

**Board of Selectmen
Meeting Minutes
6/19/06**

The Board of Selectmen met this evening at the Easton Town Offices, Selectmen's Office, 136 Elm Street, North Easton, MA

Members present: Colleen Corona, John Haederle, Irwin Cohen, Charles King and Town Administrator Martha White. Colleen Less was not present.

Corona called the meeting to order at 7:10 pm.

Cohen was not present at this point of the meeting.

One day liquor license – Oakes Ames Memorial Hall (Cotter)

The applicant was present. White noted no detail is required.

On King's motion, seconded by Haederle, the board voted unanimously of those present to approve the one day liquor license (all alcohol) license for an event to be held on 6/24/06 from 7 – 11pm at the Oakes Ames Memorial Hall.

Verizon/Mass Electric Pole petition – Pine Street pole 18S

Right of Way Manager Joanne Robidoux was present. Haederle read the notice of hearing into the record. White explained that all four hearings this evening were requested by the town's Tree Warden. Robidoux explained the need to replace the poles at all four locations. *Cohen arrived at this point of the meeting (7:15pm).*

On King's motion, seconded by Haederle, the board voted 3-0-1 to approve the pole petition as requested. **Cohen abstained.**

Minutes

On Haederle's motion, seconded by King, the board voted unanimously to approve general minutes dated 5/8/06.

On Haederle's motion, seconded by King, the board voted unanimously to approve general minutes dated 5/15/06.

On Haederle's motion, seconded by King, the board voted 3-0-1 to approve general minutes dated 5/22/06.

Corona abstained.

On Haederle's motion, seconded by Corona, the board voted 3-0-1 to approve general minutes dated 6/5/06. **King abstained.**

Amendment to Legal Services Agreement – Rodman, Rodman & Sandman for MTBE Litigation

White explained the legal services agreement at no cost to the town. No future fees are anticipated and whatever proceeds come from the suit would be split by the communities, less 1/3, per the agreement.

On Haederle's motion, seconded by King, the board voted unanimously to approve the amendment as presented by White.

Verizon/Mass Electric Pole petition – Seaver Street pole P11S

Haederle read the notice of hearing into the record.

On Haederle's motion, seconded by Cohen, the board voted unanimously to approve the pole petition.

On a separate matter, White noted that there are still poles needed to be moved for the Rt. 123 road reconstruction project. Robidoux noted that the engineer is working with the DPW Director. DPW Director Wayne Southworth was present. He noted that an engineer from Verizon notified him today that they are planning the relocation of the poles. The contractor working for Mass Highway is anxious to get the work underway. Southworth expressed concern that there is not a planned schedule. Southworth also noted the frustration waiting for Verizon to do various projects throughout town. Robidoux noted that she would relay the message to the proper people at Verizon.

Waiver of Right of First Refusal for Lincoln Street School

White explained the need to waive the right of first refusal for the lease of space at the Lincoln Street School in accordance with the deed.

On Haederle's motion, seconded by King, the board voted unanimously to waive the right of first refusal to lease space at the former Lincoln Street School (11 Lincoln Street).

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Verizon/Mass Electric Pole petition – Purchase Street pole P27S

On Haederle's motion, seconded by King, the board **voted unanimously** to approve the pole petition as requested.

HOME Consortium Agreement

White referred to a renewal of the agreement. This program allows our residents to access assistance for first time homeowners. The program also offers special rates for home improvement projects, etc.

On Corona's motion, seconded by King, the board **voted unanimously** to approve the renewal of the "Mutual Cooperation Agreement for the Greater Attleboro-Taunton HOME Consortium under the Cranston-Gonzalez National Affordable Housing Act" (the Agreement) in accordance with the provisions of MGL c. 121B, and further authorize, Colleen Corona, Easton Selectmen Chair to sign the Agreement on behalf of the Town of Easton, MA. Corona encouraged the public to take advantage of this worthwhile program.

