

HOLLISTON BOARD OF SELECTMEN

September 19, 2011
7:30 P.M.

Town Hall
Selectmen's Meeting Room

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

MR. CONLEY MOVED TO APPROVE THE FOLLOWING WARRANTS:

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| 12-13 GENERAL WARRANT | \$365,276.44 |
| STUDENT ACTIVITY (8030) | \$ 13,007.95 |
| EXPENDABLE TRUST (722) AFFORDABLE HOUSING TR. | \$ 2,259.68 |
| PERFORMANCE DEPOSITS (801) | \$ 668.75 |
| PAYROLL | \$ 92,909.62 |
| TOTAL | \$474,122.44 |

ACCOUNTANT'S NOTE:

ACCRUED DEDUCTION LIABILITIES NOT PAID

\$ 28,806.10

TREASURER'S NOTE:

WIRE TO HEALTH INSURANCE TRUST

\$ 18,282.86

THE MOTION WAS SECONDED BY MR. MARSDEN. TWO IN FAVOR. MR. LEARY WAS ABSENT.

COMMENTS FROM THE BOARD

Mr. Conley said that he went to the 911 Memorial Ceremony at the VFW and he was happy to see the Police and Firefighters receiving awards for saving lives.

Mr. Marsden said the 911 ceremony was nice. He also said that Holliston was one of few towns to have a ceremony. Mr. Marsden said that the Police Department received a State grant to make crossing the street safer. He said that they received \$5,000.

Pedestrian Safety Grant. Mr. Marsden said that Chief Cassidy received two letters of thanks from residents about tropical storm Irene. They had been given a pump help. Mr. Marsden also said that Chief Michael Cassidy was awarded the Partnership for Youth Award from the Middlesex Superintendents and Chiefs Director.

COMMENTS FROM THE AUDIENCE

William Dowd, 95 Shaw Farm Road, said that he has been working for over a year and half trying to get more exposure on the Towns budget and compensation and benefits of Town employees. He said that he is frustrated because he has been looking for a certain document and he has not received it. He is looking for the memo that went with the Police contract. Mr. Dowd said that Mr. Conley meet with him on Friday morning to try and close the loop on the information the he is looking for. Mr. Dowd said that Mr. Conley gave him an un-dated memo from the Police Department to the Selectmen signed only by the Police Union Representative, with a summary of the terms that were agreed to. He said that he had no idea if this was the memo that he has been waiting for. He

said that the memo was not signed by the town and did not have the changes that were made to the contract. He said that he has been looking for documents and when he asked if he needed a certain form to fill out asking for what he wants, he was told just tell us what you want and we will get it for you. He said that in the beginning, everything went smoothly but now it is difficult to get any information that he requests. He said that he will leave an official request. Mr. Dowd said that in the undated memo from Mr. Conley, a question that he has been asking the Selectmen and the Selectmen's Office was answered in that memo. He said that he just can't understand why it took so long to get that information. He said that the second item that he is looking for is a follow-up on the terms and conditions for the on-call firefighters. He said that he did not get any information on that request until two weeks ago on September 6th when he made that request to the Selectmen at their meeting. He said that now that he has the information, he and the Chief have a great and open line of communication. Mr. Dowd said that he is still working on the 60% contribution to the medical costs for retirees. He said that Blue Cross/Blue Shield is not a health maintenance organization and it is not eligible for the 60% contribution by the Town and as far as he knows they are still receiving it. He said that on June 22, 2011, he asked the Selectmen to re-consider the question about the 60% because it had been taken up by the Board on May 9th. He said that it took place at the High School just before Town Meeting. He said that cable TV and the press were present.

He said that he was the only non-Town Official in the room at that time. He said that he heard the conversation and Labor Counsel, John Carey, made a reference during the discussion on the 60% contribution. Mr. Carey said that given the fact that this had been going on for ten years, he believed it was a past practice. Mr. Dowd said that in an email on June 22 to the Board, he said that is potentially incorrect. He urged the Board to re-consider the conclusion of Labor Counsel on that question. He said that he never received an acknowledgement of that email or a response. He said that Mr. Conley told him that it may take out-side legal review. He said that he was flabbergasted. The issue was raised in April, evaluated in May, then for him to propose the question in June and then to be told the item may need out side legal counsel in September is completely unacceptable. He said that the violation still continues today. He said that all he has to do is go to court and get a court order forcing the vote at Town Meeting. He said that he is urging the Board to actively take this issue up so that it can be resolved so that the correct contribution can be applied to the Mass Mediex Program.

He said that he will be leaving the official request for the memo of May. He also is looking for the costs and savings associated with the items that were included with the Police Agreement. Mr. Dowd said that Mr. Conley said that it was around four thousand dollars. He said that he has no idea what year that number is from or what the two gross amounts are. He said that he would like the Board to take this into consideration and get him the information he is requesting.

