

**Board of Selectmen  
Meeting Minutes  
7/31/06**

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

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

One day liquor license – Easton Rod & Gun Club

Mr. Ralph Peterson was present representing the Easton Rod & Gun Club. No police detail is required for this event. Mr. Peterson explained the event for 9/10/06 and the request for the all alcohol license. Less asked if there are safety precautions in place so that they do not serve to minors. Peterson responded yes.

**On Haederle's motion, seconded by Less, the board voted unanimously** to approve the one day liquor license.

Introduction of new Fire Department Lieutenants

Chief Tom Stone was present along with new Lieutenants Jeffrey Webster, Ron Keeman and Jim Tully. Lieutenant Tom Nicholson was not present. Stone explained the union contract and the recommendation for the new Lieutenants. The Civil Service Promotion procedure was followed. Stone congratulated the Lieutenants and stated that they each have over 20 years experience. The board congratulated the new lieutenants.

Adoption of National Incident Management System

Chief Stone explained the need to implement the management system. This is a presidential directive that came after the 9/11 event. All 50 states need to become compliant, accepting this new plan. Police, Fire, Emergency Medical, and the Board of Health all need a certain amount of training to comply. The Town of Easton has already started the training as specified by MEMA. The detailed plan is on the FEMA website.

**On Less' motion, seconded by King, the board voted unanimously** that the Town of Easton adopt the principles and policies of the National Incident Management System; formally recognize the Nation Incident Management System as the local standard for incident management; as such adopt the Incident Command System as the Town of Easton's official incident response system. .

Ambulance bill abatements

White explained the abatements needed due to hardships.

King asked the procedure when requesting a hardship. Stone explained that you must meet the stringent requirements and fill out a form. Stone further explained that the official forms come through his office. Stone referenced the 2003 bill. Less asked for clarification of the 2003 bill and if this was included in the total. Stone stated yes, it is included in the total of this abatement.

**On Less' motion, seconded by Haederle, the board voted unanimously** to approve the abatement in the amount of \$2,937.50

FY'07 reappointment of special police officers

White referred to the annual vote to reappoint the special officers. The list for this year is for 13 special officers (see slate as attached).

The town of Easton is looking to increase the number of special police officers. Corona confirmed that most of the details are paid by private companies or electric companies. White noted that once in a while we do need some town details for parades or town work.

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

Appointment of election workers

White referred to the attached slate.

Less asked if annual training is required for the election workers. White was not aware of any training. Dorothy Conceison of 7 Andrews Street was present and spoke on behalf of the election workers. She noted that the workers meet with Town Clerk before the election each year.

## Selectmen's Meeting Minutes 7/31/06

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

### Verizon/Mass Electric Pole petition – Elm Street pole P12S

Joanne Robidoux was present, representing Verizon. Haederle read the notice of hearing. Robidoux noted that the abutters are satisfied with the pole relocation request. It was noted that the abutters were notified of the hearing this evening.

**On Cohen's motion, seconded by Haederle**, the board **voted unanimously** to approve the pole relocation. Unrelated to this petition, Corona asked Robidoux the status of the poles to be moved as part of the Depot Street road reconstruction. Robidoux suggested that a meeting was held late last week and she feels that they have come up with a plan to move the poles. The board thanked Robidoux for her work on this petition.

### Minutes

**On Less' motion, seconded by King**, the board **voted unanimously** to approve the general minutes dated 4/10/06 as amended by King.

**On Haederle's motion, seconded by King**, the board **voted unanimously** to approve executive session minutes dated 7/10/06.

### Update on the Ames Free Library renovation project

Library Directors, Library Building Committee members, Friends of the Library and citizens were present. White referred to her attached memo dated 7/28/06. White referred to the modifications needed in order to move forward with the addition and occupy the existing building. The Library Board has allocated \$3,685,000 toward Phase I and \$500,000 toward Phase II. After the bid opening, the bids came in lower which helped to free up some funds.

