
Date Approved

**Board of Selectmen
Meeting Minutes
10/22/07**

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, Irwin Cohen, Ellen Barlow and Town Administrator David Colton.

Corona called the meeting to order at 7:05pm.

One day liquor license request – Teresa Baker

Ms. Baker was present and explained the request for liquor license.

On Haederle's motion, seconded by King, the Board **voted unanimously** to approve the one day liquor license for the family reunion to be held on 11/10/07 from 4-9pm at the Oakes Ames Memorial Hall.

Taunton River Watershed Study Meetings Announcement

Jacquelyn Kelly was present and explained the Taunton River Watershed Study upcoming meetings. Barlow asked about the findings of the study. Kelly referenced the website www.horsleywitten.com/tauntonwatershed for more detailed information.

One day liquor license request – Office of Alumni Affairs

On Haederle's motion, seconded by King, the Board **voted unanimously** to approve the one day liquor license for an alumni event on 11/3/07 from 6-11pm in the Martin Institute.

Appointments to Cultural Council

Colton referenced the volunteer applications for Peter Twiraga and Alexander Maller.

On Barlow's motion, seconded by Haederle, the Board **voted unanimously by roll call** to appoint Twiraga and Maller to the Cultural Council with terms expiring 6/30/2010.

Cohen-Twiraga and Maller; Haederle-Twiraga and Maller; Corona – Twiraga and Maller; King-Twiraga and Maller; Barlow – Twiraga and Maller.

Corona referred to the vacancies on the newly formed Special Act Charter Committee. She briefly explained the committee charge and suggested that interested citizens may call the Selectmen's Office for more information.

Minutes

On King's motion, seconded by Barlow, the Board **voted unanimously** to approve general minutes dated 10/15/07.

Transfer of license – Jamess, Inc. dba LOCO from 420 Turnpike Street, Easton to 520 Foundry Street, Easton

Under the Massachusetts Conflict of Interest Law, Corona announced her conflict of interest; an immediate family member is employed by LOCO and she recused herself from the public hearing and left the room. (7:15pm)

Haederle read the notice of hearing into the record.

Mark Knowlton, Operations Manager for LOCO was present. Knowlton explained the change of location to 520 Foundry Street, Easton. Haederle asked about parking. Knowlton noted 75 spaces. King asked about the seating at the new location; Knowlton referred to 40 seats.

Colton noted final inspections will be required by the Board of Health, Fire and Building Departments before the licenses can be issued at the new location.

On Barlow's motion, seconded by Haederle, the Board **voted unanimously of those present** to approve the transfer of location, subject to final inspections by the Board of Health, Building and Fire Departments.

Corona returned at this point of the meeting. 7:20pm.

Special Town Meeting warrant review

ARTICLE 1. PAYMENT OF BILL(S) FROM A PRIOR FISCAL YEAR

The Finance Committee recommended this article.

On Corona's motion, seconded by Haederle, the Board voted unanimously to recommend Article 1.

ARTICLE 2. FY 2008 CAPITAL BUDGET

Colton noted that the Finance Committee has not made a recommendation on this article.

There was no action taken by the Selectmen at this time.

ARTICLE 3. TRANSFER TO STABILIZATION FUND

The Finance Committee recommended this article in the amount of \$400,000.

Colton explained that the transfer of \$400,000 would bring the current balance of free cash to \$2,465,260.

Barlow asked for clarification on the Finance Committee's discussion. Colton referenced his initial proposal to transfer a lesser amount and the discussion that took place at the Finance Committee meeting. Colton noted that we have not begun the FY'09 budget process and we haven't heard from Capital Planning yet. The Finance Committee felt strongly that the stabilization fund should have a greater balance. Colton's view is to put an amount in that you are relatively certain that you will not need that year, as taking money in and out of the fund may not be a stable process. After much discussion, \$400,000 was the compromise between the Town Administrator and the Finance Committee. This leaves about \$1,000,000 in stabilization. Barlow expressed some concern because the \$400,000 amount was over what the Town Administrator's financial team had originally recommended. Corona agreed that \$400,000 is a good balance. Corona suggested that the Town Administrator and the Finance Committee worked very hard to come up with this consensus. After discussion, Barlow suggested that if everyone is confident that we have access to the money if needed, the \$400,000 would be acceptable.

On King's motion, seconded by Haederle, the Board voted unanimously to recommend Article 3.

ARTICLE 6. AMENDMENT OF NONCRIMINAL DISPOSITION OF VIOLATIONS

Since this is not a financial article, the Finance Committee did not take a position.

Colton referred to the need to add the fine to the schedule of non-criminal disposition.

On Haederle's motion, seconded by King, the Board voted unanimously to recommend Article 6.

