

SELECT BOARD MEETING

TUESDAY, May 30, 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 proceedings 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 Chair.

Present: Debra Roberts, Chair, Stephen Cavey Vice Chair (via remote), Scott Carrara, Louis Gitto, Town Manager Tom Calter.

Also present: Attorney Brian Winner.

Absent: Joseph Mokrisky.

Open Session- Call to Order and Pledge of Allegiance

Chair Roberts called the meeting to order at 7:03 pm. The motion to open the meeting was made by Mr. Gitto and seconded by Mr. Carrara. The motion passed.

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

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

Select Board Comments

Vice Chair Cavey thanked Ms. Sharon Johnson, Veterans Administrator, for her efforts and planning of the Memorial Day Parade.

Town Manager Comments

Town Manager Calter announced that a demand fee was now effective for unpaid property tax bills for FY23 due June 5, 2023, interest now accruing. The bills for water, sewer and trash are due June 15, 2023 to avoid demand charges. Bills may be paid online or left in the drop box.

As of May 18th, MassDOT is continuing the preliminary design of the South Coast Rail. There will be crews deployed along the MBTA right of way.

Town Manager Calter asked members the Board to please review plans and information for the informational meeting scheduled for June 23rd relative to rate increases for water and sewer. He asked for input by Friday, June 2, 2023.

Citizens' Comments

Mr. Peter Banis, 41 Walnut Ct. resident, spoke of issues concerning the Town and SMAC. Mr. Banis remarked that he attended the meeting on November 9, 2022 and he didn't observe anyone being treated with disrespect nor did he see anyone escorted from the building by the police. Mr. Banis said his intent was to facilitate a better relationship between the Town and SMAC.

Town Manager Calter responded that he had requested the video of the 11/09/22 meeting and he will make copies available to Board members.

Ms. Cynthia Walsh, 1096 Park Street resident, asked for a review of the Town's buildings and their minimal or lack of handicapped access. She mentioned the newest buildings, the library and the high school. She said it is interesting that the oldest building, Town hall, is very accessible with ramps, and easy access into the building and elevator. Ms. Walsh suggested that a member of the disability committee be appointed to meetings involving new construction, such as the plans for the new Fire Station. Town Manager Calter added his agreement, stating that he had toured the Town and found it disturbing to note the number of buildings with low accessibility. He commented that there is awareness of the issue and a plan to seek grants to correct the problem. Mr. Gitto added his agreement. He had experienced travel with a disabled administrator and the difficulties encountered were remarkable. Mr. Gitto agreed that the disability commission should be invited to view plans for future buildings.

The Chair asked Mr. Gitto to introduce item #7.

Discuss nominations and formation of the Climate Action Plan Committee in accordance with Article 71 of the 2023 Annual Town Meeting Warrant - Votes may be taken

Mr. Gitto explained that there is an urgent need to address the impending human and ecological disasters created by climate change. The residents of Stoughton, their children and their descendants will be forced to grapple with the impacts of climate change. Municipalities throughout the Commonwealth are forming committees to study and research methods of eliminating greenhouse gas emissions. It is important to establish the committee by the end of June, and time must be given for adequate advertising for members to serve on the committee. Mr. Gitto read into the record the motion to be voted on:

That the Town vote to establish a Climate Action Plan Committee, to be comprised of nine (9) members, as follows:

1. The Town Energy Manager
2. One member to be a Town employee appointed by the Town Manager
3. One member to be appointed by the Stoughton Energy and Sustainability Committee
4. Six (6) members to be appointed by the Select Board following public posting of the openings.

Said committee shall be formed no later than June 30, 2023; shall meet in public meetings biweekly and conduct itself according to the standards governing Town Committees; shall be authorized with Town Manager approval to seek grant support; and shall be charged with issuing an interim report with recommendations, followed by a comprehensive final report no later than June 30, 2025.

Vice Chair Cavey seconded the motion.

