

Holbrook Board of Selectmen
Minutes of the Regular Session of
Wednesday, February 13, 2013

Present: Timothy J. Gordon, Chairman
Brinsley A. Fuller, Vice-Chairman
Richard B. McGaughey, Associate
Matthew V. Moore, Associate (Arrived at 7:17 pm)

Absent: Kevin J. Sheehan, Clerk

In attendance: William J. Phelan, Town Administrator
Benjamin F. Ecord, Superintendent of Public Works
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.

MINUTES:

MOTION: By Mr. Fuller, second by Mr. McGaughey, to approve the minutes of the regular session of Wednesday, January 9, 2013, as printed

VOTE: 3:0

MOTION: By Mr. Fuller, second by Mr. McGaughey, to approve the minutes of the regular session of Wednesday, January 16, 2013, as printed

VOTE: 3:0

Chairman Gordon recognized the outstanding job of the DEPARTMENT OF PUBLIC WORKS in clearing the roadways following the recent historic blizzard. A motorist traveling through town after the storm noted that the streets in Holbrook were in better shape than those of nearby communities.

Mr. Phelan said that one resident who was expecting a delivery of oxygen contacted the DPW and explained that she feared the company would not be able to get to her home due to the snow. The DPW was quickly dispatched to clear the way for the resident.

A resident of the Grove area had a concern recently because of vehicles not stopping for the TRAFFIC LIGHTS in front of the Public Safety Building when the light turns green for vehicles to exit King Road. Discussion took place about the timing of the lights. Mr. Phelan said that a meeting will be held with Camp Dresser & McKee, the engineers who designed the project, relative to the lights and the incline of the ramp between the parking lot and the street that is contributing to damage to the fire apparatus.

State SENATOR JOHN KEENAN will be holding town hall hours on Thursday, February 21, 2013, from 10 am – 11 am.

Mr. Phelan prepared an employment agreement with BENJAMIN ECORD, the Superintendent of Public Works. He explained that the salary is what the Board agreed to, and the benefits are consistent with what he has been receiving from the town.

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MOTION: By Mr. McGaughey, second by Mr. Fuller, to approve the contract agreement between the Town of Holbrook and Superintendent of Public Works Benjamin Ecord

VOTE: 3:0

Mr. Ecord said that the recent blizzard was “madness”, and that everyone involved should be commended, including the Fire Department, Police Department, Public Works employees, and the residents of the town.

NORTHEAST FOODS, LLC dba BURGER KING – COMMON VICTUALLER LICENSE:

MOTION: At 7:15 pm, by Mr. Fuller, second by Mr. McGaughey, to open the hearing on the application of Northeast Foods, LLC dba Burger King, for a Common Victualler’s License for the purpose of serving prepared foods at 769 South Franklin Street

VOTE: 3:0

Present: Caitlin Capachione, RGM and Doug Whyte, the DM

Mr. Whyte explained that there are no changes to the business, except that it is changing from a corporately owned location to a franchised location. The hours will remain the same.

All town departments were notified and asked for comments. None were opposed.

MOTION: By Mr. McGaughey, second by Mr. Fuller, to approve the Common Victualler’s License for Northeast Foods, LLC dba Burger King at 769 South Franklin Street

VOTE: 4:0

MOTION: At 7:20 pm, by Mr. Moore, second by Mr. Fuller, to close the public hearing

VOTE: 4:0

Mr. Ecord gave an update on the work being done at the SUMNER FIELD. He said that National Grid needs to inspect the electrical work, and a light will be hung on a pole in better weather. The asphalt needs to be ripped up and the concrete work complete in better weather also.

It was discussed that a subcommittee could be formed to meet with the sports groups that use the field and discuss the best layout of the field and any capital improvement requests that are necessary.

Norfolk DISTRICT ATTORNEY MICHAEL MORRISSEY spoke about the Ensign John R. Elliott HERO CAMPAIGN for Designated Drivers. All establishments with alcohol pouring licenses are being asked to voluntarily join the campaign against drunk driving by supporting the HERO Campaign, and offering free non-alcoholic drinks to designated drivers. District Attorney Morrissey will offer this option to the restaurants, and the Police Chief will get the information to the businesses.

MOTION: By Mr. Moore, second by Mr. McGaughey, to support the District Attorney’s HERO CAMPAIGN

VOTE: 4:0

DOG COMPLAINTS – 16 WORCESTER PLACE:

MOTION: At 7:35 pm, by Mr. Fuller, second by Mr. Moore, to open the public hearing on dog complaints at 16 Worcester Place

VOTE: 4:0

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Present: Laurice Hedges, Animal Control Officer
John J. Carr, III, dog owner

Ms. Hedges explained that she and the Police Department have received numerous complaints of the dogs at 16 Worcester Place barking for long periods of time both day and night. She has spoken to the owner, Mr. Carr, about licensing his dogs and about the barking being a nuisance to his neighbors. She asked that the dogs not be left out when he was not home, and she has fined him. Ms. Hedges said the fine has not been paid, and the dogs are not licensed yet. Police reports showed that the dogs have been outside barking at 2:00 – 4:00 am.

