

SELECT BOARD MEETING

TUESDAY, APRIL 18, 2023 7:00 PM

The GREAT HALL, 10 PEARL ST., 3rd Floor

10 Pearl Street, Stoughton, MA 02072

& VIRTUALLY via GOOGLE.MEETS

In accordance with Governor Baker's declaration of June 16, 2021 granting certain pandemic-related authorizations to Public Board and Town meetings and recently extended until March 30, 2025, this meeting will be conducted both in person and virtually via Google Meets.

A comprehensive record of the proceeding will be posted on the Town's website and/or SMAC as soon as possible after the meeting if live broadcast or livestreaming is unsuccessful. Times are approximate and items may be taken out of order at the discretion of the Chairman.

Present: Debra Roberts, Chair, Stephen Cavey Vice Chair, Scott Carrara, Louis Gitto, Joseph Mokrisky, Tom Calter, Town Manager.

Open Session- Call to Order and Pledge of Allegiance

Chair Roberts called the meeting to order at 7:08 p.m. The motion to open the meeting was made by Mr. Mokrisky and seconded by Mr. Carrara. The motion passed.

Members Roberts, Cavey, Carrara. Gitto and Mokrisky responded present to the roll call.

Chair Roberts asked all to stand for the Pledge of Allegiance. Chair Roberts read into the record Governor Baker's declaration on Open Meetings.

Discussion of Open Meeting Law Complaint received on 04/06/2023 filed by David Lurie- votes may be taken.

Chair Roberts read the text of the complaint. It stated at the Finance Committee meeting of 03/29/2023, three members of the Select Board were present constituting a quorum. The complaint reads that the meeting advertisement did not state that it would be a joint meeting of the Select

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Board and the Finance Committee, expressing concern that the presence of the Select Board members may have influenced votes of the Finance Committee.

Chair Roberts then read the Select Board's response, stating that the complaint relative to the Finance Committee meeting of 03/29/2023 referencing the agenda item "Any and all matters relative to FY23 and FY24 Budget" was determined to be a non-violation of the Open Meeting Law. The response states that the complainant alleges that the Finance Committee chair introduced the Chair and the Vice Chair of the Select Board. A third member of the Select Board was also present and not introduced nor spoke during the meeting. The Open Meeting Law allows for members of Committees and Boards to attend the meetings of other Boards and Committees, if the group does not deliberate or negotiate on matters before the Committee. The Open Meeting Law 2020-30 permits members of the Select Board to attend as residents of the Community. Chair Roberts had spoken at the invitation of the Chair of the Finance Committee and said she was expressing her personal support to the School Committee. The Chair and the Vice Chair attended the 03/29/2023 meeting of the Finance Committee to express their personal support on issues already voted upon at the 03/23/2023 meeting of the Select Board.

The response stated further that the Board finds the issues raised to not be in violation, and said response is filed with the Attorney General's office. The complainant may be appealed. Mr. Mokrisky requested people lodging complaints to first do their homework prior to filing a complaint with the Attorney General. He suggested calling the members of the Select Board. It is costly to oblige a review by Town Counsel which results in the finding that the complaint is non-valid. Mr. Cavey referred to an incident when Ms. Howe, previous Chair, left and the Board had fallen behind in the approval of minutes. Mr. Cavey said he had consulted Robert's Rules of Order and found that the information was vague. His intentions, along with Chair Roberts, were good. He would have preferred a phone call from the complainant. The Board members take their responsibilities seriously relative to the Open Meeting Law. Attorney Brian Winner, Town Counsel, responded remotely that the Open Meeting Law recognizes the rights of Board members to attend the meetings of other public bodies. Mr. Cavey asked if Town Meeting attendance would be impacted. Attorney Winner said that the Open Meeting Law explicitly exempts Town Meetings. Mr. Carrara added that Police and Fire are sworn to duty 24/7. The Select Board is also sworn to duties 24/7, and always a representative of the Board. The Board does not have the luxury of choosing when to be citizens or members of the highest Board elected. The best way is not to be put in a position of impropriety; an issue or presence of 3 members at a non-posted meeting. Mr. Calter commented that as a member of the State Legislative body, he had participated in a lengthy debate on the Open Meeting Law, which focuses on backroom discussions. In this instance, there was no intent to violate. Mr. Calter asked that people contact his office with questions before filing a complaint. Chair Roberts asked for a motion to adopt the response to the complaint and to authorize her signature on the response. Mr. Mokrisky made the motion seconded by Mr. Cavey. The Board voted 5 yes 0 no.

Discussion of new Lease - Cedar Hill Concessionaire, 1137 Park Street- votes may be taken.

