

Holbrook Board of Selectmen  
Minutes of the Regular Session of  
Wednesday, April 10, 2019

Present: Daniel R. Lee, Chairman  
Joshua Reilly, Vice-Chairman  
Lindsay Vayda, Clerk  
Richard B. McGaughey, Associate  
Pamela E. Campanella, Associate

In attendance: Timothy J. Gordon, Town Administrator  
Marjorie E. Godfrey, Assistant Town Administrator  
Luke McFadden, Fire Chief  
William J. Smith, Chief of Police  
Stephan Hooke, Director of Communications  
Lauren Mielke, Deputy Director of Communications  
Christopher Pellitteri, Superintendent of Public Works

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

A moment of silence was observed following the sudden passing of Mr. William Michael Buckley, a former member of the School Committee, and active volunteer in the Holbrook community.

MINUTES:

MOTION: By Ms. Vayda, second by Mr. Reilly, that the Board of Selectmen accept the minutes of the regular session of Wednesday, March 13, 2019, as printed

VOTE: 5:0

Mr. Gordon reported that:

- Stikeleather Real Estate is sponsoring a Shredding Event for Holbrook residents on May 18, 2019 from 9:00 am – 2:00 pm in the Town Hall parking lot.
- Compost bins are available for purchase at the Public Works Department.
- There is a vacancy on the Planning Board and an Associate Member is also needed. Letters of interest are being accepted by the Planning Board.
- He spoke with the Metropolitan Area Planning Council about updating the Town's open space plan, which expired in April 2000. It is estimated that it would cost between \$30,000 and \$35,000, and grants may be available.
- The Finance Committee is meeting on April 23<sup>rd</sup> to make a recommendation on the 2020 budget.
- Two proposals were received from the RFP for the sale of the former South School. One for \$1,010,000 with a project including condos and homes, and the other for \$1,050,000 and a condo project.
- The Town Administrator Forum on May 1<sup>st</sup> will be rescheduled.
- He and Supt. Pellitteri attended a Metropolitan Planning Council meeting on the Union Street renovation project, which is scheduled for FY2021 and is 75% engineered.

Selectman Campanella thanked everyone who ran in the recent election, and read a notice about a senior dinner sponsored by the Rotary Club at the Holbrook Housing Authority on April 29, 2019.

**ANNUAL REORGANIZATION:**

Initially, simultaneous motions were made by Ms. Vayda and Mr. McGaughey.

**MOTION:** By Ms. Vayda, second by Ms. Campanella, to nominate Ms. Campanella as Chairman  
**VOTE:** 2:3 (Mr. Lee, Mr. Reilly, & Mrs. McGaughey against)

**MOTION:** By Mr. McGaughey, second by Mr. Reilly, to nominate Mr. Lee as Chairman  
**VOTE:** 3:2 (Ms. Campanella & Ms. Vayda against)

**MOTION:** By Mr. Lee, second by Mr. McGaughey, to nominate Mr. Reilly as Vice-Chairman  
**VOTE:** 5:0

**MOTION:** By Mr. Lee, second by Ms. Vayda, to nominate Ms. Vayda as Clerk  
**VOTE:** 5:0

Chairman Lee thanked Ms. Campanella for her service as Chairman, and thanked everyone who ran for office in the recent Town election.

Director Hooke introduced Deputy Director Mielke who spoke about the important and often lifesaving work of the Dispatchers, and the dedication and professionalism of Director Hooke and the employees of the Communications Department. Chairman Lee presented a Proclamation recognizing the week of April 14 – 20, 2019 as NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK.

**LIBERTY PUBLIC HOUSE – AUTOMATIC AMUSEMENT DEVICE LICENSE:**

**MOTION:** At 7:23 pm, by Mr. Lee, second by Ms. Vayda, that the Board of Selectmen open the hearing to consider the application of The Patriot Group, Inc. dba Liberty Publick House (Paul Anastasio, President), 777 Plymouth Street, Suite B, for an Automatic Amusement Device License

**VOTE:** 5:0

Mr. Paul Anastasio, the President of The Patriot Group, Inc. was present and explained that he is requesting a license for 8 Automatic Amusement Devices to entertain children. No abutters were present and no one spoke.

**MOTION:** By Mr. Lee, second by Mr. Reilly, that the Board of Selectmen grant the request of The Patriot Group, Inc. dba Liberty Publick House, 777 Plymouth Street, Suite B, for an Automatic Amusement Device License, including video games and claw games, totaling 8 devices

**VOTE:** 5:0

**MOTION:** At 7:25 pm, by Mr. Reilly, second by Ms. Campanella, that the Board of Selectmen close the hearing on the Automatic Amusement Device License for The Patriot Group, Inc. dba Liberty Publick House

VOTE: 5:0

**PROMOTIONS TO DEPUTY POLICE CHIEF & SERGEANT:**

Chief Smith explained that he is recommending that the Board promote Sgt. William D. Marble, Jr. to the rank of Deputy Police Chief. Sgt. Marble scored the highest on the eligible list generated by the recent Assessment Center.

