

**Board of Selectmen
Meeting Minutes
3/24/08**

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, Charles King, Ellen Barlow, Irwin Cohen and Town Administrator David Colton

Corona called the meeting to order at 7:00pm

Discussion regarding wastewater relating to 40R Queset Commons Project

Joseph Shea, PE and Vice President of Woodard and Curran and Paul Dombrowski, PE, DEE and Vice President, Wastewater Engineering were present. Dombrowski referenced his 20 years of experience providing environmental consulting services to municipalities and clients in the private sector.

Corona asked what type of pollutants the wastewater plant removes. Dombrowski looked at the conceptual plan as proposed at the Queset location and its essential removal of the pollutants that are in groundwater discharge. This type of system removes all the carbon based products. The plant will remove ammonia and nitrate compounds, bacteria and some phosphates. Corona asked what the difference was between septic systems and wastewater treatment plants. Dombrowski stated that the septic concept would take care of a lesser amount, most likely one half or two thirds whereas 95-99% will be removed in the treatment plant as proposed. Corona asked about pharmaceuticals. Dombrowski agreed that pharmaceuticals are a concern. In a general sense, a plan of this nature will remove a higher amount of these pollutants than a septic system. If they are biodegradable, they will decompose. Other pollutants that are difficult to degrade will be taken care of by the ultraviolet system and the system as proposed typically of that nature catches most bacteria. Many of these compounds will be removed by this process.

Haederle asked about the Department of Environmental Protection (DEP) and their standards that apply to wastewater treatment plants. Dombrowski responded that the DEP currently has interim guidelines but some of the pharmaceuticals are not recognized are not part of these guidelines.

Haederle asked about the Zenon or Membrane Bio-Reactor (MBR) and its technology. Dombrowski spoke of the technology and the engine that removes the compounds. If the compounds are biodegradable, they can be removed by this source. The technology is a hollow fiber membrane. This pulls the water through and much of the bacteria is retained by the membrane and the bacteria remaining cannot reproduce.

King asked how well established this type of technology is. Dombrowski spoke of thousands of plants all over the world and how they are working well. The pollutants that have been tested are working with this type of system. Corona reiterated that we are not required at this time to test for certain types of pharmaceuticals. Dombrowski agreed and suggested that we cannot say that they are removed completely because they are not tested.

King asked about the latest concern with aging people and the increase of the compounds found in certain waste streams. Dombrowski could not speak on this for sure but spoke of the need for education so that we do not put pharmaceuticals back into the water system. Dombrowski has not seen any documentation relating to age and the risk of more pharmaceuticals in the water.

Corona spoke of the Zone 2 and the fact that there are a lot of septic systems in this area. She asked if the better option is to have all the homes on septic vs. wastewater treatment plant. Haederle asked about the pollutant loading in the area if they were tied into wastewater treatment plant if this would lead to a higher quality of removal. Dombrowski suggested there would be significantly less discharge into the water system with a treatment plan, especially the Nitrogen loading.

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Corona spoke of the alternative plan of septic systems on the Queset site instead of wastewater treatment plant. She asked about an option to install septic with a slightly lesser flow. Dombrowski suggested the water flow would be higher through septic vs. the wastewater treatment plant.

King suggested a comment made by a Planning Board member that Boston Harbor has become cleaner as a result of having a wastewater treatment plant. Dombrowski spoke of the many changes made in this area and the fact that we no longer dump into the harbor. He spoke of the treatment plant in Quincy.

Barlow asked the meets and exceeds of pharmaceuticals and if down the road there will be discharge allowed in a Zone 2. Dombrowski is not sure exactly how the regulations will change and suggested that there will be improvement in the technology. There is so little known about what pharmaceuticals do to humans; there has been no documentation that he has seen. Dombrowski noted that there is always a cost benefit when analyzing things of this nature and we need to decide what level we need to go to take these things out; as engineers and regulators, we need to find balances.

Corona summarized that in certain parts of the country they have to survive water shortages. Dombrowski commented and spoke about the lack of adequate water supplies and the various processes that are necessary to provide water. He spoke of the Las Vegas area and how they put it right into the reservoir and it is treated. He spoke of the membrane and ultraviolet (UV) and reverse osmosis used as proposed. This is as good as we could get with the regulations. You could add in reverse osmosis or an advanced oxidation process along with UV process.

