

**Memorial Town Hall, 1 Library Street, Georgetown, MA 01833**  
**Ph. (978) 352-5755 \* Fax (978) 352-5727**  
**BOARD OF SELECTMEN MEETING MINUTES**  
**Memorial Town Hall**  
**Third Floor Meeting Room**  
**10/19/09**  
**7:00 PM**

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**Selectmen Present:** Philip Trapani, Chairman; Evan O'Reilly; Gary Fowler; Stephen Smith, Clerk; C. David Surface

**Others Present:** Michael Farrell, Interim Town Administrator; Janet Pantano, Administrative Assistant

**Absent:**

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**Call to Order**

Mr. Trapani called the meeting to order at 7:00PM.

**Warrant & Minutes**

Mr. Trapani stated that there is a Warrant to be signed.

**Mr. O'Reilly moved to approve the minutes of *September 28, and October 5, 2009*. Mr. Surface seconded the motion and the motion was approved by a 4-0 vote. Mr. Smith abstained.**

**Board Business**

*Police Department*

Police Chief Mulligan, Lt. Cudmore, and Detective Supervisor Dejoy were present. Chief Mulligan explained that the Police Department will receive an Award of Excellence Bronze category. He stated that this recognition was due to the department's efforts to reduce motor vehicle related deaths and injuries.

*NIMS (National Incident Management Systems)*

Chief Mulligan explained what NIMS is to the board and how it works. He stated that they just completed a form for compliance to NIMS.

**Mr. Surface moved to formally *adopt the "National Incident Management System" (NIMS) as the Town of Georgetown, Massachusetts all hazards management system, for all local government departments/agencies*. Mr. O'Reilly seconded the motion and the motion was approved by a unanimous vote.**

*Second Hand Shops*

Lt. Cudmore explained the license that the board gives Second Hand Shops. He stated that they propose to amend Chapter 80 Sec. 2. He explained the pawning of gold and jewelry in town and how some has been found to be stolen goods. He stated that they are looking for some amendments as one business in town has done \$40,000 in jewelry in

one month. He stated that a change will protect business owners and owners of property. He stated that if a business acts as a pawn shop then they would need to comply with new rules. He stated that they are looking for the business to hold an item for 60 days as this is a number they were comfortable with and it could be 4 months. Mr. Smith stated some Second Hand shops take in clothes, jewelry, sports equipment, antiques and do they have to hold items for 60 days as this may present a hardship. Chief Mulligan stated that some sports equipment such as bikes are very expensive. Lt. Cudmore stated that items under chapter 70 are precious metals. Mr. Smith stated that he wants to know if this would impact business in town. Mr. Surface asked about a dual type of regulation as they have business that take in clothes and would not want to hold these items for 60 days. Lt. Cudmore stated that they could amend for the different businesses in town. Chief Mulligan stated that this is a common regulation in towns. Lt. Cudmore showed the board a form from another department from a pawn shop with a copy of the seller's driver's license, description of the item and a photocopy of the item. Chief Mulligan stated that burglary is not a nonviolent crime that the loss of a family heirloom is very difficult. Mr. Trapani stated that the board would review and work on a new regulation. He stated that they would review comments from counsel.

*Preservation Restriction Agreement & Community Preservation Act Grant Agreement*

Mr. Trapani asked if there were any questions on the documents. Mr. Surface asked if counsel was okay with the documents. Mr. Farrell stated that both documents have been reviewed by counsel.

**Mr. Surface moved to approve and sign the *Community Preservation Act Grant Agreement*. Mr. O'Reilly seconded the motion and the motion was approved by a unanimous vote.**

**Mr. Surface moved to approve and sign the *Preservation Restriction Agreement*. Mr. O'Reilly seconded the motion and the motion was approved by a unanimous vote.**

Board signed the documents.

*Special Town Meeting Warrant for November 16, 2009*

*School Department*

Carol Jacobs, Superintendent; Anne Donahue, School Committee member, and Terry Wiggin, School Business Manager was present.

Ms. Jacobs explained that one boiler at the Penn Brook School is not working and the other will not work for long with only one boiler. She stated it would be at a minimum of four to five years to get on the MSBA list and approval. She gave an updated packet to the board on the boiler. She stated that they are asking for \$115,000 to replace the boiler. She stated that they can not use stimulus funds for the boiler. She stated that the School Committee is using their stimulus funds over two years and this is helping to offset reduced State funding. Discussion of what funds the Schools will receive next year. She stated that with them using stimulus funds for FY11 they are hoping to have less cuts and/or layoffs. Mr. Surface asked for the free cash number. Mr. Farrell stated that the Free Cash number is \$629,727 and \$56,045 is the Snow & Ice deficit. Mr. Smith asked if

