

Selectmen's Meeting Minutes 9/12/11

Board of Selectmen Meeting Minutes 9/12/11

The Easton Board of Selectmen met this evening at the Easton Town Offices, Selectmen's Office, 136 Elm Street, with Chair Colleen Corona presiding.

Members present: Colleen Corona, Ellen Barlow, Sean Noonan, Dan Murphy, Todd Gornstein and Town Administrator David Colton

Corona called the meeting to order at 7pm and noted that this meeting is televised.

One day liquor license requests

Holy Cross Church

Applicant Frances Merrill and Chris Goffredo were present. Goffredo explained the fundraising event scheduled for September 24, 2011 from 11am – 4pm at the Holy Cross Church at 225 Purchase Street. The fall fair will be very family orientated and they are looking to add the wine tasting to the fall event. As proposed the wine tasting would be from 12-3pm and will be sponsored by the Wine Guys of Easton. Corona noted no Easton Police Department detail is required.

Voted: (Noonan/Gornstein) voted unanimously to approve the one day license as requested

Easton Historical Society

Applicant Hazel Varella was present to explain the request for a one day beer and wine license for the reception after the Re-enactment of Life in Easton 60 Years Ago. The event is scheduled for September 24th from 3-5pm at the Queset House and it is a joint venture with the Ames Free Library, the Oakes Ames Memorial Hall and the Historical Society.

Voted: (Barlow/Murphy) voted unanimously to approve the one day license as requested

Road Closing Request – Williams Street

Residents Amy McMannis and Beth Kenny were present and explained the request for closing a portion of Williams Street on October 8th from 2-10pm. McMannis noted the direct abutters have been notified of the request to close a portion of Williams Street for the period of time as requested. It was noted that the Police Department does not object as long as emergency vehicles are able to get through and the Fire Department has no objection as long as the main portion of Williams Street and Bridge Street remains open as it is a direct route to the elderly housing complex off of Baldwin Street. Removable barriers should be used for easy access of emergency vehicles.

Voted: (Barlow/Noonan) voted unanimously to approve the road closing as requested

Unity Church Restoration Project

Mary Lu Love, Unity Church Restoration Committee Member was present and explained the restoration project over the last five years through the efforts of CPA funding and they are ready

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to celebrate the progress. On Saturday November 5th at 3pm they will hold a public celebration. The progress of the project was acknowledged by the Board. Corona congratulated their efforts on saving the building.

Grant of Easement for Pump Station #1

Colton noted the need for the easement for the sewer pump station. This will be held in escrow until the closing and Beacon will be bearing the cost.

Voted: (Barlow/Murphy) voted unanimously to approve proposed motion for the easement as printed in the Board's packet

Human Rights Committee resignation

Corona referenced the resignation from the Human Rights Committee submitted by Carol Allen.

Voted: (Barlow/Noonan) to accept the resignation with regret

Office Hours for Senator Brian A. Joyce

Colton announced that Senator Joyce will hold office hours at the Easton Town Offices, Mary Connolly Meeting Room on Wednesday September 14th from 10-11am. No appointment is necessary.

Hearing - Eminent Domain Taking of Easements at the Intersection of Prospect/Foundry Streets, Easton, MA

DPW Director Wayne Southworth and Greg Lucas of BETA Group were present. Southworth explained the need for the easement for the placement of the traffic lights. Corona noted the residents were notified as required by law. Southworth noted appraisals and titles were done on the property. Colton noted the bids are all set and the contractor is already on site.

Voted: (Corona/Barlow) voted unanimously to adopt the Order of Taking by eminent domain, as approved by Article 37 at the May 16, 2011 Annual Town Meeting, for two permanent easements located at the intersection of Prospect Street and Foundry Street, Easton Massachusetts as shown as T-1 and T-2 on a plan entitled "Widening of a Portion of Foundry Street", dated April 14, 2011 and prepared by BETA Group for the purposes of constructing, operating and maintaining traffic signals at the intersection of Prospect Street and Foundry Street, and to award damages in the amount of \$1,300.00 for T-1 and \$100.00 for T-2.

The Board took a brief recess at 7:18pm and reconvened at 7:22pm.

Approval of Sewer Regulations

Joe Shea, Sr. Vice President of Woodard and Curran was present to provide an overview of the regulations.

