

Holbrook Board of Selectmen

Minutes of the Regular Session of

Wednesday, September 24, 2014

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

Absent: Timothy J. Gordon, Chairman

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

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

MINUTES:

MOTION: By Mr. Moriarty, second by Mr. Sheehan, to accept the minutes of the regular session of Wednesday, August 27, 2014, as printed

VOTE: 4:0

MOTION: By Mr. Sheehan, second by Mr. McGaughey, to accept the minutes of the executive session of Wednesday, August 27, 2014, as printed

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

TOWN ADMINISTRATOR'S REPORT:

Mr. Phelan reported that:

- Verizon has committed to removing the double utility poles on Linwood Street. A list was received of the double poles and the companies with lines on the poles that need to relocate their wires prior to the removal of a pole.
- The request for proposals for the solar farm has been approved and should be released soon. The town can, in addition to building a solar farm, buy credits at the same time and sell credits elsewhere.
- The state asked that Trans Load America (TLA) resubmit their proposal for the MEPA process due to administrative issues. After that process, the project will go through the Board of Health.
- Mass DOT will send someone out to recommend whether the signage should be changed on North Franklin Street in response to accidents that have occurred there recently following a concern from a resident at 290 N. Franklin St.

MOTION: By Mr. Moriarty, second by Mr. Sheehan, to request that the Mass. DOT survey both North Franklin and South Franklin Streets for signage improvements

VOTE: 4:0

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Mr. McGaughey said that a cement mixing business has signed a purchase and sale agreement on the Avon Sole building on Spring Street.

It was announced that Holbrook Public Schools have now been raised to Level 2, based on achievement.

Residents, Mr. & Mrs. Michael Eshner, were congratulated for winning the Mission Renovation contest conducted on Fox 25. The prize is a home renovation for a deserving member of the military.

There will be a curbside yard waste collection held on Saturday, September 27, 2014.

It was discussed that the newspaper coverage of the Town of Holbrook is good in the Holbrook Sun, but that the Patriot Ledger and Brockton Enterprise provide no coverage, and that the stores in Holbrook should not be advertising in those papers.

Mr. Phelan explained that the Board of Assessors met and appointed Mr. Patrick Harring to the position of Interim Principal Assessor on a part-time basis at 25 hours a week until January, and will be hired for a higher salary in January. Mr. Harring is well known in the field and well qualified for the position. Mr. Phelan recommended that the Board ratify the appointment, which falls under the Salary Administration Plan By-Law.

MOTION: By Mr. Moore, second by Mr. McGaughey, that the Board of Selectmen, acting as the Personnel Board, ratify the appointment of Mr. Patrick Harring, as the Interim Principal Assessor for the Town of Holbrook, effective September 2, 2014, with the salary and hours consistent with the Board of Assessors under the Salary Administration Plan

VOTE: 4:0

Mr. Phelan reported that Mr. Daniel Daly, the recently appointed Supervisor in the Public Works Department, is satisfied with the intent of the Board as discussed at the meeting on September 10, 2014. He feels confident that he would be offered his former position within the Union if anything were to happen to his new position, which is under the Salary Administration Plan By-Law.

Mr. Phelan explained that the bids came in higher than what was anticipated for the WEYMOUTH, PINE and SYCAMORE STREET SIGNALIZATION PROJECT. The landscaping has been removed from the project and Chapter 90 money will be utilized to make up the rest of the difference. He recommended the Board authorize him to sign the bid award document. The project will total \$860,000.00, including the police details, engineering oversight, the bid process, and a resident engineer.

MOTION: By Mr. Sheehan, second by Mr. Moriarty, to award the bid for the Traffic and Safety Improvements at the Weymouth, Pine and Sycamore Streets Intersection to Charles Contracting Company, Inc. in the amount of \$860,000.00, and they have been determined to be responsive and responsible and the contract price is considered fair and reasonable

VOTE: 4:0

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COMMON VICTUALLER LICENSE HEARING – TBD PIZZA, INC. dba DOMINO’S PIZZA, 2 NORFOLK ROAD:

Present: Robert Rivard, President; and Bill Mohan, the Director of Licensing

MOTION: At 7:33 pm, by Mr. Moriarty, second by Mr. Sheehan, to open the hearing on TBD Pizza, Inc. dba Domino’s Pizza for a Common Victualler’s License

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

It was explained that Mr. Rivard has been associated with Domino’s for 27 years, including 20 years as an owner. He anticipates hiring 20 employees, including drivers, cooks and managers. Domino’s policy of giving back to the community was discussed.