White suggests that an additional amount of endowment funds be shifted to help with the funding. The projected deficit for Phase I is \$3,700,000 if \$1,000,000 from the endowment fund contributed toward Phase II. White suggests that the deficit cannot be funded through the current operating budget. White spoke of the debt exclusion vote, it is now suggested that we not combine this vote with the primary election already scheduled late September. This would be very confusing for the voters. White and the Town Clerk recommend Tuesday, 9/12 as the date.

White referred to the attached ballot language. White noted that the Library Directors met this evening and there appears to be some opportunity for savings to reduce the deficit further.

Bill Ames and Jerry Marsan represented the Library Directors and the Library Building Committee. Ames explained the endowments and the allocations for funds. It is not wise to go back to the Attorney General to ask for more money again. Ames referred to the letters from the attorneys. Project Manager Bob White was present and referred to the bid opening last week. He was very pleased with the results which came in lower than estimated. The apparent low bidder is a contractor he is familiar with. He feels that there can be some savings on the contingencies, changing it to a lower amount generating a savings to the budget. White spoke of the four bid alternates and the prices from the low contractor were very good, resulting in more savings without sacrificing the project. Marsan spoke of the difficulties of a two phase project and how they must come together. He explained the need to coordinate both, dealing with code requirements, etc. There is now approximately \$1,000,000 to help with Phase II. Marsan reflected on the history of the project over the years. Marsan spoke of the Library Board and its members. The project is funded by the public money, endowments and the state. Marsan specifically spoke of the grant funding approved. Litigation was discussed. Prior to the litigation, there were town meeting votes, ballot questions supporting the project. If we do not move forward, we would be losing our opportunity now build the library addition. Marsan suggested that the project is still very affordable. The addition as proposed will preserve the uniqueness of the current historic building. Marsan asked that the board let the people to decide. Haederle asked about the original town meeting vote for \$5,000,000. If the project were not to move forward as originally proposed would we lose the funding. White confirmed yes. The application for grant was submitted after the town meeting vote. Haederle spoke of the misunderstanding amongst the voters. Haederle asked what Phase II exactly consists of. Library Director Jay Thomas spoke of code compliance issues, restoration of the roof and the restoration of the air conditioning, electrical and some interior things. The code issues include sprinklers and an elevator. Timing is important when figuring upgrades. Less asked if they have considered CPA funds to help with restoration of the existing structure. Ames stated no. It was discussed and felt that there is a lot of competition for that money. Mike Boyle, CPA member, noted they just expended all the funds set aside for historic preservation. It is the consensus of the CPA committee that the CPA act had one general focus, preservation of open space/recreation. Corona noted that there is a certain percentage allowed for historic. Boyle stated yes, but the allocated amount has been spent this year. Less noted that a citizen did ask her and she suggested that the CPA has the ability to bond money. She asked if that had been explored. Boyle noted that this is possible but the general feeling of the community is to spend money on open space and recreation. They are trying to preserve as much money as possible. This possibility would tie up a lot of money over a period of 10- 20 years or so. Less stated that