Shea suggested that the regulations will be a work in progress. As we move into the village section of the process, we will be back before the Board. As far as Shovel Works property is concerned, the regulations work well. As part of the process of creating sewer regulations, they reviewed the Town of Easton's water regulations and Planning Board Subdivision Rules and Regulations. It was noted that Easton's DPW/Water officials have reviewed the proposed regulations. Shea suggested that at some point in the future we will make these part of the Town's bylaws. Shea submitted a draft fee structure which is the recommendation after

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reviewing the Water Department, Board of Health Fees and looking at other communities' regulations. See the attached proposed fee schedule. Shea noted the sewer user fees which will not be set until FY13. They are targeting 1.5 penny per gallon of treated wastewater. Fees for the installation of sewer pipes on private property were discussed. These are the fees for the Town's contractor to oversee the homeowner's private contractor's work to connect to the sewer line. Various categories of costs were discussed, for example, subdivisions. Shea spoke of the need to set up a betterment billing account. The next category of fees mirror the Water Department Emergency Fees and the final groups of costs are non sewer service charges.

Corona asked about tight tanks in the village section of Town; she referenced conditions in the regulations and what would happen in this situation. Shea noted they will be looking into individual situations through the center of Town. Some businesses will be issued a list of guidelines of what can and cannot be entered into the system. Again, they will be looking at things on a case by case basis; this is why this is a working document.

Noonan asked about the user fees and asked if someone could have their own well and still hook up to the sewer system. Shea noted under non sewer charges, there is a suggested fee for that type of situation; a meter will be required.

Voted: (Gornstein/Murphy) voted unanimously to approve the sewer regulations as printed in the Board's packet

Application for expansion of Class I license – Bay State Ford, Inc. – 703 Washington Street, Easton, MA

Barlow read the notice of hearing into the record to expand the number of display vehicles from 300 – 358.

David Traks, General Manager of Bay State Ford and Al Endriunas were present.

Endriunas explained the service business fluctuation and as they have got settled into the new facility, they feel that the additional 58 spaces is appropriate while still serving the delivery vehicles and service vehicles. The plan was approved by the Planning Board and the area was outside the Conservation Commission's jurisdiction.

Resident Leland Bagdon of 122 Depot Street spoke as an abutter to the Bay State Ford property. Bagdon asked if the proposed expansion would expand right up to his property line; he specifically asked about how additional lighting or fencing would affect his property. He expressed concern for tenants with small children on the property. Endriunas responded they are not adding any lights and they are not changing anything near his property so there will be no additional encroachment on to his property.

Bagdon noted that Bay State Ford has been an excellent neighbor.

Corona reiterated there will be no additional lighting. Endriunas clarified that the expansion is more for vehicle storage, not so much for display of vehicles.

Voted: (Noonan/Barlow) voted unanimously to approve the expansion as proposed for Bay State Ford

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Town Administrator Notes

Fire Chief Tom Stone was present. Colton announced Chief Stone's retirement as of January 28, 2012. Colton noted it's been great working with Chief Stone, whom has been an excellent Fire Chief and a great partner in helping to administer the Town.

Chief Stone commented that it's been a pleasure noting he still has another 4 ½ to 5 months of work. Stone commented that it was not an easy decision to retire. Stone commended Colton for wishing to fill the Chief's position right away. Stone spoke of the very critical things and how demanding it is to be a Fire Chief and specifically noted you need a lot of energy to be Chief. Stone spoke of the need to stay up with technology and the importance of keeping up with it to have the ability to do the job correctly. Stone reflected on his experience as firefighter and then Chief and suggested he has thoroughly enjoyed every minute; over 33 years serving the Town and he wouldn't change a thing. Stone noted that it has been a pleasure working with everyone in Easton.

Corona noted it's been a pleasure and stated that she is sad to see him go. Murphy referenced working with him while serving on the Finance Committee and also noted he is sorry to hear him go. Gornstein spoke of his 11 years as a resident of Easton and stated he has never heard a bad thing and thanked Chief Stone for making the community better. Stone added that this is a team effort.

The Board thanked Chief Stone and wished him congratulations on his retirement.

Verizon New England, Inc./Mass Electric Company - Pole relocation hearing (Poles P139, P142, P144, P145, P145-1, P146, P147) on Foundry Street, Easton, MA; Placement of two new poles (Poles 138S & P148PB) on Foundry Street, Easton, MA

Mr. Ken Hume was present representing Verizon and Mass Electric.

Barlow read the notice of hearing into the record. Corona noted the abutters have been notified and these petitions are to support the 5 corners reconstruction project.

Voted: (Noonan/Murphy) voted unanimously to approve the pole locations

Verizon New England, Inc./Mass Electric Company - Pole relocation hearing (Poles P140, P141 & P142) on Depot Street, Easton, MA and to place to new poles (Poles P142S and P143S) on Depot Street, Easton, MA

Barlow read the notice of hearing into the record.