Mr. Carrara asked if the Town employee appointed by the Town Manager would be paid and if there will be a specification as to skills required and the duration of the appointment. Mr. Carrara suggested as well that the language specify “residents of Stoughton”. He remarked that the motion as written is open-ended and needs greater specificity. Town Manager Calter responded that the Town employee in charge will be Ms. Pam McCarthy, the Economic Development Director, as it is part of her job description. There will be no additional compensation. Mr. Gitto pointed to the second paragraph which states that the Town seeks Stoughton residents to serve on the committee. He stated that the committee must complete its work by June, 2025. Mr. Gitto added that he had included language conforming to Town codes.

Chair Roberts commented that during Town Meeting an individual had expressed sincere interest and she hoped she could be identified and invited to serve on the committee. Mr. Carrara asked if the one member from the Energy and Sustainability Committee would be appointed from that committee or from outside. Mr. Gitto said from the committee. Town Manager Calter added that this language permits the committee flexibility on the appointment. Vice Chair Cavey pointed out the petitioner of this Article is a member of the Energy and Sustainability Committee. He noted that once the committee is formed, the Select Board will no longer have a role, nor will it have jurisdiction.

On the roll call vote, Mr. Gitto- yes, Vice Chair Cavey- yes, Chair Roberts -yes and Mr. Carrara - yes. The motion passed.

Public Hearing:

1-Day Alcoholic Beverage License Application for 2 Consecutive Days - June 3 and June 4, 2023- Club Luiz Camoes, 76 Porter Street

Vice Cavey read the public hearing notice into the record.

Parenthetically, the Chair informed Ms. Molly Cochran, in the hall for the discussion of the Climate Action Committee, that the matter had been approved.

Chair Roberts reviewed the process for conducting the public hearing. Vice Chair Cavey made the motion to open the public hearing, seconded by Mr. Carrara. On the roll call vote: Mr. Gitto, Mr. Carrara, Vice Chair Cavey and Chair Roberts voted yes.

Vice Chair Cavey reviewed the application noting that the Board of Health will be doing a pre-festival inspection and that the Police Department had requested a third officer for the detail. Mr. Joao Vasconcelos said the festival was in its 54th year. The pandemic had stalled the celebration since 2019. He remarked that it is a family celebration. He extended an invitation to the Board and reviewed the route for the procession. He thanked Mr. Tisdelle for his help. Ms. Walsh said she remembers marching in the procession with her father in the 80's. She hopes the tradition continues.

Mr. Carrara made the motion to close the public hearing seconded by Vice Chair Cavey. The motion passed unanimously.

Mr. Carrara made the motion to approve, seconded by Vice Cavey. On the roll call vote, Mr. Gitto- yes, Vice Chair Cavey- yes, Chair Roberts -yes and Mr. Carrara -yes. The motion passed.

Consent Agenda

Application for Road Race or Parade Permit June 4, 2023- Club Luiz de Camoes

Mr. Gitto made the motion to approve the Consent Agenda, seconded by Mr. Carrara. On the roll call vote, Mr. Gitto- yes, Vice Chair Cavey- yes, Chair Roberts -yes and Mr. Carrara -yes. The motion passed.

To consider rescinding the vote to reject the provisions of G.L. Ch. 59 section 2D of Supplement Tax Assessment on New Construction - votes may be taken

Ms. Shropshire, Senior Manager for Assessing, and Attorney Brian Winner (remote) were present to explain the request. Ms. Shropshire explained in 2004 the Board had voted to reject supplementary tax assessment on new construction. She commented that the intent of this request is to provide revenue to the Town by reversing the 2004 vote. Attorney Winner added that the intent was to bring flexibility to the opportunity to capture revenue due the Town from reassessment on new construction. Attorney Winner said the Town can opt back in by sending a letter to the Bureau of Accounts Department of Revenue. Mr. Carrara said he had voted to opt out in 2004. When permits are pulled, taxation is permitted prior to the completion of the project. New construction could be impeded by this decision. He would vote against the request. Vice Chair Cavey said he had similar concerns to Mr. Carrara, but after closer reading, he noted that on page 3 of the guidelines, it states that taxation does not begin until the Certificate of Occupancy is granted; also, the value of the improvement or new construction must be assessed at 50% more than the previous evaluation of the property. Chair Roberts commented that the provision would impact residential and commercial properties. Ms. Shropshire said this statute will provide the Town revenue and assist homeowners who seek reduced assessments. Vice Chair Cavey remarked that the purpose of the statute is to prevent loss of revenue to the Town during the gap in the collection of taxes. Attorney Winner added that granting the certificate of occupancy is the trigger to charging additional taxes due to increased value. Attorney Winner explained that upon granting the occupancy permit, the owner of the property begins to get the highest and best use of his property but may not begin paying the town until the next taxation period. Mr. Carrara asked if new personnel would be hired to monitor. Chair Roberts asked if this statute had been in place last year how much new revenue would have been received. Town Manager Calter responded that 2 years ago, the Town budgeted \$800,000, but the return to the Town was only \$400,000. The Town should tax only when there is taxable value, and Stoughton is one of the few that has opted out in the State. He said it is not fair that a property owner benefits from improvements or new construction without the town being able to benefit from the increased assessed value until the next tax period. Ms. Shropshire said online permitting will be helpful in monitoring and identifying properties.

