

HOLLISTON BOARD OF SELECTMEN

April 2, 2012
7:30 P.M.

Selectmen's Meeting Room
Town Hall

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

MR. CONLEY MOVED TO APPROVE THE FOLLOWING WARRANTS

12-41	GENERAL WARRANT	\$ 93,799.02
	STUDENT ACTIVITY (8030)	\$ 8,100.00
	COMMUNITY PRESERVATION (265)	\$ 55.81
	CAPITAL PROJECTS FIRE TRUCK(3900)	\$ 918.14
	HEALTH INSURANCE TRUST (701)	\$ 7,356.00
	PERFORMANCE DEPOSITS (801)	\$ 1,825.00
	AGENCY (890) VETERANS DISTRICT	\$ 990.16
	STUDENT ACTIVITY H/S	\$ 22,500.00
	PAYROLL	\$ 95,115.10
	TOTAL	\$230,660.08

ACCOUNTANT'S NOTE:

ACCRUED DEDUCTION LIABILITIES NOT PAID
\$ 28,612.73

TREASURER'S NOTE:

WIRE TO HEALTH INSURANCE TRUST
\$ 17,660.08

THE MOTION WAS SECONDED BY MR. MARSDEN. TWO IN FAVOR. MR. LEARY WAS NOT PRESENT.

There were no comments from the Board or audience

POLICE CHIEF – AUXILIARY POLICE & CIVILIAN DISTINGUISHED SERVICE AWARD

Chief Moore said Gordon Johnson, retired member of the Finance Committee and the husband of Judi Johnson, who is the secretary for the Police Department has come home from the hospital. He said that they are asking for thoughts and prayers. He also said that Mary Lou Laumeiseter who was the retired secretary for the police department passed away. He said that they had a Police Honor Guard which included Glenn Dalrymple Craig Denman, David Gatchell, Ciara Ryan, Andy McGray, Ed Connors and Matt Waugh.

Chief Moore said that a young man named Henry Tate, who is 9 years old, sold snacks at the Spring Stroll. Chief Moore said that Henry stood in the cold and rain for 3 hours and he raised \$200 for the K9 program.

CITIZENS CITATION TO SCOTT DAMIGELLA

Chief Moore said that Mr. Damigella could not be present tonight but he is being awarded a Citizens Citation. On March 21, 2012, Mr. Damigella was out delivering oil and he noticed that the resident was not responding. Mr. Damigella called 911. The Police, Ambulance and Fire departments responded. The gentleman was having a diabetic reaction and he was transported to the hospital.

AUXILIARY POLICE RETIREMENT - DAVID RUTH

Chief Moore wanted to thank Captain David Ruth for all the years of service he gave to the Auxiliary Police. Chief Moore said he was an Auxiliary for over 40 years. Chief Moore said that every member of Auxiliary Police was in the audience. Chief Moore read a Meritorious Service Award given by the Department.

David Ruth thanked the Board of Selectmen, Chief Moore, the Auxiliary Police and Sergeant Craig Denman for all the kind words. Mr. Ruth also thanked his family for all their support through-out the years.

AT 7:45 P.M. MR. CONLEY READ THE FEE HEARING NOTICE – SEALER OF WEIGHTS AND MEASURES.

Jack Walsh, Sealer of Weights and Measurers, was present to discuss the fee hearing. Mr. Walsh said that the last time that he requested an increase of fees was May 2006. He said that in 2011 he brought in \$3,830. He said that with the fee increase, it would increase the fees by \$1,100. He said that over 6 years it is a 25% increase.

Mr. Marsden asked who would be impacted by a rate increase. Mr. Walsh said vehicle truck scales there are 5 in Town, gas meters and scales at stores or farms.

Mr. Le Beau said that Mr. Walsh has been with us for some time now and it has been a pleasure to have Mr. Walsh.

AT 7:50 P.M., MR. CONLEY MOVED TO CLOSE THE HEARING. THE MOTION WAS SECONDED BY MR. MARSDEN. TWO IN FAVOR. MR. LEARY WAS NOT PRESENT.

MR. CONLEY MOVED TO APPROVE THE RATE INCREASE OF FEES FOR THE SEALER OF WEIGHTS AND MEASURES. THE MOTION WAS SECONDED BY MR. MARSDEN. TWO IN FAVOR. MR. LEARY WAS NOT PRESENT.