Voted: (Barlow/Noonan) voted unanimously to approve the pole relocations and locations

Verizon New England, Inc./Mass Electric Company - Pole relocation hearing Pole P165 on Bay Road, Easton, MA; and to place one new pole P163 and to abandon Pole P165 on Bay Road, Easton, MA

Barlow read the notice of hearing into the record.

Voted: (Murphy/Gornstein) voted unanimously to approve the pole relocation/location

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Verizon New England, Inc./Mass Electric Company – conduit hearing to place new MH61A and two four inch conduits 60 feet from the new MH61A to relocated P142 Depot Street, and two four inch conduits 195 feet from new MH61A to relocated P141 Depot Street, Easton, MA
Barlow read the notice of hearing into the record.

Voted: (Gornstein/Noonan) voted unanimously to approve the conduit relocations

Discussion re: Cemetery Regulations

Cemetery Commission Clerk Melanie Deware was present. Deware spoke of Town Meeting's acceptance of the Pine Grove Cemetery. Since that time, the plan and deed has been filed and now we need to adopt regulations. They have been looking at regulations over the last year. Deware noted that the DPW is not going to be able to accommodate the burials and they looked at fees for surrounding towns; the fees as proposed are less than private cemeteries in Easton but more than public cemeteries.

Barlow asked about contracting firms; Deware noted formal bids will need to be created to find a contractor and the fees can be amended at any time.

Voted: (Barlow/Noonan) voted unanimously to approve the cemetery regulations as drafted

Forest Stewardship Plan for Clifford Grant Management Area

Land Use Planner Stephanie Danielson and Conservation Commission Member John Grant were present.

Danielson noted two years ago the Conservation Commission had an overall Land Management Plan prepared and in doing that, we evaluated the various natural resources and made recommendations. One recommendation was to develop a Stewardship Plan for the Clifford Grant Management Area. This area abuts the high school and the town forest. See the attached document. A plan was developed was presented back to the Commission in July. This Saturday, a workshop will be held for the Conservation Commission members to see if this is how they wish to proceed. Corona suggested that in summary, there will be tree cutting, not clearing of the property. The Commission will continually review the plan before the trees are cut and the purpose of the workshop is to educate the public. Barlow spoke of the natural way of burning in forests; Danielson noted by cutting you reduce the amount of wood that may spark fire.

Grant spoke of his initial concern about the tree cutting; they have had many studies and in summary, nothing will be cut down that is old and beautiful. He spoke of the red pines just a few feet apart and by thinning, the area can be improved quite a bit. The Natural Resources Trust will be doing selective cutting on their property as well.

Colton noted this is a great step forward and commended the Commission and Land Use Planner for their efforts. Colton specifically noted that Easton has a lot of Conservation land and suggested that we just can't just sit on it and it, it needs to be taken care of and this is a great step in the right direction.

Danielson spoke of the efforts to provide public awareness on the project.

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Corona asked about plans to work on paths through the Town forest. Danielson noted they will be applying for a trails grant for this project, incorporating these paths into sidewalks, etc.

The Board commended the Commission for their planning efforts.

Danielson invited all to join them at the workshop from 9am to noon, beginning at the Clifford Grant property and then going over to Wheaton Farm.

Public Participation

Resident Lee Williams spoke of Money Magazine's designation of Easton as one of the Top 100 Best Places to Live. Corona remarked on the process that Money Magazine goes through when choosing the best communities.

Minutes

None

Press notes

None

Voted: (Corona/Noonan) voted unanimously by roll call to go into executive session to discuss real estate negotiations, not to return to open session (8:15pm)

Gornstein-yes; Murphy-yes; Corona-yes; Barlow-yes; Noonan-yes

Respectfully submitted,

Mary Southworth

List of Documents and Other Exhibits Used:

Agenda Notes

Unity Church restoration celebration Information

Announcement of Senator Joyce's office hours

Request for road closing – Williams Street

Proposed Cemetery Rules & Regulations

Forest Management Plan – Clifford Grant Management Area

Grant of Easement – Sewer Pump Station #1

Draft Sewer Use Regulations

Human Rights Committee resignation

Notice of intent to take easements – 93 & 99 Prospect Street

Class I license expansion request – Bay State Ford, Inc.