Verizon/Mass Electric Pole petition – Elm Street pole P12S

Kristine Eramo of 58 Elm Street was present and questioned the area of the proposed new pole. Eramo suggested the placement of the new pole be put on the edge of her property instead of the middle as currently proposed. She noted that three quarters of the tree is already gone. DPW Director Wayne Southworth explained that any amendment to the plan would have to go back to Verizon's engineer. Haederle asked if Verizon's engineers field the locations before they come up with a proposal. Robidoux stated yes, they go with the pole line and follow the way that the lines go down the street.

Nancy Capen of 61 Elm Street also expressed concern with the proposed location and suggested that when the plows come in the winter, it would jeopardize the children if the sidewalk cannot be plowed. Haederle asked the width of the sidewalk. Southworth noted sidewalks are usually 5 feet. Haederle asked if Southworth has physically viewed the proposed pole location. Southworth stated yes, but indicated he does not have the plan with him at this time. Corona asked Robidoux the process of revising the plan in efforts to alleviate the concerns of the abutters. Robidoux noted that the engineer would have to go out to look at it again and come up with another proposal. White suggested that if Verizon gives consideration to the residents that it not take a long time for Verizon to come up with another proposal. White confirmed with Southworth that he has been trying to get Verizon to do this for a very long time. Robidoux noted that they could go out and check the site again. Capen noted that they are not objecting to the pole, just the placement as presented this evening.

White suggested that the board deny the proposal and have them come back with a new plan.

On Haederle's motion, seconded by Cohen, the board **voted unanimously** to deny the pole petition request as presented this evening.

Continuation of Alteration of Premises Hearing– FinMag Inc dba Maguire's Bar & Grill 503 Foundry Street

Applicant Neil Levine and Attorney Scott Rubin were present. White explained that the hearing was originally opened by the board in May but postponed twice for site plan approval. Corona summarized the amendment as five outdoor tables. Levine noted that on nice days they propose to move five 2 person tables outside.

On Haederle's motion, seconded by Cohen, the board **voted unanimously** to approve the alternation as requested.

Proposed amendment to Insurance Advisory Committee Charge

White explained the need to amend the committee charge. She sent the notice to the union participants and noted that we have more wanting to participate than slots available. White proposes an 11 member committee; 9 appointed by their union employee groups; one retiree and the Collector/Treasurer. See attached amended committee charge. King suggested that it would be a fairly large committee. White explained the number of complex issues and they would most likely form subcommittee groups to look into different issues.

On King's motion, seconded by Haederle's the board **voted unanimously** to amend the committee charge as amended.

Award of contract – Womansplace Crisis Center

On Cohen's motion, seconded by Haederle, the board **voted unanimously** to award the contract to Womansplace Crisis Center in the amount of \$4,000.

Award of contract – Model Paving

DPW Director Wayne Southworth was present. White explained the contract not to exceed \$24,999. Corona asked if the berms are torn up routinely. Southworth explained due to weather and water, it is a continuing ongoing part of the DPW operation. Haederle asked if this was a single contract for lots of small projects for this year. Southworth stated yes and suggested it is very economical to hire this work outside of the DPW.

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On Cohen's motion, seconded by Haederle, the board **voted unanimously** to approve the contract with Model Paving, not to exceed \$24,999.99.

Uncontested Annual appointments (see attached list)

On Haederle's motion, seconded by King, the board **voted unanimously by roll call** to approve the slate. **Cohen slate, Corona slate, King slate, Haederle slate.**

Annual appointment interviews (Library)

Marcia Connors of 11 Jennifer Way was present. She explained her 20 year experience as a Library Trustee in Canton and her involvement with the Massachusetts Board of Library Trustees. Haederle noted that Connors applied for a position on the Library Building Committee last year. Corona noted that Connors also served on the Library Building Committee in Canton.

Stephen Merlin of 42 Columbus Avenue was present. Merlin spoke of his project management experience. He uses the library all the time and noted that the library is the key cultural center of the town. King asked Merlin why he is applying to be a Library Director. He referred to application and commented that the board should not approve only incumbents; new people should be considered. He noted that he was Chairman of the Bridgewater State College Board of Trustees for two years. He gave detail on the work he did at Bridgewater State College. He explained his work with the Brockton Regional Economic Development Corporation.

