

Selectmen's Meeting Minutes 11/29/10

**Board of Selectmen
Meeting Minutes
11/29/10**

4#6

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, John Haederle, Irwin Cohen, Sean Noonan and Town Administrator David Colton

Members not present: Ellen Barlow

Corona called the meeting to order at 6pm and explained the procedure for the sewer workshop; no public comment will be heard.

Sewer Workshop

Vonnie Reis and Joe Shea of Woodard & Curran and Easton Planning Director Brad Washburn were present. Colton, Reis, Shea, Corona, Haederle, Cohen and Noonan viewed a new proposal referenced as Option 3. Reis reviewed the Option #3 (plan attached). Reis noted that the Borgeson site, the Shovel Shop parcel and the YMCA parcel are also included in Option 3. The current Title 5 capacity has been incorporated. Woodard and Curran looked at existing water flows and where we could get them. The Department of Environmental Protection (DEP) says that this is an acceptable method and they will take this in lieu of Title 5. Option 3 includes 77 parcels total and would average approximately 55,000 gallons per unit per day.

Colton referenced the plan and stated that after receiving feedback at the workshops, both sides of Main Street have been incorporated into the plan.

Haederle acknowledged that the former North Easton Grammar School is not included in Option 3 and by excluding this property, we are able to incorporate more of Main Street. Colton referred to Option 2 and suggested that many people wanted to include more residences.

Reis noted that based on the number of emails they got and the feedback, they added some of the parcels based on the information.

Colton suggested looking at the capacity of the treatment plant and if we could find another five thousand gallons, we could enlarge the treatment plant. Corona noted the possibility of eliminating some parcels if needed. Colton noted this does include properties on Pond and Andrews Street.

Shea noted the discussions with DEP and their offer to use the three year average. Colton noted that the 55,000 includes Shovel Shop and after the three year period, we may be able to expand the line.

Noonan asked for clarification as to whether or not the sewer line will go through the alley way in back of the downtown businesses. Reis confirmed yes and stated this is the cheapest way to allow homeowners to tie in. Noonan suggested that this plan actually offers more than option #2.

Reis suggested another option, Option 3A; the plan was viewed by the Board.

Selectmen's Meeting Minutes 11/29/10

Colton noted the benefits of the new plan will allow easier expansion in the future.

Corona suggested Option 3 addresses a lot of the areas of concern that existed in Options 1 & 2.

Cohen asked if the decision is subject to litigation. Corona suggested yes, but at this point nobody has suggested litigation. Colton clarified that the plan needs to be approved by DEP and the Board's vote is to provide some direction.

Corona commended Woodard and Curran for putting together all the information and incorporating suggestions and concerns heard at the other public meetings. Colton noted the next step will be the Phase I waiver request, there will be a comment period into January before we get a final answer from DEP.

Corona suggested that the plan is not final and there is still a possibility that we will need to take out a few properties upon further review.

The Board took a brief recess at 6:20pm and reconvened at 6:25pm.

The Board discussed 211½ and 213 Main Street and whether to include these properties. The workshop concluded at 6:27pm.

Voted (Haederle/Noonan) voted unanimously to direct the Town Administrator to submit Option 3 as amended in the workshop to the DEP and the Massachusetts Environment Protection Agency (MEPA) as the Town's Phase I waiver request and to continue to explore additional options for the wastewater treatment and disposal for to Option #3

One Day Liquor License Requests

Stonehill College requested the following one day licenses:

One day all alcohol license for the South Shore Guidance Counselors on December 7, 2010 from 3pm - 9pm at the Shields Science Center

Voted: (Noonan/Cohen) voted unanimously to approve the one day license

One day beer and wine license for the HCFM Christmas Celebration on December 10, 2010 from 10am – 4pm at Donahue Hall

Voted: (Noonan/Haederle) voted unanimously to approve the one day license

One day all alcohol license for the Gaudete Awards Dinner on December 11, 2010 from 6:30pm-10pm at Alumni Hall

Voted: (Noonan/Haederle) voted unanimously to approve the one day license

One day all alcohol license for the Caritas Good Samaritan Holiday Dinner on December 22, 2010 from 3:30pm to 9pm at Donahue Hall

Voted: (Noonan/Cohen) voted unanimously to approve the one day license

Selectmen's Meeting Minutes 11/29/10

One day all alcohol license for the Alumni Council Networking Event on February 8, 2011 from 7pm to 9:30pm at the Shields Science Center Atrium

Voted: (Noonan/Haederle) voted unanimously to approve the one day license

Easton Police Department details are not required.

