

Minutes of the Board of Selectmen meeting of Wednesday, October 7, 2015. Present were Eldon F. Moreira, Clerk; Jerry D. Lawrence, Member. Nancy J. Maloney, Chairman, arrived at 7:23 p.m. Also present was David L. Gagne, Town Administrator. The meeting convened in the Selectmen's Meeting Room in Town Hall at 7:00 p.m.

Also present at this time was Mr. James Benson, Town Moderator, 35 South Street.

Due to the absence of Chairman Maloney, Mr. Moreira chaired the meeting.

The Board said the pledge of allegiance.

Mr. Lawrence **MOVED** to approve the minutes of September 2, 2015. Seconded by Mr. Moreira and so voted. Maloney, absent; Moreira, yes; Lawrence, yes.

Mr. Lawrence **MOVED** to accept for review the minutes of September 23, 2015. Seconded by Mr. Moreira and so voted. Maloney, absent; Moreira, yes; Lawrence, yes.

The Board tabled the items pertaining to Special Town Meeting until later in the meeting when Chairman Maloney would be present to discuss them.

The Board discussed the upcoming changes to the Town's website. Mr. Gagne stated that the Town received accolades for the new design from another Town looking to improve their own website. Executive Administrative Assistant Mallory Aronstein updated the Board concerning the progress to updating the Town's website. She said the concept has been reviewed, edited and finally approved. She said the entire website is now being built according to that design and organized via a site map that she had submitted to the web designers. Mrs. Aronstein stated that this phase takes about four to six weeks and that content migration is the next step.

The Board tabled the update on Marjorie MacDonald-Anna Brown Meeting Room.

Mr. Lawrence discussed Strategic Planning. He invited members of the public to join the various teams if they are interested in helping on a particular goal.

The Board then discussed employee parking at Town Hall. Mr. Lawrence said many years ago a policy was instituted regarding employee parking and leaving most spaces close to the door for customers.

Mr. Lawrence **MOVED** to send a memorandum to Town Hall employees reminding them of the parking policy and to enforce it. Seconded by Mr. Moreira and so voted. Maloney, absent; Moreira, yes; Lawrence, yes.

Mr. Lawrence **MOVED** to authorize the Highway and Vehicle Maintenance Superintendent to overspend the budget 4230 Snow Removal. Seconded by Mr. Moreira and so voted. Maloney, absent; Moreira, yes; Lawrence, yes.

The Board reviewed an invitation to attend the Tri Town Veteran's Day Parade on Wednesday, November 11. Mr. Lawrence noted that the parade would be hosted by East Bridgewater. He said that Chairman Maloney would be giving an address that day.

The Board reviewed a special permit application for Raymond Ferrone to raze an existing single family home at 188 South Street and to construct a new single family home on a legal non-conforming lot. Mr. Gagne said that the home is rotted and cannot be saved. Mr. Lawrence asked if this was a historic property. Mr. Jim Benson, Historical Commission Chairman, stated that it is a George Wilbur house. There were no comments to forward to the Zoning Board of Appeals regarding the project.

The Board then reviewed a Special Permit and Site Plan Review request from Leo's Landscaping to operate a retail business with exterior display at 221 North Main Street. Mr. Gagne noted that the Building Inspector had a few concerns for the location.

Mr. Lawrence **MOVED** to pass along the Building Inspector's concerns to the Zoning Board of Appeals for Leo's Landscape, Inc, to operate a retail business with exterior display at 221 North Main Street. Seconded by Mr. Moreira and so voted. Maloney, absent; Moreira, yes; Lawrence, yes.

The Board reviewed a request from the Friends of the West Bridgewater Library for a one-day liquor license and one-day entertainment license to hold a wine tasting and silent auction event.

Mr. Lawrence **MOVED** to approve the request for a one-day liquor license and one-day entertainment license to the Friends of the West Bridgewater Library and to waive the fees. Seconded by Mr. Moreira and so voted. Maloney, absent; Moreira, yes; Lawrence, yes.

The Board reviewed an application for transfer of ownership of underground storage tanks from Tedeschi Food Shops to TFS New Co. LLC, located at 397 West Center Street. Mr. Gagne stated that 7-11 has bought Tedeschi stores and this is a transfer of ownership to the new buyer.

Mr. Lawrence **MOVED** to approve the transfer of the underground storage tank from Tedeschi Food Shops to TFS New Co., LLC. Seconded by Mr. Moreira and so voted. Maloney, absent; Moreira, yes; Lawrence, yes.

Mr. Lawrence stated that the Hess Station in Elm Square is now closed and that he has heard that Hess is not interested in selling the property to anyone. Mr. Lawrence said that it is a pre-existing nonconforming use and he was concerned about what would happen to the property.

Mr. Lawrence **MOVED** that the Town Administrator send communication to Hess Corporation to determine the status of the property in Elm Square. Seconded by Mr. Moreira and so voted. Maloney, absent; Moreira, yes; Lawrence, yes.

