

Holbrook Board of Selectmen

Minutes of the Regular Session of

Tuesday, January 28, 2014

Present: Timothy J. Gordon, Chairman  
Richard B. McGaughey, Associate  
Matthew V. Moore, Associate

Absent: Kevin J. Sheehan, Clerk

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, Holbrook Town Hall, 1<sup>st</sup> Floor, 50 North Franklin Street, Holbrook, MA 02343, and began with the Pledge of Allegiance.

MINUTES:

MOTION: By Mr. Moore, second by Mr. McGaughey, to accept the minutes of the regular session of November 20, 2013, as printed

VOTE: 3:0

MOTION: By Mr. Moore, second by Mr. McGaughey, to accept the minutes of the executive session of December 11, 2013, as printed

VOTE: 2:0:1 (Mr. Gordon abstained)

MOTION: By Mr. Moore, second by Mr. McGaughey, to accept the minutes of the executive session of December 11, 2013, as printed

VOTE: 2:0:1 (Mr. Gordon abstained)

Mr. Phelan reported that:

- A young resident, Mr. Jake Stuart, from the CENTRE STREET area sent in a letter expressing concern about the lack of sidewalks and streetlights on Centre Street. An engineering firm will be asked for a rough estimate of the improvements necessary. A letter will be sent to Mr. Stuart advising him that the Board is looking into estimates and funding that can be earmarked for possible improvements.
- A subcommittee of the Finance Committee has been in to visit the Accounting and Treasurer/Tax Collector's office.
- The County Sheriff's Department is moving along on the renovation of the second floor of the former fire station. The upstairs is nearly done, and the addition at the rear of the first floor is being worked on. This renovation was planned with a budget of \$350,000, but less than \$100,000 has been spent to date on materials. The Sheriff's Department is providing the labor for minimal cost.

Wayne Darragh, Vice-President of Community Opportunities Group, Inc., the Town's Community Development consultant, was present for the continuation of the January 8, 2014 hearing do discuss the

*Holbrook Board of Selectmen  
Minutes of the Regular Session  
Of January 28, 2014*

FEDERAL FY2014 grant application to the Massachusetts Community Development Block Grant (CDBG) Program, the progress of current grants, and the community development and housing needs and issues in Holbrook.

MOTION: At 7:15 pm, by Mr. Moore, second by Mr. McGaughey, to reopen the public hearing  
VOTE: 3:0

Mr. Darragh introduced himself and explained that the Town is considered a CDF1 community, with a needs score of 28 out of a possible 35, applying for funds from a pool of \$15 million. He explained that last year, the Town applied to provide a better senior center, housing rehabilitation for low/moderate income homeowners, and fund a social service project for a food pantry.

Mr. Phelan discussed a meeting with the Council on Aging (COA) that was attended by Mr. Phelan, Mr. Darragh, and Mr. Russ Feldman of TBA Architects relative to the options for an improved facility for the seniors, including expanding/renovating the existing building, rehabbing the former Lincoln School, building a new facility on the Public Library parcel, or building a new facility elsewhere. Mr. Feldman expressed concerns with the construction of the current building and estimating the cost of the improvements necessary. One limiting factor noted was the narrow driveway, which would have to continue as a 2-way driveway. Building a new facility behind the Public Library was favored by the COA. It was discussed that it would address all access issues, be more energy efficient, have a longer life span, and a traffic pattern could be created that would benefit the seniors and the Library patrons. The grant application will be prepared to construct a new building.

Other activities that could be included in the grant application, and whether the application should be for two or three activities, were discussed. The social service activity of assisting a food pantry will be added to the new senior center, to make this a 2-activity application. The housing rehab wait list will be increased in preparation for another application next year.

MOTION: By Mr. Moore, second by Mr. McGaughey, that the Board of Selectmen support the two activity CDBG grant application as discussed  
VOTE: 3:0

MOTION: At 7:35 pm, by Mr. Moore, second by Mr. McGaughey, to close the hearing  
VOTE: 3:0

Mr. Phelan thanked Mr. Darragh for his work, and Mr. Darragh advised that the announcement about the awarding of the grants is expected between late June and late September.

NSTAR contacted the Selectmen's office and indicated they would not be attending the meeting this evening. Mr. Phelan advised that the Board should not issue a letter of support for the proposed project off Pine Street until the information they requested is received. One resident has come forward with concerns about the visual component of the project. Mr. Phelan said there should be mitigation from NStar.

Arthur George, Esq., representing LOIS M. MARRUZZI AKA LOIS M. GOURLEY, TRUSTEE OF JUNIPER REALTY TRUST, was present about three parcels of land his client wants to donate to the Town as Conservation land. The Conservation Commission voted on December 9, 2013 to accept the properties: Off King Road, Map 27 Lot 269; 23 Arbor Road Map 39 Lot 048; and 64 West Shore Road

*Holbrook Board of Selectmen  
Minutes of the Regular Session  
Of January 28, 2014*

Map 33 Lot 123. Mr. Phelan asked why they are being given as Conservation land, and not just as Town land. Atty. George said "because it is a good fit". He explained that the Conservation Commission thought these properties were deserving, and they were anxious to receive them. Mr. George said the relevant statute requires the vote of the Conservation Commission and the Board of Selectmen. The owner will not have to pay the back taxes of approximately \$20,000.