Mr. Gitto commented that the homeowners who lost their house in an explosion in February are not eligible for an abatement under the current guidelines. Atty. Winner said, if approved, the statute will permit mid-stream abatement, or reduced assessments in the event a homeowner suffers a tragedy, or loss due to fire, etc.

Vice Chair Cavey made the motion to rescind the vote to opt out, seconded by Mr. Gitto. On the roll call vote: Vice Chair Cavey –yes, Mr. Gitto – yes, Chair Roberts –yes and Mr. Carrara -no. The motion passed.

Mr. Scott Carrara left the meeting at 8:41pm.

Discuss Water/Sewer Relief Programs

Mr. Gitto said he had consulted with Attorney Winner to seek means of offering relief to residents who will find rate increases difficult. Attorney Winner cited two occasions when relief was

offered: Greenbrook and Buckley Road. Mr. Gitto continued stating that residents must understand that enterprise funds must be fully funded. He pointed out that it is not just drinking water, but the use of water for cooking, laundry, sewer, outside water use and the need to be sure that there is sufficient water for the fire department. The water/sewer enterprise is underfunded by approximately \$2,000,000. Town Manager Calter thanked Mr. Gitto, remarking that he has been working closely with the Town to help balance the funds. The Town must make a hard decision on June 13th. Residents will be informed of the availability of programs to assist with payment. Attorney Winner said the problem falls into two categories: (a.) What we do now? Use the current abatement process, which permits application for assistance on a case-by-case basis, or (b.) What can we do for the future? Attorney Winner said he would provide a matrix to assist with the management of these programs. There is assistance available for a variety of municipal services. Some programs are available to Veterans. If after research, the Town remains dissatisfied, then the Town can create its own financial relief program, specifying the application process and eligibility. Ms. Shropshire directed residents to the website explaining:

Clause 17 D Income guidelines for those over 70 years of age; Clause 41 C for 65 and older; Clause 37 for blind citizens; Clause 22, 22A (b,c,d,e, f and h) relief packages for Veterans. In addition, seniors may work for relief toward property tax bills. Chair Roberts asked the deadline for application for relief. Ms. Shropshire stated generally after July 1.

Vice Chair Cavey made the motion to adjourn, seconded by Mr. Gitto. On the motion to adjourn: Chair Roberts, Vice Chair Cavey and Mr. Gitto voted yes. The meeting was adjourned at 9:04pm.

Documents Used During the Meeting

1. Item #5 Public Hearing: 1-Day Alcoholic Beverage License Application for 2 consecutive days – June 3 and 4-2023 Club Luiz de Camoes. 12 pages
2. Item #6 Application for Road Race or Parade Permit – June 4, 2023 Club Luiz de Camoes 8 pages
3. Item #7 Discuss nominations and formation of the Climate Action Plan Committee in accordance with Article 71 of the 2023 Annual Town Meeting Warrant - Votes may be taken 1 page
4. Item #8 To consider rescinding the vote to reject the provisions of G.L. Ch. 59 section 2D of Supplement Tax Assessment on New Construction- votes may be taken 16 pages
5. Item #9 Discuss Water/Sewer Relief Programs 13 pages

Approved on:

Signed by:

07/05/2023

Debra C. Roberts

Debra C. Roberts, Chair

Select Board Open Session
Tuesday, May 30, 2023 7:00 PM