

## HOLLISTON BOARD OF SELECTMEN

January 22, 2014  
7:30 P.M.

Selectmen's Meeting Minutes  
Town Hall

Present Jay Leary, Chairman; Kevin Conley, Vice Chairman; Jay Marsden, Clerk; Paul Le Beau, Town Administrator and Andrea Minihan, Administrative Assistant.

Mr. Leary said that any member of the public also has the right to make an audio or a video recording of an open session of a public meeting. A member of the public who wishes to record a meeting must first notify the Chairman and must comply with reasonable requirements regarding audio or video equipment established by the Chairman so as not to interfere with the meeting. The Chairman is required to inform other attendees that such recording is taking place at the beginning of the meeting.

### MR. MARSDEN MOVED TO APPROVE THE FOLLOWING WARRANT

14-32	GENERAL WARRANT	\$219,569.70
	VOIDS	\$ (180.00)
	STUDENT ACTIVITY (8030)	\$ 2,633.76
	MEALS TAX (220)	\$ 63.72
	MEDICARE (001)	\$ 661.00
	COMMUNITY PRESERVATION (265)	\$ 39.72
	PERFORMANCE DEPOSITS (801)	\$ 1,540.00
	AGENCY (890) VETERANS DISTRICT	\$ 125.00
	AGENCY (890) VETERANS DISTRICT PAYROLL	\$ 1,086.51
	GENERAL PAYROLL WARRANT	\$ 97,745.92
	TOWN PAYROLL	\$ 98,832.43
	TOTAL PAID WARRANT	\$323,285.33

### ACCOUNTANT'S NOTE:

ACCRUED DEDUCTION LIABILITIES NOT PAID	\$ 26,888.68
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### TREASURER'S NOTE:

WIRE TO HEALTH INSURANCE TRUST	\$ 15,998.88
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**THE MOTION WAS SECONDED BY MR. CONLEY. ALL IN FAVOR.**

### COMMENTS FROM THE BOARD

Mr. Leary thanked the Highway Department for a job well done with the last snow storm.

There were no comments from the audience

### PURPLE HEART COMMUNITY

Mr. Leary said that Mr. Agnew and Mr. Duruy from the Purple Heart Association were present.

Mr. Leary said that Mr. Agnew and Mr. Duruy acted very fast on this application. Mr. Agnew said that this Purple Heart is given out for bravery in a war. He said that it was first called a Badge of Merit then

it was changed to the Purple Heart in 1932. Mr. Agnew presented the Selectmen with a Certificate as a Purple Heart Community. Mr. Agnew said that August 7 is Purple Heart day.

Mr. Marsden read the proclamation for the Purple Heart.

Steve Bradford said that he is proud that Holliston is a Purple Heart Community.

#### **AXTON CROSS PERMIT DENIAL HEARING**

Mr. Leary said that he and Paul Le Beau, Town Administrator, Mary Bousquet, Treasurer/Collector; Patrick Costello, Legal Counsel for tax Title Management and representatives from the DEP and the EPA met. Mr. Le Beau said that Town Counsel said that if the Town were to foreclose as a tax lien, then the Town would become the owner of the property. He said that we would be protected from liability for past acts but we would still be obligated to diligently try to dispose of the property or we could lose that protection. Mr. Le Beau said that if we thought about holding onto the property for an extended period of time, then there would an obligation to try and pursue the long-term solution for the problems on the site. He said that we would also would have to maintain the property. We would have to clean up any incidents that may happen once we take ownership. Mr. Le Beau said that the DEP said that we could apply for funding to clean up the site, but it would be limited if there was the opportunity at all.

He said that the EPA has some grant funds available that could potentially be awarded to non-owners but those are in the nature of scoping the problem. Mr. Le Beau said that Mary Bousquet was able to get one of those grants about seven or eight years ago. Mr. Le Beau said that the EPA did some testing around the site and downstream and there were some positive results. He said that yes there is a pollution issue. Mr. Le Beau said that all that information was forwarded to the Board of Health. He said that if we were to get a payment it would not be for the full amount owed. He said that if the interest was going to be waived, we would have to go through the Department of Revenue for approval. Mr. Le Beau said that it is not advisable to take over the property. Mr. Marsden said that they have asked Attorney Healy for information on this project, and he has not gotten back to the Board. Mr. Leary said that Mr. Wexler who has been the person overseeing the property was unavailable to come to tonight's meeting. Mr. Marsden said that we should take the money but not take ownership of the property. Mr. Conley asked if they were going to give us the money without a demolition permit? Mr. Leary said that they should formally deny them a demolition permit. Mr. Tartakoff, Building Inspector said that he did not see that the building was in any danger of caving in.