Mr. Marsden said just so that we are clear, you are looking for the response from Mediex,

the memo of agreement with the Police Association, the costs and savings for the on-call Fire Department Associated with the terms of the agreement, he said that there are 12 or 13 items that were agreed to.

Carl Damigella, 448 Underwood Street said that as a retired Firefighter for over 25 years, he wanted to express the Town sympathy in the passing of Donald (Bud) Rawson. Mr. Damigella said that Mr. Rawson is a retired Fire Chief of Holliston. Mr. Damigella said that Mr. Rawson was also the retired Plumbing Inspector.

Mr. Damigella said that MWRTA had a meeting and voted to appoint Jason Smith as Chairman of the MWRTA, and Mr. Damigella will be the Clerk.

Mr. Damigella said that on September 14th, 2011 the Framingham Police Department presented the MWRTA with a grant to get AED's. He said that this is the only public bus that had AED's on them and all drivers have been trained. Mr. Damigella said that the next MWRTA meeting will be on January 9, 2012, and he is inviting the Board to attend. Jim Argir, 99 South Street, and David Wolfson, 293 South Street, said that they met with Selectmen last year to discuss the paving of the road and the impact that it would have on their property. They were assured that South Street would not be widened and they have measured it and it was widened. They know there are two issues of financial impact on how much more asphalt was used and now they have opened up the road to tractor trailers and speeders. Mr. Argir said that a child was hit on the street. He said that the Town assured them that the road would not be widened and now it has been. They want to know why the engineer did that.

Mr. Marsden asked how wide was the street before construction and how wide it is now? Mr. Argir said it was 22 feet wide now and in some places it is 26 feet and even 30 feet wide. Mr. Argir said to take a rural road and widen it that much knowing that street has all kinds of issues with tractor trailers speeding. He said that the now flat road is creating twice as much traffic.

Mr. Wolfson said that the berm in front of his house has helped with the flooding, but the berm is up against a tree he hopes no one hits that tree.

Mr. Marsden said that we went to South Street and walked the road from Washington Street to the Medway Town line with a tape measure. He agrees with Messers. Argir and Wolfson, the road has been widened in some places. He said that most of the street is 22 feet wide. It does get wider as you get to the intersection by Kampersal Field and then it narrows down again. He said that the width is inconsistent but he thinks that is because of the way the road was. He said that the high 20 to 30 feet is the exception. He said most of the road is 22 feet wide.

Mr. Wolfson said that when the binder was done, he called Mr. Smith and was told that the road was going to 11 feet from center. Mr. Wolfson said that when the top coat was being done, he did not see a town representative at the site, the crew just put down asphalt. Mr. Wolfson said he called Mr. Smith the next day, and was told by him to call the Selectmen's Office. He called and did not get any where. He said that the widest part of the road is the fastest part of the road. He wants to know why widen that part of the road. Someone be responsible for that? Mr. Argir said that Mr. Smith is rude and he

should not talk to residents the way he does. He also said that he and Mr. Wolfson should be applauded for coming to a meeting and telling the Board.

Mr. Wolfson said that it is a State Law that you can't widen a road if it is a rural road. It had to stay the same width. Mr. Wolfson said that at the meeting that they went to, they were assured that the road would not be widened. He said that Town Officials did not want speeders on the road. Mr. Wolfson said that if you go to the Medway line, this is how wide the road should be.

Sheila Wolfson, 293 South Street, said that when her daughter got on the bus last week to go to school, a car passed the bus.

Mr. Wolfson said that there are no sidewalks so the kids do have to walk in the street.

Mr. Argir said that something needs to happen.

Mr. Marsden asked if a stop sign at Rockland Street is an option?

Mr. Smith said that the Police Chief was not in favor of putting up a stop sign at Rockland Street and South Street.

Mr. Smith said that when Mr. Wolfson called him in the office at 7:00 in the morning, the first thing that he did was start to raise his voice to him. Mr. Smith said that he will not tolerate that. That is why he told him to contact the Selectmen's Office. Mr. Smith said that the road was not widened. He said that if it was, he would not be able to get to his basins and the driveways would have been cut back and all mailboxes would have been moved. Mr. Smith said that by Fisher Street, is the widest part of the road because of the intersection and it has always been that wide. He said that asphalt was dug up and taken away from the width of the road at the Fisher Street intersection. Mr. Smith said that at Mr. Wolfson's house, he did not widen it he said that it was existing roadway. Mr. Smith said that he is not rude. He will not put up with people who start calling at 7:00 in the morning to give him a hard time. Mr. Smith said that South Street has been a problem from the start. Mr. Argir said that he is having a hard time believing Mr. Smith because Mr. Wolfson's mail box is in the street. Mr. Argir said that someone has to be accountable for spending the Town money and laying down an air strip on South Street. Mr. Conley asked if their biggest concern is the safety of the kids? Mr. Argir said safety and speed. Mr. Argir said that water can flow into basins, no matter how you put it. Mr. Wolfson said that he was going to get a berm in front of his house, but he got a rinky dink one that as soon as the plow comes down the street it will get blown away. Then he said that his mail box is 6 to 8 inches out into the road. He wants to know what the Town is going to do to keep the speed down. Mr. Argir said that the police can sit in his driveway and do radar.

