

**Board of Selectmen
Meeting Minutes
12/21/09**

The 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, Chuck King, Ellen Barlow, Irwin Cohen and Town Administrator David Colton

Corona called the meeting to order at 7:00pm and noted that this meeting is being recorded.

Annual license renewals

See the attached list of license renewals submitted for the Board's approval.

Corona referenced the first list of licensed recommended for approval dated 12/21/09, referred to as the slate.

Voted: (Barlow/King) voted unanimously to approve the slate

Corona referenced the list of licenses proposed for renewal for James Inc dba Loco at 502 Foundry Street and stated that she would abstain from this vote because a family member is employed by Loco. Corona left the room and did not participate in discussion or vote (7:05pm)

Haederle referenced the restaurant all alcohol/common victualler licenses for James Inc dba Loco.

Voted: (King/Barlow) voted unanimously of those present to approve the licenses

Corona returned at 7:07pm.

Corona referenced two establishments with outstanding issues.

Dynasty Corp dba Dynasty Convenience Shoppes – 750 Washington Street – the license holder failed to submit the required paperwork needed for renewal for the package store wine and malt license.

Voted: (Haederle/Cohen) voted unanimously to disapprove the license renewal

The Smith Family Restaurant at 402 Turnpike Street – the license holder is still in process of making repairs and needs final repairs in order to open the restaurant.

Voted: (Haederle/King) voted unanimously to disapprove the license renewal

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Proposal to consolidate voting precinct locations

Town Clerk Jeremy Gillis was present. The consolidation proposal is to make the Oliver Ames High School the polling place for all voting precincts and no longer use the Knights of Columbus and the Baptist Church. Gillis suggested this proposal to be a financial gain and would help with safety concerns. Gillis suggested that the proposal would save on DPW costs as well as the Town Clerk's staff time traveling to and from the different polling locations. Gillis stated that consolidation to one polling location has worked well in his home town of Amesbury as well as Redding and Braintree.

Barlow expressed concern with parking. Gillis suggested that the back parking lot can be used for the elections. He is working with the School Superintendent, Dr. Green, to consider having professional days scheduled in advance to allow for more parking during larger state and federal elections.

King asked how the town originally made the decision to use the Knights of Columbus and the Baptist Church as polling places. Gillis replied that he was not sure but suggested that it can be somewhat difficult to find locations that are handicapped accessible.

Cohen asked if the change as proposed would require a state mandate. Gillis replied no; just a vote of the Board.

Corona asked about the population of Amesbury. Gillis stated 18,000. Corona expressed concern with the execution of this. She referenced the last election and stated that based on the numbers, we could see 300 people per hour if everyone voted like they did during the last election. Gillis suggested that realistically, we could cut the numbers in half and the back parking lot would be sufficient for the voter parking. Gillis stated that the last election was not the norm. Corona spoke of Gillis' suggestion of having some special elections on Saturdays and stated that the school parking lot on any given Saturday is full due to sporting events. Gillis thanked Corona for the information and suggested that this is important to know when considering a change.

Corona asked Gillis if the School Department agreed with the consolidation, if he would consider keeping the Knights of Columbus location. Gillis stated that he would want to leave the Knights of Columbus and has concerns of keeping the Baptist Church as the second location because they could not accommodate any more precincts.

Corona suggested that the Board wait two weeks before making a decision on a change. This will allow time for more research.

Ann Martin, Precinct 6 Worker for many years stated that she has been involved in some campaign work in Bridgewater and they use one school as the only polling location and it has worked well. They closed the schools on larger election days. Martin likes the idea as proposed by the Town Clerk.

Corona asked Gillis if the School Department has agreed to close school on the larger election days. Gillis said that the School Superintendent is open to working with us, giving us the back parking lot but has not agreed to close schools during the larger elections.

Haederle suggested that the proposal is a great idea and would like to see it happen, especially where we have recently renovated the high school.

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After discussion, the consensus of the Board was to wait two weeks and then vote. The Board thanked Gillis for the idea of reducing costs.

One day liquor license requests

None

Verizon New England Inc./Massachusetts Electric Company – pole location hearing

Pole P119S on Depot Street, Easton, MA

Rights of Way Manager JoAnn Robidoux was present. Haederle read the notice of hearing into the record.

Voted: (Haederle/Barlow) voted unanimously to approve the pole location as requested

Verizon New England Inc./Massachusetts Electric Company – pole location hearing Pole P93 on Center Street, Easton, MA

Haederle read the notice of hearing into the record. Rights of Way Manager JoAnn Robidoux explained the pole location request on Center Street.

