

**Board of Selectmen
Meeting Minutes
7/17/06**

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, Charles King, Colleen Less, John Haederle, Irwin Cohen and Town Administrator Martha White.

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

Transfer of Common Victualler license to 2 Belmont Corp dba Honey Dew Donut 2 Belmont Street, Easton, MA
The Applicants James Cobb and Tony Pangione were present. White noted no department concerns.

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

Award of contract - MHQ Municipal Vehicles for DPW Catch Basin Truck

White noted that this item was approved at town meeting in the capital budget. The truck is a 2004 demo model.

On Haederle's motion, seconded by Less, the board **voted unanimously** to approve the contract with MHQ Municipal Vehicles, not to exceed \$135,000.

Award of contract - Melanson Heath & Company, PC for FY'06 Audit

White noted that the Audit Committee reviewed whether to go out to bid or stay with the current firm for one more year. Corona asked if the Audit Committee would go out to bid next year. King, speaking as Chair of the Audit Committee, noted that the committee will discuss this further. The Audit Committee met with Melanson Heath and they gave a good presentation of the audit process. White and the Audit Committee agree that they would feel more comfortable not making a change this year.

On Haederle's motion, seconded by Less, the board **voted unanimously** to approve the contract with Melanson Heath for FY'06 not to exceed \$27,000.

Update re: Town Administrator Search Process

Corona gave an update of the search process to date. She spoke of the recent hiring of the Bennett Yarger Associates and the recent town meeting vote to appropriate the salary. The advertisement has been published and applications are due back to the consultant by 8/1/06.

Minutes

On Haederle's motion, seconded by King, the board **voted 4-0-1** to approve and release executive session minutes dated 6/19/06. **Less abstained.**

Discussion/update from the Library Building Committee/Project Manager re: status of the Ames Free Library expansion project

Library Building Committee Chair, Bill Ames, gave a virtual animated computer presentation of the library renovation project. Also in attendance were Library Building Committee members Doug Mullen, Joe Murphy and Gloria Stafford, Directors Alice McCarthy, Gerard Marsan, Stephen Merlin, Donna Richman, Jay Thomas, Marcia Connors. Project Manager Bob White was also present.

White referred to the attached the memo dated 7/12/06 (see attached). She summarized the bidding process specifically that the project is currently out to bid. The sub bids were opened last Thursday and the general bids are due in on 7/27/06. The cost to fund the project is approximately \$3,800,000. White spoke of the legal hurdles over the years which have caused delays and the additional cost to the library project. White spoke of obtaining funding through borrowing or debt exclusion. She suggested that we cannot afford to fund the project within the operating budget and further suggested that the only fiscally responsible thing to propose is a debt exclusion vote, letting the voters decide. Absent that action, the board would be making the decision for the entire town. The impact of

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\$3,800,000 if we borrowed over 20 years would cost the average taxpayer no more than \$49 per year. See attached calculations.

