

HOLLISTON BOARD OF SELECTMEN

December 4, 2013
7:30 P.M.

Selectmen's Meeting Room
Town Hall

Present: Jay Leary, Chairman; Kevin Conley, Vice Chairman; Jay Marsden, Clerk; and Paul Le Beau, Town Administrator.

Mr. Leary said that this meeting is being taped so that minutes can be transcribed and that this is being broadcasted on HCAT TV. Mr. Leary said that the general public may record this meeting, but first notify the Chairman of the Board. This recording may not interfere with the meeting.

MR. MARSDEN MOVED TO APPROVE THE FOLLOWING WARRANT

14-24	GENERAL WARRANT	\$ 113,828.89
	VOIDS	\$ (334.00)
	PERFORMANCE DEPOSITS (801)	\$ 5,410.00
	AGENCY (890) VETERANS DISTRICT	\$ 64.62
	BIKE TRAIL (2760)	\$ 22,427.60
	AGENCY (890) VETERANS DISTRICT PAYROLL	\$ 1,017.54
	GENERAL PAYROLL WARRANT	\$1,074,054.55
	TOWN PAYROLL	\$1,075,072.09
	TOTAL PAID WARRANT	\$1,216,469.20

ACCOUNTANT'S NOTE:

ACCRUED DEDUCTION LIABILITIES NOT PAID	\$ 180,875.82
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TREASURER'E NOTE:

WIRE TO HEALTH INSURANCE TRUST	\$ 142,187.41
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THE MOTION WAS SECONDED BY MR. CONLEY. ALL IN FAVOR.

COMMENTS FROM THE BOARD

Mr. Conley said that the Holiday Stroll was this past weekend and the HBA did a fantastic job. Mr. Conley said that it gets busier each year. He also said that just yesterday there was the lighting of the Menorah in front of Town Hall.

Mr. Marsden said that the lighting of the Menorah is a real community event.

Mr. Leary said that the Holiday Stroll was fun.

CITIZEN RECOGNITIONS

Chief Moore and Chief Cassidy were present. Chief Cassidy said that we have two residents who went to help someone in need. Chief Cassidy said that Katelyn Springsteen on April 11, 2013, was on her way home from school and heard her neighbor calling for help. She called 911 so that the first responders were able to come and help. She also called her dad who was there to help.

Chief Cassidy presented a Certificate of Excellence for outstanding performance.

Chief Moore said that public safety is so important and Katelyn did a great job. Chief Moore presented Katelyn a Letter of Merit.

Mr. Leary thanked Katelyn for her quick actions.

Chief Cassidy said that Jennifer Clark on November 21, 2013, was driving home and saw a fire outside a residence. She called 911 so that the firefighters would come. She woke up residents and put them in her car to keep warm.

Chief Cassidy presented a Certificate of Excellence for outstanding performance.

Chief Moore said that public safety is so important and Jennifer did a great job. Chief Moore presented Jennifer a Letter of Merit.

Mr. Leary congratulated Jennifer.

POLICE SERGEANT PROMOTIONAL PROCESS

Chief Moore said that with the promotion of Sergeant Waugh they no longer have a list of applicants for the rank of Sergeant. He said to get the ball rolling to establish another list the applicant would have to take a test. Then interview with the Chief and then the Board of Selectmen. He said that it would take at least 6 months to get this going. Chief Moore said that he would like to be proactive so they are not scrambling around at the last minute. He said that if someone were to retire they want someone waiting in the wings. Chief Moore said that they contacted the three companies that give the Sergeants exam, two got back to him the third got back to him by e-mail. He said that the proposal is \$2,700.00 for the exams. He said that the exam would be in April 2014. He said that would give the candidate time to study. Chief Moore said that the last group took the Civil Service test, we are not a Civil Service Town but it is a legitimate test. He said a test from this company would be more appropriate.

Mr. Marsden asked if there was a cost difference in the tests.

