

Holbrook Board of Selectmen
Minutes of the Regular Session of
Wednesday, November 19, 2014

Present: Timothy J. Gordon, Chairman
Matthew V. Moore, Vice-Chairman
Kevin J. Sheehan, Clerk
Richard B. McGaughey, Associate
Daniel F. Moriarty, III, Associate

In attendance: William J. Phelan, Town Administrator
Benjamin Ecord, Superintendent of Public Works
Luke McFadden, Fire Chief
William Smith, Acting Chief of Police
Marjorie E. Godfrey, Assistant Town Administrator

The meeting was called to order at 7:00 p.m. by Chairman Gordon, in the Selectmen's Meeting Room, Holbrook Town Hall, Floor 3R, 50 North Franklin Street, Holbrook, MA 02343, and began with the Pledge of Allegiance.

MINUTES:

MOTION: By Mr. Moore, second by Mr. Moriarty, to accept the minutes of the regular session of Thursday, October 9, 2014, as printed

VOTE: 5:0

MOTION: By Mr. Sheehan, second by Mr. McGaughey, to accept the minutes of the executive session of Thursday, October 9 2014, as printed

VOTE: 5:0

Announcements were made:

- o The Annual Festival of Lights will be held on Monday, December 8th
- o Holbrook Santa is accepting monetary donations and new, unwrapped toys. The deadline for applications for help from Santa is December 1st.
- o The Fire Department is conducting the annual Toys for Tots Campaign for the US Marine Corps
- o A Hazardous Waste drop-off will be conducted on Saturday, November 22nd

Selectman Sheehan asked that the Board consider forming a HOLBROOK PRIDE DAY COMMITTEE to organize the annual cleanup of the streets and the planting of flowers on the Saturday before Memorial Day. A posting will be placed on the Town's website asking for volunteers.

Town Administrator William Phelan reported that:

- o He met with Health Agent Arthur Boyle and the EPA, DEP and contractors responsible for the ongoing cleanup at the Baird and McGuire site on South Street. They are willing to come to an open meeting and answer any questions the Board has. They are continuing to move forward at the site.
- o An amended delegation agreement needs to be signed in order to keep the Police Chief's position as an in-house appointment. A consultant will be hired, and the process should be resolved by February or March 2015.

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- The contractor's sewer bond is expected to be called on the sewer project on Spring Street because the contractor has failed to complete the job.
- Melanson Heath & Company PC will review the special audit of the water enterprise fund at the Board's meeting on December 3rd.

PLEDGE OF LICENSE – GREG LAKE ASSOCIATES, INC. dba HIGHLAND LIQUORS, 464 NORTH FRANKLIN STREET:

Present: Attorney John J. Walker; Joseph Ierardi, the owner

Mr. Walker explained that Mr. Ierardi is seeking approval of the pledge of his package store license to the Weymouth Bank as collateral for a loan. The documents submitted were reviewed briefly.

MOTION: By Mr. Moore, second by Mr. Moriarty, to approve the request for a Pledge of License on the All Alcohol Package Store License in the name of Greg Lake Associates, Inc. dba Highland Liquors, 464 North Franklin Street

VOTE: 5:0

HEARING – HALFWAY CAFE, INC., 200 SOUTH FRANKLIN ST. – ALTERATIONS OF PREMISES ON ALL ALCOHOL RESTAURANT LICENSE:

Present: John Grasso, President

The hearing notice, published in the *Patriot Ledger* on November 4, 2014, was read.

MOTION: By Mr. Moore, second by Mr. Sheehan, to open the hearing on the application of Halfway Cafe, Inc. requesting alterations of the premises

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

Mr. Grasso explained the floor plan changes the Halfway Cafe is requesting, and indicated it would take four to six weeks to complete the renovations. The result will be more of an open room with a reduced legal capacity. In answer to questions from abutter Roberta Oliviera, 1 Marie Circle, Mr. Grasso explained that the bar capacity will change by an increase in two customers, but the ratio will remain the same – 50% food and 50% bar. The menu will change for the demographics, and the dumpster will be locked. Things will be shut off by 12:30 am, and people will be out of the building by 1:10 am. Mr. Grasso provided Ms. Oliviera with his personal contact information, and asked that she contact him if any issues arise at any time.

MOTION: At 7:30 pm, by Mr. Sheehan, second by Mr. Moriarty, to grant the request of Halfway Cafe, Inc. for the alterations of the premises on the All Alcohol Restaurant License at 200 South Franklin Street

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

TAX CLASSIFICATION HEARING:

Present: Board of Assessors: Daniel Lee, Chairman and William Marble, Member
Patrick Haring, Principal Assessor
Pamela Holt, Administrative Assistant

The published hearing notice was read.

MOTION: At 7:33 pm, by Mr. Moriarty, second by Mr. Sheehan, that the Board of Selectmen open the Fiscal Year 2015 Tax Classification Hearing

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VOTE: 5:0

Mr. Harring thanked everyone involved in the preparation for this hearing, and reviewed the steps in the approval process. A revaluation is done every three years, the last being in 2013. Property values were established as of January 1, 2014, based on the sales during 2013. The value of the average residential property increased by 3.41%, from \$233,317 to \$241,274. The overall value of the commercial properties increased about one-half of a percent, while the industrial and personal property dipped slightly. The financial statistics and the document detailing the effect of changing the tax shift were reviewed and discussed. This hearing is to establish the shift of the tax rate between residential and commercial/industrial/personal property. The shift chosen will result in the computation of the tax rate, which is not set until the Department of Revenue reviews the package and grants its approval. The residential and small commercial exemption options were reviewed.