MOTION: By Mr. Reilly, second by Ms. Vayda, that the Board of Selectmen promote Sergeant William Marble, Jr. to the rank of Deputy Police Chief on the Holbrook Police Department, as recommended by Chief William Smith, contingent on negotiating an employment agreement

VOTE: 5:0

Chief Smith explained that he is recommending that the Board promote Officer Daniel Ford to the rank of Sergeant. Officer Ford scored the highest on the eligible list generated by the recent Assessment Center.

MOTION: By Mr. Reilly, second by Ms. Vayda, that the Board of Selectmen promote Police Officer Daniel Ford to the rank of Police Sergeant on the Holbrook Police Department, as recommended by Chief William Smith

VOTE: 5:0

Chief Smith explained that, due to Civil Service regulations, a position for a new recruit must be held open until next March when the candidate in first place on the certification list is released from active military duty. In the meantime, the next candidate on the list can be considered to fill the current open position. Whether there is an opening in the Department or not at the time, the candidate on military duty must be considered for a position next spring, as long as he contacts the Town within 90 days from his current release date.

Supt. Pellitteri introduced Mr. Christopher Macera from REPUBLIC SERVICES. It was explained that the current trash program will continue, with a couple of adjustments. The Town will see a 3½% increase in the cost of the program for next year, and 3½% for the following year, if a 2-year agreement is signed. The program being considered would allow residents to use a 35 gallon barrel with a lid on it, with no blue bag. Anything over what fits in the 35 gallon barrel will need to be in a blue bag. The user fee will need to be increased to an estimated \$280 per household. Free recycling is unlimited. The Solid Waste Enterprise fund is in deficit, and the discussion about the fee will continue.

Present: Mr. Terry Edwards of T.L. Edwards, Inc. and Mr. Bill Self

Mr. Gordon explained that there was a public hearing held on January 23, 2019 to hear a request for an EARTH REMOVAL PERMIT for T. L. Edwards, Inc. for parcels of land off High Street, Holbrook, in accordance with the Town's General By-Laws, Section 6-1 Removal of Soil, Loam, Sand or Gravel. It was explained that this request has been informally presented to the Planning Board and Conservation Commission, and some conditions were recommended. No abutters wished to speak. An Order of Conditions was made part of the permit application, and was read aloud. The Board indicated that section 3, the hours of operation should read "NO work on Sunday *or holidays* under ANY circumstances".

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MOTION: By Mr. Reilly, second by Ms. Campanella, that the Board grant an earth removal permit to T.L. Edwards, Inc., for the removal of up to 620,000 cubic yards from the following parcels located off High Street, Holbrook: 32-101-00-0; 39-001-00-0; 39-001-01-0; 39-003-00-0; 38-001-00; 45-001-00-0; and comply with the order of conditions attached to said application, as amended

VOTE: 5:0

MOTION: By Mr. Reilly, second by Ms. Campanella, that the Board establish an earth removal fee of 25 cents per cubic yard with the option to negotiate a transfer of land from the applicant to the Town of Holbrook in lieu of said fee

VOTE: 5:0

The opinion of Town Counsel about the request from the Town of Braintree that the Board of Selectmen specify a designated route for trucks traveling to/from the TRANSFER STATION on Phillips Road, which would prohibit the use of South Street, Braintree, was discussed. Atty. David DeLuca advised that the request is misplaced with the Board of Selectmen, and that the Board of Selectmen decline to act on the request. The Planning Board or Board of Health may be able to address it, depending on the outcome of the Superior Court case. Mr. Gordon will send Town Counsel's opinion to the Towns of Braintree and Randolph.

Appointments to the COUNCIL ON AGING ADVISORY COMMITTEE and the HOLBROOK LANDFILL RE-PURPOSE AND OVERSIGHT ADVISORY COMMITTEE were postponed until the next meeting, and the deadline to submit a request for appointment was extended to April 12<sup>th</sup> at noon.

Ms. Vayda thanked resident Elaine Hyland for doing research and providing her with information on applying for grants for the improvement of the ball fields in Town.

Mr. Gordon, the Chief Procurement Officer, presented a PROCUREMENT POLICY for the procurement of services, materials and supplies, in compliance with MGL Chapter 30B, and recommended its adoption by the Board of Selectmen.