Gloria Stafford of 12 Hermosa Drive was present and spoke of her 23 years of experience on the Library Board. She was the first Chairman of the Library Study Committee. She spoke of the Ames Free Library merger at which time the Library Trustees were formed. She referred to her professional librarian work in different colleges and communities. Stafford suggested that it is very important to have a professional on the Library Board of Trustees because the Trustees rely on the knowledge and the experience of people who have served. She understands the day to day operations of the library and currently serves on the Library Building Committee.

Kevin Paicos

It was noted that Paicos could not be present for the interview this evening.

The board **voted by roll call** to appoint Connors and Merlin to the Library Building Committee (3 year term). **Cohen-Connors & Merlin; Haederle – Paicos & Merlin; King – Merlin & Connors; Corona - Stafford & Connors**

On Haederle's motion, seconded by Cohen, the board **voted unanimously** to go into executive session for the purposes of discussing strategy with respect to collective bargaining, to return to open session. (8:05pm)

The board reconvened open session at 8:20pm.

Human Resources Board (HRB) presentation of the non union wage study

HRB Chair Carolyn Carpentier and members Alyese Cicchetti, Steve Delamare, Ann-Marie Ofori-Acquaah were present. Members of the non union group were also present.

Carpentier spoke of the wage study and gave background of the process. She explained the basics of compensation, including the grades, which provide a minimum and maximum salary. Easton's non union pay scale has 15 grades which include various jobs. She explained the median and the mean with respect to wages. Wages may be gauged by longevity and progress within the jobs. There are some positions that are not comparable to other communities. Jobs such as Land Use Engineer and the three technology positions are unique and not like most in other communities. The DPW Director position is also unique because of the lack of middle management and could not be compared to other communities. The wage & classification consultant, Mark Morse, indicated to the HRB that the range of communities was too narrow making it difficult to make recommendations. The employer needs to make decisions on either to lead or lag in the market. When you underpay the employees, you are more likely to lose the better employees and in time you are left with lesser employees. When you seek to replace a new person, you often need to pay more when recruiting for an experienced employee. If you pay employees at the median, you run the same risks as lagging the market. Carpentier suggested the best philosophy is to try to lead the market. Most employers seek to pay at the 60th percentile. The equity of pay within similar jobs should be comparable. Historically speaking, Easton wanted to lead the market in the past and the target was to be at the 90th percentile. The former Personnel Plan Review Committee (PPRC) did a study in 2003 and found that Easton had the highest paid non union employees. Carpentier noted she served on that committee. The PPRC researched 20 – 30 communities at that time. Since the study, the town put a freeze on all wages for all non union personnel. Since that time, a number of long term non union employees have left and new employees have come in at a lesser rate of pay.

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The market has passed us by in the last few years. Other communities have continued to pay longevity and cost of living adjustments (COLA) while Easton's non union did not receive anything. At that time of the study in 2003, there were approximately 40 non union employees. Due to the formation of the Administrative/Professional Union, there are now only 11 employees left in the non union group. Carpentier noted that the consultant suggested that overall, Easton's non union employees are at the 50th percentile. Carpentier feels strongly that the wages should be fair. If we stay where we are and do nothing, we will lag the market. Until town meeting last week, the personnel bylaw required that the town pay at the 75th percentile. Now that it has been removed, the Selectmen can now have flexibility to do what they feel is reasonable. The bylaw at the 75th is probably higher than what was necessary. The HRB proposes as an unwritten informal target to look at the 60th percentile. The consultant recommends that the current frame work of the pay scale remain in place with an adjustment. Corona noted that the new pay plan (exhibit 11) was not approved at town meeting. White and Carpentier explained further. Carpentier referred to the proposed new pay plan. Carpentier noted that the consultant suggests implementation of step increases and 3% retroactive to 7/1/05. He also suggested that we adjust the salary plan to reflect the market accordingly. Carpentier spoke of Consumer Price Index and suggested that the HRB could look at this each year and give a recommendation. For the employees that appear to be fairly compensated, the HRB and the Town Administrator should look closer at these positions and see if the jobs are comparable to other communities and bring the positions in line with the target market in time. Carpentier spoke of the concept of performance based evaluations and noted that it is very time consuming; we have no Assistant Town Administrator or Personnel Director to help with this task. All other town employees receive step increases without a performance evaluation. Carpentier noted that after meeting with the Finance Committee and the Selectmen, they have revised their recommendations with respect to the automatic step increases. The HRB will continue to study the recommendations on how to implement a procedure for the step increases. Carpentier highlighted the important parts of the proposal. She referred to Exhibit 2, which includes 6 pages of all the salary data of the wage study. The towns that are in the report are the ones that wanted to participate. Some towns do not want to spend the time to participate. Carpentier explained in detail exhibit 4, which lists current salaries and actual salaries paid. This is compared to the 50th percentile. Carpentier explained exhibit 5 and exhibit 9 also.

