

SELECT BOARD OPEN SESSION MINUTES OF WEDNESDAY, OCTOBER 4, 2023

In attendance: Chair Katie Goldrick, Clerk Patty Conway, Associate William Watkins, Associate David Reilly, Interim Town Administrator Peter Morin. Absent: Vice Chair Pamela Campanella.

1. Call to Order – Chair Goldrick called the meeting to order in the Noel C. King Meeting Room and via Zoom.
2. Approval of Minutes – MOTION to approve the open session minutes as written of Wednesday, September 27, 2023 by David Reilly, 2nd by Patty Conway. Roll Call Vote: 4-0. Reilly voting yes, Conway voting yes, Watkins voting yes, and Goldrick voting yes.
3. Town Administrator's Report – Town Administrator Peter Morin shared upcoming community events: Holbrook Fire Department Open House, Faith & Blue Event and Holbrook Town Forest Harvest Hike.

Mr. Morin said he had the opportunity to meet with department heads: Police and Fire Chiefs, Town Treasurer, Town Accountant, DPW Head and Building Inspector, handled media inquiry and interview with local news station, answered a subpoena regarding pay roll records, dealt with several personnel matters, fair information practice act requests, met with chair of planning board, administrative function of signing grant renewals and applications regarding the town's renewed interest in receipt of benefits in programs the town has been involved in. Mr. Morin shares there has been great cooperation from all involved.

Mr. Watkins asked if he could have a copy of Mr. Morin's report in the Select Board packets going forward. Mr. Reilly asked if Mr. Morin had looked at procurements from department heads. Mr. Morin shared he has looked at things on a case by case basis. Mr. Reilly mentioned looking at a best practice principle. Ms. Conway said she would be interested in hearing Mr. Morin's interpretation of the town's by-laws.

4. Presentation by Bernie Lynch of Community Paradigm Associates – Bernie Lynch of Community Paradigm Associates was on Zoom to present. Mr. Lynch shared that he had two other people on the Zoom as well. He introduced himself and the business; Mr. Lynch was a previous town manager in Lowell and Chelmsford. There have been 100 Town Administrator recruitments by Community Paradigm Associates since 2016.

Mr. Lynch described the recruitment process that Community Paradigm Associates uses.

Mr. Lynch noted that a challenging issue in the current market is compensation; the right salary will be necessary to attract the right candidates.

Chair Goldrick said that the Select Board wanted to use a firm to narrow down the candidates.

Mr. Reilly asked if an analysis of the town is performed. Mr. Lynch replied that a thorough analysis of the town is completed over 3-4 weeks, which includes speaking with members of Board, Town employees, DPW, and Fire and Police department.

Mr. Reilly asked if the salary is industry based. Mr. Lynch replied that the salary has a +/- range based on experience.

Mr. Reilly asked Mr. Lynch how many Town Administrators he has placed. Mr. Lynch replied “100” – 98 in Massachusetts, 1 in Rhode Island, 1 in New Hampshire.

Ms. Conway asked if the firm has practices and policies ensuring they are recruiting from a diverse database.

Mr. Lynch said that they have a practice of reaching out to organizations that support diversity and hiring of underrepresented populations.

Mr. Reilly asked how long the certificate program at Suffolk University is.

Mr. Lynch replied that it is 25 weeks long – comprised of 5 classes that can be transferred in to a Master’s degree of Public Administration at Suffolk University.

Chair Goldrick thanked Mr. Lynch for his proposal and said that there is still one more presentation the Board is waiting to hear before they make a decision.

Mr. Lynch gave a rough timeline for interview and hiring process.

Mr. Reilly asked what the salary for the Mayor of Braintree was. Mr. Morin replied that it was approximately \$145,000.

5. COA Van Driver Hires – Cindy Brennan recommended that the Board hire Richard Evans and Paul Stigas as part-time van drivers for the COA.

Cindy Brennan shared that the RMV reports on both drivers were ok and that the CORI on one of the applicants was checked at the police department as the applicant was a previous employee of the Department of Corrections. The other applicant lives at Holbrook Court where a CORI check is required.

The van driving role is 4-12 hours a week. Two current drivers: one is going on vacation and one is out on medical leave. Cindy Brennan wants the two applicants to shadow the current drivers for a couple of weeks.

Mr. Reilly asked if the position was posted and Cindy Brennan replied in the affirmative.

Ms. Conway asked if the applicants had SORI checks, which is different than CORI.

Cindy Brennan replied that the applicants had only been CORI checked.

Chief Goldrick asked Chief Smith if he was able to assist.

Ms. Conway shared that she had asked about a month earlier to have this done.

Mr. Morin said that this would be done within the following days.

Chair Goldrick said that there is a provisional hiring action based on the results of both the CORI and SORI.

Mr. Reilly said that the application needs to be redone in the future to have this included.