MOTION: By Mr. Moriarty, second by Mr. McGaughey, that the Board of Selectmen vote to classify the Town of Holbrook under the Classification Act at a Factor of 1.69 for Fiscal Year 2015

VOTE: 5:0

MOTION: By Mr. Moriarty, second by Mr. McGaughey, that the Board of Selectmen vote NOT to adopt the Residential Exemption or the Small Commercial Exemption for Fiscal Year 2015

VOTE: 5:0

MOTION: By Mr. Moriarty, second by Mr. Moore, that the Board of Selectmen vote to close the Tax Classification hearing

VOTE: 5:0

AMENDMENTS TO CONTRACTS – PRE K – 12 SCHOOL PROJECT:

Contract with Symmes Maini & McKee Associates:

MOTION: By Mr. Moore, second by Mr. Moriarty, to authorize the Chairman to execute Amendment No. 2: Owner's Project Manager Services for Design Development thru Construction Administration Phases in the amount of \$2,639,484.00

VOTE: 5:0

MOTION: By Mr. Moore, second by Mr. Moriarty, to authorize the Chairman to execute Amendment No. 3: Independent Cost Estimates Proposal in the amount of \$52,250.00

VOTE: 5:0

Contract with Flansburgh Associates, Inc.:

MOTION: By Mr. Moore, second by Mr. Moriarty, to authorize the Chairman to execute Amendment No. 8: Design Development through Construction Administration and Completion Phase Services in the amount of \$7,560,000.00

VOTE: 5:0

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MOTION: By Mr. Moore, second by Mr. Moriarty, to authorize the Chairman to execute Amendment No. 9: Final Wetland Flagging in the amount of \$2,970.00

VOTE: 5:0

MOTION: By Mr. Moore, second by Mr. Moriarty, to authorize the Chairman to execute Amendment No. 10: Final Topographical Survey in the amount of \$53,680.00

VOTE: 5:0

MOTION: By Mr. Moore, second by Mr. Moriarty, to authorize the Chairman to execute Amendment No. 11: Final Geotechnical Investigation in the amount of \$7,810.00

VOTE: 5:0

AUTHORITY GOING FORWARD:

MOTION: By Mr. McGaughey, second by Mr. Moriarty, that the Board of Selectmen authorize the Chairman to execute all future amendments to all school building contracts for the Pre K – 12 project upon approval by the Permanent School Building Committee

VOTE: 5:0

PLANNING BOARD members Richard Monahan and Christopher Golden were present relative to the appointment of a PRINCIPAL CLERK, whose job will include hours working for the Planning Board. Mr. Phelan explained that the Selectmen directed him to move forward on cross training for the Inspectional Services Department, so that there is coverage when someone is out of the office. The previous part-time jobs have been combined to come up with one position that will be cross trained. He said that, being elected, the Planning Board thought they have the right to hire their own clerk, but this position includes other tasks, and town counsel's opinion supports the appointment by the Board of Selectmen. The current person doing the Clerk's job will stay on and train the new person. This job opening was posted in house, on the website, and in public buildings. The Health Agent helped narrow the responses down to three and interviews were conducted with a representative of the Planning Board present. Mr. Phelan recommended Agnieszka Sadowski, who worked temporarily in Public Works. Mr. Monahan explained that state law says the Planning Board hires its own employees, and 14 of the 28 hours for this position are Planning Board hours. He advocated for hiring a Holbrook resident, and Mr. Moriarty supported that. Mr. Moore said that the plan calls for being more efficient, moving forward, and helping each other.

MOTION: By Mr. Sheehan, second by Mr. Moore, that the Board of Selectmen appoint Agnieszka Sadowski to the position of part-time Principal Clerk in Inspectional Services

VOTE: 4:1:0 (Mr. Moriarty against)

Discussion took place about the parking regulations during the winter. There is to be no on-street parking from November 15th until March 15th each year. A reverse 9-1-1 will be sent from the Sheriff's Department to notify the Town residents. Mr. Ecord said that there are many homes today with more cars than the driveways can hold.

Chief Smith said the academy for new Police recruits will begin March 9th and run into July 2015.

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Chief McFadden thanked everyone for supporting the Toys for Tots efforts of the Firefighters. He also reported that Holbrook responded to a 3-alarm fire at an elderly apartment building in Randolph. Mr. Ecord said Celco is done with the water mains on Weymouth Street. The Department of Public Works is working on the Christmas lighting. The Weymouth, Pine & Sycamore Streets intersection will begin in March of 2015.

Mr. Phelan said the Transportation Improvement Program (TIP) is still a possibility for funding of the Weymouth Street intersection. The Town is also waiting to start the Union Street project because the earmark for the project is not enough to cover the entire project.

Future projects include the water mains and repaving of Quincy Street and work in the Grove area. The double utility poles on Linwood Street have been removed, and the entering Holbrook sign at the Brockton line has been replaced. Mr. Phelan will reach out to the state about the state highways. Raising the sewer rates will be addressed at the next meeting. If the water and sewer enterprise funds had been combined at a prior town meeting, raising the rates would not be necessary. However, in order to certify the tax rate, the Dept. of Revenue is requiring that the sewer rates be raised. Then, the free cash and retained earnings will be certified.

Mr. McGaughey left the meeting at 8:32 pm.

It was discussed that the members would like an update on the progress of the Regionalization Study Committee.

MOTION: At 8:45 pm, by Mr. Moriarty, second by Mr. Moore, to adjourn the meeting
VOTE: 4:0 (Mr. McGaughey had left the meeting)

Kevin J. Sheehan, Clerk

Documents:

Agenda

Minutes

Highland Liquors application documents

Halfway Cafe, Inc. application documents

Tax Classification documents

School project contract amendments