ARTICLE 8. ADOPTION OF CHAPTER 77 OF THE ACTS OF 2005

ARTICLE 9. ADOPTION OF MGL CHAPTER 33, SECTION 59

The Finance Committee recommended Articles 8 & 9.

Colton referenced Articles 8 & 9.

On Haederle's motion, seconded by Cohen, the Board voted unanimously to recommend Articles 8 & 9.

ARTICLE 10. FUNDING FOR ENVIRONMENTAL, SURVEY AND CIVIL ENGINEERING SERVICES AT 300 FOUNDRY STREET

The Finance Committee recommended this article.

Colton gave an overview of the article and the need to define the permitting prior to selling the land.

On Haederle's motion, seconded by Barlow, the Board voted unanimously to recommend Article 10.

Presentation by Turner Brothers Construction relative to Shovel Shop

Present for this discussion were Attorney Mark Bobrowski, George Turner, Robert Turner, Bob Engler of Stockard, Engler & Brigham, Geoff Engler of Stockard Engler, & Brigham, Gerry Preble of Beals & Thomas, Eric Las of Beals & Thomas, Joseph Shea of Woodard and Curran, Daniel Garson of Woodard & Curran and Architect Jay Thomas.

Colton referenced recent meetings and with the Turners and their proposal to develop Shovel Shops. This is the first presentation to the public. The Town engaged Attorney Bobrowski to represent us while working with the developer. Colton referenced the presence of the development team and the Town's engineer, Woodard & Curran. Corona also spoke of the cooperative meetings with the developer and the preliminary findings.

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Attorney Bobrowski spoke of the Selectmen's vote to engage his services with respect to technical review of the Shovel Shop Development. Architectural and wastewater issues have been studied. The options are 40R or 40B. The first meetings with the developer were relative to wastewater. Geoff Engler thanked Bobrowski, Colton and Corona for their hard work and patience over the last few months. Through collective contribution, we have arrived at the point where we are now. Engler introduced Jay Thomas and explained that he will provide a brief presentation on the architectural aspects of the project.

Thomas spoke of the project and his work with the Turners over the last six months. He's been associated with a lot of preservation and restoration projects in Town. He specifically spoke of the former Ames Shovel Company housed at this location. The buildings are in very good condition but the key to preservation is to find a really good re-use. The Turners have been very receptive to try to use the history in the development of a residential neighborhood. The most predominant buildings were discussed including the oxen barn at the corner of Main and Oliver Streets. The commercial buildings near the train station were referenced. It was noted that these buildings will remain commercial. Parking will be focused toward the core of the project.

Any early perspective of the development was viewed. The concentration of new construction is toward the center of the site. An example of historical structures that became residential was viewed. Preservation details were discussed. The buildings are filled with artifacts to create a theme for the overall concept.

Geoff Engler noted the proposal of 168 rental units consisting of a mix of one and two bedroom units. 32% one bedroom units are proposed. The one bedroom units will consist of approximately 900 square feet and the typical rent will be subject to market conditions, most likely \$1,200 – \$1,500 per month. Affordable units will be defined by Department of Housing and Community Development and the affordable housing standards.

Preble of Beals and Thomas, gave an overview of the site and the existing buildings and water systems. Given the buildings, the intent is an entirely new drain system to improve the site. Catch basins were discussed. This project has been designed to use the same outflow. Stormwater units are proposed to treat the stormwater. The wetland resources have been confirmed with. They worked with the Conservation Commission to see exactly what conservation areas they would be dealing with. The location of Queset Brook was discussed. Pool and landscaping is proposed. DEP has become involved. Sewage disposal was also discussed. They gave DEP an initial report although it was not required. They will be required to produce reclaimed water. They have viewed the soils and they are moving forward. Setbacks were discussed and it was noted that the setbacks will dictate much of the project.

Las of Beals and Thomas, noted the work done to date with respect to soil. Department of Environmental Protection (DEP) worked with on the site; holes were dug and samples were taken. This information will help calculate the values needed to design the septic designs. Preble spoke of the retaining walls as factors of the design. They are trying to put these in the most appropriate locations. Preble also referenced the meeting with Woodard & Curran and discussed their comments. Corona reiterated that the comments are preliminary and this point in time. King asked about the purpose of the retaining walls. Preble explained.

Shea of Woodard & Curran explained the work done to date on the project. The seven page memo (attached) was referenced. Shea noted that the comments will establish the frame work for the consultants to work together. The various categories of review were discussed.

Garson of Woodard & Curran, referred to the plans as the conceptual stage and this part of creating the blue print in moving forward in defining their plans. These comments are used as a checklist to be addressed in a later set of plans.

