

Holbrook Board of Selectmen
Minutes of the Regular Session of
Wednesday, December 13, 2017

Present: Daniel R. Lee, Chairman
Matthew V. Moore, Vice-Chairman
Kevin J. Sheehan, Clerk
Richard B. McGaughey, Associate

In attendance: Timothy J. Gordon, Town Administrator
Marjorie E. Godfrey, Assistant Town Administrator
Luke McFadden, Fire Chief
William Smith, Chief of Police
Stephan Hooke, Director of Communications
Paul Digirolamo, Town Treasurer/Collector
James Hannon, Emergency Management Director

The meeting was called to order at 7:00 p.m. by Chairman Lee, in the Selectman Noel C. King Meeting Room, Holbrook Town Hall, Floor 3R, 50 North Franklin Street, Holbrook, MA 02343, and opened with the Pledge of Allegiance.

MINUTES:

MOTION: By Mr. Sheehan, second by Mr. McGaughey, to accept the minutes of the regular session of Wednesday, November 8, 2017, as printed

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

Town Administrator's Report:

A letter was received from the Police Sergeants, asking to begin collective bargaining negotiations. Mr. Gordon, Chief Smith and Selectman Lee will form the negotiating committee for the Town. The Town Hall will be closed on the Fridays prior to Christmas and New Year's Day.

Director Hooke introduced the newest Dispatcher, Joseph Ecord. Mr. Ecord has been working part-time since 2016. He is, therefore, all trained and will work the midnight shift.

Selectman Moore's appointment as the Metropolitan Area Planning Council's Representative expires on December 27th. The meetings are during the day, and Mr. Gordon will now fill the position.

MOTION: By Mr. Moore, second by Mr. Sheehan, that the Board of Selectmen appoint Town Administrator Timothy Gordon as the Town of Holbrook's Representative on the Metropolitan Area Planning Council, with a term to expire on December 13, 2020

VOTE: 4:0

Terry Grady, the Municipal Services Manager at Republic Services/Allied Waste Services, delivered a donation for the FESTIVAL OF LIGHTS, which must be accepted by the Board of Selectmen.

MOTION: By Mr. Lee, second by Mr. McGaughey, that the Board of Selectmen accept the donation of \$1,200.00 from Republic Services, Inc., to be used for the Annual Festival of Lights

VOTE: 4:0

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Town Counsel created a license agreement between the Town and the Connection Cafe, allowing the Connection Cafe access and use of the Town Hall parking lot, and indemnifying the Town.

MOTION: By Mr. Moore, second by Mr. McGaughey, that the Board of Selectmen authorize the Chairman to execute a License to Use Holbrook Town Hall Parking Lot by and between the Licensor, the Town of Holbrook through its Board of Selectmen, and the Licensee, the Connection Cafe, for access and use of the Holbrook Town Hall parking lot located at 50 North Franklin Street, Holbrook, MA 02343

VOTE: 4:0

Four outstanding applicants were interviewed for a position in the Public Works Department, and applicant Brian Faherty was the recommended candidate.

MOTION: By Mr. Moore, second by Mr. Sheehan, that the Board of Selectmen accept the recommendation to appoint Brian Faherty to the position of Full-Time Craftsperson/Laborer – Grade II in the Holbrook Public Works Department, effective Monday, December 18, 2017, in accordance with the Public Works Union Contract

VOTE: 4:0

An amendment to the employment agreement with Town Accountant Bethiny Moseley was discussed.

MOTION: By Mr. Sheehan, second by Mr. McGaughey, that the Board of Selectmen approve and execute a Memorandum of Agreement Between the Town of Holbrook and the Town Accountant, Bethiny Moseley, in order to amend Ms. Moseley's vacation time and her FY2019 salary

VOTE: 4:0

Superintendent of Public Works Benjamin Ecord will be retiring after 45 years of service. His last work day will be in early January. Mr. Gordon presented a job description and advertisement that will be used to post the position. A committee will be set up to review the resumes and applicants.

The Town Clerk has indicated that the Town needs to consider purchasing new voting machines. The Board of Selectmen will be asked to vote at a future meeting to stop using the current machines. The Capital Improvement Committee and Finance Committee will consider the purchase during the budget season.

A HEARING to consider the renewal of two licenses for 2018 was opened at 7:16 pm. Licensees were notified by mail, certified mail, and email that a hearing was being scheduled.

1. All Alcohol Restaurant and Common Victualler Licenses in the name of Skewers Steakhouse, Inc. dba Skewers Steakhouse & Breakfast, 73-77 Union Street.
Mr. Ruy Damasio was present and indicated he is at the hearing to surrender his license. He said that he has never opened the restaurant and will not be opening it.