Numerous residents of Norfolk Road were present to speak in opposition to this license being issued. The concerns raised included the existing traffic, the dumpsters, rats, the number of other pizza restaurants in town, that the country feel of the area is gone, that there is loitering and drinking behind the building, and that the “do not enter” signs are down on Norfolk Road behind the building at 2 Norfolk Road.

Mr. Mohan said Domino’s would not open until 10:30 am, after the morning rush hour, and that some of the concerns mentioned are issues with Walgreen’s itself. He noted that the building has been vacant now for two years. Mr. Rivard said that people will not be allowed to loiter, the dumpster will be emptied often, and delivery cars will not be allowed to be left idling.

Board members said that although the town needs additional businesses, we have a commitment to the existing ones, and another pizza shop would put a strain on the others.

MOTION: By Mr. Moore, to approve the Common Victualler License for TBD Pizza, Inc. dba Domino’s Pizza (Robert Rivard, President), 2 Norfolk Road

NO SECOND to the motion

The Board took no further action on the request.

MOTION: To close the hearing on the Common Victualler License for TBD Pizza, Inc. dba Domino’s Pizza, 2 Norfolk Road

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

It was discussed that STOP & SHOP stills holds the lease on the property where the supermarket was located, and they are not anxious to give up that control. Therefore, the town continues to be without a supermarket.

The Board reviewed the draft copy of the SPECIAL TOWN MEETING WARRANT for October 22, 2014. It was discussed that funding sources for the articles will need to be identified.

MOTION: By Mr. Moriarty, second by Mr. McGaughey, to approve the warrant for the Special Town Meeting of October 22, 2014, as printed

VOTE: 4:0

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Acting Police Chief William Smith has completed the background checks on the applicants for three positions as POLICE OFFICERS. The top three, well qualified, applicants will be introduced at the next meeting when the Board will approve the recommendations of the Chief.

The next meeting of the Board will be held on Thursday, October 9th, in the new meeting room in the newly renovated former fire station adjacent to the Town Hall. A dedication ceremony will be held on Saturday, October 18, 2014.

Mr. Phelan explained that the Board previously voted to conduct assessments as a way of screening applicants for the position of permanent POLICE CHIEF, including those outside of the Holbrook Police Department. The cost of hiring the consultant depends on the number of candidates to be screened. It appeared at that time that the number of candidates would be insufficient if the position were limited to those within the department. However, qualified candidates did apply from within the department, and Mr. Phelan wanted direction from the Board before proceeding with a consultant. Keeping the assessments within the department would make the process quicker, and would save money. All of the members of the Board indicated they accepted the recommendation of the Town Administrator to make that modification in the process, and keep the position from within.

Chief Smith advised:

- That the Department's dog is funded fully by donations, and there will be more fundraisers soon.
- An "active shooting" program will be presented to the School Department
- The members of the Department are completing training
- The Department has looked at the traffic backup situation near the Junior-Senior High School. The Chief recommends that the MBTA be contacted about one bus stop in the area, and one crosswalk should be moved

Superintendent Ben Ecord advised:

- That paving is ongoing.
- He will contact the Mass DOT about the "entering Holbrook" sign that is missing at the Brockton line
- The time line for water projects is being pushed back

MOTION: At 8:50 pm, to adjourn to executive session to discuss strategy as it relates to contract negotiations with union personnel (Police), discuss strategy as it relates to litigation (Workers Comp School Department), and RETURN TO OPEN SESSION

ROLL CALL VOTE: Mr. Sheehan – Yes
Mr. McGaughey – Yes
Mr. Moriarty – Yes
Mr. Moore – Yes

RETURN TO OPEN SESSION AT 9:16 pm:

MOTION: By Mr. Moore, second by Mr. Moriarty, to approve a memorandum of agreement between the Town of Holbrook and the New England Police Benevolent Association, Locals 88 and 88a, to include a one-year agreement effective July 1, 2014 and a three-year agreement effective July 1, 2015, pending approval of Town Counsel

VOTE: 4:0

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Mr. Moore explained that the one-year agreement includes a 1% raise effective January 1, 2015, and a change in the payroll steps. The three-year agreement provides raises of 2%, 2% and 2% over the term.

MOTION: At 9:17 pm, by Mr. Moriarty, second by Mr. Sheehan, to adjourn the meeting.

VOTE: 4:0

Kevin J. Sheehan, Clerk

Documents:

Agenda

Draft minutes

Yard Waste announcement

Notice from Assessors appointing Interim Assessor

List of bidders for Weymouth St. intersection improvements

Domino's Pizza common victualler application info