualler's License for the purpose of serving prepared foods at 228 Union Street

VOTE: 4:0

Mr. Palmer explained that he is opening a sandwich shop cafe with espresso, coffee, and sandwiches. He has experience in running a restaurant, and previously worked in the Seaport district in Boston. He will bring the receipt for the payment of the advertising of the hearing in the Holbrook Sun to the Selectmen's office. He plans to be open from 6 am to 3 pm.

MOTION: By Mr. Fuller, second by Mr. Sheehan, to approve the application of Thomas Palmer dba T's Cafe for a Common Victualler's License for the purpose of serving prepared foods at 228 Union Street

VOTE: 4:0

7:25 pm – TOWN AUDIT – YEAR ENDING JUNE 30, 2012:

Mr. Frank Biron, CPA, from Melanson Heath & Company, reviewed and explained the Annual Financial Statements and Management Letter generated by the audit of the Town's financial records as of June 30, 2012.

Mr. Biron discussed GASB45, and explained that an irrevocable trust fund needs to be established and funded to reduce the town's liability for unfunded benefits owed to employees. In FY15, the unfunded pension liability will be listed as a liability under GASB68. Mr. Phelan explained that town meeting voted to establish a trust fund, but it has not been funded.

Mr. Biron explained that the town had a good year in FY12, but that it needs to be proactive or aggressive on collecting real estate taxes. The overdue taxes that have not been liened are at risk. Free Cash was improved this year, but the tax receivables are way too high. The town did well in FY12, beating the budget by \$1,455,951. Bond rating agencies watch the unassigned fund balance, which at 6.2% for Holbrook, is a positive trend this year, although it is not stable.

The Management Letter, which lists suggested improvements the town should consider, included no significant issues and no material weaknesses. Relative to the tax collection weakness listed, Mr. Biron suggested that the properties should be checked on the Registry of Deeds website to make sure the liens have been recorded. With millions of dollars of tax revenue attributed to the Edgewood Park section of town, it was noted that this issue should be addressed and a presentation should be made to the Selectmen about resolving it. Mr. Biron said that the majority of the debt service is outside the enterprise funds and being paid by the property taxes. The town should be proactive in allocating its indirect costs and debt service appropriations in the enterprise funds. It is recommended that the town establish "Red Flag" security documentation in compliance with the Federal Trade Commission (FTC), in order to prevent identity theft. The town needs to establish a formal risk assessment process to help

prevent potential fraud or material misstatements on the financial statements. Mr. Biron recommended that the town's payroll service be contacted about undertaking a service provider examination.

Overall, Mr. Biron said the town should be commended, particularly with the improvements with cash. Treasurer/Collector Paul Digirolamo, Town Accountant Cynthia Brennan, Assistant Town Accountant Diane Haley, and Town Administrator William Phelan were recognized for their hard work.

4-WAY STOP SIGNS ON KING ROAD:

Police Chief Marble said there are already stop signs going north and south on Morgan Road. He does not feel that the intersection should be made into a 4-way stop. Mr. James Taggart, a resident of the area, said that the intersection of West Shore and Juniper should be looked at for 4-way stop signs. Mr. Phelan will contact the County Engineers about providing traffic engineers who could possibly make recommendations.

Treasurer Digirolamo will work on the EDGEWOOD PARK area of town in order to break out the TAX LIENED properties, so the Board can get an understanding of the tax situation. Mr. Phelan will meet with the Treasurer on this matter to summarize the issue.

The PUBLIC WORKS DEPARTMENT was recognized for the great job they did on the most recent snowstorm, and it was noted that the residents appreciated that they plowed or used a snow blower to clean the walking track at the Sumner Field. Mr. Ecord said they are working on pot holes, downed limbs, and getting ready for the water improvement projects.

Recently, the frame snapped on the 1996 1-ton truck, and the rear end blew on the other 1-ton, a 1997 truck. Another sidewalk plow is needed. The one the town owns is 16 years old. A new one would cost an estimated \$100,000 with a blower.

There is a meeting Thursday, March 21st, relative to the use of the athletic fields.

MOTION: At 8:20 pm, to adjourn to executive session to discuss strategy as it relates to litigation, and not return to open session

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

Kevin J. Sheehan, Clerk

Documents:

Agenda	Water projects authorization
Draft minutes	Request for appointment to CIPC
Notices: Sen. Keenan, Rep. Mariano, Yard Waste	STM motion
Letter re: 394 South Street	T's Cafe application
Request to accept monetary donations	Financial Statements & Management Letter