Annual License Renewals

See the attached list of Class I & II licenses proposed for 2011 renewal.

Corona read the list of proposed license renewals.

Noonan asked if there are any outstanding license issues with the proposed renewals. Corona confirmed no outstanding issues.

Voted: (Cohen/Noonan) voted unanimously to approve the Class I & II license renewals as proposed

Authorization for the Town Administrator to execute a natural gas contract

Colton noted the price of natural gas has fallen and now is a great time to buy. Our current contract is about \$13 a dekatherm and pricing now is about \$8; if we extend now, we can pick up the low pricing for a period of time for up to four years. We will save \$192,000 in natural gas for the FY'12 budget if we do this. Most of the savings will be in the school buildings. Colton asked the Board to consider authorizing him to enter into an agreement when the pricing is the best as we have done in the past.

Noonan asked if there is a cost to change the contract. Colton replied no; we are using the same contractor and they are offering an extension. The Board noted the significant savings.

Voted: (Noonan/Haederle) voted unanimously to authorize the Town Administrator to enter into a contract for natural gas

Grant Application – Council on Aging (COA)

COA Director Del Kent was present. Kent explained her request for the Board to approve a letter of intent to replace the Town's 2003 Dodge Van with a new one with a grant through Brockton Area Transit (BAT) Authority. Corona clarified that this is to replace an older van in the fleet. Kent confirmed. Kent explained the status of the COA van fleet. Corona asked if we submit the letter of intent, if we would need a town meeting vote for funding. Colton confirmed yes. Kent noted she has put in a request for the FY12 Capital Budget. If we get the van it will be ready for delivery in August. The funding will need to be voted at the May Annual Town Meeting. Kent noted an outside possibility that BAT may be eligible for a grant which may pay the match but we need to commit to paying this now.

Noonan asked if we need to use \$12,000 out of the Reserve Fund to show that we have the funding now. Colton suggested no, the resolution as proposed is to support, not an authorization to spend.

Voted: (Cohen/Noonan) voted unanimously to authorize the Selectmen Chair to sign the letters of support

Sewer District Update

No other discussion to support Option 3 was done at the end of the workshop meeting.

Selectmen's Meeting Minutes 11/29/10

Minutes

Voted: (Haederle/Cohen) voted unanimously to approve general minutes dated 11/1/10

Voted: (Noonan/Haederle) voted unanimously to approve general minutes dated 11/15/10
General Minutes dated 11/19/10; no action taken

Voted: (Haederle/Noonan) voted unanimously by roll call to adjourn open session, to go into executive session for the purpose of discussing real estate negotiations and labor negotiations, to return to open session (6:45pm)

Cohen-yes; Haederle-yes; Corona-yes; Noonan-yes

The Board reconvened open session at 7:15pm.

Discussion re: polling places

Town Clerk Jeremy Gillis and Chief of Police Allen Krajcik were present. Corona noted that we recently made a change to have all precincts vote at one polling location. During this past election in November, the inside voting went very well; the outside parking and traffic did not go so well. The Selectmen got many complaints about the exterior.

Krajcik noted the outside was quite congested as well as the streets leading into the high school area, especially when the students were coming into school at the delayed start time. There were definitely some safety issues with the parking situation. Corona noted at least one minor accident.

Corona referenced a comment that the Selectmen tried to reduce the number of voters by choosing only one polling location which was obviously not the case.

Haederle also spoke of the complaints about parking and the need for some to park so far away and walk to the voting location. Haederle applauded Gillis on his efforts to save money. Gillis spoke of voter turnout and indicated that for the September primary, the savings was approximately \$5,000 and the November election, the Town again saved over \$5,000. Haederle suggested balancing the need to save money vs. inconveniencing thousands of people. Haederle suggested it was a great attempt but the Board may need to talk about whether to go back to the way it was, with more than one location. Corona reiterated the need to accommodate the citizens and noted that some people didn't get to vote.

Colton asked for the voter turnout figures in 2008 vs. 2010. Gillis replied that the voter turnout was 9,076 in 2010 and 8,600 in 2008; the turnout in the November election was actually higher this year even though the presidential election was in 2008. Colton suggested that nobody could have foreseen this to be an issue for a state election. Colton asked how many of the surrounding communities had school on Election Day this year. Gillis replied that only Sharon and Brockton did not close schools on Election Day.