Colton followed up on the upgrade issue and asked why the upgrade would be done. Colton suggested it would be done in response to a DEP or EPA requirement; you wouldn't apply the technology and then wait for the regulation to come out. Dombrowski agreed with Colton's understanding of the process. Dombrowski agreed it is not wise to add a technology that is not technically needed. Colton noted that this is an emerging concern and asked who is concerned and who is looking at this. Dombrowski spoke of American Water Works Association, EPA and also a number of public interest groups that are trying to understand this better. Barlow spoke of medicine and the motto "don't screen if you can't intervene". She asked if this is similar to this process. Dombrowski and Shea noted the challenge with the regulators and the question of what to screen.

Haederle asked that as an area of emerging concern, are there studies showing the impact of drinking water with PPCP's. Dombrowski is not aware of any impact on humans although he has heard that there is an impact of fish and other animals that live in the water 24 hours a day, 7 days per week.

Corona asked a final question: "which is worse for the well, the other homes currently in Zone 2 with septic or the treatment plant as proposed? Dombrowski suggested that the wastewater treatment plant is an improvement over septic systems.

The Board thanked Shea and Dombrowski for the information.

Review of Planning & Community Development budget

Director of Planning & Community Development Marc Rousseau was present. Rousseau gave an overview of the budget as proposed. There is an increase of \$10,000 in the budget. He spoke of the Community Action Plan. The last plan was done in the early 90's. \$20,000 is proposed for consulting services. Colton noted that they are proposing to have some staff make up some of the difference in the consulting budget. Corona asked what is in the Community Development Plan. Rousseau explained the populations and how we can use the plan to compete for rehabilitation money, etc. Corona asked if this is part of the master plan. Colton noted that we are not an entitlement community; we have to compete with others for government money. If we have this plan, we can apply for grants that are under the Block Grant Program. We may be looking for a grant for the new senior center and suggested that this plan may help the Town in this way.

Corona noted that some of the line items went down in the new budget. Colton noted that Finance Committee recommended approval of this budget.

On Haederle's motion, seconded by Cohen, the Board voted unanimously to recommend the budget as submitted. (\$298,485)

Review of Debt and Interest budget

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Town Accountant Wendy Nightingale was present. Corona asked for an explanation of exempt debt. Nightingale noted that it is debt that we pay for from taxes raised above the Proposition 2 ½ limits. Once the debt is paid off, we no longer have to raise the additional money in taxes. Corona asked about non exempt debt. Nightingale explained that debt that has to be raised within Proposition 2 ½ limits. Corona noted that some people ask why we don't pay off all our debt. Nightingale noted that we wouldn't be able to pay for these projects such as the school projects without borrowing. We couldn't do this by taxes alone. Corona asked about our credit rating and our need to maintain capital. Nightingale explained the process of prioritizing projects. Our non exempt debt is not that high. Nightingale spoke of the bond rating company and the fact that they comment that we pay our debt at a pretty good rate. Colton spoke of the depreciation process with respect to paying for equipment over its useful life. In time, the equipment will have no value and need to be replaced. If there is no money available at the time of replacement, we end up with a huge liability that cannot be funded. He spoke of how the bond rating company looks at these issues with respect to a community's ability to handle them. It's not just about whether to borrow or not; we have to borrow for certain items or we limit our financial flexibility. Corona explained that we do this on a schedule and its Nightingale's goal to be sure to add new debt as other debt is paid off to keep the amount paid each year level. Nightingale agreed that you don't want to run the debt too low. The non exempt debt is on a downhill slope. There are a few items that will be paid off in fiscal 2009 which will allow new debt to be authorized for other projects. Capital purchases that do not involve borrowing are not part of the debt and interest budget. Corona noted that state law establishes how long we can bond items for.

Barlow asked if we should be doing more borrowing. Nightingale explained the process of the Five Year Capital Budget. Colton noted there are some capital items that are routinely purchased every year. It is not necessary to borrow for those items and it makes sense to fund things like police cruisers out of the Capital Budget.

Corona recapped that the Capital and Debt Budgets are completely separate. Nightingale agreed.