Don Bates, Bullard Street, asked if there had been testing around the property? Mr. Leary said that yes the EPA has tested the property and yes there is pollution there. Mr. Leary said that if we own the property, we would have to take care of it. That is something that we do not want to get involved with. Mr. Bates asked what kind of chemicals were found. Mr. Leary said that the EPA knows what is there. Mr. Bates asked if it is in the brook as well. Mr. Leary said yes it has migrated there.

**MR. MARSDEN MOVED TO DENY THE DEMOLITION PERMIT FOR AXTON CROSS. THE MOTION WAS SECONDED BY MR. CONLEY. ALL IN FAVOR.**

Mr. Marsden said that they would talk to Mr. Wexler about paying the Town the \$140,000. And the property should be secured with a fence. Mr. Wexler should take care of that.

**AT 7:58 P.M., MR. MARSDEN MOVED TO CLOSE THE AXTON CROSS PERMIT DENIAL HEARING. THE MOTION WAS SECONDED BY MR. CONLEY. ALL IN FAVOR.**

**OPEN SPACE COMMITTEE – APPROVAL OF INVOICES**

Rachel Kane and George Johnson were present. Ms. Kane said that Mr. Johnson has paid for some legal work that was needed for the Open Space Committee. She said that this was in regards to the Bullard Farm Property. She said that it was very complicated and time sensitive. Ms. Kane said that Mr. Johnson has paid \$1,575.79. She said that if the grant was approved, Mr. Johnson was looking for reimbursement from the grant. Ms. Kane said that the Town did not receive the grant that they were trying to obtain. Mr. Leary said that Mr. Johnson should have come to the Selectmen, they may have been able to help. Mr. Johnson said that he did not have enough time. He needed to act right away. Mr. Leary said that the Finance Committee approve this invoice at last night's meeting.

**MR. MARSDEN MOVED TO REIMBURSE GEORGE JOHNSON IN THE AMOUNT OF \$1,575.79 FOR THE LEGAL WORK ON BULLARD FARM. THE MOTION WAS SECONDED BY MR. CONLEY. ALL IN FAVOR.**

**BOARD OF WATER COMMISSIONERS – HIRING OF WATER OPERATOR**

David Keating and Doug Valovcin were present for the Water Department. Mr. Keating said that prior to the last Town Meeting, they had budgeted and approved to create an additional Water Operator position. Mr. Keating said that position needs to be filled. He said that the Water Superintendent has retired and Mr. Valovcin has taken over some of his duties as well as his own. He said that they are short two people. The Water Department has an Operator that is going to retire in January. He said that at the end of January, the Water Department will be short three people. Mr. Keating said that they would like to create two foreman positions. He suggested that they be hourly paid and not on salary. He said one would be a Water Treatment foreman and the other a Water Distribution foreman. He suggested to promote from within. He said that the positions would help cover the balance of the work that Mr. Valovcin has been doing. Mr. Keating said that Mr. Valovcin has been doing two jobs, Operation Manager and Superintendent. Mr. Keating said that both positions are suffering. Mr. Keating said that they would also like to hire two more Water System Operators. Mr. Leary said that he thought that the Water Department was only looking for one operator. Mr. Keating said that one was approved at Town Meeting. He would like to hire an additional person to replace Mr. Chartrand when he retires at the end of the month. Mr. Keating said that the foreman positions need to be filled ASAP. Mr. Leary asked if they were planning on doing that from with-in. Mr. Keating said yes. He said that if they can't be filled from with-in they will go to the outside.

Mr. Leary asked Mr. Conley if this had been discussed at a DPW Meeting? Mr. Conley said no. But, they did discuss when the new Director comes on board he can formulate positions as he sees fit. Mr. Conley said that he is not sure that these positions will fit in with a new director. He said that things will be changed around. Mr. Conley said that we want the new Director to form the Department as he sees fit. Mr. Keating said that you want a running Department when he starts.