Voted: (Barlow/King) voted unanimously to approve the pole location as requested

Town of Easton Personnel Plan

Colton explained the proposed Personnel Plan for the Town of Easton dated December 2009 for the Board's review. Colton stated that the Town Charter requires the Town Administrator to establish a Personnel Plan establishing the personnel requirements by the Town, submitting it to the Selectmen each year. To the best of Colton's knowledge, the Personnel Plan has not been submitted since 1999. Colton explained that the Board does not need to take action unless they object to something in the plan; otherwise the plan becomes effective after 30 days.

Cable Advisory Committee resignation

Corona referenced the resignation submitted by Howard Cohen from the Cable Advisory Committee.

Corona noted the work done by Miller and the Cable Advisory Committee and now the Easton Community Access Television (ECAT) Corporation. ECAT members plan to have the new cable studio up and running on January 12, 2010 beginning with two channels. Corona spoke of the recent tour of the studio and how amazing it will be for the Town.

A certificate of appreciation has been prepared for the Board's signature.

Easton Affordable Housing Trust Action Plan 2011-2015

Planning Director Alice Savage was present. Colton noted that he and Ellen Barlow serve on the Easton Affordable Housing Trust Fund Board. See the attached action plan for FY2011-2015. The Board spoke of the importance of creating affordable housing and connecting residents to housing assistance. Savage explained the Taunton Home Consortium Program and the ways that they can assist residents. If citizens have questions about the consortium, they can contact the Department of Planning and Community Development.

Voted: (Haederle/Barlow) voted unanimously to approve the plan and send a support letter to the CPA Committee

Continuation of Tax Classification Hearing

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Chief Assessor Rob Alford and Board of Assessors Shaun Fitzgerald and Wally Fulcher were present. Fitzgerald read the recommendation letter as submitted to the Board.

Corona asked a question frequently asked by the citizen as to when the property values drop, why the taxes don't go down. Corona noted the difficulty in explaining how we adjust the taxes. Fitzgerald suggested looking at the total valuation rate.

Alford suggested that when the budget is voted at town meeting, this is the budget that the Assessors use. Corona reiterated that people shouldn't expect a decrease in taxes. Alford suggested that the number of home sales and the values of those sales are different. Fitzgerald noted that three years in a row we have seen an approximate 3% decline in sales. \$13.49 is the proposed single rate tax rate; an increase of last year's rate of \$12.35.

Voted: (Barlow/Haederle) voted unanimously to approve a single tax rate with a shift of one

Alford explained an option available to which allows the cities and towns the flexibility to send out actual bills if needed due to the delays at the state level. Alford suggested that the Board consider this option, just in case although he feels that we will have the tax rate set and the regular bills should be mailed on time. Fulcher suggested that this is a cushion in case we need it.

Voted: (Barlow/King) voted unanimously to accept Chapter 183 of the Acts of 2009 to extend the time frame for mailing the actual tax bills for fiscal year 2010 until January 30, 2010

Alford suggested that the bills should go out on time as planned.

Alford noted that abatement applications will be online after January 1st and property owners will have 30 days to file. People can go online and see their home assessments.

The Board thanked the Assessors for all their hard work.

Shovel Shops Redevelopment Proposal update

George Cole of GLC Development Resources and Planning Director Alice Savage were present.

Colton referenced a financial analysis report submitted by George Cole relating to the Beacon Communities Development Proposal.

Cole distributed copies of the plan for the Board's review. He noted that he has been engaged by the Town to look at the proposal by Beacon Communities. Cole's role is to look at what the best financial structure for the Town would be. Cole feels that Beacon, the Town and the development should do well. He noted that the property is under agreement and Beacon proposes 119 units; 95 units would be market rate and 24 would be affordable rental units. Cole looked at the cost to develop the project and where Beacon will be getting funds to develop the proposal. Cole suggests that Beacon's proposal is reasonable. They looked at project costs both hard and soft costs. Beacon has requested a development fee of \$4.2 million dollars. He explained how the payment works during the construction. Cole doesn't find the fee request unreasonable. Another component of the costs is the financing costs, construction loans and grants and other financing sources. Contingency fees were also discussed. The total projected costs are projected at \$46.9 million. They are getting funding from lots of different sources. They are seeking \$9 million from the Town of Easton. \$1.5 million would fund a wastewater treatment plant. This will be supported by bonds which will be paid down by user fees. The remaining \$7.5 million of Town funds will be used for the purchase of historic preservation easements (\$3 million) and the

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remaining \$4.5 million would be funded through a loan to the development secured by a second mortgage on the property.