On King's motion, seconded by Haederle, the Board voted unanimously to approve the budget as proposed. (\$4,553,074)

Review of Fair and Affordable Housing Partnership charge

Housing Partnership Chair, Rachel Hanson was present. She presented the Board with the new proposed charge. She explained the promotion of housing choice and variety. The Board reviewed the charge. It was noted that the Staff Planner agrees with the changes as proposed. The committee will consist of five members. Colton noted that the Board will need to disband the current Housing Partnership and Fair Housing Committee and approve the new one.

On Corona's motion, seconded by Barlow, the Board voted unanimously to disband the Housing Partnership and Fair Housing Committee and form a new committee the "Fair and Affordable Housing Partnership".

On Corona's motion, seconded by Cohen, the Board voted unanimously to appoint the members of the previous Fair Housing and Housing Partnership Committees to the new committee.

One day liquor license request – Sodexo at Stonehill College

Colton referenced the one day license request. (3/2/08 from 5:30 – 8:30pm)

On King's motion, seconded by Cohen, the Board voted unanimously to approve the one day liquor license as requested.

Frothingham Hall Purchase and Sales Agreement

Colton referenced the purchase and sales agreement for the property at 15 Barrows Street. The agreeable price was \$745,000 and the P&S Agreement has been approved by Town Counsel. Colton recommended that the Board approve and sign the agreement as submitted.

On King's motion, seconded by Barlow, the Board voted unanimously to approve the purchase and sales agreement as presented.

Comcast license renewal RFP/request for extension of time

Corona noted that Comcast asked for an extension of time to submit their proposal. We currently have April 1, 2008 as the deadline and they are asking for an additional 30 days. The Cable Advisory Committee would like to extend the deadline 15 days so that we don't hold up the process. The Board agreed that we go along with the recommendation of the Cable Advisory Committee.

On Corona's motion, seconded by Barlow, the Board voted unanimously to allow Comcast a 15 day extension.

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Discussion regarding adjustment of the Town's health insurance contribution rate for retirees/PPO option

Colton spoke of the fiscal 2009 budget and the fact that new contribution rates were negotiated before he came so that the Town's portion is 75%. Retiree contribution rates were not changed at that time. The Town currently pays 75% for Retiree PPO plans and Colton is proposing to change the PPO Retiree rate to 70%. This action will reduce the budget by \$36,000. Of the 57 retirees currently on the PPO, 46 are qualified to take the HMO and they would save monthly if they did so. He would like to send out a memo this week stating that they should change to the HMO as of July 1, 2008. There are 12 that are not eligible to change out or switch to Medicare. If they all changed to the HMO, it would save the Town and additional \$50,000. He met with the Insurance Advisory Committee last week and there was no objection but they want us to inform the retirees before making the change. He asked that the Board not to vote on the change in contribution rate tonight.

Cohen asked in the future if we can ask that all the retirees go to Medicare. He questioned if we were to do this, would it be cheaper for the Town. He also asked if the change would significantly reduce their benefits. Colton noted that to require them to take it, we would have to adopt Section 18 of Chapter 32B to go to Medicare and we have not done so. This change would not reduce benefits to the retirees; by taking Medicare and the supplemental program, it is virtually identically to the Blue Cross product now. Colton suggested that we may want to look at an additional changes down the road.

King asked what we will notify the retirees of right now. Colton noted that he would explain that he is recommending the Town percentage change effective July 1, 2008 and give them information about the HMO. They will be given a period of time to ask questions.

Special Town Meeting (STM) warrant discussion

Colton recommends that we not hold a STM on April 14th for the purpose of the discussing the 40R Smart Growth Overlay District but instead place this on the annual town meeting on May 19, 2008. The reason is that the Planning Board just last week motioned to approve the zoning and the version that they adopted was the 12th draft. There have been many drafts and changes. He feels that trying to take a complex zoning bylaw and design standards is too short of a time frame to get this information out to the public. He also feels that we are not getting a lot of warrant articles for the annual town meeting so we can still add this as part of the annual. This allows the people more opportunity to review the proposal.

On Corona's motion, seconded by King, the Board voted unanimously to rescind the Board's previous vote to hold a special town meeting on April 14, 2008. The intention is to include the article on the annual town meeting.

Appointment to the Planning Board Alternate position – Alexander Maller

Colton referenced Alexander Maller's application to serve as an Alternate to the Planning Board. Corona noted that he also expressed interested in serving on the Special Act Charter Committee and after speaking with him, he is still interested in serving on both committees. King spoke of Maller's intelligence and feels he would be a great candidate.