The Board reviewed a letter from Mayor Carpenter relative to participating in the Brockton Santa Hat Challenge. Mr. Lawrence **MOVED** to send a thank you letter to Mayor Carpenter for the

invitation and to forward it to the schools, Council on Aging and residents. Seconded by Mr. Moreira and so voted. Maloney, absent; Moreira, yes; Lawrence, yes.

At 7:15 p.m., Mr. Lawrence **MOVED** to take a recess. Seconded by Mr. Moreira and so voted. Maloney, absent; Moreira, yes; Lawrence, yes.

The Board reconvened at 7:23 p.m. Present at this time was Nancy J. Maloney, Chairman; Mr. Benson, and Ms. Sandy Churchill of *The Spark*.

The Board reviewed the proposed articles for Special Town Meeting.

Mr. Gagne discussed Article 1 relative to establishing a Local Historic District. He said that there had been some discussion regarding whether or not the Town Moderator was able to run Town Meeting during this article due to his involvement on the Local Historic District Study Committee. Mr. Gagne said that Town Counsel has determined that as long as Mr. Benson makes a disclosure at Town Meeting and to the Town Clerk prior to the meeting, he can moderate over discussion of that article.

Discussion continued regarding the process through which the by-law was created, the public hearing held on it and the final recommendation of the by-law and proposed map of the district.

Mr. Gagne requested that the Board assign readers to the motions of the articles while they were voting to place each article on the Special Town Meeting Warrant.

Mr. Lawrence **MOVED** that Article 1 relative to establishing a By Law for a Local Historic District be placed on the Warrant and that the Chairman of the Local Historic District Study Committee read the motion at Town Meeting. Seconded by Mr. Moreira and so voted unanimously.

The Board reviewed Article 2 relative to purchasing land classified under Chapter 61A with frontage on South Street.

Mr. Lawrence **MOVED** that Article 2 be placed on the Warrant and that Chairman Maloney read the motion. Seconded by Mr. Moreira and so voted unanimously.

The Board reviewed Article 3 regarding funding a dog park in conjunction with a grant from The Stanton Foundation.

Mr. Moreira **MOVED** that Article 3 be placed on the Warrant and that Mr. Lawrence read the motion. Seconded by Mr. Lawrence and so voted unanimously.

The Board reviewed Article 4 relative to a design analysis for a proposed River Walk at the Town Park. Mr. Lawrence suggested that this item be retained for Annual Town Meeting as there are no time restraints on the project. He said that this item could also be incorporated as part of the Strategic Planning Goal relative to sidewalks, trails, and pedestrian crossings.

Mr. Lawrence **MOVED** to remove Article 4 from the Warrant. Seconded by Mr. Moreira and so voted unanimously.

The Board reviewed Article 5 relative to paying for a design analysis for a traffic signal at East and East Center Street.

Mr. Lawrence **MOVED** to place Article 5 on the Warrant with Chairman Maloney assigned to read the motion. Seconded by Mr. Moreira and so voted unanimously.

The Board reviewed Article 6 relative to requesting two additional liquor licenses to be located specifically at the old Shaw's Plaza along the border with Brockton.

Mr. Moreira **MOVED** to place Article 6 on the Warrant and that Mr. Lawrence read the motion. Seconded by Mr. Lawrence and so voted unanimously.

The Board reviewed Article 7 regarding transferring funds from Article 32 of Annual Town Meeting of June 9, 2014 in order to update the SCADA computers and software.

Mr. Lawrence **MOVED** to place Article 7 on the Warrant and that the Water Commissioners read the motion at Town Meeting. Seconded by Mr. Moreira and so voted unanimously.

The Board reviewed Articles 8, 9 and 10 all relative to transferring funds from Article 32 of Annual Town Meeting of June 9, 2014 to pay for upgrades to Badger Metering computers, software and related equipment, to repair the roof and door of the Water Department, and to expend funds to paint the Sunset Avenue water tank.

Mr. Lawrence **MOVED** that Articles 8, 9 and 10 be placed on the Warrant and that all three articles be presented and read by the Water Commissioners. Seconded by Mr. Moreira and so voted unanimously.

The Board reviewed Article 11 relative to amending a By Law to govern Power Point presentations made at Town Meeting. Mr. Benson, Town Moderator, stated that with the new school, there is now the ability to do Power Point presentations at Town Meeting. Mr. Gagne stated that the Moderator will step down at this portion of the meeting and the Town Clerk will conduct the meeting.

There was discussion regarding the need for the Town Clerk to assign someone to take minutes during that portion of the meeting.

Mr. Moreira **MOVED** that Article 11 be placed on the Warrant and that Moderator Jim Benson be assigned to read the motion. Seconded by Mr. Lawrence and so voted unanimously.

The Board discussed the naming of the large conference room in Town Hall. Mr. Lawrence discussed the reasoning behind naming the room the MacDonald-Brown meeting room after Ms. Marjorie MacDonald and Ms. Anna Brown. He stated that a photo of each woman would be

framed and hung in the meeting room with a plaque underneath stating their years of service to the Town.

The Board reviewed the lettering options for the meeting room door.

Mr. Lawrence **MOVED** to approve the colored decal with the Town Seal for the door. Seconded by Mr. Moreira and so voted unanimously.