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Mr. Calter commented that this Lessee has been present through the Covid-19 pandemic and has contributed greatly to the success of the golf course. Mr. Mokrisky provided the following facts, proving that the golf course is now a successful enterprise: in 2018 was \$207,819.47, 2019 - \$264,271.15, 2020 - \$331,906.29, 2021 - \$550,608.00, 2022 - \$546,418.00 and to date in 2023- \$350,653.32. The increased revenue is attributed to the work and efforts of the concessionaire and Mr. Barruzza. Mr. Barruzza, Cedar Hill Golf Course Superintendent, added that there is an increase in the number of rounds of golf played from 11,500 in 2020 to 23,000 in 2022-2023. There are 3 components for this success: improvement of the course; investment made by the Town and CPC and the efforts of the concessionaire which brings in people, who are not golfers, for lunch and other events.

Ms. Roberts called for the vote. Mr. Cavey made the motion to renew the lease, seconded by Mr. Carrara. The motion passed 5 yes 0 no.

Consent Agenda

- a. Approval of Open Session Meeting Minutes of March 20, 2023.**
- b. Road Race Permit Application- Once a Knight, always a Knight 5K on May 20, 2023**
- c. 1-Day Alcohol Beverage License Application- Catholic Parish of Stoughton on May 6, 2023**

Mr. Pimentel came forward to thank the Board for its consideration.

Mr. Gitto made the motion to approve the Consent Agenda, seconded by Mr. Mokrisky. The motion passed 5 yes 0 no.

Interviews for the 300th Anniversary Committee (3 vacancies) - Amanda Bettle, George L Dolinsky, Carin J. Klipp, Kellie Laguerre, Bernie Planeta and Margaret Sewcyk

Mr. Mokrisky made the motion to appoint all 6 of the volunteers to the Committee, seconded by Mr. Cavey. The Board voted 5 Yes 0 No.

Ms. Joanne Callanan, Chair of the 300th Anniversary Committee, thanked the Board and commented that the Committee will meet Monday, April 24 at the public library. Mr. Calter asked the members to stand and be recognized. Mr. Carrara reminded all to stop by the Town Clerk's office to be sworn in prior to the April 24, 2023 meeting.

Introduction to the new Town Planner- Mr. William Roth

Mr. Calter said Mr. Roth comes highly recommended, with 32 years of experience in planning and in economic development. Mr. Roth is experienced in planning, budgeting, supervision, having worked in Fairhaven, Fall River and in Taunton. These diverse Towns have provided a diverse background and talent for Mr. Roth. Mr. Roth introduced himself to the Board and to the Town. He is looking forward to continuing his 17 years in Planning and Economic Development areas. Mr. Roth complimented Stoughton on the structure of its development services. Mr. Calter said Mr. Roth will begin to compare the Master Plan with the Urban Renewal Plan, noting that application for grants hinges on definitive urban renewal plans. Mr. Roth said he enjoys studying zoning by-laws and the application to urban renewal plans. He understands that 2 major projects are underway with MAPC, review of the zoning of route 27 and review of the zoning of route 138. Mr. Cavey thanked Mr. Roth for coming to Stoughton and commented that collaboration is powerful. Mr. Carrara thanked Mr. Roth and noted that he is pleased that Mr. Roth is interested in zoning. Mr. Gitto added his welcome remarks.

7. Lay-out Alteration for Tosca Drive Intersection Project

Mr. Marc Tisdelle, Town Engineer, commented that the construction is expected to begin in September. MassDot has requested bids. Ms. Carin Klipp, Town Meeting representative, Pratts Court resident, asked the Board to consider the impact on the Pratts Court neighborhood, and the quality of life of the residents. Ms. Klipp finds the plan is faulty and will increase the traffic from Canton Street to West Street via Pratts Court. Mr. Tisdelle responded that the Engineering Department is sensitive to the request. There have been many public hearings on the design. The plan cannot not be modified at this point. The intent is to give the Town the net benefit of an improved intersection. Traffic through Pratts Court occurs when there is back-up at the intersection. Signalization at the intersection will mitigate this problem. Mr. Tisdelle offered to do traffic counts prior, during and after the construction. Marc Tisdelle stated that there are possible alternate solutions for Pratts Court. Ms. Klipp asked the Board, as street commissioners, to designate Pratts Court as a no truck traffic, or no through traffic. Mr. Carrara commented that Pratts Court is difficult because it is a narrow street. Mr. Mokrisky stated that as a public way, all residents must have access and with the traffic counts the Board will have factual information. Chair Roberts asked Mr. Tisdelle about monitoring the traffic level once implemented. Mr. Cavey suggested consultation with the professionals, Sgt. O'Connor, traffic officer, the Police and Fire Departments. Mr. Tisdelle said the Police have been heavily involved since the beginning of the project.