On Haederle's motion, seconded by Barlow, the Board voted unanimously to appoint Alexander Maller to the Planning Board as Alternate. This tem expires June 30, 2008.

Appointment of election worker

On Corona's motion, seconded by Haederle, the Board voted unanimously by roll call to appoint Jean Crandell of 261R Main Street as Deputy Clerk of Precinct 3.

Cohen-Crandell; Haederle-Crandell, Corona-Crandell; King-Crandell, Barlow-Crandell

Special Act Charter Committee discussion

Corona spoke of the three applicants for the new committee whereas the charge calls for five applicants. Colton suggested the addition of a Finance Committee and Selectmen member could help fulfill the five required members. Corona asked for the Board's thoughts on this change and also suggested the possibility of changing the charge to consist of three members as an alternative.

Barlow expressed some concern with adding the other representatives as they would be affected by the change. Colton agreed that this could be a concern but for continuity, you should have people currently involved in government be part of the process. The Board agreed to take the matter under advisement and discuss it further at another meeting.

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Massachusetts Water Pollution Abatement Trust Loan Refinance

Colton spoke of the need to refinance the loan for the Wastewater Study done in 1999.

On Haederle's motion, seconded by Corona, the Board **voted unanimously** to the following motions:

- VOTED:
- (1) That the Town shall issue a bond or bonds in an aggregate Principal amount not to exceed \$12,052 (the "Bonds") pursuant to Chapters 29C and 44 of the General Laws and a vote of the Town passed November 22, 1999 (Article 16) to replace the prepaid portion of the Town's \$121,178 Water Pollution Abatement Bond dated October 26, 2004 originally issued to replace the prepaid portion of the Town's \$335,180 Water Pollution Abatement Bond dated November 15, 2002, all of which were issued to the Massachusetts Water Pollution Abatement Trust (the "Trust") for the water pollution control facilities identified in such vote (the "Project");
 - (2) that each Bond shall be issued as a single registered security, and sold to the Trust at a price determined pursuant to the Loan Agreement;
 - (3) that the Treasurer is authorized to determine the date, the form, the maximum interest rate and the principal maturities of each Bond, and to execute a Loan Agreement (or Agreements) with the Trust with respect to the sale of the Bonds, such date, form and maturities and the specific interest rate or rates of the Bonds to be approved by a majority of the Board of Selectmen and the Treasurer as evidenced by their execution of the Bonds;
 - (4) that all action taken to date by the Town and its officers and agents to carry out the Project and its financing, including the execution of any loan commitment or agreement by the Treasurer, are hereby ratified, approved and confirmed; and
 - (5) that the Treasurer and the other appropriate Town officials are each hereby authorized to take any and all actions necessary and convenient to carry out the provisions of this vote, including execution and delivery of the Loan Agreement(s) and the Project Regulatory Agreement(s) relating to the Project.

Review and approval of departmental budgets

Corona noted that all budgets have been voted and approved by the Finance Committee.

Veterans

Colton referred to Veterans Budget.

On Barlow's motion, seconded by Haederle, the Board **voted unanimously** to approve the Veterans' Services budget. (\$238,296)

Selectmen

Colton spoke of the salaries covered by the budget and minor consulting services, expenses, dues and subscriptions and training. No significant changes from last year were noted.

On Haederle's motion, seconded by King, the Board **voted unanimously** to approve the Selectmen's budget. (\$289,301)

Town Counsel

Colton noted no change from last year. We are doing fine this year with Town Counsel and Labor Counsel. Ongoing litigation may affect the Special Counsel Budget but we may get reimbursed for some of the charges. Haederle spoke of the Tuesday Town Counsel visits to the Town Offices. Colton noted that Town Counsel, Ellen Doucette, comes out every other Tuesday which cuts down on the hourly charges. Corona spoke highly of the time Town Counsel spends at the Town Offices and the fact that you can be pro-active when planning to do things.

Barlow questioned if we need the \$180,000 as proposed in the budget. Colton replied yes and suggested that this is a standard budget. Corona referred back a few years ago when the Board considered hiring our own in-house attorney and after review, we found outside counsel to be cheaper.