Corona asked about 5% contingency fee and asked if this is normal. Cole noted that this is normal and reasonable.

Haederle asked the funding source of the wastewater treatment plant. Colton replied that it will be an Enterprise Fund.

Cole suggested that Beacon is seeking \$5.4 million in federal historic tax credits. The Town's funding will not happen unless the other funding takes place. Cole noted that Beacon is very confident in the proposal. They are deferring their development fee pending the successful conversion of the project to condominiums.

Condominium conversions were discussed and it was noted that condominiums will not be marketed until 2017.

Cole noted the extensive negotiations between Beacon, Cole and Colton to get to the point we are at today.

Corona clarified the condo fee projection and the split of funds which will be received by Beacon and the Town. Cole noted that there is a potential to make an additional amount of money as the condo predictions are low.

Corona asked if there is a way to set it up so that we get some of our payment earlier than currently suggested. Colton noted that we made the conscience decision to tie Beacon to the DHCD guidelines, protecting the Town from a situation where Beacon would enjoy an enormous windfall if the condo fees increase dramatically.

Corona stated that her whole goal is to protect the Town more so than the Town getting a windfall.

Cole spoke of the critical need to hire the right people to help protect the Town i.e. an expert real estate attorney.

King asked what would happen if there was not a market for condominiums when the time comes to sell. Cole suggested that the town should agree not to sell below a minimum amount. You can hold and rent until the market recovers.

Corona asked if the projection for the sale of the condos is as conservative as they can be even in today's economy. Cole suggested the predictions are reasonable and conservative.

Corona referred to the list of preliminary recommendations as shown on page 10 of the analysis. Corona asked Cole's opinion of Beacon's fiscal reputation in the market. Cole referred to Beacon as highly regarded.

Cohen asked about Cole's comment that that tax rate will not rise. Corona explained that this is the Tax Increment Finance (TIF) and it's done for a number of years in order to get the development up and built. Colton noted that Savage has been looking into this.

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Savage indicated that she and Jason Korb of Beacon have been looking into Urban Community Housing TIF through the Department of Housing and Community Development. Cohen asked if it requires a town meeting vote. Savage explained yes, it does and there are other approvals that are needed. Cohen asked if this would be a deal breaker if this doesn't happen. Savage noted that if it didn't work out, there would need to be another plan.

Corona again referenced the fiscal responsibility to the Town. She questioned if we use CPA money, if there is borrowing capacity in the CPA funds for the CPA Committee to reach their goals. Corona asked Colton if we can get these numbers before we move forward. Colton agreed and suggested that we can have the Town Accountant attend the next meeting and explain the analysis. She can explain the priority parcels and add in the Affordable Housing Trust budget figures. Colton agreed that this is an essential piece before we move forward.

Barlow asked if we have engaged the CPA in this process. Colton noted that we attempted to meet with the CPA Committee in December and the Chair didn't want to meet unless there was an application before the CPA Committee. A draft application has been prepared and it will be submitted by their deadline with hopes of being on the CPA agenda for January 28, 2010.

Corona asked about a special attorney qualified to handle a proposal of this kind. Colton noted he has asked George Cole for a list of the best attorneys to handle this. Barlow asked about the funds to hire counsel. Colton noted that we would have to prepare a budget for this and have this part of the town meeting approval.

In closing, Cole noted that there are many moving parts to this proposal. There will be more information to follow; this is just the beginning of the discussion. The Board complimented Cole on the helpful memo.

Colton agreed that there are many different parts to this and the Board will have the opportunity to say when they are not comfortable with something. Corona noted that we approached Beacon to help us; they did not come to us. Colton noted that people need to realize that the costs involved to the development and no bank will give all this money to do this; this is why we are looking for tax credits and subsidies. The Board thanked Cole and Savage.

Savage reiterated that applications to the CPA Committee should be submitted by 12:30pm on deadline date of December 31, 2009.

Town Administrator's notes

Colton commended Food Pantry volunteers who have distributed food to 125 families during the holiday season. Colton suggested that the Town is very lucky to have so many people volunteer in this way.

Press notes

None

Selectmen's notes

Corona noted condolences to the family of Dan Amorim, the former Tree Warden. Corona also expressed condolences to the family of Priscilla Perron, the former Outreach Coordinator for the Council on Aging.

Corona thanked the Easton Lions Club for the great Holiday Festival again this year.

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Corona also thanked all of the Town employees and volunteers for their hard work throughout the year.

Public participation

None

Voted: (Barlow/Haederle) voted unanimously to adjourn (8:40pm)

Respectfully submitted,

Mary Southworth