Chief Moore said that yes there is a price difference. He said that the candidates in each case would purchase their own books. He said in the previous test it was paid for by the candidate. This test would be paid for by the Town or the department. Chief Moore said that this would be cash well spent.

Mr. Conley asked if there was anyone currently on the Sergeant list. Chief Moore said there is no list, the last two that were on the list have been promoted. Mr. Conley asked if this was a flat rate test.

Chief Moore said yes it is a flat rate. Chief Moore said there may be seven or eight officers that may take the exam. He said that the test is 100 questions, 80 on criminal law and criminal procedure and 20 on management. He said that the company will grade the test the same day. He said that passing is a 70. He said the Civil Service test is in October and the results do not come out until January.

MR. CONLEY MOVED TO APPROVE THE RECOMMENDATION OF CHIEF MOORE FOR TESTING FOR A NEW SERGEANTS LIST IN APRIL 2014. THE MOTION WAS SECONDED BY MR. MARSDEN. ALL IN FAVOR.

7:52 P.M. TAX CLASSIFICATION HEARING

Mr. Marsden read the hearing notice.

Present were Katherine Peirce, Principal Assessor; John Cronin and Brian Laughlin, Board of Assessors.

Mr. Leary said that there was a handout if anyone was interested. Chairman Laughlin said that the Board is recommending a single tax rate. They do not recommend an Open Space discount nor do they recommend a on a residential shifted tax rate.

Mr. Cronin said that they checked the surrounding Towns to find out which ones have a split rate, and he said that many do not. He said that the large Towns that have heavy commercial revenue like Framingham, they have a split rate. He said that the smaller Towns such as Franklin, Ashland, Medway and Millis are all on a single tax rate.

Mr. Laughlin said there would not be a residential exemption they do not feel like it would be appropriate for Holliston. He also said that it will be the same for the commercial property.

Mr. Conley asked if the properties are being inspected. Ms. Peirce said that they have Assessors in the field doing inspections. Ms. Peirce said then they compare the inspections. She said that the Board of Assessors is trying to be conservative, she said that if the rate goes up next year they would have a solid base. Ms. Peirce said that the values did drop this past year. Mr. Cronin said that property sales have gone up in the past year as well.

Mr. Laughlin said that the staff have done a wonderful job in getting the word out at the Senior Center about some incentives that the department offers.

Mr. Le Beau said that the total value of property is down just about 3.5%, the value of the average single family home is dropping about 4.5% and the tax rate is going up 7%. He said that is a big increase, but if you look at the change in the value the result is that the tax bill for the average single family house is going to show an increase of less than 2%. Mr. Le Beau said that in dollar terms it is about \$130.00. He said that this would be the lowest increase since 2003.

Bill Dowd, 95 Shaw Farm Road, asked about the market ratios and are those derived entirely on paper or had the Board applied its own judgment. Ms. Peirce said that the Board looks at the assessment to sale ratio for the year past. She said that when they did that they came in at 98% market. She said that she knew that they would have to make some changes.

Mr. Leary said that the value were approved at the State level. Mr. Cronin said that our data was sent to the State more than a month ago for their approval.

Mr. Leary asked when can we start picking up new growth, when a project starts or when it is finished. Ms. Peirce said that it is an on-going process from the beginning to the end, they can treat it like new growth. Mr. Leary asked if new growth can be captured with home improvements. Ms. Peirce said yes.

At 8:10 p.m. Mr. Marsden moved to close the hearing. The motion was seconded by Mr. Conley. All in favor.

MR. MARSDEN MOVED TO ADOPT A RESIDENTIAL FACTOR OF "1". THE MOTION WAS SECONDED BY MR. CONLEY. ALL IN FAVOR.

MR. MARSDEN MOVED NOT TO ADOPT A RESIDENTIAL EXEMPTION. THE MOTION WAS SECONDED BY MR. CONLEY. ALL IN FAVOR.