Mr. Lawrence requested that he be able to work with the office to coordinate an unveiling ceremony and reception for the families to attend.

Mr. Moreira **MOVED** that Mr. Lawrence work with the office staff to coordinate a celebration and reception as the Town dedicates the meeting room to Ms. MacDonald and Ms. Brown. Seconded by Mr. Lawrence and so voted unanimously.

Mr. Gagne noted that there had been no motion to sign the Special Town Meeting Warrant.

Mr. Moreira **MOVED** to sign the warrant for Special Town Meeting. Seconded by Mr. Lawrence and so voted unanimously.

During the Public Comment Period, Mr. Lawrence stated that the Lions Club Scarecrow Contest is coming up and applications for participation are available at the Library.

Mr. Gagne gave the Town Administrator's Report. He said that the town has been officially designated as a Surrounding Community for the Brockton Casino proposal. He said that this designation mandates that the developers pay for the legal fees and other studies conducted to determine the impacts the casino will cause, if any, and how to mitigate them. Mr. Gagne said that the Town has assented to this status to the Massachusetts Gaming Commission.

Mr. Gagne discussed a proposed compensatory time policy for non-union personnel that negotiate contracts with the Board of Selectmen. He said that he would like to solicit feedback from the various department heads. Mr. Lawrence suggested that the policy also be sent to the elected boards.

Mr. Lawrence **MOVED** to accept the policy for review. Seconded by Mr. Moreira and so voted unanimously.

Mr. Gagne then discussed the status of the inter-municipal agreement with the City of Brockton for Family Dollar. Mr. Gagne suggested that an annual license fee be instituted as well as a sum of money to be held in an escrow account to pay for any potential liens that may accumulate due to Family Dollar failing to pay their sewer bill to the City of Brockton. He said that because the City of Brockton would not be able to place a lien on a property located in West Bridgewater, the lien would be placed on the Town which would be responsible to remove the lien.

Mr. Moreira **MOVED** to collect in escrow a minimum amount equal to that of at least the estimated annual sewer payment. Seconded by Mr. Lawrence.

The Board had further discussion regarding whether or not the establishment of this inter-municipal agreement would set a precedent. Mr. Gagne said that it would and that other types of businesses, such as a restaurant, would require greater sewer services than Family Dollar. Chairman Maloney discussed the need for sewer in the Town and how it would attract more businesses, especially in the Manley Street area. Mr. Gagne stated that it was currently a strategic goal.

The Board took a vote on the motion on the floor and voted unanimously in favor.

Mr. Moreira **MOVED** to establish an annual fee for the Family Dollar of \$100. Seconded by Mr. Lawrence and so voted unanimously.

Mr. Gagne noted that if the fee needed to be adjusted the Board would take another vote on the matter.

Mr. Gagne then updated the Board regarding the Matfield Street paving project. He stated that the Town worked with information from Beta Engineering to determine the width of the road for repaving it. He said that after some further investigation in the matter, it was determined that the figures provided by Beta Engineering were incorrect. Mr. Gagne said that Mr. Jim Noyes, a member of the Planning Board and resident of Matfield Street, used Google Maps imagery and GPS coordinates to measure the width of the road before paving and after paving. He said that Mr. Noyes found that the road was 18 to 24 inches wider than it is now after the paving. Mr. Gagne said that Highway Department has reprioritized all projects and is now working on widening the street the additional 18 to 24 inches.

Mr. Moreira **MOVED** to send a letter of thanks to Mr. Noyes for his time and effort in helping the Town. Seconded by Mr. Lawrence and so voted unanimously.

At 8:04 p.m., Mr. Moreira **MOVED** to adjourn the meeting. Seconded by Mr. Lawrence and so voted unanimously.

Eldon F. Moreira, Clerk

Respectfully submitted by Mallory E. Aronstein, Executive Administrative Assistant.

List of Documents in Agenda Packet – October 7, 2015

- *Minutes of September 2, 2015*
- *Minutes of September 23, 2015*
- *Proposed Special Town Meeting Warrant Articles and Motions*
- *Proposed decals for MacDonald-Brown Meeting Room*
- *Purchasing information and early-order incentives for salt and other snow removal services*

- *Letter from the Patriotic Activities Committee of East Bridgewater regarding Veteran's Day Parade*
- *Letter from Tri Town Parade Committee regarding the Veteran's Day Parade*
- *Special Permit Application for Raymond Ferrone for 188 South Street*
- *Special Permit Application/Site Plan Review for Leo's Landscaping, 221 North Main Street*
- *Letter and application for one-day liquor license and one-day entertainment license for the Friends of the West Bridgewater Library for a wine-tasting event*
- *Transfer of Ownership paperwork and application for TFS New Co LLC for 397 West Center Street*
- *Letter from Mayor Carpenter regarding the 125th Santa Hat Challenge*
- *Letter regarding the Town's Surrounding Community Designation*
- *Proposed Compensatory Time Policy*
- *Draft Agreement between City of Brockton, the Town and Family Dollar*
- *Information regarding measurement of Matfield Street*