Barlow asked if some of the issues are things that can be worked out during the review process. Shea stated yes. Parking was discussed.

Colton recognized the Turners for their cooperation over the last six months while meeting with Town officials and the consultants. They have been very cooperative in getting where we are today. Corona agreed and noted the historical preservation aspect of the plan and the importance to the community. Barlow asked if there are any constraints where this site is listed on the National Register. Thomas noted there is nothing that they are aware of. Colton noted there is no local historical district.

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Bobrowski spoke of the peer reviewers and their contribution to the project. They work with him and the applicant to make sure that the project fits into the community. They are currently working on the mitigation and the next step is to hear from something from the applicant and the BETA Group regarding traffic. Architect Tony Pisani will be reviewing the architectural aspects of the development. Judy Barrett of Community Opportunities Group will also be working on the project helping with the financial aspects of the project. 40B LIP endorsement was discussed. Bobrowski spoke briefly of the concept of 40B.

Bob Engler of Stockard, Engler & Brigham noted that they have been working toward the 40R concept but there is no guarantee the approval will be granted at town meeting. The Turners are concerned with the impact to their development if the 40B option is overturned as proposed by a citizens group on next year's ballot. In order to protect their investments, the Turners feel that they have to file for site approval now, rather than wait. They would file in full cooperation with the Town and they understand that the Town will be commenting on the project. They are using this as a fall back because of the petition moving forward. Colton spoke briefly of the 40R vs 40B options. Corona noted that she is personally willing to work together to make it what is best for the Town.

Engler suggested that whether the project is 40B or 40R, the project will be similar. Bobrowski also briefly spoke of the two options. In closing, Bobrowski noted the process of reviewing traffic as the next step in the process.

The Board took a brief recess at 8:10 and reconvened at 8:15.

Special Town Meeting warrant review continued

ARTICLE 4. PURCHASE OF FROTHINGHAM HALL

Colton explained the article and the option to purchase the Frothingham Hall for a senior/recreation center. The hall on Barrows Street has been used by the community for over 70 years. The Trustees need to sell the hall to raise money for maintaining Frothingham Park. They would prefer to sell it to the Town to benefit the residents of the community. Colton advocated for the purchase because the Town is need of facilities for recreation and senior citizens. The space would allow more self sufficiency for both recreational and senior programs and the purchase would reduce overcrowding at town hall. Colton referred to their offer to sell the hall as "affordable". The cost to purchase and renovate the hall is still cheaper than buying a new building. The hall is currently utilized by the library while they are renovating their building. The current issue of storing recreation equipment was discussed. The suggested renovations are proposed to be done by the Southeastern Regional School. We have the money and will not need to jeopardize the Town's operating budget. Public safety and educational services will not be at risk. The money used for bonding purposes to purchase the building was discussed. Colton spoke of this purchase as a good investment to the Town. Corona noted that we have talked about a senior/recreation facility for many years and suggested it would be a good time to move forward. Haederle also spoke of the community needs and spoke of the location of the hall within the heart of the community. The Board spoke in favor of the purchase. Corona asked if members of the Council on Aging are supportive of the purchase. Colton noted that they are very supportive and they would like to see this happen sooner than later. Colton noted that he met with the Chair of the Recreation Commission today and he is totally supportive. Cohen asked about the one way traffic on Barrows Street. Colton stated that this decision to make the street one way was made before he came to Easton but suggested we could look at this issue.

The Finance Committee did not take a position on this article. No action was taken by the Selectmen.

ARTICLE 5. FROTHINGHAM HALL SCHEMATIC DESIGN

The Finance Committee did not take a position on this article. No action was taken by the Selectmen.

ARTICLE 7. REPEAL OF USE OF RIGHTS-OF-WAY BYLAW

The Finance Committee did not take a position on this article. No action was taken by the Selectmen.

ARTICLE 11. FINAL DESIGNS FOR VALENTINE MUSCATO STADIUM

The Finance Committee recommended this article.

Colton noted the \$80,000 requested by the School Committee for the final design of the high school stadium. The bleachers will be taken down within the next few weeks in order to get the necessary occupancy permit. A new stadium will need to be designed to make sure that any future facilities are designed properly.

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Corona spoke in support and suggested the importance of doing things properly so that we have some guidance for future stadium needs. The Selectmen spoke in support of this article.

On Haederle's motion, seconded by Cohen, the Board voted unanimously to recommend Article 11.

Town Administrator's notes

None

Press notes

None

Selectmen's notes

None

Public participation

None

On Corona's motion, seconded by Haederle, the Board voted unanimously by roll call to go into executive session for the purpose of discussing contract negotiations, not to return to open session. (8:30pm)

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

Respectfully submitted,

Mary Southworth

APPROVED

DATE