MOTION: By Mr. Moore, second by Mr. Sheehan, that the Board of Selectmen vote to not renew the All Alcohol Restaurant License, number 0008-RS-0532, in the name of SKEWERS

STEAKHOUSE, INC. dba Skewers Steakhouse & Breakfast (Ruy Braz Damasio, Manager), 73-77 Union Street, for the following reasons:

1. Per Mass. General Laws Chapter 138, Section 12A:
Mr. Damasio was approved for the license by the Town of Holbrook in July 2016, and was approved by the Alcoholic Beverages Control Commission in August 2016. To date, the licensee has not opened or operated a restaurant at this location.
2. Mr. Damasio was notified by a letter dated October 30, 2017 that the Town was requesting an update on his situation by November 15, 2017. A license renewal application was sent to Mr. Damasio on November 1, 2017. A letter notifying Mr. Damasio of tonight's hearing was sent by regular mail, certified mail and email on December 5, 2017. Prior to this hearing, no response was received from Mr. Damasio.
3. Mr. Damasio is at this hearing now stating that he is here to surrender his license.

VOTE: 4:0

2. Mr. Masoud S. Buisir, the President of N. D. AUTOS, INC. dba Barga Motors, at 334 North Franklin Street, was also notified that the Board would be conducting this hearing about the renewal of his Class II Auto Dealers License for 2018 because it appears he has discontinued the sale of used cars at that location.

A letter was sent to him on October 31, 2017 asking that he contact the office by November 9, 2017 about the status of the business. He was also sent his renewal application. On December 5, 2017, he was notified that a hearing had been scheduled. He responded by calling the office for information, and was sent an email answering his questions. Since the sale of cars on the property predates zoning, if the use is abandoned for 2 years, the use will not be allowed. No response was received after that, and he did not attend this hearing.

The Board indicated that he has until December 31st to complete his renewal application.

The license hearing was closed.

Adam Fabian, Chairman, and Heather McLellan from the TOWN FOREST COMMITTEE, presented an update. Boy Scout John Kearney is nearly finished with an Eagle project in the Town Forest. There will be a Walk in the Town Forest on December 23rd at 10 am. They reported that Norfolk County Engineering has completed a survey of the Hatch property on Pond Street. The requested survey of the "32 acres" adjacent to the Town Forest has not yet been completed. Mr. Gordon said the County has also been asked to survey the former Kennedy School property, and that they are aware of the requests. Mr. Fabian said Mr. Ken Thompson has volunteered to flag the Hatch property.

ANNUAL RENEWAL OF LICENSES:

MOTION: By Mr. Moore, second by Mr. Sheehan, that the Board of Selectmen approve the renewal of the following licenses effective January 1, 2018 through January 1, 2019 provided that all taxes, fees, assessments, betterments and any other municipal charges are paid to date:

Used Car Dealer's License – Class II:

1. Richard Savary, Pine Hill Service Station, Inc.
2. MIKMAR, Inc. dba Regal Motors, Mike Liuzzi
3. Friends Automotive, Inc., Michael A. Fitzgerald, President
4. O'Brien Car Care, Inc., William J. O'Brien, President
5. David J. Salvaggio, Pro-Built Transmissions, Inc. dba Weymouth Street Auto Sales
6. T and D Classic Cars, Inc., David McAlpine, Treasurer

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7. Basic Auto Rental, Inc. dba PJ's Auto Sales, Robert Cunha
Motor Vehicle Junk License – Class III:

1. Stephen Hill dba Holbrook Auto Body

VOTE: 4:0

MOTION: By Mr. Lee, second by Mr. Sheehan, that the Board of Selectmen approve the renewal of the following Livery Licenses effective January 1, 2018 through December 31, 2018 provided that all taxes, fees, assessments, betterments and any other municipal charges are paid to date:

1. John Messia dba Mr. John's Limousine Service

2. Kevin McGrath dba Colonial Livery Service of Holbrook

VOTE: 4:0

MOTION: By Mr. Sheehan, second by Mr. McGaughey, that the Board of Selectmen approve the renewal of the following Common Victualler Licenses effective January 1, 2018 through December 31, 2018 provided that all taxes, fees, assessments, betterments and any other municipal charges are paid to date:

1. Evangelos Yiannousas, Highland Pizza & Calzone, Inc. dba Vinny's Pizzeria & Ice Cream

2. Dimitrios Tombros, H & J Tombros, Inc. dba Holbrook House of Pizza

3. Stanney's of Holbrook, Inc.

4. Marylou's News, Inc.

5. Karline, Inc. dba Corner Grill and Pizzeria

6. Thomas Palmer dba T's Cafe

7. Brookville Restaurant Group LLC dba Brookville House of Pizza

8. Boston Pie, Inc. dba Domino's

9. Robert Caparella dba The Connection

10. Northeast Foods LLC dba Burger King

11. Boston Cream Pie Company LLC

12. MEEDO, Inc. dba Sara's Pizza Parlor

13. NMB Rudra LTD dba Subway

VOTE: 4:0

MOTION: By Mr. Moore, second by Mr. Sheehan, that the Board of Selectmen approve the renewal of the following All Alcohol Package Store Licenses, effective January 1, 2018 through December 31, 2018 provided that all taxes, fees, assessments, betterments and any other municipal charges are paid to date.