Notice of Hearing/Petition – Verizon & Mass Electric for Foundry & Depot Streets & Bay Road

Notice of Hearing/Petition – Verizon & Mass Electric conduit placements – Depot Street

DRAFT

**TOWN OF EASTON
APPENDIX B - SCHEDULE FOR SEWER SERVICE AND OTHER RATES
(EFFECTIVE 09/12/11)**

SEWER USER FEES: Per 100 cubic feet (ccf) of water used (to be determined in FY 2013)

NEW SEWER SERVICE INSTALLATION FEE:

	In Town Road	In Subdivision	As Part of Capital Project with Betterments
Residential: 4 or 6-inch gravity service	\$1,700	\$700	\$150
Residential low pressure service	\$1,700	\$3,000	\$300
Commercial: 6 or 8-inch gravity service	\$2,000	\$1,000	\$200
Commercial: Pumped or other layout	\$1,700	\$3,000	\$300

**Charges include application fee

SEWER SERVICE CHARGES:

	Straight Time (\$/hr)	Overtime (\$/hr)
One staff & one truck	\$45	\$65
Two staff & one truck	\$75	\$110
Two staff & two trucks	\$85	\$125
Backhoe	\$75	\$125

NON-SEWER SERVICE CHARGES:

	Fee
Install water meter in structure (no municipal water service)	\$200
Design review of control structure	Case by Case Basis
Install grease trap, gasoline trap, or sand interceptor	Based on current Health Dept Fees
Plumbing Inspection	Based on current Inspectional Service fees
Register Control Structure	\$50 annually
Inspect grease trap, gasoline trap, or sand interceptor	Based on current Health Dept Fees
Drainlayer's License	\$150 annually
Penalty for non-payment	\$5 after 30 days
Penalty for Accidental Discharge	Case By Case Basis
Penalty for Violation	Based upon impact
Septic discharge fee	Prohibited

CEMETERY RULES AND REGULATIONS

The Board of Selectmen, in conjunction with the Easton Cemetery Commission (“ECC”), hereby adopt the following Cemetery Rules and Regulation and a schedule of Service Charges for the Town of Easton Cemeteries, consistent with Town By-laws and the laws of the Commonwealth.

I. Director of Public Works

The Director of Public Works shall have full responsibility for the cemetery grounds, buildings and equipment including operation and maintenance. He shall have full authority through his subordinates to arrange burials, removals and any other necessary arrangements in connection with the operation of the cemeteries. The Director is authorized to cause the arrest and prosecution of all persons violating these rules and regulations or committing any nuisance of any sort on the cemetery grounds.

II. Lots

The ECC may convey the sole and exclusive right to any and all burial lots within the Town of Easton Cemeteries to Citizens of Easton who are property owners or who have established legal residence in the Town of Easton by virtue of having resided in the Town for a period of not less than six (6) months shall be entitled to purchase lots in the Town Cemeteries. The ECC shall issue a deed for each lot conveyed, a copy of which shall be recorded with the Town Clerk in a book kept specifically for such purpose.

The ECC shall convey a maximum of eight (8) grave lots to any one party.

The ECC may take over the ownership of a vacant lot in the event such lot has not been used for a period of seventy-five (75) years and the ownership thereof cannot be ascertained. If such ownership is ascertained after such taking, the Town shall pay the fair value of such lot at the time of the taking to the owner thereof.

The ECC may take charge of an abandoned or neglected lot and keep it in good order, but cannot violate property rights or disinter remains.

III. Maintenance

No lot shall be seeded, graded, fertilized or mowed by anyone other than an employee of the Town unless the ECC grants permission in writing, or unless the party is a recognized adopter through the Easton Adopt-A-Cemetery program.

No lot shall be enclosed by a wall, fence, coping, hedge, or otherwise.

No objects or plantings shall be placed more than twelve (12) inches in front of the monument, and shall not exceed its height.

Shrubs and flower beds shall be maintained by the lot owner.

Winter baskets and wreaths may be placed from November 15 through February 28. After March 1 (weather permitting), such items will be removed.

Plantings may be removed at the discretion of the ECC.

Glass or ceramic vases shall not be placed upon cemetery lots.

IV. Burial Containers

All earth interments shall be made in an enclosed, reinforced burial container.

V. Interment

No interment shall be made until the Town Clerk has been furnished with all necessary permits required by the laws of the Commonwealth and of the city or town from which the deceased will be brought. Nor shall any body be interred in a lot for which the exclusive burial rights have been conveyed to the owner until the Town Clerk has been furnished from the owner or their legal representative with the burial permit interment authorization signed by the deed holder of the grave, or his legal designee.

No interment shall be made until all fees have been paid.

No more than one body shall be interred in the same burial vault without the written permission from the ECC.

No grave shall be opened for the interment or removal of a body by any person unless authorized by the ECC. All fees incurred will be the responsibility of the

grave owner or his legal representative, and must be paid in advance of a grave opening.

