

Holbrook Board of Selectmen

Minutes of the Regular Session of

Wednesday, June 10, 2015

Present: Timothy J. Gordon, Chairman  
Matthew V. Moore, Vice-Chairman (arrived at 7:03 pm)  
Kevin J. Sheehan, Clerk and Acting Chairman  
Daniel F. Moriarty, III, Associate

Absent: Richard B. McGaughey, Associate

In attendance: Paul Digirolamo, Treasurer/Collector  
Luke McFadden, Fire Chief  
William Smith, Acting Chief of Police  
Benjamin Ecord, Superintendent of Public Works  
Edward J. O'Brien, Interim Town Administrator  
Marjorie E. Godfrey, Assistant Town Administrator  
Cynthia Brennan, Town Accountant  
Kevin Costa, Chairman, Finance Committee  
James Crowley, Holbrook Insurance Center, Inc.

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: By Mr. Moriarty, second by Mr. Sheehan, to accept the minutes of the regular session of Wednesday, May 13, 2015, as printed

VOTE: 3:0

**CITIZEN CONCERNS:**

Mr. & Mrs. Inglis, parents of a student who has been accepted to the NORFOLK COUNTY AGRICULTURAL SCHOOL as a freshman in September 2015, expressed concern because the family received a letter that the student could not enroll due to an issue related to unpaid tuition by the Town of Holbrook. This issue will be discussed later in this meeting.

There was brief discussion about the use of the PROGRAM INCOME FUNDS from the Community Development Block Grants. The funds can be used for more housing rehab projects, but there are other uses allowed. This discussion will continue to an upcoming meeting.

Building Inspector Daniel Moriarty, Jr. explained that the homeowner at 32 CLOVER ROAD has been notified that an overweight truck has been parked there. Vehicles registered for over 10,000 pounds are not allowed to be kept in that residential zone. Further legal action will be taken.

Mr. Crowley discussed the renewal of the Town's WORKERS' COMPENSATION policy with the Massachusetts Education & Government Association (MEGA). It is a regulated policy, and the rate is driven by the claims history.

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**MOTION:** By Mr. Moore, second by Mr. Sheehan, to authorize the Chairman to execute the Participation Agreement & Bind Order with the Massachusetts Education and Government Association Property and Casualty Self-Insurance Group, Inc. (MEGA) for Workers' Compensation Insurance for FY16

**VOTE:** 4:0

Resident Michael Yunits, a former town administrator in Holbrook, and current Town Manager in Norton, briefly discussed the solid waste program and a town solar farm project underway in Norton. Norton does not offer solid waste pickup for its residents, but they do provide an area for the drop off of recyclables.

Fire Chief Luke McFadden explained that following a review of the AMBULANCE FEES in place for the past year, he would recommend that the Board consider increasing them by 5%, as recommended by New England Medical Billing:

Procedure Code	Description	Current Fee Eff. 7/1/2014	New Fee 7/1/2015
A0429	BLS Base Rate	\$791	\$830
A0427	ALS1 Base Rate	\$969	\$1,017
A0433	ALS2 Base Rate	\$1,359	\$1,427
A0425	Mileage	\$20	\$21
93000	Cardiac Monitoring	\$170	\$179
A0392	Defibrillator	\$145	\$152
A0394	IV Therapy	\$145	\$152
A0396	Airway	\$145	\$152
A0422	Oxygen	\$95	\$100
A0424	Extra Man	\$255	\$268
A0382	BLS Supplies	\$60	\$63
A0398	ALS Supplies	\$60	\$63
A0999	Longboard	\$45	\$47
A09991	Extrication	\$180	\$189

**MOTION:** By Mr. Moore, second by Mr. Moriarty, to accept the recommended 5% increase in the Ambulance Fees as presented, effective July 1, 2015

**VOTE:** 4:0

**ANNUAL APPOINTMENTS:**

**MOTION:** By Mr. Gordon, second by Mr. Moriarty to appoint Laurice Hedges to the position of Animal Control Officer with a term to expire on June 30, 2016

**VOTE:** 4:0

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MOTION: By Mr. Gordon, second by Mr. Moore, to appoint Daniel F. Moriarty, Jr. to the position of Building Inspector, with a term to expire on June 30, 2016

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

MOTION: By Mr. Gordon, second by Mr. Moriarty, to make the following appointments, with terms to expire on June 30, 2016:

Assistant Building Inspector	Arthur Boyle
Emergency Management Director	Richard Reuss
Field Driver/Pound Keeper	Laurice Hedges
Gas Inspector	John Callahan
Parking Clerk and Hearings Officer	Jeanmarie Tarara
Plumbing Inspector	John F. Callahan
Assistant Plumbing/Gas Inspector	Mark J. Grzybinski
Public Works Supervisor	Daniel Daly
Sealer of Weights and Measures	D. Leo Donovan (Interim)
Deputy Sealer of Weights and Measures	D. Leo Donovan
Town Counsel	Murphy, Hesse, Toomey and Lehane
Veterans' Agent	Leo A. Fuller
Wiring Inspector	Alfred G. Oswald

VOTE: 4:0

MOTION: By Mr. Gordon, second by Mr. Moore, to appoint the following positions, with a term to expire on June 30<sup>th</sup> of the year indicated:

Board of Registrars	Cheryl Gelzer Alexis	2018
Conservation Commission	William L. Forte, Sr.	2018
	Richard Coombs	2018

VOTE: 4:0

MOTION: By Mr. Gordon, second by Mr. Moore, to appoint the following positions, with a term to expire on June 30<sup>th</sup> of the year indicated:

Constables	Ralph J. Colarusso	2016
	Jerold Loomis	2016
	Mark J. Shanly	2016
	Paul Kennedy	2016

VOTE: 4:0

MOTION: By Mr. Gordon, second by Mr. Moriarty, to appoint the following positions, with a term to expire on June 30<sup>th</sup> of the year indicated:

Holbrook Historical Commission	Edna P. Bowers	2018
	Richard Edward Dean	2018
	Sara Stinson	2018

VOTE: 4:0

MOTION: By Mr. Gordon, second by Mr. Moore, to appoint the following positions, with a term to expire on June 30<sup>th</sup> of the year indicated:

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Local Emergency Planning Committee

Timothy J. Gordon	2016
Benjamin F. Ecord	2016
Luke McFadden	2016
Brian Macauley (FD)	2016
Paul Callinan (BOH)	2016
Richard Reuss (EMD)	2016

(Note: William J. Smith is appointed until a Permanent Chief is appointed)

VOTE: 4:0

MOTION: By Mr. Gordon, second by Mr. Moore, to appoint the following position, with a term to expire on June 30<sup>th</sup> of the year indicated:

Permanent Veterans' Memorial Committee	Anthony J. Bicchieri	2018
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VOTE: 4:0

MOTION: By Mr. Gordon, second by Mr. Moriarty, to appoint the following positions, with a term to expire on June 30<sup>th</sup> of the year indicated:

Recreation Commission	Joan M. Brown	2016
	John Flanagan	2016
	Annette Grennan	2016

VOTE: 4:0

MOTION: By Mr. Gordon, second by Mr. Moore, to appoint the following positions, with a term to expire on June 30<sup>th</sup> of the year indicated:

Town Forest Committee	Patricia Greely	2018
Town Scholarship Committee	Joanne E. Spillane	2018
	Linnea V. McFadden	2018

VOTE: 4:0

MOTION: By Mr. Gordon, second by Mr. Moriarty, to appoint the following positions, with a term to expire on June 30<sup>th</sup> of the year indicated:

Zoning Board of Appeals	Keith O'Brien	2018
	Scott McLellan / Associate	2016

VOTE: 4:0

MOTION: By Mr. Gordon, second by Mr. Moore, to appoint the following positions, with a term to expire on June 30<sup>th</sup> of the year indicated:

Capital Improvements Planning Committee		
	Teresa McCue, Citizen at Large	2016
	Danh Nguyen, Citizen at Large	2016
	Daniel Moriarty, III, Selectmen's Rep.	2016

VOTE: 4:0

MOTION: By Mr. Gordon, second by Mr. Moriarty, to appoint the following positions, with a term to expire on June 30<sup>th</sup> of the year indicated:

Energy Committee	Mark J. Svizzero	2018
	Michael F. Fleming, Jr.	2018

VOTE: 4:0

MOTION: By Mr. Gordon, second by Mr. Moriarty, to appoint the following positions, with a term to expire on June 30<sup>th</sup> of the year indicated:

PERMANENT SCHOOL BUILDING COMMITTEE

VOTING MEMBERS:

Local Chief Executive Officer Timothy J. Gordon 6/30/18

Member of Community – Construction/Facilities  
Management Thomas Taylor 6/30/18

Member of Community – Architecture, Engineering  
And/or Construction Scott Towne 6/30/18