After discussion, Corona suggested we could ask the School Department again to consider closing for the elections every other year. Clearly, the parking was an issue and the seniors had to park in places that were not convenient. Krajcik agreed with this proposal noting that it's a problem with the large elections and the Police Department cannot manage it safely.

Selectmen's Meeting Minutes 11/29/10

Noonan asked if we could manage the traffic pattern different for this one day. Krajcik noted this could be a possibility although he is not sure how practical this would be just for one day; it would most likely cause more confusion. Corona agreed it would be hard to do this for one day.

Haederle asked what it would take the School Department to consider closing once every other year and asked if this decision would be affected by school contracts or just in-service days. Corona noted if the School Department says no, we will need to make the voting as easy for our citizens as possible; we would need to revisit this issue.

Krajcik noted the need to be consistent with the voters so they know where to vote. Gillis suggested asking the School Department to close anyway even if we keep only a few precincts at the high school for the state elections.

Cohen noted the need for consistency, he feels we can work this out and we should be able to close schools like other communities do. Corona noted we need to take all the factors into consideration.

Colton asked Gillis to explain provisional ballots. Gillis noted that in 2008 he had 96 provisional ballots; provisional ballots are created when the voters did not appear on the list for various reasons. This election, we only had about 15 because the Town Clerk had access to information on the computer and this reduced the number of necessary provisional ballots.

Colton noted that he has heard people say that it is not worth saving \$10,000 to consolidate the voting locations into one. He noted the pressure placed on department heads to reduce budgets and if we put the money back into the budget for the elections, the money has to come from somewhere. Corona acknowledged the budget situation but feels we needed more police presence at the locations.

Cohen suggested that the School Department consider reducing the school day for a few hours which would still constitute a school day. Gillis noted the highest voting hour was from 6-7pm.

Gillis agreed to attend the School Committee Meeting when the discussion comes up. The Board will decide if a Selectman will attend when the discussion draws near.

In summary, the Board will ask the School Committee to close school one day every other year for the presidential and state elections and if they don't agree, the Selectmen will re-visit this issue.

Corona thanked Krajcik and Gillis for coming in.

Tax Classification Hearing

Haederle read the notice of hearing into the record.

Corona noted we haven't received confirmation from the state on our figures yet so we will need to continue the hearing.

Corona asked the board to considering continuing the hearing to December 6, 2010 at 6:30pm in the Assessors office.

Voted: (Noonan/Haederle) voted unanimously to continue the tax hearing to December 6, 2010 at 6:30pm in the Assessors Office

Selectmen's Meeting Minutes 11/29/10

Temporary Sign Permit discussion

Building Inspector Mark Trivett was present. Colton noted the recent issue of temporary signs which were in violation of the Town's sign bylaw. There have been many complaints lately, especially since the recent elections.

Trivett stated that it became apparent after the political season that we had many illegal signs. Usually real estate and other signs are placed at intersections and he will routinely go out and pull these signs because they obstruct site distances. Trivett admitted to have been very lax in removing the temporary signs in front of businesses and there have been other signs that originate from businesses that do not even exist in Easton. There have been other temporary signs put up by local civic groups that do good things for the town. He explained the bylaw. Any sign in the public right of way are strictly prohibited. Recently they have taken down signs and tried to have discussion with the business owners on how to make changes so that they are in compliance.

Corona noted there are two locations non profits can place the signs; the S Curve on Depot Street and the intersection of Main and Washington Street. She noted the Building Department would waive the fees for the nonprofit groups. Trivett agreed but noted they still need to get a permit.

Resident Gus Arns asked why the signs have become an issue now, after 10 years. Arns acknowledged that he has placed many signs for local events near his property on town property for years and stated that the organizations in town do good things for the community like concerts, the Canoe Day at Yardley Rink, the ice skating rink or Build a Scarecrow Day. He spoke of the need to make people aware that these events are going on. Arns disagrees that the Lions Club should have to pay for using water for the public events at Yardley Rink. Corona noted we cannot waive fees for water because it is an enterprise fund. Arns noted the Reindog Parade and the crowd it draws. Arns indicated he will no long promote Town events.