### **Selectmen's Meeting Minutes 7/31/06**

she is trying to determine for the taxpayers if all the options have been explored. Marsan spoke of fundraising, use of CPA funds and other avenues as possibilities for more money. Less asked if the state grant would still be available for a scaled back version of the project. Ames referred to Annalee Bundy. White noted that the Massachusetts Library Board Commissioners (MLBC) was apprehensive to give us even a week extension. They are holding us to this firmly. A construction contract must be in place in early September. We could not re-bid or the grant would surely be lost. King spoke of a meeting a few years ago and they discussed fundraising. Library Director Donna Richman noted that the library had a feasibility study done; a subcommittee for development is in place. King asked the effect of increased staffing and utility costs due to the library addition. Ames noted that they obviously want to keep the staffing under control and the utility costs. Corona asked if they have considered closing the branch. Ames noted that this has been discussed but the branch is used quite a bit. Bob White spoke of decreasing the contingency. He is comfortable with the recommendation this because he is familiar with the low bidder. Cohen asked Bob White about insurance to the building if something were to happen during construction. White confirmed that the contractor would have insurance to cover. Corona summarized that the money invested with the endowments will help pay for the deficit. Cohen noted his previous work on the Finance Committee; discussions took place that if a new library was built, the branch would close. Richman noted that the Library Board has taken a position that after a period of time after the renovation is complete; a decision can be made on the branch. It will be a decision that will have to be made when then time comes. People will have to decide if they want to fund it. The board has always maintained that the voters will have to decide. Cohen asked White the cost of the election. White estimated the cost of approximately \$10,000. Cohen again asked about combining the two elections. White noted that the area Town Clerks that Linehan discussed this with advised not to confuse the voters. It is very complicated combining the two types of votes. Absentee ballots are an issue. White reiterated that the board needs to decide tonight which direction to go in. Less asked about community space. She asked if anyone has revisited the scope to see if the space is adequate for the town needs. Ames noted that there are program requirements for the state grant, there has to be a certain minimum which drives the need to have a meeting room. Less asked that we request the state to revisit the space needs and lessen the request to cut down on the cost. Ames noted the importance of keeping the state grant. Some of the money has already been expended. King spoke of the proposed 9/12 vote and asked how to get the word out to the citizens while they may be away during the summer months. Ames plans to have an information meeting where people can come and ask questions. They are working on a virtual animation to help people see the design. This will be broadcasted on the cable station. An email from the library will be sent to 2,600 people. A newsletter will go to every household in the town. Director Stephen Merlin spoke of the things that can be done with the operational override for the project. White spoke of costs to the taxpayer based on \$3,800,000 debt exclusion; \$49 decreasing to \$26 per year for the average household. White proposes the STM on Thursday, 9/7. White noted that this is being put forward with this time frame because of the MBLC.

Melody Stanton of 128 Parker Terrace would not want to see the branch closed. Because of her difficulty walking, she could not get into the main library. She questioned what ever happened to maintenance of the library buildings. Ames spoke of the maintenance and noted the money spent on the tower, this cost was up to \$400,000. The problem is that the situation has dragged on for so long. They couldn't spend money where they could jeopardize the whole project. Ames agrees in theory that a lot more could have been done but it was not practical.

Mike Boyle spoke of his role on the Finance Committee and how little the Town of Easton contributed in tax dollars to the library. The citizens of Easton did not pay for library services for years. He compared this issue to the one at the Unity Church. Basic structural things need to be done over the years. Boyle noted that a large portion of the money is to meet code, not so much maintenance. Boyle spoke of the issue of handicapped access and the importance of that. The new building will have better access and parking. The needs of the citizens of Easton will be addressed in the renovation project.

Dotty Conceison of 7 Andrews Street acknowledged the work of the Library Board and Building Committee with respect to this project. She is concerned that there is not more absolute information. She noted that the Selectmen promised they would not come back for a number of years. She acknowledged that the project needs money but questions why they have not looked in other ways like CPA money. Corona clarified that the board did say that they would not be back for an operational override, this is different funding.

Cindy Carol, as a taxpayer would not have a problem asking the board to put this on the ballot.

Denise Kotopoulos of 8 Quail Lane hopes that the citizens see the value of the project. She does not want to delay the project and possibly lose state money. She fears we will not see the project move forward at all.

Liz Cox of 11 Douglas Drive noted that she and many others have been excited about the project and wants to see the project move forward. Cox stressed the need for public discussion in order to make this decision. The voters have been following this issue and they will make an informed decision on whether or not to have the project move forward.

Elaine Dahlgren of 18 Harrison Ave spoke of the term override and noted the elderly people are having a hard time making ends meet. She wonders how many people actually go to the library with Stonehill and online services available. Library Director Annalee Bundy noted 13,000 citizens have active library cards. In the past year, the

### Selectmen's Meeting Minutes 7/31/06

circulation increased over 5%. People are using the internet but continue to get resources and use the library's computers. The library is open four nights a week and is not open on Saturdays in the summer time. Monday's tend to be very busy in the summer. Each month, the library use continues to grow.

Director Alice McCarthy and lifelong resident of the town stated she originally was not aware of the problems with the library. She understands now that there is no way to modernize the library building. Many of the funds are tied up with the library project. She noted it's important to allow the voters to decide if they want the library. She complimented the staff of the library. She asked the Board of Selectmen to allow the citizens to make the decision. Ann Marie Burke of 1 Prudence Crandall Lane noted that the voters have voted consistently and it is incumbent upon the Selectmen to allow the voters to decide again.