MOTION: By Ms. Campanella, second by Ms. Vayda, that the Board of Selectmen adopt the updated Procurement Policy and Procurement Data Form, as presented

VOTE: 5:0

Supt. Pellitteri explained that the Town has two hydrant meters with backflow preventers, to be used in situations when water is going to be used from a hydrant, for example, when contractors request use. He recommended that the Board approve a HYDRANT METER USAGE FEE. The contractor would pay a \$250 fee and pay for the water.

MOTION: By Mr. Reilly, second by Ms. Campanella, that the Board of Selectmen approve a Hydrant Meter Usage Fee of \$6.83 per 100 cubic feet of water, as recommended by the Superintendent of Public Works

VOTE: 5:0

Supt. Pellitteri explained that the STREET OPENING PERMITS have been updated, and the information before the Board has been reviewed by Town Counsel. The new permit would require a

cash bond, which would be held for one year. He asked that the Board approve the new requirement of a bond.

**MOTION:** By Mr. Reilly, second by Ms. Campanella, that the Board of Selectmen approve the requirement that an applicant for a Permit to Open, Occupy or Obstruct a Street or Sidewalk (SOP), shall provide a Bond prior to the Street Opening Permit being issued, as specified in the Town of Holbrook SOP Policy, and as recommended by the Superintendent of Public Works

**VOTE:** 5:0

The request to approve new SEWER CONNECTION FEES for Commercial or Industrial connections will be on the agenda for the next meeting.

The BOWLING ALLEY & POOL TABLE LICENSES are renewed annually, effective on May 1<sup>st</sup>.

**MOTION:** By Ms. Vayda, second by Ms. Campanella, that the Board of Selectmen approve the renewal of the following Bowling Alley and Pool Table Licenses, effective May 1, 2019, provided that all taxes, fees, assessments, betterments, and any other municipal charges are paid to date:

Union Street Lanes, LLC, 231 Union Street – 16 Bowling Alleys & 2 Pool Tables  
Lg Jian, Inc. dba Golden Pacific Restaurant, 470 N. Franklin Street – 1 Pool Table

**VOTE:** 5:0

The SPECIAL TOWN MEETING WARRANT was before the Selectmen. An article for the Public Library was submitted beyond the deadline for submitting articles, but needs to be considered at the May 7, 2019 special town meeting.

**MOTION:** By Ms. Vayda, second by Mr. Reilly, that the Board of Selectmen vote to re-open the May 7, 2019 Special Town Meeting Warrant in order to insert an article for the funding of Repairs to the Elevator Pit at the Public Library, and immediately close the warrant

**VOTE:** 5:0

Mr. Gordon said the project will cost about \$70,000.

**MOTION:** By Mr. Lee, second by Mr. Reilly, to insert Article 5 on the Special Town Meeting Warrant: To see if the Town will vote to raise and appropriate, transfer from available funds, and/or otherwise provide a certain sum of money (to be determined), for the necessary repairs to the elevator pit (interior and exterior) at the Holbrook Public Library, 2 Plymouth Street, Holbrook, MA 02343, or take any other action thereon.

Submitted by the Board of Library Trustees

**VOTE:** 5:0

**MOTION:** By Mr. Reilly, second by Ms. Vayda, to close the special town meeting warrant

**VOTE:** 5:0

The Board indicated that an article requesting funding for the payment of interest on open Appellate Board abatement cases be removed from the warrant because it is not necessary.

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Chief McFadden reported that open burning, which requires a permit from the Fire Department, concludes on May 1<sup>st</sup>. Firefighter Brian Macauley is, unfortunately, leaving Holbrook Fire, and will be working for Massport Fire.

Ms. Susan Wright, of Union Street, asked for clarification about the fees to be paid under the Earth Removal Permit granted to T.L. Edwards earlier in this meeting. She was assured that if the Town accepted a transfer of land in lieu of 25 cents per cubic yard, the public would be aware of the process.

MOTION: At 8:24 pm, made and seconded, to adjourn to executive session to consider strategy and/or conduct contract negotiations with non-union personnel (Deputy Police Chief), and not return to open session

ROLL CALL VOTE: Ms. Campanella – Yes  
Mr. Reilly – Yes  
Mr. Lee – Yes  
Mr. McGaughey – Yes  
Ms. Vayda – Yes

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Lindsay Vayda, Clerk

Documents:  
SOP application  
Hydrant Meter Usage Form  
STM warrant  
Town Counsel opinion on designated route  
Minutes  
Liberty Publick House application  
TL Edward order of conditions for earth removal  
Procurement Policy