MOTION: By Mr. Gordon, second by Mr. McGaughey, to approve the gift of lands previously received by the Holbrook Conservation Commission as a gift for Conservation purposes pursuant to Chapter 40, Section 8C of the Massachusetts General Laws from Lois M. Marruzzi aka Lois M. Gourley, Trustee of Juniper Realty Trust, under a Declaration of Trust dated May 1, 1987 recorded in the Norfolk Registry of Deeds in Book 7556 Page 280

VOTE: 3:0

SPECIAL TOWN MEETING:

MOTION: By Mr. Moore, second by Mr. McGaughey, that the Board of Selectmen schedule a special town meeting on Wednesday, February 26, 2014, at 7:15 pm, at Holbrook Junior-Senior High, 245 South Franklin Street

VOTE: 3:0

MOTION: By Mr. Moore, second by Mr. McGaughey, that the Board of Selectmen open the warrant for the February 26, 2014 special town meeting

VOTE: 3:0

The articles that were received for the special town meeting that was originally scheduled for Wednesday, February 12, 2014, were placed on a draft warrant, and reviewed and discussed. It was discussed that Mark Bobrowski, Esq., the Planning Board's consultant for a zoning overlay district has indicated that the Planning Board is interested in creating 40R ZONING. The budget for consultants is \$20,000. The budget, which would need to include an engineer and a planner, would need to be increased by \$10,000 because the original budget did not include the services of a planner.

MOTION: By Mr. Moore, second by Mr. McGaughey, that the Board of Selectmen approve the articles and close and approve the warrant for the February 26, 2014 special town meeting, as printed

VOTE: 3:0

ANNUAL TOWN MEETING:

Under the Town's General By-Laws, the date of the Annual Town Meeting must be voted during January.

MOTION: By Mr. Moore, second by Mr. McGaughey, that the Board of Selectmen schedule the Annual Town Meeting on Wednesday, May 7, 2014, at 7:15 pm, in the Gymnasium at Holbrook Junior-Senior High School, 245 South Franklin Street

VOTE: 3:0

*Holbrook Board of Selectmen  
Minutes of the Regular Session  
Of January 28, 2014*

MOTION: By Mr. Moore, second by Mr. McGaughey, that the warrant for the annual town meeting will open on Wednesday, January 29, 2014, and close at noon on Friday, March 28, 2014  
VOTE: 3:0

**PUBLIC WORKS COLLECTIVE BARGAINING AGREEMENT:**

It was explained that this new contract includes a sixth week of vacation after 20 years, a 5<sup>th</sup> personal day, and a provision to reduce the amount of compensatory time accrued, which will be paid for by doing the water readings in house, instead of hiring a contractor. The stipends were increased to encourage employees to obtain or maintain a drinking water license.

MOTION: By Mr. Moore, second by Mr. McGaughey, that the Board of Selectmen execute the Memorandum of Agreement by and between the International Union of Public Employees, Inc., Local 150 (Public Works Union) and the Town of Holbrook, Massachusetts, for the period of July 1, 2013, through June 30, 2016  
VOTE: 3:0

Town Administrator Phelan advised that a SETTLEMENT AGREEMENT has been reached with the City of Taunton related to the retirement costs of a former employee who worked for the Town of Holbrook and subsequently retired after working for the Taunton Municipal Lighting Plant.

MOTION: By Mr. Moore, second by Mr. McGaughey, that the Board of Selectmen vote to approve a Settlement Agreement and Mutual Release of Claims between the Taunton Municipal Lighting Plant, City of Taunton and the Taunton Retirement Board and the Town of Holbrook, and authorize Town Administrator William J. Phelan to execute said agreement on behalf of the Town of Holbrook  
VOTE: 3:0

Mr. Phelan reported on the status of various sewerage and water main projects and other Public Works projects. The Weymouth, Pine and Sycamore Streets intersection is still on the TIP. The construction of sidewalks on Quincy Street would need to be built into a budget or considered as a capital expenditure because the amount of Chapter 90 money the Town receives annually would be insufficient.

Mr. Phelan discussed 40R zoning, and noted that the ability of the Town to approve or not approve a project is diminished under 40R. The guidelines and density requirements are controlled by the State and the Department of Housing and Community Development (DHCD). There is an element of affordability, but it is less than 40B. The benefit to 40R zoning is that the State makes a payment to the Town immediately, plus an additional \$3,000 per unit that is built. 40B requires a larger affordable component and by-passes local zoning.

**ADJOURN:**

MOTION: At 8:40 pm, to adjourn to executive session to discuss the reputation, character, physical condition or mental health, rather than professional competence, or an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against a public officer, employee, staff member or individual, to discuss strategy and conduct contract negotiations with nonunion personnel (Fire Chief); discuss strategy and conduct

*Holbrook Board of Selectmen  
Minutes of the Regular Session  
Of January 28, 2014*

collective bargaining with union personnel (Police), and to discuss strategy and conduct contract negotiations with nonunion personnel (Police Chief), and return to open session

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

The open session meeting resumed, with the three members present, following the adjournment of the executive session at 11:40 pm.

FIRE CHIEF'S EMPLOYMENT AGREEMENT:

MOTION:     By Mr. Moore, second by Mr. McGaughey, to approve a contract between Fire Chief Luke McFadden and the Town of Holbrook, effective January 9, 2014

VOTE:        3:0

ADJOURN:

MOTION:     At 11:43 pm, to adjourn the meeting

VOTE:        3:0

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Kevin J. Sheehan, Clerk

Documents:

Agenda

Minutes

CDBG hearing documents

Copy of Deed & Certificate of Vote for gift of land

Conservation memo re: acceptance of 3 properties

STM warrant

Agreement with Taunton

Public Works agreement