Library Director Kathy Boyle, also a former Oliver Ames High School teacher, spoke on behalf of the library. She noted the recent override to help educate the children in the schools. There is no cost to the citizens to borrow books and noted the cost if books were bought instead. She referred to the Stonehill College Library and how good it is but noted it does not offer anything to families with small children.

Citizen Mary Jenkins doesn't feel that \$1,700,000 will cover the cost of Phase II. Richman noted that by statute no town money could be spent on that building. Corona noted that once the money needed is established, we cannot go over that bid. White confirmed this to be true. White noted that the \$1,700,000 does include more than what is needed to occupy the building, some of the things are not essential for occupancy.

Joshua Jacobs of 31 Randall Street spoke of his building experience and the issue of speculation of funding and how we cannot be sure. He questioned what will happen if they find things while blasting that are unanticipated. Mike Boyle noted that there will be no blasting. Jacobs noted that there will always be unanticipated costs and these costs will have to be passed on. Corona noted that these costs have to be absorbed; they cannot go over the contract cost. Jacobs would like to know the true costs before the public votes. White noted the debt exclusion it's only for the life of the project, 20 years.

Barbara Anderson of 30 Union Street spoke of the library resource we need to have for our future. She spoke of the children of the community and suggested we need this resource whatever it takes.

Director Marcia Connors spoke of her experience as a Library Trustee in Canton. Their library was built under budget and understaffed. She spoke of the levels needed and it need to be to code, this has an approximate cost of \$500,000 anything over an above may not get done. She spoke of the money and suggested it to be an affordable amount. The library serves people of all ages, including the elderly.

Haederle clarified that the override recently approved did raise taxes permanently. This override amount is only for a specific amount for a period of time, not forever. Haederle noted the difficulty in making the decision on how to proceed. He spoke of the 10 year effort leading to where we are tonight. If the board votes to allow the process of the vote, it doesn't mean they support it; they want the voters to decide.

Corona reiterated Haederle's comments. She has argued these points both sides over the last few weeks. She doesn't feel that she should be the one not to put it to the voters. The town should decide. It is a very difficult decision. Haederle noted the hurdles needed to move the project forward. The state money is in jeopardy. King noted the difficult decision for him. King suggested that the library is not public safety. He spoke of the recent operational override in Easton and the town's that have recently passed overrides. King feels that the campaign has not been enough. He spoke of the video last week. He feels that people have override fatigue. He is afraid that the people won't be educated enough to make an informed decision. Less noted that the charter gives the Selectmen the authority to put things to the voters. She also noted that the public doesn't understand the distinction between operational override and debt exclusion. She spoke of the operational override and which promises were made that they would not come back. Less suggested it will be more than \$49 per year. She again noted that they have told the community that they would not come back to the voters.

Mike Boyle suggested having the voters decide if they want to go to the poles.

Corona noted that this is something that the voters have supported for 10 years. She noted that it's the Library Board's job is to provide more information over the next month. Cohen is reluctant to not give it to the voters. He doesn't support a separate election because of the costs involved. It's hard to get people to vote once but not twice. Haederle agreed with Cohen with holding one election. Haederle again noted the hurdles before the community before it can move forward.

**On Haederle's motion, seconded by Cohen, the board voted 3-2 to call a special election for the purpose of presenting debt exclusion. Less and King opposed.**

**On Haederle's motion, seconded by Cohen, the board voted 3-2 to approve the ballot question as proposed (see attached). Less & King opposed.**

The board took a brief recess at 9:00 and reconvened at 9:05.

White noted she just discussed the date with the Town Clerk, she has agreed with the 9/19 date.