PLANNING BOARD CHAIRMAN – MASTER PLAN DRAFT RECOMMENDATIONS POSTPONED**BOBBY BLAIR**

Mr. Blair said that the Downtown Marigold project is going strong. He said that he is putting in more flowers in the downtown area. Mr. Blair said that he received a call from

Mary Greendale about America in Bloom. He said that this program has been around for about 10 years. He said that it not all about flowers it contains six different areas including landscaping, overall impression, heritage preservation, environmental efforts, urban forest and floral display. Mr. Blair said that it cost \$1,000 just to enter into the competition. He said there are 25 other cities or towns competing. Mr. Blair said that the Town has put a lot into preserving Town records. Mr. Blair said that the Town Clerk will be giving a tour of her old records. Mr. Blair said that the judges will be in town for two days and they will be staying in town. Mr. Blair said that he has spoken with the Historical Commission and they would like to replace or refurbish the cemetery signs. Mr. Blair said that at the corner of Winthrop Street there is a small green connected to the rail trail and he is planning on putting in flower beds. Mr. Blair said that he is looking for committees or clubs to help pick-up the town.

ECONOMIC DEVELOPMENT COMMITTEE UPDATE

Fran Colantonio, Peter Barbieri and Mark Ahronian were present. Mr. Colantonio said that they did a survey on business that had applied permits that included many departments including Building, Conservation, Planning, Zoning and Board of Health. He said that they created a survey sheet. Each member of the Committee went out and selected different people and interviewed them. He said that they were surprised about a few things and not so surprised about others. He said that the common thread was that the town is not business friendly. He said that people think it stems from inspectional services which is usually the first contact.

Mr. Barbieri said that the letter they sent broke it up into a couple different headings. Mr. Barbieri said that when they interviewed the businesses, they were told everything they said would be confidential. Mr. Barbieri said that they learned that there is a lack of communication between the departments. He said that when a project begins the applicant, the builder or architect, and the town departments that would be involved should sit down and talk about it.

Mr. Colantonio said that if you have the same member on two different boards it tends to confuse things even further. Mr. Colantonio said that the client should have a list of everything that needs to be done. He said it would save money and time.

Mr. Colantonio said that Medway and Leominster had comprehensive surveys.

Mr. Colantonio said that the State has a regulation for a 50 feet buffer from wetlands the Town has a 100 foot buffer. He said if the state is saying you only have to meet this amount of footage, why do we make residents go for an additional 50 feet?

Mr. Marsden said that everyone should know the rules coming into a project.

Mr. Ahronian said that several people got what they needed to start a project and then were told that they needed more.

Mr. Colantonio said that the problem area is very specific in the report.

Mr. Conley said that he even suggested that the Building Inspector hand-out surveys asking how was his service?

Mr. Colantonio said that most people would not fill out a survey in front of a department head.

Mr. Colantonio said that we have to look at the businesses in town as customers.

Mr. Colantonio and Mr. Barbieri will start working on a Webpage that will connect to the Town Webpage.

Mr. Colantonio said that with the Selectmen's permission, the committee will pass out surveys to the businesses in Town. He also said that they are planning on getting in touch with the department heads to talk about the surveys when they come back. Mr. Colantonio said that several people are on multiple Boards. He said that in State Government, you can do it but is not right for Holliston? He said that would be up to the Selectmen to decide.

Mr. Le Beau said that he will scan the survey and send it electronically to staff.

Mr. Marsden thanked the Committee for all the time that they put into this.

At 8:30 P.M., Mr. Leary joined the meeting

MR. DOWD

Mr. Dowd said that he has been looking into the Town employee health benefits plan. He said that he is concerned about an elected official collecting a stipend. They can collect health insurance if they take a stipend. He said that he has now looked into the elected official collecting the stipend and most do not take insurance. Mr. Dowd said that there is one position that collects a stipend and is eligible for health insurance. This is the Town Clerk. He said that the Town Clerk's pay comes out of the budget. Mr. Dowd said that a stipend should be voted on at Town Meeting. Mr. Dowd said that he would like to place an Article on the Town Meeting Warrant that addresses the compensation for elected officials. He said that with the Town Clerk stipend, as full time position, would be specific in the Article. Mr. Dowd said that he has spoken with many who took the position with a stipend and they did not take the position for the pay.

Mr. Leary asked what Mr. Dowd wanted the Selectmen to do? Mr. Dowd said he would like his Article to be sponsored by the Selectmen.

Mr. Leary said that they voted a budget at Town Meeting and the stipend is in the budget amount. Mr. Dowd said the Boards or the Commissions has that authority to modify the stipend at its discretion. Mr. Leary said that he does not see the stipends overly used. He said that it has not changed in over ten years. Mr. Leary said what Mr. Dowd is trying to do is stop health insurance for elected officials. Mr. Dowd said that the Finance Committee and the School Committee do not have a stipend in their budget, yet other Committees do. Mr. Leary said that the School Committee and the Finance Committee could vote for a stipend. Mr. Dowd said that when he looked into who was collecting a stipend and buying into health insurance, there were two and one has withdrawn from the Town insurance for a private plan. Mr. Leary said with all the people who could get health insurance, there is only one. It is clearly not being abused.