Mr. Le Beau said that when Mr. Chartrand retires at the end of the month, there will be four water operators in addition to Mr. Valovcin. Mr. Valovcin said yes. Mr. Le Beau asked if the foreman positions were part of the budget? Mr. Valovcin said no they were not part of the budget, but those positions have always been there. Mr. Le Beau said that the Water Department knew that the Superintendent was going to retire. He said that there must have been a thought that the Operations Manager would move up. He asked if there was any discussion about management structure. He asked if there was talk about the two foreman positions at budget time. Mr. Valovcin said no, not when the budget was done. He said that they did not discuss the foreman positions at that time. Mr. Valovcin said that since he has become the Superintendent, because his work load has increased, he needs someone to assign a work load. He said that they have five operators and they are all paid the same salary. He said that it is difficult to give them more responsibility if they are not paid for it. Mr. Le Beau said that he is uncomfortable creating two foremen positions under the current budget. One maybe but not two. Mr. Valovcin said that a study was done in 2006 that said that the Water Department should have a working foreman on the distribution side and a Chief Operator on the Treatment side Mr. Valovcin said that those positions have been there. Mr. Le Beau said that the study was seven to eight years ago and this was not incorporated into the budget and staffing model that the Water Department has been using since then. Mr. Le Beau said that he understands that Mr. Valovcin has a lot of work to do and he needs help so maybe one foreman is reasonable at this point in time. Mr. Le Beau said that creating two foreman positions would be adding to the staff with the hiring of Water operator. Mr. Le Beau said that an incoming DPW Director may have other thoughts or plans. Mr. Valovcin said that in other Town that he has worked at there is an assigned person to run the treatment plant and one to run the distribution plant. Mr. Valovcin said that he is not looking to do anything different than any other DPW. Mr. Valovcin said that it can be discussed as overtime pay or some kind of compensation for additional work. That may be an alternative to be discussed. Mr. Valovcin said that all the Operators are doing more work than they are compensated for. Mr. Marsden said he finds it difficult to hire or promote, with a new DPW Director starting soon. Mr. Keating said that people have stepped- up to help with the extra work load and they are not being compensated. Mr. Keating said that since the retirement of Mr. Sharpin, the staff has been doing more and more. Mr. Conley asked if the Water Department promotes two Water Operators to Foreman will you still be within budget? Mr. Keating said yes. Mr. Conley asked if the Water Department gave the two individuals who they want to promote to foremen four hours of overtime instead, would that be sufficient? Mr. Valovcin said that they would have to discuss that. Mr. Marsden said that he would like to replace the retiree than promote for now. Mr. Valovcin said that they could offer a stipend for a short time to cover the extra work that the staff has been doing. Mr. Le Beau said that a stipend position would be easier to unwind than a position change. Mr. Le Beau asked how close are we to getting well #4 up and going? Mr. Valovcin said that the well is working but not full time, just about 5 hours per day. Mr. Le Beau said that everything has been done to well #4 to get it ready and there are no more requests from the DEP. Mr. Valovcin said the project is coming to an end. Mr. Marsden asked why is well #4 not running full-time? Mr. Valovcin said that he does not have the staff to keep it running fulltime. Mr. Valovcin said that as long as there is a licensed operator, they can run the plant as long as they want. Mr. Leary said that he thinks a stipend would be much better than a promotion at this time. He said that when the new DPW Director arrives he, can promote if they thought that it was the wise thing to do. Mr. Leary asked Mr. Valovcin what

amount he would recommend as the stipend amount? Mr. Valovcin said he did not have an amount. They will be talking about it. Mr. Valovcin said that he will draw up the job descriptions with the new changes. Mr. Marsden said that the job description will show the new responsibilities associated with the stipend. Mr. Keating said that he is uncomfortable with this because the Water Operators have been keeping the water system going. He said that this will be compensation for keeping things going and they have been doing it for awhile. Mr. Valovcin said that everything that is going on at well #4 is all new.