Mr. Cavey read the full text of the motion:

“Select Board, Acting as the Street Commissioners

TOWN OF STOUGHTON
ORDER OF ALTERATION OF LAYOUT - TOSCA DRIVE,
CANTON STREET AND CENTRAL STREET

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The Select Board of the Town of Stoughton, acting pursuant to GIL. c. 82, "21-24, and having determined that common convenience and necessity require the alteration of the layouts of the public ways Tosca Drive, Canton Street and Central Street to add to those layouts the lands depicted as 2023 Town Alteration Sections I and 3 through 8 on the plan entitled: "Alteration Plan of Tosca Drive, Canton Street and Central Street (Route 27) in Stoughton, MA, Norfolk County, prepared for the Town of Stoughton," dated December 8, 2021, revised September 12, 2022, prepared by Greenman-Pedersen, Inc. (the "Plan"), and to remove from the layout of Tosca Street the land depicted on the Plan as 2023 Town Alteration Section 2, hereby orders that said layouts be altered in the manner depicted on said Plan. The herein Order, together with a copy of the aforementioned Plan, shall be immediately forwarded to the Town Clerk for filing and reported to the Town for acceptance. Adopted on April 18, 2023. Town of Stoughton Select Board".

Mr. Cavey made the motion to approve the motion as read, seconded by Mr. Carrara. The Board voted unanimously 5 yes 0 no.

Item #8 was taken out of order by the Chair.

9. Town Manager's Goals and Objectives- discussion and implementation of the document

Mr. Calter, Town Manager, presented his goals and objectives as of April 17, 2023:

Human Resources Management

- A. Settle all labor contracts
- B. Publish an organization structure
- C. Facilitate staff professional development
- D. Supplement new health insurance premiums

Finance and Economic Development

- A. Create a 4-year revolving capital budget
- B. Reduce dependence on free cash by \$300,000/year
- C. Reduce enterprise fund structural deficits
- D. Design and implement strategic centralized purchasing program
- E. Increase commercial tax base
- F. Conduct a Financial Summit with the Select Board, School Committee and Finance Committee

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- G. Generate incremental revenue from the Solar Farm and C&D facility
- H. Improved financial management contract

Public Safety

- A. Join Regional 911
- B. Invest 5-8 million 911 infrastructure
- C. Resolve lawsuits/grievances
- D. Build Fire Station on time and budget
- E. Exit civil service for Police and Fire

Communication and Transparency

- A. Conduct training for residents on Town webpage
- B. Provide associability to documents
- C. Communicate current events through Town Manager's Page
- D. Town Manager use of back page of Town Crier
- E. Bi-weekly staff meetings

The Town is facing many challenges. There is a revenue/expense problem. A public forum will be held to discuss the solid waste deficit. For several years, the Town has paid costs without raising residents' fees. One of his goals is to correct this situation. Mr. Mokrisky offered to assist with the open meeting on solid waste as he has data from previous consultation with the DPW and SEMASS. Mr. Calter welcomes all input. The problem must be presented and clearly defined to the public. Chair Roberts added that one of her goals is to eliminate the Town's dependence on the use of free cash to pay debt. Mr. Cavey expressed his agreement with the goals as presented and suggested the addition of job descriptions. Mr. Calter responded that the job descriptions exist, but they are inconsistent and vague. A short-term goal will be to attach to the current job descriptions a page that details the specific duties and the tool for evaluation. The long-term goal will be to rewrite the job descriptions to be more relevant to the Town and with greater specificity. Mr. Cavey asked about job descriptions that will have to be negotiated. Mr. Calter responded that the writing of the job descriptions will be done now in preparation for negotiations with union heads. Mr. Gitto suggested an additional goal, the improvement to the Town website. Mr. Calter invited Mr. Gitto to a presentation by CLEARgov which will present solutions relative to revenues per capita and expenses per capita. It is an incredible financial tool. Mr. Gitto offered to assist with the job descriptions and requested 5 Towns and 5 contacts to research their job descriptions. Mr. Calter said the process is underway. The DOR requires that Towns negotiate job descriptions. Mr. Calter explained that Attorney Jack Dolan has been assigned the task of re-writing the job descriptions, to reduce the descriptions from 20 pages to 3. New hires will not have a problem with the job descriptions. Several years ago, a previous HR director had copied and pasted job descriptions from the State. They need to be re-written for better synchronization with pay scales.