MR. MARSDEN MOVED NOT TO ADOPT A SMALL COMMERCIAL EXEMPTION. THE MOTION WAS SECONDED BY MR. CONLEY. ALL IN FAVOR.

MR. CONLEY MOVED NOT TO ADOPT AN OPEN SPACE DISCOUNT. THE MOTION WAS SECONDED BY MR. MARSDEN. ALL IN FAVOR.

MINUTES OF SEPTEMBER 18, 2013, SEPTEMBER 25, 2013, OCTOBER 2, 2013, OCTOBER 9, 2013 AND NOVEMBER 27, 2013

MR. MARSDEN MOVED TO APPROVE THE MEETING MINUTES OF SEPTEMBER 18, 2013, AS WRITTEN. THE MOTION WAS SECONDED BY MR. CONLEY. ALL IN FAVOR.

MR. MARSDEN MOVED TO APPROVE THE MEETING MINUTES OF SEPTEMBER 25, 2013, AS WRITTEN. THE MOTION WAS SECONDED BY MR. CONLEY. ALL IN FAVOR.

MR. MARSDEN MOVED TO APPROVE THE MEETING MINUTES OF OCTOBER 2, 2013, AS WRITTEN. THE MOTION WAS SECONDED BY MR. CONLEY. ALL IN FAVOR.

MR. MARSDEN MOVED TO APPROVE THE MEETING MINUTES OF OCTOBER 9, 2013, AS WRITTEN. THE MOTION WAS SECONDED BY MR. CONLEY. ALL IN FAVOR.

MR. MARSDEN MOVED TO APPROVE THE MEETING MINUTES OF NOVEMBER 27, 2013, AS WRITTEN. THE MOTION WAS SECONDED BY MR. CONLEY. ALL IN FAVOR.

NOTICE OF 2014 TOWN MEETING AND TOWN ELECTION

MR. MARSDEN MOVED TO APPROVE AND SIGN THE ANNUAL TOWN MEETING NOTICE ON MAY 5, 2014, AND FOR THE ANNUAL TOWN ELECTION ON TUESDAY MAY 20, 2014. THE MOTION WAS SECONDED BY MR. CONLEY. ALL IN FAVOR.

REQUEST FOR SECOND BANNER LOCATION

MR. MARSDEN MOVED TO APPROVE THE REQUEST FROM THE BOY SCOUTS FOR THE SECOND LOCATION BANNER FOR THE LAST WEEK OF JANUARY 2014. THE MOTION WAS SECONDED BY MR. CONLEY. ALL IN FAVOR.

SELECTMEN'S 2014 MEETING SCHEDULE

MR. MARSDEN MOVED TO APPROVE THE FOLLOWING SELECTMEN'S MEETING'S JANUARY 8, JANUARY 22, FEBRUARY 5, FEBRUARY 19, MARCH 5, MARCH 19, APRIL 2, APRIL 16, APRIL 30, MAY 14, MAY 28, JUNE 11, AND JUNE 25, 2014. THE MOTION WAS SECONDED BY MR. CONLEY. ALL IN FAVOR.

REQUEST FOR SENIOR CENTER FEE WAIVER

MR. CONLEY MOVED TO APPROVE THE WAIVER REQUEST FOR THE VFW AND THE AMERICAN LEGION TO HOST A ROAST BEEF DINNER AT THE SENIOR CENTER ON JANUARY 5, 2014. THE MOTION WAS SECONDED BY MR. MARSDEN. ALL IN FAVOR.

POLICY FOR CONDUCT AT MEETINGS

MR. MARSDEN READ THE NEW POLICY FOR CONDUCT FOR SELECTMEN'S MEETINGS.

MR. CONLEY MOVED TO APPROVE THE NEW POLICY FOR CONDUCT AT SELECTMEN'S MEETINGS. THE MOTION WAS SECONDED BY MR. MARSDEN. ALL IN FAVOR.