**MR. MARSDEN MOVED TO ALLOW THE WATER DEPARTMENT TO HIRE TWO WATER OPERATORS AND WAIT UNTIL THE STIPEND INFORMATION IS PROVIDED TO THE SELECTMEN INCLUDING JOB DESCRIPTIONS. THE MOTION WAS SECONDED BY MR. CONLEY. ALL IN FAVOR.**

#### **BUILDING INSPECTOR FY 15 BUDGET REQUEST**

Peter Tartakoff, Building Inspector, was present to discuss his budget. Mr. Tartakoff said he was able to meet the budget amount with the two full time positions. He said that he adjusted some line items as well. He said that he was able to come in under guideline. Mr. Tartakoff said that he would like to increase his Professional line so that they could take some classes for their new computers. He said that there is new software that they will need training on. Mr. Tartakoff said that the car that he uses for Town inspections is getting older and he is going to put more funds into this vehicle repair line. Mr. Tartakoff said that his Inspectors get paid through a revolving account with the fees that are charged. Mr. Tartakoff said that this is the last year of the copy machine contract. He said that they are not sure how much a new lease is going to be or a maintenance contract. He has suggested that this be part of Public Building equipment. Mr. Tartakoff said that there is a lot of construction going on in Town. He said that the State has changed many of the codes, so he and his staff are working on learning them. Mr. Le Beau said that the copier that the Board of Health and the Building Inspector pay for will now be coming out of Public Buildings. Mr. Le Beau said that the only thing that they would have to pay for is paper. All the toners will fall under the contract.

#### **TECHNOLOGY FY 15 BUDGET REQUEST**

Chuck Corman, Technology Director, was present to talk about his budget. Mr. Corman said he was able to meet the guidelines. He said that the file server is five or six years old and he is looking to up-date it. He said that he wants to take one of the old Munis servers and turn it into the Treasurer's Office server. He said that they would like to save more data. He said that they have installed portable scanners at each work station in the Treasurer's Office. He also said that the oldest server is now used by the Assessor's Office and is about ten years old. Mr. Corman said that we have several locations that are not on the Town network. That includes the Highway Department, Senior Center and the Foundry are not on the fiber network. Mr. Corman said that they are running on ComCast residential network. Mr. Corman said that he thinks that he can purchase a server for about six thousand dollars. Mr. Corman said that he has purchased 50 computers this year, so he will not be purchasing any next year. Mr. Corman said to bring the three buildings to the Town network, they would have to be wired by a private company from points in the street. He said that there are multiple fibers coming from the High school and they branch off. Mr. Corman said that he knows where the points are. Mr. Leary asked if he knew

how much that would cost. Mr. Corman said that the price that he has is old. Mr. Le Beau said that we have the funds from the Verizon contract to do this.

**BOARD BUSINESS**

**MINUTES OF OCTOBER 30, 2013, NOVEMBER 13, 2013 AND JANUARY 16, 2014 (ALL BOARDS)**

**MR. MARSDEN MOVED TO APPROVE THE MEETING MINUTES OF OCTOBER 30, 2013, AS WRITTEN. THE MOTION WAS SECONDED BY MR. CONLEY. ALL IN FAVOR.**

**MR. MARSDEN MOVED TO APPROVE THE MEETING MINUTES OF NOVEMBER 13, 2013, AS WRITTEN. THE MOTION WAS SECONDED BY MR. CONLEY. ALL IN FAVOR.**

**MR. MARSDEN MOVED TO APPROVE THE MEETING MINUTES OF JANUARY 16, 2014, ALL BOARDS MEETING AS WRITTEN. THE MOTION WAS SECONDED BY MR. CONLEY. ALL IN FAVOR.**

**WAIVER OF FEES – HISTORICAL SOCIETY**

**MR. CONLEY MOVED TO CHARGE THE HISTORICAL SOCIETY THE NON-PROFIT RATE OF \$100.00 FOR THE TRAIN SHOW ON FEBRUARY 15<sup>TH</sup> AND 16<sup>TH</sup>. THE MOTION WAS SECONDED BY MR. MARSDEN. ALL IN FAVOR.**