Mr. Cavey made the motion to adopt the goals provided by Mr. Calter including another look at the Town website, and to incorporate those goals with those proposed by the Select Board. Mr. Mokrisky seconded the motion and stated that goals do not define the person, but rather the person defines the goals. Mr. Mokrisky stated that he is very comfortable with Mr. Calter and the status of his work so far. He credited Mr. Calter for shortening his vacation. Mr. Mokrisky remarked that the Board recognizes the talent and the commitment shown by Mr. Calter and urged him to

continue as he is doing. Mr. Calter thanked the Board and said he agrees to the importance of goals, clear job descriptions and clear evaluation tools.

On the motion, the Board voted to adopt the goals and objectives 5 yes 0 no.

Chair Roberts noticed people in the hall who had not been heard. She invited them to state their purpose. They had come to speak on behalf of the Pratts Court neighborhood. Chair Roberts informed them that the matter had been discussed and directed them to watch the recording and/or to call the Town Engineer's office with their questions.

8. Massachusetts Bay Transportation Authority (MBTA) Capital Investment Plan for Fiscal Years 2024-2028

Mr. Kane thanked the Board for the opportunity to speak. He said he grew up on Cross Street and loves the Town. Mr. Kane spoke of a 9.2 billion MBTA plan which will be funded through borrowing. The plan will focus on rail improvements, purchase of new equipment with advancement toward electric. There were no specific plans that would directly impact Stoughton. Work will be done on a dam in Canton, that borders Stoughton, to eliminate flooding in the area. He spoke of work that would be done on local terminals. Some funds would be spent to mitigate environmental damage. Ms. Roberts, who serves as the Vice Chair of the MBTA Advisory Board, asked if funds could be available for rehabilitation of the Stoughton Train Depot. Mr. Kane responded that many colleagues in other Towns have made similar requests. It is possible that a special fund will be developed to address these concerns. He would be happy to work with Ms. Roberts and he stated that the MBTA Advisory Board is fortunate to have her as Vice Chair in charge of finance. Mr. Mokrisky thanked Mr. Kane for joining the meeting and said that he was impressed as this is the first time, that he can remember, that someone of his level has physically visited the Town. Mr. Mokrisky commented on his interest in making the depot at least accessible to commuters as protection from bad weather. Mr. Cavey added his appreciation for the visit and stated Mr. Kane's presence signals willingness to cooperate toward common goals. Mr. Kane commented that he had joined the meeting willingly and that he would be happy to meet with the Town Manager, residents, and the Board to change any past adversarial relationship.

Mr. Carrara asked to speak on a matter he had observed on Willow Street. He brought to the Board his concern that the truck traffic on Willow and Page Streets was serious. Mr. Mokrisky suggested that the matter be scheduled for the next agenda, citing Open Meeting Law. Mr. Calter said this is a safety issue and will have Mr. Marc Tisdelle, Town Engineer and other Town professionals to look at the situation in preparation for discussion at a subsequent meeting.

Chair Roberts announced that the Board would enter executive session and would reconvene to open session for the purpose of adjourning the meeting only. Mr. Cavey made the motion to enter executive session, seconded by Mr. Gitto. The motion passed 5 yes and 0 no.

Mr. Gitto made the motion to adjourn, seconded by Mr. Mokrisky. The motion passed 5 yes and 0 no. Meeting was adjourned at 10:10 p.m.

Documents Used During the Meeting

Item#2 Discussion of Open Meeting Law Complaint received 04/06/2023 filed by David Lurie- votes may be taken. 10 pages

Item#3 Discussion of New Lease 1137 Park Street- Cedar Hill Concessionaire- votes may be taken 5 pages

Item#4 Consent Agenda a. Approval of Open Session Meeting Minutes of March 20, 2023 8 pages

Item#4 Consent Agenda b. Road Race Permit Application Once a Knight, Always a Knight 5K on May 20, 2023 7 pages

Item#4 Consent Agenda c. 1-Day Alcohol Beverage License Application- Catholic Parish of Stoughton, 560 Page Street at the St. James Catholic Church May 6, 2023 11 pages

Item#5 Interviews for 300th Anniversary Committee (3 vacancies) 9 pages

Item#7 Layout Alteration Tosca Drive Intersection Project 5 pages

Item#8 Mass Bay Transportation Authority (MBTA) Capital Investment Plan for fiscal years 2024-2028 3 pages

Item#9 Town Manager's Goals and Objectives Discussion and Completion of the Document 5 pages

Approved on:

07/05/2023



Debra C. Roberts, Chair