Chair Goldrick asked Cindy to follow up with Mr. Morin for some additional administrative changes.

MOTION to hire Mr. Richard Evans and Paul Stigas as part-time van drivers for the COA, by Patty Conway, 2nd by David Reilly. Roll Call Vote: 4-0, Conway voting yes, Watkins voting yes, Reilly voting yes, and Goldrick voting yes.

Mr. Watkins questioned the motion to include the indication that a successful CORI and SORI must be completed before the hiring can be completed. Ms. Conway is happy to make a second motion.

AMENDED MOTION to hire Mr. Richard Evans and Paul Stigas as part-time van drivers for the COA contingent on a successful CORI and SORI report, by Patty Conway, 2nd by David Reilly. Roll Call Vote: 4-0. Conway voting yes, Watkins voting yes, Reilly voting yes, and Goldrick voting yes.

6. Call for November Special Town Meeting – Mr. Morin said that he received correspondence from the Town Accountant that contained several items that are non-controversial and appropriate to be added to the Special Town Meeting. These items need to be addressed before Spring 2024.

Chair Goldrick shared that a month turnaround would be too quick to get the meeting organized. Mr. Morin shared that due to tax rates needing to be set, the meeting should be scheduled by end of November.

Chair Goldrick suggested the 27th, 28th or 29th of November so that Mr. Morin will be available and that everyone will have enough time to prepare, and to open the warrants immediately, with a closing date of October 18th.

Chair Goldrick asked about the process regarding a placeholder and Mr. Morin explained the process.

MOTION to call for a Special Town Meeting on November 27th or 28th pending school availability at 7:15pm at Holbrook Jr./Sr. High school auditorium, to open the warrant for article submissions with a deadline of October 18th, 2023 by Patty Conway, 2nd by Dave Reilly. Roll Call Vote: 4-0. Conway voting yes, Watkins voting yes, Reilly voting yes, and Goldrick voting yes.

7. Police Department Grant Acceptance – Chief Smith shared that he applied for and received a grant of \$92,587.77 which would cover the majority of the first year of the Body Cam cost – would need \$300 out of Capital Improvement fund to cover the remaining balance.

Chief Smith shared that it is an AXONAB4 camera – Holbrook is the first in the country to get this specific camera.

Mr. Reilly asked if the board can have a demonstration of the camera and Chief Smith said that he will have an officer provide one.

Mr. Reilly asked how much training is required to use the cameras. Chief Smith replied that there are various types of training; one day had already been completed.

Mr. Reilly asked if there will be training for police academy members. Chief Smith replied he was unsure as of then.

Chair Goldrick asked when the camera would be utilized. Chief Smith said that the cameras will automatically activate when guns are deployed.

Mr. Reilly asked if there were currently cameras in the police cruisers and Chief Smith confirmed there was not.

Chief Goldrick asked if there was a state standard for how the cameras are implemented.

Chief Smith said that there is a policy based on a combination of all the other towns.

Chair Goldrick asked for clarification/information on when the cameras will be specifically utilized.

Chief Smith clarified the scenarios that require the cameras to be on/off. There is a policy in writing that describes what officers can/cannot do. Chief Smith explained the parameters of the camera use but said there is still education being done.

Chief Goldrick asked to confirm the start date and Chief Smith said that the memorandum with the Union starts October 1st.

Mr. Watkins asked if there are monitors at the station watching in real time. Chief Smith said that there is the ability to live stream.

Chair Goldrick asked if there is a plan in place for the Chief or Deputy to monitor the success of the cameras.

Chief Smith said that they are working on it, and will do annual reviews, but that a Union Rep has to be with them when they view the audit. Camera can be used for discipline only if there is a complaint filed; the camera cannot be used to search for discipline.

Chief Smith said that the officers have to write a full report every time the cameras are turned off.

Ms. Conway asked if there is a written policy regarding when the body cam footage will be released and who is able to request the footage. Chief Smith said that it is a public record but there is the ability to have faces blurred or names redacted if requested or required.

Chief Smith shared that a new camera is provided after 3 years. There is a 13-hour battery life of the cameras and they are able to be charged in the cars as well as in docks at the station. When the cameras are docked at the station, the information will upload to the cloud via WIFI.

Mr. Reilly asked about cost of battery, and Chief Smith said that only Motorola can change the battery, but that the cameras should last three years.

Chair Goldrick asked about inventory and Chief Smith shared that every officer received a camera plus there are four extras at the station.

Ms. Conway asked if the grant needs to be re-applied for and Chief Smith confirms it does.

Mr. Reilly asked if the cameras will be part of the uniform, and Chief Smith shared that the officers will need to sign paperwork confirming they have received their camera.

MOTION to accept a grant from the Executive Office of Public Safety and Security's Office of Grants and Research (OGR) to the Holbrook Police Department in the amount of \$92,587.77 for the body-worn camera program by Patty Conway, 2nd by David Reilly. Roll Call Vote: 4-0. Conway voting yes, Watkins voting yes, Reilly voting yes, and Goldrick voting yes.