Ms. Hedges recommended that the dogs not be left out when no one is home, that they not be left out after 9:00 pm or before 7:00 am, and that bark collars be used. She recommended Tritronics brand. Mr. Carr said one dog is licensed in East Bridgewater, and the fine went to court and was dismissed. He said he has purchased bark collars, started using them Nov. 26, 2013, and lets the dogs out one at a time. Mr. Phelan asked Mr. Carr if he agreed that the dogs should not be out late at night, and Mr. Carr agreed. He also indicated that he saw no problem with agreeing to the terms proposed by the Animal Control Officer. The Board and Mr. Carr agreed that Mr. Carr would comply with the recommendations of the ACO, Ms. Hedges would monitor the situation, and we will see what happens.

MOTION: At 7:55 pm, by Mr. Fuller, second by Mr. McGaughey, to close the hearing on the dog complaints at 16 Worcester Place

VOTE: 4:0

DOG COMPLAINTS – 2 SPRINGVALE AVE.

MOTION: At 7:56 pm, by Mr. Fuller, second by Mr. McGaughey, to open the public hearings on dog complaints (2 dogs) at 2 Springvale Ave.

VOTE: 4:0

Ms. Hedges said there have been problems no matter what dogs are owned by the residents at 2 Springvale Ave. She explained that the two dogs that are subjects of these particular complaints are owned by the two adult children of Mr. Gary DiGregorio, Mr. Anthony and Mr. Kevin DiGregorio. The owners of the dogs were not present at this hearing. Complaints have been received by both Holbrook and the Town of Randolph that the dogs are allowed to run at large.

One dog is a Pit Bull and the other is a Rottweiler. Ms. Hedges said their yard is not fenced in, and they are never tied up. On one occasion, a Randolph Police Officer drew his gun and fired warning shots at one of the dogs as it threatened him.

The dog owned by Mr. Kevin DiGregorio has had four complaints against it during the past year. The ACO has pictures of the dog running loose. Citations have been issued, and they have been paid. Mr. DiGregorio said he has a runner in the back yard and a tie out in the front. This dog could get out of a choke collar, so he got a pinch collar. Mr. DiGregorio admitted the dog gets out, and that he did see the dog kill a cat. He said that dog is “a pain in the neck”. The ACO recommended that the dog be removed from the home.

Mr. Phelan commented that the neighbors are petrified and asked Mr. DiGregorio what solution he could suggest. He said he could look into a fence this summer, but the Board indicated it needed an immediate solution. Mr. DiGregorio said he could look into an electric collar, and an electric fence was discussed.

ACO Hedges explained that along with a shock collar, a mandatory training course is required, and each member of the household will have to do training for 15 to 20 minutes a day.

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It was discussed that there are similar issues with the second dog, the Rottweiler.
Mr. DiGregorio agreed to get electric collars for both dogs, take the mandatory course, and have each member of the household complete daily training as discussed. The ACO will monitor the situation.

MOTION: At 8:40 pm, by Mr. McGaughey, second by Mr. Moore, to close the dog complaint hearing for two dogs at 2 Springvale Ave. The dogs are to be trained at a licensed training facility and wear electric collars.

VOTE: 4:0

MOTION: To close the hearing on the dogs at 2 Springvale Ave.

VOTE: 4:0

The Board has received resumes for an 18-hour position for a VAN DRIVER for the COUNCIL ON AGING. Ms. Connie Orlando, the Coordinator for the COA was present.


Four applications were received, and two applicants were present. Mr. Darwin Bliss and Mr. James Taggart spoke briefly about their qualifications.

It was explained that Ms. Orlando has to remove herself from this process and is not involved in the selection process. The Board of Selectmen/Personnel Board will make the choice of a driver.

Mr. Phelan explained that the driving record of the successful candidate is important, as is their ability to be courteous in their interaction with seniors, and they have to be available when needed. They must be trustworthy to deal with vulnerable elderly residents. Mr. Phelan recommended that the Board review the driving records and ask the Police Chief about doing CORI's. They could be interviewed and a recommendation could be made at the next meeting. This item was tabled until the next meeting.

MOTION: At 8:50 pm, to adjourn to executive session to discuss strategy as it relates to collective bargaining with Union personnel (Fire), and not return to open session

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



Keyin J. Sheehan, Clerk

Documents:

Agenda COA job posting, job description, & resumes/letters of interest
Draft minutes
Sen. Keenan announcement
Burger King hearing documents
Animal Control laws/by-laws, request from ACO,
Hearing notices (3) and violations