Mr. Conley said that some boards put in a lot of time. He said that they can save the Town a lot of money with their efforts. Mr. Conley asked if the Assessors save as much for the Town as the amount of there stipend. Mr. Leary said that Mr. Dowd wants to stop the stipend. Mr. Dowd asked if the Article is not sponsored by the Selectmen, is

there enough time for a citizen's petition? Mr. Le Beau said on April 17th the Warrant will close. Mr. Leary suggested that Mr. Dowd put together the wording for his Article. Fred Carnes, 24 Wedgewood Drive, asked how many people receive stipends and health insurance. Mr. Marsden said only one.

Ken Szjada, 676 Fiske Street, said that the Town votes on the stipend in the individual line items. He said that they are approved.

Carl Damigella, 448 Underwood Street, said that if you look at the Annual Report, everyone who receives a pay check from the Town all the amounts are listed.

Mr. Le Beau said that if the practice that the Town has been following does not conform to the law that is not the case. Town Counsel has confirmed. He said that his experience has been that list of stipends for Elected Officials the most recent one on that list is the Assessors. He said that it was the subject to a discussion at Town Meeting. He said that it was part of Town Meeting and the consideration of the meeting. He said that if the concern is the visibility he said that it could be noted in the Omnibus Budget chart. He said that on that page of the budget under the note column, it could show the amount of the stipend. Mr. Le Beau said that if it going to be the goal to stop the practice of compensating Elected Officials that qualify for health insurance, he said the best way to approach it is to propose special legislation. Which would ask legislation to pass a special act that makes Holliston an exemption to the General Laws that says that Elected Officials who receive any form of compensation can qualify for health insurance. Mr. Le Beau said that he believes that there is one Town that got a special act passed that an Elected Official had to be compensated at least \$5,000 per year before they were to be considered for health insurance.

Mr. Dowd said about the note page on the Omnibus Budget and if someone on the floor amends the stipend amount from the budget, that does not terminate the payment of the stipend, the Board or Committee has the right to continue to receive the stipend and to find the money from some other source. He said that someone told him this.

OPEB TRUST FUND

Mr. Marsden said that Manchester by the Sea is voting on OPEB this evening, and they were planning on putting aside some funds. He asked if there was a change in the law, what would happen to the funds? Mr. Marsden said that at the state level, they would like to pool the funds. Mr. Marsden said that he would like to put our funds into a section 115 trust.

Mr. Marsden said that Manchester by the Sea is a small town of about 5,500 people.

Mr. Leary said the Finance Committee will set aside some funds.

Mr. Szjada said that the Finance Committee did not say that they wanted to put funds in an OPEB Trust. He said that he recognizes that the Trust issue is separate. He said that they want to start working towards the funding that is required. Mr. Szjada said that he did not expect to go to Town Meeting for the OPEB Trust. He said they want to start addressing the liability. He said that they will be able to take a fraction of the levy increase amount every year for 4 to 5 years so that it adds up. He said that it would be a

more gradual transition. He said half a million this year and with the hope the next few years they can continue with it until they make the two and half million dollars.

Mr. Marsden asked if there was another funding solution. Mr. Szjada said that they could move the funds to a secure account. Mr. Szjada said that the OPEB Trust is too unstable. Mr. Leary said that we have to do something. He said that Wellesley funded their OPEB through an override.

Mr. Szjada said that the residents could vote to fund this on an override if the Board suggested. Mr. Szjada said that this year they would like to set funds aside in the amount of half a million dollars. He said that this could be a vote at Town Meeting.

Mr. Le Beau said that the Town went for an override for the building of the schools and the Police Station. He said when that debt is paid off, that part of the tax levy will disappear. He said that unless the funds are placed in a separate dedicated OPEB trust the Town will not get credit for it. The current state law, amended in 2011, appears to satisfy the requirements of GASB 45.

Mr. Leary spoke of adding funds from several towns together to pool the funds. He said that we may get a better return. He said that they have been talking about that at the state level.

Tom Meehan said that they could do a one time over-ride to retire debt. He said that he has not researched this, but there has been talk. He said maybe next May and at the same time set up a trust fund. Mr. Meehan asked if the half a million dollars towards the debt is the way to go or the direction we want to take.

Mr. Dowd said that each city and town tries to manage their own pension and retirement fund he said that the scale of returns is much higher if the funds were pooled. Mr. Dowd said that it will take many years to reach the level that we need to fund the benefits.

Mr. Szjada said that no-one is opposed to the state holding the funds. His concern is making sure that the safeguards are in place so that the state does what they said they would do. He does not want to take a risk and throw large sums of cash and assuming it works out and we like what the state is doing, or they change the way things have been going can we remove our funds.