Marsan expressed concern with the date of 9/19 and fears confusion for the voters. It should not be more difficult than it needs to be. Merlin agreed, after speaking with White, the two elections are required anyway and the issues

### **Selectmen's Meeting Minutes 7/31/06**

should be separate. Two sets of poll workers and ballots are needed. White noted that there is a cost involved in hosting a separate election on a separate day. There is still some costs associated with two elections on the same day. Dotty Conceison, speaking as an election worker, noted that two elections on the same day would be very confusing for the workers and for the absentee ballots. She suggested a separate election to be the best. White asked Conceison about the two sets of check in sheets. Conceison clarified that she was not sure if two sheets are given but two separate ballots are required. King noted he would like to see one election. Cohen favored the one election as it may have a better turn out. Marsan noted that if they voted in favor of putting it on the ballot, they should vote in favor of consistency to avoid confusion. Linehan and Conceison agree that two elections are confusing. If you are putting it on the ballot, don't put it on the ballot in the most confusing manner as possible. Less noted the difference is that an election is already scheduled for 9/19. It's not the case they we are putting it together to have the question fail. Conceison noted that the primary is not a heavy election. Less asked if a citizen can only vote for library and not participate on primary. White felt that this is the case. At this point, Haederle suggested it will be confusing enough without combining the issue.

**On Haederle's motion, seconded by Corona**, the board **voted 3-2** to schedule the special election for 9/12/06. **Less and Cohen opposed** (because of the date)

White proposed the STM date of Thursday, 9/7/06 and proposed to open the warrant and close it on 8/7/06.

**On Corona's motion, seconded by Haederle**, the board **voted unanimously** to hold the STM on 9/7/06.

**On Corona's motion, seconded by Haederle**, the board **voted unanimously** to open the warrant and accept articles until close of business on Monday, 8/7/06.

### Continued discussion re: proposed affordable housing project - Union Street Realty LLC (23 Union Street)

Attorney Mark Bobrowski, William Griffith, William Humphrey and Engineer Mark Bartlett were present. White spoke of the Development Team Review Meeting which was recently held. White summarized that the project is responsive to the needs as stated in the town's affordable housing plan. This project helps families with young children and citizens over 62 years of age. Some issues still need further review such as looping of the water main and the site distance at the driveway entrance. White will propose conditions for the board if they agree to partner in this project.

Corona referred to the center units and asked if they are not as advantageous as corner units. Griffith noted that there are not many side windows in any of the units. Griffith noted that sound barriers are very important. King noted that some of the units do not have garages. King asked if the affordable units are the ones without garages. Bobrowski noted that affordable units should not be distinguished by the outside of the property. Five units do not have garages, 39 will have garages. It was noted that there will be 11 affordable units within the development. King asked about the ZBA process and the funds held for certain things. One center unit and two without garages should make up some of the affordable units. Corona agrees with the clause that the association set aside money to have the residents decide if a playground is necessary. Less noted that through the ZBA process, modifications are usually made. Corona agrees that a certain amount of money should be set aside for the playground if needed. The board reviewed the suggested items. Bobrowski submitted a projected association fee and cost schedule. Bobrowski suggested \$1,000 per market rate unit set aside for the fund (less the affordable units).

White suggested that the affordable units should be affordable in perpetuity. Bobrowski drafted a sample deed restriction, based on the comments at the last Selectmen's meeting. White noted that the board is dealing with a conceptual design at this point. A lot of design work, department head input will change the plan along the way.

**On Less' motion, seconded by King**, the board **voted unanimously** to enter into a limited partnership with the following condition: Affordable units cannot all be center units; a fund should be established by the developer for future use of the Homeowners' Association for creation and/or maintenance of recreational or open space areas; at least one set o the Homeowners' Association board of directors should be reserved for an owner of an affordable unit; a bust stop location must be identified and appropriate structure constructed; a lower homeowners association fee should be considered for owners of the affordable units.

### Emergency item

On Corona's motion, seconded by Less, the board voted unanimously by roll call to take up emergency item.

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

White referred to the Ten Corporation contract for the school renovation project in the amount of \$ 8,146.

**On Less' motion, seconded by Haederle**, the board **voted unanimously** to approve the contract as proposed.

### Town Administrator's notes

None

### Press notes

None

**Selectmen's Meeting Minutes 7/31/06**

Selectmen's notes

None

Public Participation

None

**On Haederle's motion, seconded by Less, the board voted unanimously by roll call to go into executive session for purpose of contract negotiations. (9:45pm)**

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

*Respectfully submitted,*

*Mary Southworth*

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APPROVED

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DATE