At this point, Carpentier proposed 3% retroactive to 7/1/05. Exhibit 11 is the proposed new pay plan. The impact of the new pay plan would be approximately \$18,405.52. Corona asked why we would pay the adjustment back to 7/1/05. Carpentier explained that the group has not received a COLA since FY'03 and had fallen to the 50th percentile in pay (on average). White further noted that *all* other employees get COLA and a step increase until they reach the top step. With this plan as proposed, the performance based system remains in place. What is before the board is a pay plan adjustment for all of the non union employees. Carpentier explained the process she uses at her place of employment and the performance process which usually ends up with 3% increase; they also look at the market and make adjustments accordingly. Corona asked how this proposal deals with the employees currently paid over the compensation market. Carpentier noted that this issue still needs to be addressed along with the employees currently being paid under the market. Carpentier reiterated that the board needs to establish what kind of compensation they want for the town employees. Haederle summarized that this proposal involves only the 11 employees. Corona asked if there is a time line in which to address the individual job issues. Carpentier noted that the HRB have recently begun to talk about how to bring people in line. Corona asked if you should take into consideration a perspective employee's experience when coming into the job. Carpentier noted not usually, it is based on the market. Carpentier noted that this is what happened to the step program; long term employees with experience max out and have no further growth. Delamare noted that it's often the case that you lose long term employees because other communities are willing to pay for the experience. Delamare suggested that you need to look at other factors. Carpentier noted that the HRB will be looking at the individual positions next. Corona suggested we should look at the rest of the employees within the town to see where they are paid also. Carpentier referred to exhibit 13 and the proposed list of the longevity payments. Town meeting has re-instituted the longevity payments. These are similar to what you see on the exhibit. Carpentier referred to exhibit 14 which compared increases from Fy'04 – Fy'07. Most communities continue to give pay increases.

King asked for clarification of the current minimum and maximum. Carpentier explained the minimum as the lowest amount someone could be paid and the maximum is the amount that someone could be paid in that grade range. Carpentier referred to exhibit 2. Corona summarized the board's action that should be taken this evening. The HRB will then begin to look at individual jobs and how to proceed with performance evaluations. Corona noted that for the most part, these are high level positions and merit should be involved. Carpentier suggested that the HRB might recommend criteria for achieving step increases. Corona asked the status of the increase in health care payment for the non union group (from 80% to 75% contribution by the town). White noted that the non union group has not taken the step yet; all other unions have not settled yet on this issue. White further noted that an additional COLA was given to the union employees when taking the health care concession. The other unions are getting a 1 1/2 to 2 % COLA for the health care increase, along with their regular COLA.

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On Haederle's, seconded by King, the board **voted unanimously** to issue a 3% COLA to the 11 non union employees, effective 7/1/05. The board adopted the new pay plan as recommended by the HRB. It was also noted that the board agreed with the "unwritten 60th percentile" pay scale for the non union group.

Town Administrator's notes

None

Press notes

None

Selectmen's notes

None

Public Participation

None

Presentation re: proposed affordable housing project – Union Street Realty LLC.

