

**Board of Selectmen  
Meeting Minutes  
1/9/06**

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, Colleen Less, Irwin Cohen and Town Administrator Martha White.

Chair Colleen Corona called the meeting to order at 7:00pm.

Transfer of Common Victualler license – FB Enterprises, Inc. dba Dunkin Donuts 606 Washington St.

White spoke of the transfer of license and noted no pending department issues. The applicant was not present. King questioned the traffic flow and if the flow of traffic can be re-routed to help this issue in light of the proposed Central Street Bridge closing. White noted that Mass Highway will be looking at the timing of the signaling lights in this area.

**On Haederle's motion, seconded by Less, the board voted unanimously** to approve the transfer.

Common Victualler license application – Shop N Save-Mass., Inc dba Hannaford Food & Drug – 25 Robert Drive  
White referred to the new common victualler application. The applicant was not present. White spoke of pending issues and suggested final inspections by the Building, Fire and Board of Health Departments.

**On Haederle's motion, seconded by King, the board voted unanimously** to approve the common victualler's license subject to the final inspections.

Common Victualler license application – The Loose Leaf Villager, LLC – 106 Main St.

Applicants Jim & Cathy Pernock were present. White noted that final inspections are needed by Building, Fire and Board of Health. No food can be prepared on the premises because of septic reasons. Mr. Pernock spoke of the retail business/prepared packaged foods and the small room for small tea/birthday parties. Pernock spoke of the business as primarily take-out. Pernock noted they are they are still reviewing the hours of operation. King asked about the packaged foods. Pernock explained the food purchases. Less spoke of the great idea of having birthday parties at this location.

**On King's motion, seconded by Less, the board voted unanimously** to approve the common victualler license subject to final inspections by the Board of Health, Building and Fire Departments.

Transfer of All Alcohol Restaurant, Common Victualler, Annual Entertainment licenses, new Sunday Entertainment license from 285 North Inc dba Hemisphere to The Fresh Catch II, Inc.

dba Fresh Catch Restaurant & Sushi Bar – 285 Washington St.

Haederle read the hearing notice. Attorney George Lemelman and applicant William Sarro were present. Lemelman spoke of the proposed transfer. He noted that Sarro is very experienced and is the owner of Fresh Catch Seafood in Easton and Fresh Catch in Mansfield. Mansfield's restaurant includes a liquor license. Sarro indicated that he has had no liquor issues in Mansfield. Sarro explained his plan to impose a three drink maximum at the new establishment, just like he has done in Mansfield. They are proposing a sushi bar at the new location. There will be no structural changes to the new location, just clean up. The facility had a 165 person capacity on the prior license and they are not asking for more seating. Brenna Audette, an employee of the Fresh Catch in Mansfield will help manage the new Easton restaurant. Audette has not received any violations at the Mansfield location. Less asked about TIPS Training. Sarro noted that all managers, wait staff and bartenders need to be TIPS trained. King asked who the proposed manager will be at the new location. Sarro noted he will be the manager. White confirmed that they are planning on transferring the entertainment license. White noted that the applicant has only requested limited times for the liquor and suggested that they increase the hours to the amount allowed by law. The board agreed.

**On King's motion, seconded by Haederle, the board voted unanimously** to approve the transfer of licenses, new Sunday entertainment licenses and amending the liquor times to allow longer times in accordance with the law, contingent upon final inspections by the Board of Health, Building and Fire Departments.

## Selectmen's Meeting Minutes 1/9/06

### Fire Chief Discussion re: Central Street bridge closure

Tom Stone, DPW Director Wayne Southworth and Lt. Al Krajcik were present to answer questions posed by the board. White explained that the most recent inspection done by the state indicates that the bridge must close to all traffic. This must be done by 1/13/06 and will be a significant issue for this community. White noted that she met with the safety officials last week to talk about the impact. A meeting with Mass Highway is scheduled for tomorrow. White sent letters to our legislators to ask for their help with getting the funding moved up on the Transportation Improvement Program (TIP) list. White noted that she would continue to work with Mass Highway and our legislators.