Corona suggested that Arns should continue promoting the events but suggested that the signs be placed on private property instead of town property. We need to consider the safety of residents when the signs go up. Arns noted that the signs get the message out; nonprofit groups cannot afford to advertise in the newspaper. Arns suggested that the Town is working against him and the officials should be ashamed for doing away with a good thing. Corona noted you can have the signs on your property, just not in the right of way; we cannot selectively pull some signs in the right of way and not others. Corona acknowledged the good things that the Lions Club and Garden Club do for the community. Again, the S-Curve and the intersections of Washington Street and 138 are options for placement of signs.

Colton noted it is a liability issue; if we allow signs in the public right of way we open the Town up to liability. As a matter of the first amendment, we cannot decide to put up one sign yet not another. This is a well settled matter of law; we cannot selectively say which sign will stay or not.

Trivett noted he had a recent discussion with Jon Morgan of the Lions Club to help find a permanent solution for signs; the possibility of a message board was discussed. Colton noted we have been trying to work with the nonprofit groups but at the same time, we need to enforce Sign Bylaw. For example, we recently changed the fee structure so that we can continue t waiver fees for nonprofits once we

Selectmen's Meeting Minutes 11/29/10

found out the Selectmen could no longer do this. Colton talked about working with the Friends of the Easton Public Gardens and how they want to help the Town.

The Board thanked Trivett for coming in and speaking about the signs.

Minutes

Voted: (Cohen/Haederle) voted unanimously to approve and release executive session minutes dated 11/1/10

Public Participation

None

Selectmen's Notes

None

Town Administrator Notes

Colton referenced the spending and hiring controls memo sent to all departments today. Colton stated that this is the same notice sent out last year. Non emergency overtime is cancelled and departments need to get approval to spend money with some exceptions. The reason for this is action that Local Aid is expected to be cut 5-10% next year and we need to prepare for FY12.

Press Notes

None

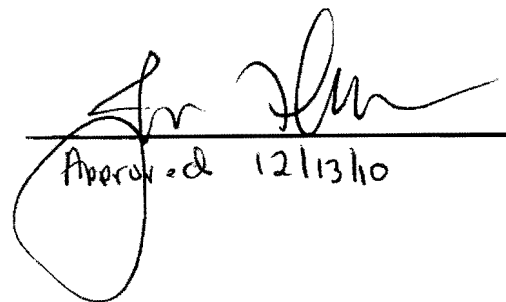
Voted: (Cohen/Haederle) voted unanimously to adjourn (8:05pm)

Respectfully submitted,

Mary Southworth

List of Documents and Other Exhibits Used:

Agenda Notes
List of Class I & II licenses proposed for 2011 renewal
School closing list in the area for state elections
Letter of Intent – Brockton Area Transit Authority
Resolution of Support and Verification – Brockton Area Transit Authority
Fiscal and Managerial Capability Certification – Brockton Area Transit Authority
Notice of Tax Classification Public Hearing
General Minutes dated 11/1/10; 11/15/10; 11/29/10
Executive Session Minutes dated 11/1/10
Spending & Hiring Control Memo
Sewer District Option 3 Map


Approved 12/13/10

**Town Administrator Agenda Notes
November 29, 2010**

6:00 Sewer Workshop

- Announcements/Proclamations
- Licenses/Permits

1) One Day Liquor License Requests

Stonehill College has requested the following licenses:

One day all alcohol license for the South Shore Guidance Counselors on December 7, 2010 from 3pm - 9pm at the Shields Science Center

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One day all alcohol license for the Alumni Council Networking Event on February 8, 2011 from 7pm to 9:30pm at the Shields Science Center Atrium

Easton Police Details are not required for these events.

2. Annual License Renewals

See the attached list of annual licenses ready for renewal.

- Action/Discussion

- A) Discussion re: polling places

- Town Clerk Jeremy Gillis and Police Chief Allen Krajcik will be present. Attached is a list of school closings in the area for state elections.

- B) Sewer District Update

- This time is set aside to discuss and/or vote on the results of the workshop.

- C) Temporary Sign Permit Discussion

- D) Authorization for the Town Administrator to execute a contract for natural gas

- E) Grant Application - COA

- COA Director Del Kent informed me of a grant opportunity to replace our 2003 Dodge Van. As part of the grant application process, Brockton Area Transit (BAT) will require a Resolution of Support from the Selectmen and a Fiscal Managerial Capability Certification from the Town Administrator.

- If we are successful in getting the grant, the new van valued at \$56,095 will cost the Town approximately \$12,000.