8. Citizens Forum –

- Patricia Greely from Precinct 2 - wanted to let people know that they can still purchase a Friends of the Library tote for \$10. Ms. Greely also asked if the Board receives notification when other Boards are meeting, i.e. Conservation Commission. Chair Goldrick replied no, and Mr. Reilly replied that there is a public notice that boards should provide to share what they are working on. Mr. Watkins stated that there should

be a list or a calendar that shows when each committee is having their meetings and it should be accessible to the public.

- Chair Goldrick asked if there was anyone on Zoom with any questions but there were none.
 - Ms. Conway said that the pump motor had burnt out at the Bluedrop location on Union Street. There will be a 3rd reverse osmosis cartridge which will speed up filter time, 3 gallons/a minute. If the pump is working correctly it will be consistently filling/re-filling and filtering the water. Bluedrop also shared with Ms. Conway that the Union Street location is the highest usage in the area. Blue Drop is going to look in to whether or not they can install a larger or a second storage tank. No guarantee but they are going to look in to it. The volume of usage at the Brookville location is much lower, which is why there are fewer to zero issues. Ms. Conway suggests using Brookville location to save wear and tear on Union Street.
 - Mr. Reilly asked if there is a chip, or something to enable only town residents to use the water, since there is a high likelihood of other town's residents using Holbrook's Bluedrop location. Chair Goldrick asked Mr. Morin if this can be added to a future agenda and Mr. Morin agreed it was a good point and it will be added.
9. Chair Goldrick stated that the next agenda item will be held in open session instead of executive session and invited Town Counsel (Attorney Michael Maccaro) to speak to the Board. He explained that Mr. Watkins requested, and had the right, to have this item discussed in open session.

Attorney Maccaro explained that the Town received a complaint from Assistant Town Administrator Kara Nyman claiming that Select Board member Watkins had created a hostile work environment and that this had the effect of unreasonably interfering with her work. The complaint was sent via email to Chair Goldrick before Interim Town Administrator Morin had joined. Attorney Maccaro said Ms. Nyman requested in the complaint to have an independent investigation into this matter. He stated that the complaint itself does not have any specific facts other than she believes there has been harassment committed here.

Town Counsel stated that due to the position of one party being a high-ranking town official, and the other being a Board member, it was warranted to bring in an independent investigator to meet with Ms. Nyman and then Mr. Watkins.

Town Counsel had consulted with Interim Town Administrator Peter Morin to see who to bring in to investigate, and was provided with a contact by Mr. Morin. Town Counsel stated that the meeting was not one for fact finding but to establish that there had been a complaint and there was an obligation by the town as an employer to investigate.

Chair Goldrick stated that this is a serious matter; the Board does not discuss personnel matters or opinions. It was a matter of determining how to move forward and rectify this.

Town Counsel stated that Mr. Watkins needs to recuse himself from any votes that take place due to conflict of interest. Town Counsel said there should be no form of retaliation brought against the individual who brought the complaint.

Town Counsel proposes that there be a motion to allow the Chair and Town Counsel and/or Town Administrator to hire an independent investigator to look into this matter.

MOTION for the Interim Town Administrator and Town Counsel to look into the matter of hiring an independent investigator by David Reilly, 2nd by Patty Conway. Roll Call Vote: 3-0. Conway voting yes, Reilly voting yes, and Goldrick voting yes.

10. MOTION to enter into executive session pursuant to M.G.L. c. 30A, Section 21(a)(3) to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares – New England Police Benevolent Association (NEPBA), Local 88A (Patrol) and New England Police Benevolent Association (NEPBA), Local 88B (Sergeants) and to return to open session, by Patty Conway, 2nd by David Reilly. Roll Call Vote: 4-0. Conway voting yes, Watkins voting yes, Reilly voting yes, and Goldrick voting yes.
11. MOTION to approve the Memorandum of Agreement between the Town of Holbrook and the New England Police Benevolent Association, Local 88A by Patty Conway, 2nd by David Reilly. Roll Call Vote: 4-0. Conway voting yes, Watkins voting yes, Reilly voting yes, and Goldrick voting yes.
12. MOTION to approve the Memorandum of Agreement between the Town of Holbrook and the New England Police Benevolent Association, Local 88B by Patty Conway, 2nd by David Reilly. Roll Call Vote: 4-0. Conway voting yes, Watkins voting yes, Reilly voting yes, and Goldrick voting yes.
13. Citizens' Forum – no citizens in person or via Zoom.
14. MOTION to adjourn, by Patty Conway, 2nd by David Reilly. Roll Call Vote: 4-0. Conway voting yes, Watkins voting yes, Reilly voting yes, and Goldrick voting yes.