Mr. Leary said that we should put \$500,000 a side this year and have a task team look at a more comprehensive effort to address it.

Mr. Marsden said that they could talk about it at Town Meeting.

Keith Buday, School Business Manager, said that if they are looking into a 5 year plan starting this year, it will take 2.5 million dollars out of the budget. He said it would be a challenge.

Mr. Marsden said we need to start putting funds aside and a little is better than nothing.

Mr. Shultz said that the Finance Committee tried to put a chunk of money aside many years ago. He said that we have to start somewhere. He said that if we put in \$500,000 this year at least it is a start.

SUSTAINABLE MATERIALS RECOVERY PROGRAM GRANT

Mr. Marsden said that this will allow us to apply for recycling grants.

MR. LEARY MOVED TO AUTHORIZE THE CHAIRMAN TO SIGN THE SUSTAINABLE MATERIALS RECOVERY PROGRAM GRANT. THE MOTION WAS SECONDED BY MR. CONLEY. ALL IN FAVOR.

EAGLE SCOUT LETTER – DAVID HASTIE

Mr. Marsden said that David will achieve the rank of Eagle Scout in May. The Board signed a letter congratulating him on his success.

EVENT PERMITS

MR. LEARY MOVED TO APPROVE THE BLOCK PARTY ON MAY 5, 2012, ON QUEEN'S TERRACE. THE MOTION WAS SECONDED BY MR. CONLEY. ALL IN FAVOR.

MR. LEARY MOVED TO APPROVE THE LIONS' CLUB TRIATHALON ON JUNE 10, 2012. THE MOTION WAS SECONDED BY MR. MARSDEN. TWO IN FAVOR. MR. CONLEY ABSTAINED.

MR. LEARY MOVED TO APPROVE THE LIONS' CLUB WHITE CANE DRIVE ON MAY 12, 2012. THE MOTION WAS SECONDED BY MR. MARSDEN. TWO IN FAVOR. MR. CONLEY ABSTAINED.

MR. LEARY MOVED TO APPROVE THE MEMORIAL DAY PARADE PERMIT FOR MAY 28, 2012. THE MOTION WAS SECONDED BY MR. CONLEY. ALL IN FAVOR.

MR. LEARY MOVED TO APPROVE THE TRI STATE TREK ON JULY 20TH – 22ND 2012. THE MOTION WAS SECONDED BY MR. CONLEY. ALL IN FAVOR.

ONE DAY ALCOHOLIC BEVERAGE PERMIT – WARREN

MR. LEARY MOVED TO APPROVE AN ALL ALCOHOLIC BEVERAGE PERMIT FOR APRIL 29, 2012, IN THE UPPER TOWN HALL FROM 11:00 A.M. TO 4:00 P.M. THE MOTION WAS SECONDED BY MR. CONLEY. ALL IN FAVOR.

SOLID WASTE FEE WARRANT

Mr. Marsden said that this is at the request of Treasurer/Collector Mary Bousquet.

MR. LEARY MOVED TO AUTHORIZE THE TREASURER/COLLECTOR TO SUBMIT A WARRANT IN THE AMOUNT OF \$116.28 FOR THE SOLID WASTE FEE. THE MOTION WAS SECONDED BY MR. CONLEY. ALL IN FAVOR.

**SEASONAL COMMON VICTUALLER'S LICENSE – OUT POST FARM
MR. LEARY MOVED TO APPROVE A SEASONAL COMMON VICTUALLR'S
LICENSE FOR OUT POST FARM, 300 PRENTICE STREET, TO EXPIRE
OCTOBER 31, 2012. THE MOTION WAS SECONDED BY MR. CONLEY. ALL
IN FAVOR.**

ANDREWS SCHOOL AND LICENSING AUTHORITY WARRANT ARTICLES

Mr. Marsden said that there is a request to open the Warrant for the Annual Town Meeting to insert two Articles. One Article is for eminent domain proceeding for the Andrews School property.

He said that the second is to modify the Town General By-laws to affirm the Court ruling that prohibits limits on the number of used car dealer licenses.

**MR. LEARY MOVED TO OPEN THE WARRANT TO PUT THE TWO
ARTICLES IN. THE MOTION WAS SECONDED BY MR. CONLEY. ALL IN
FAVOR.**

There was a brief discussion on the Exterior Restoration Contract for Town Hall

**AT 9:50 P.M., MR. LEARY MOVED TO ENTER INTO EXECUTIVE SESSION.
THE MOTION WAS SECONDED BY MR. CONLEY. A ROLL CALL VOTE
WAS TAKEN.**

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

**AT 10:21 P.M., THE BOARD EMERGED FROM EXECUTIVE SESSION AND
VOTED TO ADJOURN.**

Respectfully submitted,

Donna A. Muzzy

approved_____