Haederle asked Southworth how they would physically block off Central Street. Southworth noted the jersey barriers would be placed on both sides of the bridge based on a plan created by Mass Highway. The DPW is currently working on creating 17 signs as required. Southworth is not sure yet of the 138/Central Street jersey barrier or how that will be blocked off because of the homes in that area. The signs will be completed tomorrow, installed, and then a police detail will be needed for the first few days. Less asked about the people coming in from Depot Street to access Short Street, etc., and if there will still be access. Southworth replied yes, they can come in from Rt. 123 but not from the bridge. Haederle asked how long this disruption would last. White noted the project would take a substantial amount of time. The process of putting it out to bid, award of a construction project and actual construction will take a long while. White noted that the legislators have been very responsive. King asked if police details will be required on an additional basis. Krajcik replied that police details will be needed only at the beginning, during transition. King asked about additional costs and if some of the things will be covered under the project. White noted no. King asked Stone if this would affect response times for ambulances and fire trucks. Stone noted that there will be a shift in traffic and it will affect the east/west corridor. Stone is concerned about the impact on Depot Street. This will bring an additional 12,000 vehicles on to Depot Street each day. Cohen referred to White's letter and the design work and the status. Southworth noted that we had a hearing in 2004 on this issue. Mass Highway was going to get in touch with us in January anyway. There may be some easement issues that may need to be addressed. We are fortunate that this is on the TIP list, even if the money has not been appropriated yet. Southworth noted that the town doesn't pay for the engineering on this project. King asked about Old Colony Planning Council (OCPC) TIP funding and if this will delay other projects. Southworth noted that this funding will not hurt other projects; the money was being allocated for this project anyway. King asked about the inspections and how much notice is given. Southworth noted that they called him when they came out to do the inspection. They had divers and did very thorough inspections. No trucks or school busses have gone over this bridge in years. King asked the status of the federal reimbursement status from the last storm and if some of this cost could be recovered by FEMA. Southworth noted that the reimbursement will only pay for overtime for personnel. The town applied for other town damage and they would not allow it. This amount is \$14,000 under the emergency declaration. The board thanked the Stone, Krajcik and Southworth for their efforts.

### Contract amendment #4 – Vanasse, Hangen, Brustlin, (VHB) Inc. – Foundry Street reconstruction project

Southworth was present. White explained the need for the contract amendment. The roadway is not wide enough for the project and easements are proposed to be taken by eminent domain. \$29,670 is the cost for the appraisal and associated services. King asked about the temporary easement. Southworth noted that this allows the contractor or state to go on the property for a temporary period of time for the purpose of grading the land for elevation. We are not taking land. Trees may need to be cut down. King asked about some services not specifically included in the amendment. White explained that some of these items might not be necessary. The additional meetings if needed would be at cost.

**On Haederle's motion, seconded by King, the board voted unanimously** to approve contract amendment #4 to the VHB contract.

### Contract approval – Health Resources – Drug and Alcohol Testing Program

White explained the ongoing contractual agreement for drug testing. White noted the need for testing for all CDL employees. SERSG has requested that the board approve the contract. In the past, the chair has been authorized to sign the contract once completed.

King asked for further clarification. Southworth explained their process and how the drug testing companies communicate with DPW administration. King asked how many employees are tested. Southworth noted 22 DPW and 2 for the Council on Aging.

**On Less' motion, seconded by Cohen, the board voted unanimously** to authorize the contract approval and authorize the chair to sign the contract once complete.

## Selectmen's Meeting Minutes 1/9/06

### Transfer of underground fuel storage tanks - Five Corners Realty Trust – 490 Foundry St.

Fire Chief Tom Stone was present. Headerle read the notice of hearing. White noted that this is strictly a transfer of ownership.

**On King's motion, seconded by Less**, the board **voted unanimously** to approve the transfer of underground storage tanks as proposed.

### Contract approval – WB Mason, Inc. –OAHs renovation project

White noted both contracts were procured through state bid list. They were approved by the town counsel.  
*classroom furniture*

**On Less' motion, seconded by Haederle**, the board **voted unanimously** to approve the contract to WB Mason, Inc in the amount of \$31,091.42.

*lab science tables*

**On King's motion, seconded by Cohen**, the board **voted unanimously** to approve the contract for WB Mason, Inc. in the amount of \$6,428.00.

### Approval of the ground lease for the Ames Free Library

White gave background information and the need for the ground lease. See attached. White noted that the signature page would need additional signature lines but the body of the document is in final form. The document was drafted by town counsel and Gerry Marsan on behalf of the Library Board of Directors. Less clarified that because the addition will be built on private property, using public money, the ground lease is necessary. Less asked if some of the \$5,000,000 would be used as part of the ground lease even though the addition will be owned and managed by the Library Board of Directors. White clarified. Haederle questioned the plot plan and asked for clarification of the town land. King asked about the \$5,000,000. White noted that this is the amount, minus the grant. King asked about an "unavoidable delay" if the Library Board of Trustees will be taking care of this if it happens. White noted that this is standard contractual language. Haederle asked about anticipated ground breaking. Corona noted that the Library Building Committee would be meeting shortly. White noted that the first step would be procurement of a project manager. King asked about page 1, parking and landscaping. White explained.