APPOINTMENT OF WEAVERS - COVANTA

MR. MARSDEN MOVED TO APPOINT SHARON LEAVITT, RYAN FILLION AND JESSE BOYLE AS SWORN WEAVERS. THE MOTION WAS SECONDED BY MR. CONLEY. ALL IN FAVOR.

Mr. Leary reminded them that they will need to be sworn in before they can act in this position.

PURPLE HEART PROCLAMATION

Mr. Leary said that by doing so we can be designated a "Purple Heart Community".

Mr. Leary said that most of the surrounding Towns are already Purple Heart Communities.

Mr. Leary said that the first step would be a proclamation that is signed by the Board and sent to the National Purple Heart Committee. He said that the Committee would vote on it and send it back to us.

Mr. Leary said that this is the right thing to do.

Mr. Conley read the proclamation.

MR. CONLEY MOVED TO APPROVE AND SIGN THE PURPLE HEART COMMUNITY PROCLAMATION. THE MOTION WAS SECONDED BY MR. MARSDEN. ALL IN FAVOR.

AXTON CROSS PERMIT DENIAL HEARING

AT 8:00 P.M. MR. MARSDEN MOVED TO OPEN THE AXTON CROSS PERMIT DENIAL HEARING. THE MOTION WAS SECONDED BY MR. CONLEY. ALL IN FAVOR.

Mr. Le Beau said that if we open the hearing then we can close it because there is not a representative from Axton Cross at this meeting. Mr. Le Beau also said that this would be the second continuance hearing.

Mr. Conley said that Axton Cross has a large parcel of land with a building on it and they owe the Town a lot of money. Mr. Conley said that Axton Cross wants to take the building down. Mr. Conley said that the land is more valuable with the building down than the building up. Mr. Le Beau said that he can't offer a judgment on that. He said the property has a history of contamination, because of the nature of the business that was conducted on the property. Mr. Le Beau said that among the DEP, the EPA, the local Conservation Commission and the Board of Health there are a number of chemical contamination issues that are of concern. He said that the soil and the out buildings and there is also a stream running through the property that all may be contaminated. Mr. Conley said that if the building coming down would not affect the quality of the ground. Mr. Le Beau said that the DEP and EPA are watching this and are reviewing the proposal because of the concerns about the potential when the building comes down that it does not disturb contamination.

Mr. Marsden said that this could be a huge project. Mr. Marsden said that it would be very expensive to knock-down the building. How can they afford it when they can't pay their back taxes. Mr. Marsden said that Axton Cross wants the Town to do everything for them, but they will not do anything for the Town. Mr. Marsden said that this has been going on for years. Mr. Conley said that he thinks that Axton Cross is dragging their feet because it will cost millions of dollars to clean up the area. Mr. Conley said that Axton Cross does not want to address it with the Board. Mr. Leary said that the Axton Cross representative could not make it tonight but can come on December 18th.

AT 8:10 P.M., MR. CONLEY MOVED TO CONTINUE THE HEARING UNTIL DECEMBER 18, 2013. THE MOTION WAS SECONDED BY MR. MARSDEN. ALL IN FAVOR.

MR. FICCO – GOLF COURSE RESTAURANT AGREEMENT

Mr. Le Beau said that he has met with Mr. Ficco and they went over the agreement and they highlighted the changes for the Board. Mr. Le Beau said that there would be a two year agreement and a third year option and the decision for the option year would be based on the gross sales for the first two years against the average of the last three years. Mr. Le Beau also said that Mr. Ficco will pay the water, cable, internet and telephone. Mr. Le Beau said that the Town and Mr. Ficco would split the electric and the natural gas in year one 50/50. In year two Mr. Ficco would pay 75% and the Town would pay 25% of the electric and the natural gas and in year three Mr. Ficco would pay 100% of the electric and the natural gas. Mr. Le Beau said that the Town would be responsible for the building and major repairs unless there would be the fault of the manager. Mr. Le Beau said that the Town will paint the interior of the building prior to April 1, 2014, then repairing the three doors that are broken sometime during the calendar year. Mr. Le Beau said that the Town would provide a beer cooler. He said that when they do the walk-thru on Friday they can discuss the sandwich unit and the current beer cooler. Mr. Le Beau said that there are three issues to address. He said that in the past there was a base rent of \$500 per month he said that another issue would be lottery and the last is beer sale on holes two through eight. Mr. Le Beau said that beer sales can take place on holes one and then nine through eighteen. Mr. Ficco said that he did look into it and he thinks it was a liability for the cart to keep crossing the street. Mr. Leary said that Mr. Ficco should check in with his insurance company.