Mr. Marsden said that they will talk about some of the solutions and see if they can bring some relief to South Street.

K9 UNIT

Chief Moore said that Mr. Leary asked him to look into a K9 Unit. Chief Moore said that Officer David Gatchell has done a fair amount of research on using a K9 for work. He said that he spoke with several handlers and they all spoke highly of their trained dogs. He also said that Matthew Waugh did an analysis using their in-house computer. He said

that the K9 could have helped in 153 issues since 2001. Chief Moore said that Ms. Minihan checked with our insurance carrier and there would not be any additional insurance cost to having a K9. He said that the first point could be search and rescue, and then second the K9 could be drug trained. He did say that the community would see this as something good. He said that the cost and the training of the dog and the handler is the most expensive part. Chief Moore said that they are actively looking for grants. He said that the department called in the Ashland K9 and the Bellingham K9 to help. He also said that they have had to call the State Police for assistance. Chief Moore said that with a dog on the force typically the number of injured officers goes down. Mr. Conley asked if we got a dog and it was not working, could we get a dog from another Town. Chief Moore said yes. Chief Moore said that there are a lot of start up costs. He is looking into grants.

Mr. Marsden said that he loved the idea, but he is concerned about the cost and the long term commitment. Mr. Conley said that he likes the idea. He said that we should be fundraising. Chief Moore said that sometimes a Vet will donate their time and some pet stores donate food.

Chief Moore said that the Police received a pedestrian grant and they purchased crosswalk signs. If a car hits the signs, they collapse and then they can stand them back up.

Mr. Conley asked about the traffic lights at Washington Street and Woodland Street and High Street. Chief Moore said that they are working well.

He said there was a small accident at Washington Street, Woodland Street and High Street since the lights were installed.

MINUTES

The minutes of August 22, 2011 were post-poned

QUAIL RUN

No vote was needed, only the signatures of the Board.

APPOINTMENTS

MR. CONLEY MOVED TO APPOINT JOE LORDON TO THE CABLE ACCESS BOARD. THE MOTION WAS SECONDED BY MR. MARSDEN. TWO IN FAVOR. MR. LEARY WAS ABSENT.

LIEUTENANT SCREENING BOARD

MR. CONLEY MOVED TO APPOINT CHIEF AL GORDON OF WESTBORO, RICHARD FLANNERY OF HOPKINTON AND PETER MCGOVERN OF DOVER TO THE SCREENING COMMITTEE. THE MOTION WAS SECONDED BY MR. MARSDEN. TWO IN FAVOR. MR. LEARY WAS ABSENT.

CONSTABLE

MR. CONLEY MOVED TO APPOINT ROBERT CANNING OF NATICK AS A BONDED CONSTABLE. THE MOTION WAS SECONDED BY MR. MARSDEN. TWO IN FAVOR. MR. LEARY WAS ABSENT.

**EVENT PERMIT WALK AGAINST BREAST CANCER & CYCLE FOR LIFE
MR. CONLEY MOVED TO APPROVE AN EVENT PERMIT FOR THE WALK AGAINST BREAST CANCER ON OCTOBER 16, 2011. THE MOTION WAS SECONDED BY MR. MARSDEN. TWO IN FAVOR. MR. LEARY WAS ABSENT.**

MR. CONLEY MOVED TO APPROVE THE EVENT PERMIT FOR CYCLE FOR LIFE ON OCTOBER 1, 2011. THE MOTION WAS SECONDED BY MR. MARSDEN. TWO IN FAVOR. MR. LEARY WAS ABSENT

COMMON VICTUALLER LICENSE – CELEBRATE HOLLISTON

MR. CONLEY MOVED TO APPROVE AND WAIVE THE FEE FOR THE COMMON VICTUALLER'S LICENSE FOR CELEBRATE HOLLISTON ON SEPTEMBER 24, 2011. THE MOTION WAS SECONDED BY MR. MARSDEN. TWO IN FAVOR. MR. LEARY WAS ABSENT.

SALT BID

MR. CONLEY MOVED TO APPROVE THE SALT BID FOR THE HIGHWAY DEPARTMENT FOR INTERNATIONAL SALTS. THE MOTION WAS SECONDED BY MR. MARSDEN. TWO IN FAVOR. MR. LEARY WAS ABSENT.