VII. Transfer

Lots shall not be transferred from one owner to another without the written permission of the Town Clerk. Transfers can only be made to those who meet the 6 month residency requirement.

No transfer of the exclusive burial rights for any lot from one owner to another owner shall be valid unless recorded in writing, proper notification made to the Town Clerk, and the fee for the transfer has been paid.

The owner shall not have the right to lease a cemetery lot. No transfer of burial rights shall be permitted which involves the removal of human remains.

VIII. Monuments

The word "monument" shall include any memorial, stone or other material, head stone, or other structure intended to commemorate the dead.

Monuments shall be limited to one (1) per lot. Markers for individual graves shall be flush with the grass.

No monument foundation shall be installed except under the supervision of the ECC.

No existing monuments or markers shall be removed from any lot by anyone except a designee of the ECC.

The ECC reserves the right to reset markers or boundary markers on existing lots which interfere with the mowing of the lots or other normal cemetery activity or maintenance.

The Town and the ECC are not responsible for any damage to monuments or markers.

VIX. General Regulations

All vehicles shall remain on roadways within cemeteries if they exist. No vehicle shall be driven faster than ten miles per hour. Persons driving in the cemetery shall be held responsible for all damages done by any vehicle in their charge.

No refreshments or any other items shall be sold on the grounds of the cemetery.

Writing on or otherwise defacing any monument, fence, building, sign or any other structure within the cemetery grounds is prohibited.

All persons are prohibited from gathering flowers, either wild or cultivated or from breaking or otherwise injuring any tree, shrub, or plant, or annoying any wildlife within the cemetery grounds.

All persons walking through the cemeteries shall remain on pathways and shall not trespass on lots except for gaining access to their own lot or that of a family member or loved one.

No motor driven recreational vehicles, skateboards, or roller blades are permitted within the grounds of the town's cemeteries. Bicycles are permitted provided they remain on the roadways and/or pathways within the cemeteries.

Dogs are permitted within the grounds of cemeteries if they are leashed at all times, and cleaned up after by their owners.

Alcoholic beverages shall not be permitted on cemetery grounds. As cemetery grounds are sacredly devoted to the interment of the dead, the practice of behavior that is proper in such a place will be expected at all times. Funeral processions and mourners shall not be interrupted. Other than those attending, no person shall be within 200 ft of an interment ceremony.

There shall be no excessive noise, except for those pieces of equipment necessary to maintain the grounds or excavate graves.

There shall be no loitering, littering, ball playing, sledding, or any other activity and/or behavior unsuited or inappropriate given the sanctity of the cemetery grounds.

Open flames are prohibited on cemetery grounds. Vigil lights must be approved by the ECC prior to use.

Cemeteries shall be open for visitation from dawn to dusk.

There shall be a fifty dollar (\$50.00) fee imposed per offense against individuals found in violation of any of these General Regulations.

CEMETERY FEE SCHEDULE

SALE OF SINGLE GRAVES	\$600.00
SALE OF DOUBLE GRAVE	\$1,000.00
RIGHT OF SECOND BURIAL	\$200.00

CASKET INTERMENTS

MONDAY – FRIDAY	\$675.00
SATURDAY (BEFORE NOON)	\$975.00
HOLIDAYS & SUNDAY (BEFORE NOON)	\$1,500.00

INTERMENT OF CREMATED REMAINS

MONDAY – FRIDAY	\$225.00
SATURDAY (BEFORE NOON)	\$350.00
HOLIDAYS & SUNDAY (BEFORE NOON)	\$500.00

FOUNDATIONS \$125 / SQ FT.

FLAT MARKER INSTALLATION	\$100.00
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INTERMENT INCLUDES PREPARING FOR A CEREMONY, OPENING & CLOSING OF THE GRAVE, USE OF LOWERING DEVICE, AND ARTIFICIAL GRASS.

INTERMENTS REQUIRE TWO DAYS NOTICE.

DISINTERMENT

FULL CASKET REMOVAL	\$1,200.00
URN REMOVAL	\$600.00

** CASKET REMOVAL REQUIRES A COURT ORDER **

** FEES DO NOT INCLUDE VAULT REMOVAL **

** WINTER FEE (12/15 – 3/15) additional \$150.00 **

ANY DAMAGE INCURRED DURING DISINTERMENT IS THE RESPONSIBILITY OF THE LOT OWNER. THIS INCLUDES DAMAGE TO THE CASKET AND/OR VAULT. LOT OWNERS ARE RESPONSIBLE FOR SECURING A NEW CASKET AND/OR VAULT (IF NEEDED) BEFORE REINTERMENT CAN OCCUR.