1. Gregg Lake Associates, Inc. dba Highland Liquors

2. Sendhi Corp. dba Holbrook Food Mart

3. S & H Community Package, Inc. dba Holbrook Community Package

4. HaHai Liquors, Inc. dba Holbrook Liquors

VOTE: 4:0

MOTION: By Mr. Lee, second by Mr. Moore, that the Board of Selectmen approve the renewal of the following Wine & Malt Beverage Package Store Licenses, effective January 1, 2018 through December 31, 2018 provided that all taxes, fees, assessments, betterments and any other municipal charges are paid to date.

1. Ayat Corp. dba T Square Food Shop

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2. DB Express, Inc. dba Fastlane Convenience
3. ASP Convenience, Inc. dba Clerks Variety Store
4. Holbrook Beer & Wine, Inc. dba Holbrook Center Package Store

VOTE: 4:0

MOTION: By Mr. Sheehan, second by Mr. Moore, that the Board of Selectmen approve the renewal of the following licenses effective January 1, 2018 through December 31, 2018 provided all taxes, fees, assessments, betterments and any other municipal charges are paid to date:

The Wine & Malt Beverage Package Store & Common Victualler Licenses in the name of:

1. Elizabeth Aiello dba Cottage Variety – Licenses to be transferred to MRV Corporation dba On The Way General Store at the time of the passing for the sale of the business

The Wine & Malt Beverage Restaurant and Common Victualler Licenses in the name of:

1. Union Street Lanes, LLC
2. ANG Pizza, Inc. dba LEGGOS
3. Ann J. Panos dba Maria's Pizzeria

The All Alcohol Club, Common Victualler, and Entertainment Licenses in the name of:

1. Building Association of Father Francis X. Bransfield Council, Knights of Columbus #5046

The All Alcohol Restaurant, Common Victualler, Entertainment, and Automatic Amusement Device Licenses in the name of:

1. Lg Jian, Inc. dba Golden Pacific Restaurant

The All Alcohol Restaurant, Common Victualler, and Entertainment Licenses in the name of:

1. Halfway Cafe, Inc. dba The Brook Kitchen & Tap

The All Alcohol Restaurant and Common Victualler Licenses in the name of:

1. JD Smith Corp. dba Smith's Restaurant

The Entertainment License in the name of:

1. JD Smith, Inc. dba Smith's Catering

The All Alcohol Restaurant License in the name of:

1. Michael Caparella dba The Connection Cafe

VOTE: 4:0

MOTION: By Mr. Moore, second by Mr. Sheehan, that the Board of Selectmen approve the renewal of the following licenses effective January 1, 2018 through December 31, 2018 provided all taxes, fees, assessments, betterments and any other municipal charges are paid to date:

The All Alcohol Veterans Club, Common Victualler, Entertainment and Automatic Amusement Device Licenses in the name of:

1. Building Association of William B. Dalton Post 137 American Legion, Inc.

Contingent on receipt of:

- A Certificate of Insurance for Workers' Compensation and the mandatory Liquor Liability Insurance, and
- A copy of the Fire Safety Inspection Certificate signed by the Building Inspector and Fire Chief

The All Alcohol Restaurant & Common Victualler Licenses in the name of:

1. The Patriot Group, Inc. dba Liberty Public House

Contingent on receipt of:

- A Certificate of Insurance for Workers' Compensation and the mandatory Liquor Liability Insurance, and
- A copy of the Fire Safety Inspection Certificate signed by the Building Inspector and Fire Chief

VOTE: 4:0

Chief Smith reported that the Department is on the fast track for the new hire.

Director Hooke said training is continuing throughout the year. The equipment is in for Rockland.

Holbrook will begin dispatching Rockland Fire in June, and the Police shortly after. Two RFP's are going out on the addition to the building for Communications: The Owner's Project Manager and for an Architect. The next round of the grant in April will be for the construction of a 5,800 square foot building.

Chief McFadden reported that there was a small residential fire recently, and thanked the community for its response to the Toys for Tots campaign.

Supt. Ecord said the snow day recently went well, and they are done with sidewalks until spring.

Treasurer/Collector Digirolamo said training is continuing. It was discussed that the day Town bills are due should be moved to a day when the Town Hall is open for the full day.

It was noted that Verizon has been going door to door at residences, and no permits to solicit have been issued to anyone or any company.

The work at the former Avon Sole building has been stopped due to asbestos concerns.

Resident Nancy O'Keefe complained about the pedestrian lights which are now only red. Drivers still turn right on red and do not notice a pedestrian. Chief Smith noted that the Town can change an intersection to NO turn on red.

MOTION: At 8:05 pm, by Mr. Moore, second by Mr. Sheehan, to adjourn the meeting

VOTE: 4:0

Kevin J. Sheehan, Clerk

Documents:

Minutes

License to Use Town Hall Parking Lot

MOA with Town Accountant

Supt. of PWD job advertisement & Job description