PROCLAMATIONS – CITIZENS OF THE YEAR

MR. CONLEY MOVED TO APPROVE THE PROCLAMATIONS FOR CITIZENS OF THE YEAR FOR CRAIG DENMAN AND JOANNE APESOS. THE MOTION WAS SECONDED BY MR. MARSDEN. TWO IN FAVOR. MR. LEARY WAS ABSENT.

VETERAN'S DISTRICT

Mr. Le Beau said that they have been working with Hopkinton, Ashland and Medway to have an Agent that will serve the four Towns. Mr. Le Beau said that the proposed allocation of expenses for the district is based on the 2010 federal censes numbers. He said that it would be appointed on a percentage basis. He said that Holliston will be expected to pay about 24% and Ashland 30%.

MR. CONLEY MOVED TO APPROVE THE VETERAN'S DISTRICT DRAFT WITH ASHLAND, HOPKINTON AND MEDWAY. THE MOTION WAS SECONDED BY MR. MARSDEN. TWO IN FAVOR. MR. LEARY WAS ABSENT.

TAX POSSESSION PARCELS

Mr. Marsden said that the Treasurer/Collector is requesting to sell at public auction 1.2 acres on Shaw Farm Road, .42 acres on Maple Dell Lane and a condo on Burnap Road.

MR. CONLEY MOVED TO APPROVE THE TAX POSSESSION PARCELS TO HAVE A PUBLIC AUCTION FOR THE PROPERTY ON SHAW FARM ROAD, MAPLE DELL LANE AND BURNAP ROAD. THE MOTION WAS SECONDED BY MR. MARSDEN. TWO IN FAVOR. MR. LEARY WAS ABSENT.

TRANSFER OF FUNDS REQUEST- SENIOR CENTER

MR. CONLEY MOVED TO APPROVE A RESERVE FUND TRANSFER FOR OVERHEAD DOORS FOR THE GARAGE AT THE SENIOR CENTER IN THE AMOUNT OF \$8,500.00. THE MOTION WAS SECONDED BY MR. MARSDEN. TWO IN FAVOR. MR. LEARY WAS ABSENT.

CASINO LETTER

Mr. Marsden said that they have been in contact with Ashland, Hopkinton and Medway about the proposed Casino in Milford. The Selectmen have drafted a letter to Lieutenant Governor Murray about their concerns.

MR. CONLEY MOVED TO APPROVE THE LETTER TO LIEUTENANT GOVERNOR MURRAY WITH THEIR CONCERNS ABOUT ROADWAYS AND OPEN SPACE. THE MOTION WAS SECONDED BY MR. MARSDEN. TWO IN FAVOR. MR. LEARY WAS ABSENT.

POST TROPICAL STORM RE-CAP

Mr. Marsden said that they had a meeting with Chief Moore, Chief Cassidy, Mr. Le Beau and Mr. Smith Superintendent Jackson and Ms. McCobb of the Board of Health and they discussed some of the issues that took place with tropical storm Irene. Mr. Marsden said that public safety is to be commended with all the help that was given. He said that communication is the first step, you have to let the residents know what is going on. He said that all departments worked well together.

Mr. Conley said that he was without power for a long time. He said that a smart phone is a good way to get information out without power.

Mr. Le Beau said that residents can access the Blackboard Connect through the Town's Web site. You can sign-up yourself. He also said that the Comcast line was down at the High School as well, and that brought down the Town's Web site and the email. They are going to look for a back-up.

AT 8:34 P.M., MR. LEARY JOINED THE MEETING.

TRAILS COMMITTEE GRANT APPLICATION

Mr. Le Beau said that the grant dead line is October 1, 2011 and will require the Chairman's signature.

MR. LEARY MOVED TO AUTHORIZE THE CHAIRMAN TO SIGN THE GRANT APPLICATION. THE MOTION WAS SECONDED BY MR. CONLEY. ALL IN FAVOR.

AT 8:45 P.M., MR. LEARY MOVED TO ENTER INTO EXECUTIVE SESSION TO DISCUSS PENDING LITIGATION WITH CEDAR RIDGE. THE MOTION WAS SECONDED BY MR. CONLEY. A ROLL CALL VOTE WAS TAKEN.

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

MR. MARSDEN SAID A PUBLIC DISCUSSION MIGHT HAVE AN ADVERSE AFFECT ON THE TOWN'S NEGOTIATION POSITION . HE SAID THE EXECUTIVE SESSION WOULD LAST ABOUT 30 MINUTES AND THERE WOULD BE NO FURTHER PUBLIC BUSINESS.

AT 9:10 P.M., THE BOARD EMERGED FROM EXECUTIVE SESSION AND MOVED TO ADJOURN.

Respectfully submitted,

Donna A. Muzzy

approved_____