Less questioned section 9.2. White noted that this section is under the Selectmen's jurisdiction. White explained the different jurisdiction for the different parts of the project.

**On Less' motion, seconded by Haederle**, the board **voted unanimously** to approve the ground lease.

### Review of Selectmen's FY'07 budget

White reviewed the budget and noted that the Finance Committee would be reviewing this budget shortly. White referred to the changes. She referred to the one time expense cost of a new copy machine, \$7,500. White also noted that \$1,000 has been shifted from employee incentive to title work. No changes are proposed in the salary line items at this time. King questioned the cost of the copier and if this is average. White explained the need to call for service more frequently as time passes. King asked about the employee incentive line item and why it is still in the budget. White acknowledged that the budget line item has not been used in a few years. King questioned the reduction in the consultant fee and if the \$5,000 proposed is realistic. King asked about goals and objectives and what it is. White noted that in years past, this money was used to hire consultants to help achieve/create goals and objectives and asked that this line be left in. Less asked for further clarification of consultant services. White explained the need for appraisals, etc. Corona asked if we should consider leasing a copier during this bad fiscal time instead of purchasing one. White explained that the Town Accountant recently did an analysis on the new copier upstairs and the purchase was more effective than a lease.

**On Less' motion, seconded by Haederle**, the board **voted unanimously** to approve the Selectmen's budget as proposed by White.

### Town of Mansfield's request for support of House Bill 4809 (elimination of gas tax)

White referred to Mansfield's request to support this bill.

**On King's motion, seconded by Less**, the board **voted unanimously** to authorize White to send a letter on the board's behalf in support of eliminating gas tax.

### Review of Insurance Advisory Committee Charge

MGL, Ch. 32B, §3 requires that we have an Insurance Advisory Committee. See draft committee charge. Seven members are appointed by unions, one should be a retiree appointed by the Selectmen. White suggested adding the

**Selectmen's Meeting Minutes 1/9/06**

Collector/Treasurer to serve ex-officio with full participatory and voting privileges. Corona noted that this is an advisory committee. Cohen asked if the definition ex-officio means non-voting. White clarified, it is not always the case that they do not vote, ex officio means that they are designated because of their position.

**On King's motion, seconded by Haederle, the board voted unanimously** to approve the draft charge.

FY'07 budget update

White updated the board on the status of the budget. Departmental budgets have been submitted. White is meeting with some of the department heads for clarification. The public forum is scheduled for 1/25 at 7pm at the Olmsted/Richardson School. More information has been added to the website. White noted the \$1,500,000 deficit after plugging in \$675,000 in reserves based on the Finance Committee's recommendations. White noted that more information would be put on the website.

*Emergency Item*

**On Cohen's motion, seconded by King, the board voted unanimously by roll call** to take up an emergency item with respect to the current office supply contract. 8:35pm

**Less yes, King yes, Cohen yes, Haederle yes, Corona yes.**

White spoke of the need to vote a SERSG contract and the problem with New England Office Supply and the fact that they cannot sustain the contract discount as of 1/20/06. The SERSG Board of Directors met and is recommending that the balance of the contract be awarded to WB Mason at a 63.25 percent discount (some exclusions apply).

**On Less' motion, seconded by King, the board voted unanimously** to approve the contract with WB Mason and authorize the chair to sign the contract once finalized.

Public participation

None

Town Administrator's notes

White noted that her contract stipulates that the board needs to notify the Town Administrator by 1/30/06 if they intend to renew. White advised the board to agree not to enter into contract negotiations and not to extend the contract beyond August, 2006.

**On Haederle's motion, seconded by Less, the board voted unanimously** not to go into contract negotiations beyond August 2006.

The board wished White the best and thanked her for her hard work. The board especially commended her for her hard work and accomplishments under very trying circumstances.

Press notes

Ryan McLane explained he will be covering Easton again, replacing Denise Hill.

**On Haederle's motion, seconded by King, the board voted unanimously by roll call** to go into executive session for discussing strategy with respect to litigation. 8:40pm

*Respectfully submitted,*

*Mary Southworth*

\_\_\_\_\_  
APPROVED

\_\_\_\_\_  
DATE