**ONE DAY LICENSES – SPECIAL OCCASIONS SERVERS AND ANTHONY'S ON THE GREEN**

**MR. MARSDEN MOVED TO APPROVE THE ALL ALCOHOLIC BEVERAGE LICENSE FOR SPECIAL OCCASIONS SERVERS FOR FEBRUARY 8, 2014, AT THE SENIOR CENTER FROM 6:00 P.M. TO MIDNIGHT. THE MOTION WAS SECONDED BY MR. CONLEY. ALL IN FAVOR.**

**MR. MARSDEN MOVED TO APPROVE A ONE DAY ALL ALCOHOLIC BEVERAGE LICENSE FOR ANTHONY'S ON THE GREEN FOR JANUARY 25, 2014. THE MOTION WAS SECONDED BY MR. CONLEY. ALL IN FAVOR.**

**MR. MARSDEN MOVED TO APPROVE A ONE DAY ALL ALCOHOLIC BEVERAGE LICENSE FOR ANTHONY'S ON THE GREEN FOR JANUARY 27, 2014. THE MOTION WAS SECONDED BY MR. CONLEY. ALL IN FAVOR.**

**MR. MARSDEN MOVED TO APPROVE A ONE DAY ALL ALCOHOLIC BEVERAGE LICENSE FOR ANTHONY'S ON THE GREEN FOR FEBRUARY 1, 2014. THE MOTION WAS SECONDED BY MR. CONLEY. ALL IN FAVOR.**

**MR. MARSDEN MOVED TO APPROVE A ONE DAY ALL ALCOHOLIC BEVERAGE LICENSE FOR ANTHONY'S ON THE GREEN FOR FEBRUARY 8, 2014. THE MOTION WAS SECONDED BY MR. CONLEY. ALL IN FAVOR.**

**MR. MARSDEN MOVED TO APPROVE A ONE DAY ALL ALCOHOLIC BEVERAGE LICENSE FOR ANTHONY'S ON THE GREEN FOR FEBRUARY 9, 2014. THE MOTION WAS SECONDED BY MR. CONLEY. ALL IN FAVOR.**

**MR. MARSDEN MOVED TO APPROVE A ONE DAY ALL ALCOHOLIC BEVERAGE LICENSE FOR ANTHONY'S ON THE GREEN FOR FEBRUARY 10, 2014. THE MOTION WAS SECONDED BY MR. CONLEY. ALL IN FAVOR.**

**MR. MARSDEN MOVED TO APPROVE A ONE DAY ALL ALCOHOLIC BEVERAGE LICENSE FOR ANTHONY'S ON THE GREEN FOR FEBRUARY 15, 2014. THE MOTION WAS SECONDED BY MR. CONLEY. ALL IN FAVOR.**

**MR. CONLEY MOVED TO APPOINT JAY MARSDEN AS THE BOARDS REPRESENTATIVE FOR NEGOTIATIONS FOR THE POLICE CONTRACT. THE MOTION WAS SECONDED BY MR. LEARY. ALL IN FAVOR.**

**AT 9:36 P.M., MR. MARSDEN MOVED TO ENTER INTO EXECUTIVE SESSION TO DISCUSS DEPLOYMENT OF SECURITY PERSONNEL; STRATEGY FOR NEGOTIATIONS WITH NON-UNION PERSONNEL; STRATEGY WITH RESPECT TO LITIGATION CAPTIONED JOHNSON GOLF MANAGEMENT V. TOWN OF HOLLISTON. THE MOTION WAS SECONDED BY MR. CONLEY. A ROLL CALL VOTE WAS TAKEN.**

	AYE	NAY
MR. LEARY	X	
MR. CONLEY	X	
MR. MARSDEN	X	

**MR. LEARY SAID A PUBLIC DISCUSSION COULD ADVERSELY AFFECT THE TOWN'S BARGAINING AND LITIGATION POSITION. HE SAID THE EXECUTIVE SESSION WOULD LAST ABOUT ONE HOUR.**

**AT 10:55 P.M. THE BOARD EMERGED FROM EXECUTIVE SESSION AND MR. MARSDEN MOVED TO ADJOURN. THE MOTION WAS SECONDED BY MR. CONLEY. ALL IN FAVOR.**

Respectfully submitted,

Donna A. Muzzy

approved\_\_\_\_\_