Mr. Marsden said that from what he can remember this was just a trial period to see what happens. Mr. Marsden said that he can't remember an issue at all. Mr. Ficco said that if the beer cart is offered on the entire course it will keep the number of private coolers off it. Mr. Marsden said that he does not have a problem at all with the beer cart traveling the entire course. Mr. Leary said that it would have to be approved by the ABCC. Mr. Le Beau said that working with ABCC is a long process. Mr. Conley said that he does not have a problem with the beer cart taking care of the entire course. Mr. Ficco asked about lottery. He said that he was thinking of Keno with the screen but he would be respectful to functions and not have it on. Mr. Marsden asked if it would be allowed to have lottery because the building is Town owned. Mr. Marsden said that assuming that lottery could be allowed he said that he could live with a scratch machine but not Keno. Mr. Leary said that he is not a Keno fan either. Mr. Conley said that he has golfed at a number of courses and he does not recall any lottery machines. He said that he would like to hold off for now and see how this plays out. He said that we can always revisit it. Mr. Leary said that lets have Mr. Ficco see if he can even have lottery first. Mr. Ficco said that when he made his proposal he came in at 12% for the food revenue unaware that there would be a base rent. He said that he would like to negotiate that especially November through February. Mr. Leary said that \$500 is very reasonable for the amount of space that is there. Mr. Ficco said that he would like to pay more rent during the season that way in the down months he will be ok. He said that he wants to see how the money comes in, buy functions or the golfers. Mr. Marsden said that if there is anything that you by for the restaurant keep your receipt. Mr. Ficco said that he will sign the agreement at the next meeting.

Debbie Moore, Golf Course Advisory Committee, said that the Rossi's have been making the meals for the Senior Center twice a week, and was wondering if Mr. Ficco was going to have the opportunity to do that or if he is planning on continuing it. Ms. Moore said that Ms. Rossi was planning on continuing the service but is unable to do it. Mr. Ficco said that he would be interested. Mr. Conley said that would be a separate deal. Mr. Le Beau said that he thought that they were going to continue the service but from a different location. Ms. Moore said that she was told today that it was not going to happen. Mr. Ficco said that he would talk to the Senior Center Director about taking it over it would be up to her. Mr. Ficco said that the name of the restaurant will be Anthony's on the Green.

CHAPTER 90 VOTE

Mr. Le Beau said that the Highway Superintendent has asked the Board to endorse a request for reimbursement through the Chapter 90 program. Mr. Le Beau said that this request is for \$259,000 for work on Church Street, Elm Street and Grove Street.

MR. MASDEN MOVED TO APPROVE THE CHAPTER 90 REIMBURSEMENT IN THE AMOUNT OF \$259,000 FOR CHURCH STREET, ELM STREET AND GROVE STREET. THE MOTION WAS SECONDED BY MR. CONLEY. ALL IN FAVOR.

DPW

Mr. Le Beau said that we received an e-mail from Representative Dykema's Office and they have reviewed the legislation with House Counsel and reading through this there were a few language changes. He said that at Town Meeting there was a vote to establish a Water Enterprise fund. He said that they could go back to Representative Dykema's office to reflect that vote.

AT 9:10 P.M. MR. MARSDEN MOVED TO ADJOURN. THE MOTION WAS SECONDED BY MR. CONLEY. ALL IN FAVOR.

Respectfully submitted,

Donna A. Muzzy

approved_____