Applicant Bill Griffith, Attorney Mark Bobrowski and engineer Mark Bartlett were present. White noted the applicant is here this evening to propose an affordable housing project at 23 Union Street "OakBridge Estates". The Housing Partnership has reviewed the plan and is supportive in keeping within the recommendations of Easton's Affordable Housing Plan. Bobrowski spoke of the proposed 45 unit project. He suggested that this project could be partnered with the community. Bartlett referred to the information in the packet, specifically the plans and aerial photo. It is midway off Union Street between Rt. 138 and the Brockton line. Sixty five percent of the land is upland and 35% is wetlands. Town water is available at the site. In terms of wastewater, a series of septic systems will be designed. He spoke of low impact development for stormwater development and gave detail on the stormwater plan. A Local Initiative Project (LIP) like this one will create a lot of interest for other communities. He spoke of the different plantings that would be tolerant of water and draught. Drainage was discussed. Griffith spoke of the two types of families trying to get into the town of Easton; elderly and young families. Each unit would have a private backyard and the strip of plantings that will enhance the development. The name of the project is subject to change as they still need to check with the Planning Board. He noted that the drawings are preliminary. The homes will be traditional cape style designs, some with two car garages. Screened porches and deck options will be offered. The home will be designed so that the family room and kitchen will be facing the rear of the home so that they can enjoy the backyard. They want to give options of having no garage or one or two. The exterior units will remain the same but the inside can be adjusted to accommodate families with children or an older couple. Every unit will accommodate at least two cars. Bobrowski noted that they would be working on visitor parking for the units. Almost every unit will have a walk out basement. Bobrowski noted that there would be deed restrictions to not allow to more than two bedrooms. Corona asked about the septic and asked how they would repair the system and pay for their portion of a septic repair if needed. Bobrowski noted that the affordable unit owners would not pay; the association would pay for the repairs. Corona asked about a playground on the plan. Griffith noted it is not on the plan at this point in time. Bartlett suggested that one could be built toward the rear of the property. Bobrowski spoke of the playground and how it is difficult to decide to build without knowing what type of market you will draw. Bartlett depicted other options where a playground area could be built. Bartlett referred to a walking trail proposed on the property. Corona asked about the number of children they would predict. Bobrowski estimated approximately 12 children based on a project this size. Bobrowski spoke of traffic, site distance and the accident rates on Union between Marshall and Clara Howard Way. He suggested there is currently a fairly low rate of accidents. Adequate site distance can be obtained by clearing some vegetation on Union Street. Haederle spoke highly of the storm water plan but expressed concern with the wetland crossing. Bartlett expects that they will need to talk to the Conservation Commission about this. He understands that under the local bylaws, they would not stand a chance but it may be suitable under the 40B proposal. Bartlett explained how they would try to deal with the issue; adjustments will need to be made. Haederle asked total acreage. Bartlett noted 31+ acres. Corona asked again about children, and suggested there should be some shelter for the children while waiting for school busses. Griffith spoke of the abutters and noted that he has met numerous times with the immediate abutter and they are not opposed. Griffith acknowledged that he still needs to get the board more information showing other projects which may include living fences as proposed in this project. Bobrowski asked that the board to consider giving some direction as to whether they would like to partner with this project. White suggested the board could participate in a site walk. Corona would like feedback on play space, association fees, parking, clarification on the deed restriction not allowing additional bedrooms, shelter for children waiting for busses and assurance that representation on the association would include one owner of an affordable unit. Haederle asked how large the homeowners association would be. Bobrowski suggested 5 for a development of this size. Corona summarized that this does fit into Easton's housing plan for both the families and elderly. Cohen asked about price of the units. Griffith noted he is

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not sure at this point. Bobrowski estimated \$144,000 - \$145,000 for the affordable units but could not speak of the unit price on the other units. King asked what would happen if the board partnered with the project. Bobrowski noted that if the board approved, the Department of Housing & Community Development (DHCD) would do a site visit, a letter would be issued and they would go before the Zoning Board of Appeals (ZBA) for a series of hearings and public input. The ZBA will give an independent decision. Corona asked if the board could do a site walk next week. White will coordinate the site meeting. Bobrowski asked about a review meeting with the department heads. The board noted the next meeting is 7/10 and this discussion could take place later that evening.

On Haederle's motion, seconded by King, the board voted unanimously to adjourn at 9:55pm.

Respectfully submitted,

Mary Southworth

APPROVED

Date