On Cohen's motion, seconded by Barlow, the Board **voted unanimously** to approve the Town Counsel budget. (\$180,000)

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Town Clerk

Colton noted that the budget is higher this year because of the increased elections in fiscal 2009.

On Corona's motion, seconded by Haederle, the Board **voted unanimously** to approve the Town Clerk's budget. (\$249,721)

Accountant

Colton suggested no big increases for fiscal year 2009.

On Barlow's motion, seconded by King, the Board **voted unanimously** to approve the Town Accountant budget. (\$178,833)

Finance Committee

Colton noted no changes from last year's budget

On King's motion, seconded by Haederle, the Board **voted unanimously** to approve the Finance Committee budget. (\$3,000)

Reserve Fund

Colton noted no change from last year and agreed to give them an accounting of what was spent last year.

On Cohen's motion, seconded by King, the Board **voted unanimously** to approve the Reserve Fund budget. (\$80,000)

Treasurer

Colton suggested that the Treasurer's budget is essentially the same as last year.

On Haederle's motion, seconded by Corona, the Board **voted unanimously** to approve the Treasurer's budget. (\$281,527)

Assessors

Colton spoke of the new GIS program and the need for approximately \$4,200 to buy the module for GIS information to be accessible online.

On King's motion, seconded by Barlow, the Board **voted unanimously** to approve the Assessors budget. (\$217,779)

Data Processing

Colton noted a slight decrease in the expense budget.

On King's motion, seconded by Haederle, the Board **voted unanimously** to approve the Data Processing budget. (\$242,315)

DPW Administration

Colton spoke of the increase in the expense line for streetlights. The Board spoke of the streetlight policy of the Board of Selectmen. Barlow asked about solar powered streetlights and if this would be an option for the future. Colton spoke of the capital cost involved with conversion to solar. He has been watching this for quite some time and he feels that the LED technology is developing more and more and he feels that this is the next wave.

On Barlow's motion, seconded by King, the Board **voted unanimously** to approve the DPW Administration budget. (\$513,630)

Highway

Colton referenced the increase in the budget due to the contractual agreement which has recently been ratified by the union. Colton noted that the cost of concrete and guardrails has increased significantly.

Barlow asked about the cost of police details required to do road work and if this cost is included in the budget.

Colton confirmed that this cost is included in the budget.

On King's motion, seconded by Haederle, the Board **voted unanimously** to approve the Highway budget. (\$979,819)

Bldg. & Grounds

Colton referenced the increase due to the contractual agreement and the increase in the electric budget.

On Haederle's motion, seconded by King, the Board **voted unanimously** to approve the Building & Grounds. (\$1,026,615)

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Snow and Ice

Colton noted that this is level funded from last year.

On King's motion, seconded by Haederle, the Board **voted unanimously** to approve the Snow and Ice budget. (\$188,700)

Water Division

Corona referenced the Enterprise Fund. Corona asked if they are proposing a rate increase this year. Colton stated that he has not heard of a proposal to increase rates this year.

On Haederle's motion, seconded by Barlow, the Board **voted unanimously** to approve the Water Division budget. (\$2,492,660)

Colton referenced the overall fiscal 2009 budget and suggested that cuts may be necessary in other budgets. A revised budget memo will be issued very shortly. Corona noted that we need to bridge the \$1million dollar gap. This will not put the Town in a fiscal crisis; we have the money to cover the gap.

Town Administrator's notes

Colton referenced Janet Linehan's retirement effective June 30, 2008 and the fact that we are in the process of recruiting a new Town Clerk.

Colton referenced Easton's recent award "Common Cause of Massachusetts E-Government Award" for what we have done with the Town's website. Last year we did not get the award because we didn't have the board and committee agendas on line. Since that time, our agendas are posted online along with other information for the public. Colton is proud of the Town for achieving the award.

Press notes

None

Selectmen's notes

Corona referenced the successful Easter Egg Hunt over the weekend which was put together by the Recreation Director and Recreation Program Director.

Public participation

None

On Corona's motion, seconded by Cohen, the Board **voted unanimously** to go into executive session for the purpose of discussing contract negotiations. (8:55pm)

Haederle yes; Corona yes; King yes; Barlow yes; Cohen yes.

Respectfully submitted,

Mary Southworth

APPROVED

DATE