VOTE: 4:0

MOTION: By Mr. Gordon, second by Mr. Moore, to appoint the following positions, with a term to expire on June 30<sup>th</sup> of the year indicated:

PERMANENT SCHOOL BUILDING COMMITTEE

NON-VOTING MEMBERS:

Superintendent of Schools Dr. Patricia Lally 6/30/18

School Principal Robert O'Brien 6/30/18

VOTE: 4:0

The Board considered appointing a representative to the SURROUNDING COMMUNITIES NEGOTIATING TEAM being established to work with Jonathan Silverstein, Esq. of Kopelman and Paige, PC in preparation for the potential CASINO to be built in the City of Brockton.

MOTION: By Mr. Gordon, second by Mr. Moriarty, to appoint Edward O'Brien as the Representative of the Board of Selectmen on the Surrounding Communities Negotiating Team

VOTE: 4:0

APPROPRIATION TRANSFER REQUESTS:

MOTION: By Mr. Moore, second by Mr. Sheehan, that the Board of Selectmen approve the transfer of \$9,471.71, with \$4,000.00 being transferred from Fire Dept. Lt. Salaries 01-220-5113, \$4,471.71 being transferred from Fire Dept. Permanent Mens Salaries 01-220-5115, and \$1,000.00 being transferred from Fire Dept. Other Personal Services 01-220-5142, for a total sum of \$9,471.71 to be transferred to Fire Department General Expense 01-220-5421-000 in order to correct the recently identified deficiencies in the Public Safety computer network

VOTE: 4:0

MOTION: By Mr. Gordon, second by Mr. Moore, that the Board of Selectmen approve the transfer of \$1,518.61 from EMT Salaries 01-230-5113-000 to EMT Expense 01-230-5421-000 for repairs and associated service to Ambulance 1

VOTE: 4:0

Chief McFadden reported that the department is working on hiring a new firefighter, Ambulance 1 broke down recently, and the air conditioning is being repaired at the Public Safety Building.

Acting Chief Smith reported that the new recruits are continuing to do well in the academy.

Superintendent Ecord provided an update on the various construction projects being completed in town, including the sewers on Abington Ave., water main projects, and street sweeping. The trees in the area of the Holbrook Lake Dam will be trimmed. An update on the Dam will be added to the next agenda.

Mr. Gordon explained that meetings have been held to discuss the tuition being charged by the NORFOLK COUNTY AGRICULTURAL SCHOOL for Holbrook students, in addition to the County assessment the Town already pays for the school. James Lampke, Esq., Lampke & Lampke, the Town's counsel in this matter, was introduced. The statute, the formula, and how the tuition is being calculated are being discussed. Four new students have been accepted to the school. Mr. Lampke explained that the County has been adamant that the unpaid tuition, \$37,360, must be paid prior to any new students being admitted to the School for the fall. The litigation can continue, however. Mr. Lampke suggested that a memorandum of agreement be entered into by both parties. He explained that there is no mandate for the Town to pay the proposed tuition. Town Accountant Cynthia Brennan and Finance Committee Chairman Kevin Costa attended the recent meeting with Mr. Lampke. The Town will pay the tuition without prejudice, so that the students accepted can attend, but the litigation will continue.

MOTION: By Mr. Gordon, second by Mr. Sheehan, that the Board of Selectmen request a transfer from the Reserve Fund in accordance with Chapter 40, Section 6, of the Massachusetts General Laws, in the amount of \$37,360.00 in order to pay the Norfolk County Agricultural School for the purpose of the FY15 tuition without prejudice, subject to counsel approval of any necessary documents

VOTE: 4:0

Mr. Costa announced that there are three openings on the FINANCE COMMITTEE. Residents interested in an appointment should send a letter of interest to the Selectmen's office.

MOTION: At 7:57 pm, to adjourn to executive session to discuss strategy as it relates to litigation (Norfolk County Agricultural School), and to discuss strategy and/or conduct contract negotiations with non-union personnel (Interim Town Administrator) and return to open session

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

RETURNED TO OPEN SESSION at 8:15 pm.

No votes were taken.

MOTION: At 8:15 pm, to adjourn the meeting  
VOTE: 4:0

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Clerk

Documents: Reserve & Appropriation Transfers, List of appointments, Request to increase ambulance rates, Participation Agreement with MEGA, minutes