- 7:30 Tax Classification Hearing

- See the attached notice of public hearing. We are waiting to hear from the Department of Revenue (DOR) regarding our growth certification. If the DOR has not certified the growth

by the time of the hearing, we will need to continue the hearing to a new date and time. If necessary, the Selectmen should consider continuing the hearing to Monday, December 6th at 6:30pm in the Assessors Office.

Minutes

General dated 11/1/10

General dated 11/15/10

General dated 11/19/10

Executive Session dated 11/1/10



*North
Easton
11/2/10*

Annual Licenses for Renewal 11/29/2010

Class I and Class II			
11CL1-01	Bob's Ski-Doo, Inc. dba Bob's Ski Doo and Power Center	198 Washington St.	Class I
11CL2-01	S P Enterprises Inc.	329 Depot St.	Class II
11CL2-02	Peter & Carl Palm 407 Bay Rd. Trust dba Furnace Village Garage	407 Bay Rd.	Class II
11CL2-03	Peter Cali dba J&T Enterprise	4 Washington St	Class II
11CL2-04	William Van Laarhoven III dba Martin Auto Sales	108 Washington St.	Class II
11CL2-05	Peter O'Donnell dba Pete's Auto Sales	338 Turnpike St	Class II
11CL2-06	Jay Vee Leasing Corp.	7 Plymouth Dr.	Class II
11CL2-07	Mercier Motor Sales	41A Hampden Dr.	Class II
11CL2-08	Deals on Wheels, Inc.	694 Washington St.	Class II
11CL2-10	LRL Enterprises dba Eastman St Auto & Collectibles	95 Eastman St.	Class II
11CL2-11	Rt. 106 Enterprises, Inc.	459 Foundry St	Class II
11CL2-12	I.F.S., Inc.	14 Bristol Dr. Unit F	Class II
11CL2-13	South Easton Motor Sales, Inc.	300 Turnpike St.	Class II
11CL2-15	Five Corners Petroleum, Inc.	490 Foundry St.	Class II
11CL2-16	Edward Johnson dba Quality Automotive Service	496 Foundry St.	Class II
11CL2-19	Robert Howard dba Dealer's Choice Auto Sales	1 Hayward St.	Class II
11CL2-20	Turnpike Auto Sales, Inc. dba Furnace Brook Motors	561 Foundry St.	Class II



DAVID A. COLTON
Town Administrator

TOWN OF EASTON
MASSACHUSETTS
Office of the Town Administrator

*minutes
11/29/10*

Interoffice Memorandum

To: Department Heads
From: David A. Colton, Town Administrator
CC: Union Officers
Board and Committee Chairs
Michael Green, Superintendent of Schools
Attorney Marc Terry, Labor Counsel
Subject: Spending & Hiring Controls
Date: November 29, 2010

URGENT NOTICE

As the Town's chief fiscal officer in accordance with Article 6 (Finances and Fiscal Procedures) of the Town Charter, I am implementing additional **spending and hiring controls** and will only approve warrants under certain conditions. These controls are a precautionary measure and will be lifted as soon as economic conditions allow. Effective **immediately** spending is authorized under the following conditions:

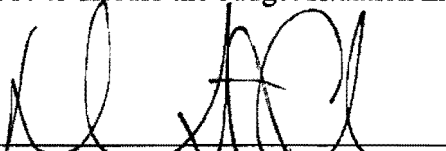
1. To meet the conditions of a collective bargaining agreement.
2. To honor a previously **approved** and fully **executed** contractual agreement with a vendor.
3. Pursuant to authority specifically granted by me **in writing**. As such, any authority granted prior to today's date either in writing or verbally is revoked and must be re-requested **in writing**.
4. Pursuant to the conditions of a grant.
5. Pursuant to a fully approved and executed agreement with an applicant to cover the cost of a permitting process pursuant to MGL Chapter 53G or 53e 1/2.

6. To provide essential training to maintain professional certifications or meet legal requirements.

In addition, any non-essential or non-emergency overtime is cancelled.

I regret having to take this action; however, discussions with the state indicate that local aid will be cut by at least 5% in fiscal 2012. If that happens, we need to do everything we can now to avoid substantial cuts in services including layoffs.

In addition, I am scheduling an additional staff meeting for nine o'clock November 9, 2010 to discuss the budget situation in more detail.



David A. Colton, Town Administrator