If we were to proceed with debt exclusion, there are key deadlines. The Massachusetts Board of Library Commissioners (MLBC) has imposed the date of 9/11/06 to enter into a contract with the general contractor. Once the bids are received on 7/27/06, there is a thirty day deadline. We would have to have the contractor hold their bid so we could have the Special Town Meeting (STM). White originally proposed a STM date of 9/7/06 for a contingent town meeting vote. We would then combine the debt exclusion election with the 9/19/06 primary already scheduled. White spoke of the impracticality in holding two special elections within 2 weeks of each others. Hopefully the MBLC would understand this concept. Ames added that out of \$3,800,000, some of these funds have been allocated to the first phase and some to Phase II. In theory, the deficit may be \$4,300,000 because of the needed repairs. Corona asked if the Library Board considered requesting CPA funds. Ames noted it has been discussed but not formally. White noted that if the special election is within the primary on 9/19/06, the Town Clerk would need the ballot wording by 8/14/06. With respect to STM, (possible 9/7 date), the warrant would have to be given to the Town Clerk by 8/15/06. White further explained holding a special election within a primary has its complications (two separate voters lists and absentee ballots must be submitted). Corona asked how the bids looked. Project Manager Bob White noted that the general contractor bids were projected at \$9,800,000 dollars. The amount that actually came in was within the range. Haederle asked about the trust funds. Ames explained how the trusts are set up and the specific use for children. He gave a summary of the balance. The Directors are questioning if they should ask for more money to be taken from the state. They are cautious not to start digging into the principal of the gift itself. Richman spoke of taking money from the operational budget and noted that the library has not been adequately funded in years. The library budget pays for employee benefits, utilities, building maintenance and many other things. The average increase from the town has been 2 ½ percent. The town has not been able to help keep levels where they need to be. Cohen asked about potential damage to the old building based on the work to be done to the new building. Bob White noted that he anticipates no damage to the old building. Ames spoke of two other endowments that they cannot touch and also spoke of the fact that they are not trustees of these endowments, they are just the beneficiaries. The other account is the original Oliver Ames endowment and there is no language to use it for principal. Ames noted that the Bank of America Fund is only used for the children's room. It pays for activities and salaries for those services only. King asked Ames what would happen if the public does not agree to appropriate funds for the project. Ames noted that the state grant would most likely be lost. We may or may not have to pay back the portion of what has already been spent. If we went with re-design, a new plan would be needed and the project would be downsized. King spoke of the MBLC's website and the information it contains. Bob White noted that the construction costs bring the number down to a different range. White also noted that they found out back in April that because of all the restrictions, other costs have increased (DEP, EPA, and various municipal and state agencies). White believes that the project has been cut back so much already because of all the restrictions. Richman spoke of the original proposal where the library was proposed at a totally different site. It was decided that separating the facilities would not be a good idea. King asked about the funds spent to date. Ames suggested \$1,200,000. Less asked what has been put out to bid that is different than the original plan. Architect Angela Hyatt spoke of the bidding in 2006 vs. 2000. The building proposed now meets the stringent energy code which translates into lower energy costs. The site work changes have been the most extensive. The driveway site has changed. It has been redesigned, lowering the paving costs. The building is smaller than what was originally proposed. Corona asked if flooring and paneling had been looked at. Hyatt noted that they did look at this issue but the meeting room is now proposed to be smaller. Most recently, bid alternates have been created with hopes of saving quite a bit of money. White believes we will see a net savings of approximately \$200,000. Less compared this project to the junior high construction project and how they took many things off the project to put back in if possible. Hyatt noted that they are doing that. The library proposes to use the existing boiler; the library staff doesn't have a dedicated kitchen; furniture changes have been significant. Less asked if the deficit of \$9,800,000 is the amount even with the changes. Marsan spoke of this project compared to the junior high school. This library project goes back to 1996; the townspeople have not weighed in since that date. Less spoke of members of the community and how they are not speaking in support of the library after the recent overrides. She spoke of the necessary educational piece that will be needed to educate the public. Citizens are not educated about the endowments. There is a lot of history that people will need to understand. Richman noted that the part of the building to be expanded is part of a public building. Richman noted that she agreed that they told public they wouldn't come back for more but this could not have been anticipated. Originally this project was funded 100% out of public money, not the endowment. Haederle agreed that there are a whole number of issues that need to be addressed. Uncertain economic times we are in are a factor; post-traumatic operational override is still an issue. Haederle suggested the board must decide if they choose to move forward with the special election, how to propose it to the voters. White reiterated that the board does not need to decide this evening. White noted the issues

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are up to MLBC and if they'll let us do this later in September and whether the contractors will hold their prices. The board had a discussion regarding using money from the operational budget. Haederle spoke of the equity issue and this would not be fiscally sound to do this, it would take away all the capital projects just to fund the library. Less agreed and referred to the operational override and the citizens were told that they would not come back to ask for more within the next few years. Merlin asked if the board could decide based on different numbers. Haederle noted that the capital list has been carefully segmented out and the library was not on the list. We could not have anticipated this deficit. Haederle felt that at least with debt exclusion, the voters get to choose. King noted the priorities throughout town, including public safety. King suggested that the library is not an essential service. Corona, speaking as a parent, wants better library services for this community. She cannot support the operational budget funding mechanics. Corona asked what would happen if additional funding failed. Ames noted that they would have to redesign the project and cut back more. Ames noted the yearly increase in the library membership. Corona noted that the Library Board needs to meet and find out what the number actually is before this board moves forward. White will be waiting for this number and then look at the hybrid, looking at what could be funded out of operational and what could be funded out of override. Less stated that the board is the gatekeeper of elections for the community; the Selectmen need to decide if the town has the stomach to face another override. She doesn't feel it is the board's prerogative to automatically put it to the voters. Ames noted that the Library Building Committee is meeting immediately following this meeting to discuss the amount. Ames asked White about the permitting challenges on site if this project does not go forward. White noted that the local bylaw has changed; there is a deadline in place for completion to take place. If we fail to complete the project by the projected date, the site may be virtually unbuildable.

Town Administrator's notes
None

Press notes
None

Selectmen's notes
None

Public Participation
None

**On Less' motion, seconded by Cohen, the board voted unanimously by roll call to go into executive session for purpose of discussion strategy with respect to litigation and contract negotiations. (8:20pm.)
Less yes, King yes, Cohen yes, Haederle yes, Corona yes.**

Respectfully submitted,

Mary Southworth

APPROVED

Date