this will be the primary boiler and the old will be back up. Mr. Wiggin stated that it would be. He asked if there would be a School down time. Mr. Wiggin stated that the removal will be on a weekend and/or vacation. Mr. Smith asked if there would be any energy savings. Mr. Wiggins stated that there would be. Mr. Smith asked that the heating ducts be cleaned during the process. Ms. Jacobs stated that they would look into having the ducts cleaned. Mr. Smith asked if they had an RFP. Mr. Wiggin stated that they are putting together a bid packet. Ms. Jacobs stated if they find the cost to be less then they would change the dollar amount at Town Meeting. Mr. O'Reilly asked about his handout and the two different Articles. Mr. Wiggin explained that they choose not to go with a rental as the cost was \$8-10,000. Mr. Surface asked if MSBA would reimburse the Town after the fact. Ms. Jacobs stated that she would ask the board. Mr. Surface asked if FinCom has seen the request. Mr. Farrell stated that FinCom will review on Wednesday. Ms. Jacobs stated that they are also looking to talk with Senator Bruce Tarr and see if there is another avenue.

**Mr. O'Reilly moved to add the School request for an article on the STM Warrant for a new Boiler for Penn Brook School at \$115,000. Mr. Surface seconded the motion and the motion was approved by a unanimous vote.**

#### *Water Department*

Glenn Smith, Water Department Manager was present

Mr. Smith gave a hand out to the board and went over the breakout of costs for the water articles. Mr. Surface stated that his question was more on the retained earnings and how much they can be depleted. He asked if using \$350,000 and leaving \$274,000 would be good. Mr. Farrell stated that he looked into this and the amount that they are using and holding is a good amount. He stated Georgetown uses retained earnings as their Capital Fund. Mr. Surface asked if there is a possibility of a reduction of rates. Glenn Smith explained the situation of the water department and the funds needed for upkeep of the system and how these funds are being used to upgrade the system. Mr. Trapani stated he would like to see if other water departments have capital funds. Discussion Mr. Smith stated that he took Mr. Farrell for a tour of the Water Department properties and invited any board member to contact him for a tour.

**Mr. O'Reilly moved to add to the STM Warrant the *two Water Department articles \$125,000 for Capital Improvements, Water Distribution System and \$225,000 for Marshall Station Rehabilitation*. Mr. Smith seconded the motion and the motion was approved by a unanimous vote.**

#### *Planning Board*

Nick Cracknell, Town Planner was present

Mr. Cracknell stated that MVPC would be matching our Town meeting appropriation with a technical assistance grant using state funding. He explained the process that they have gone through and the Scope of Services from MVPC. He stated that the board has looked at the properties and are looking at permitting and zoning. He stated that there is a draft agreement in the packet and he gave a signed document to the board. He asked if this constituents a match by the board. He stated that they need a decision by November

24. Mr. Trapani stated that a ton of work has been done on this project and asked Mr. Cracknell to explain the process. Mr. Cracknell explained what the process would be under this 43D. Mr. O'Reilly asked if we would be obligated to the MVPC in any way for these funds. Mr. Cracknell stated that we would not be. Mr. Trapani stated that this is a start for all departments. He asked that they hold off a decision until next meeting and have council review. Mr. Fowler asked about the funds and if the employees of MVPC would be working for the town. Mr. Cracknell explained how this would work. Mr. O'Reilly asked if we need an Article on the Warrant for this funding. Mr. Farrell stated that he thinks they will and that he would work with Mr. Cracknell on this.

**Mr. O'Reilly moved to add to the STM Warrant 43D Technical Review Funding. Mr. Surface seconded the motion and the motion was approved by a 4-1 vote. Mr. Fowler opposed.**

*STM10-08 Ogden/Thurlow Land Acceptance Map 17, Lot 24 and a portion of Lot 20*  
Mr. Cracknell explained that the Ogden's would like to donate a small parcel of land. He explained the process and that the ConCom has approved this plan. He stated that he has been told that the ConCom can accept this parcel but they should check with council. Mr. O'Reilly stated that he talked with Mr. Przyjemski and a Conservation Restriction could be put on the property and would have the same restriction. Mr. Cracknell explained the difference and that this way it is owned in perpetuity. Mr. Surface asked if any contamination testing has been done on the property. Mr. Cracknell stated that there is no required testing. He stated that both parties should have looked at reports.

**Mr. O'Reilly moved to add to the STM Warrant *Ogden/Thurlow Land Acceptance Map 17, Lot 24 and a portion of Lot 20*. Mr. Surface seconded the motion and the motion was approved by a unanimous vote.**

*Street Acceptances*

Mr. Cracknell explained the streets in the Whispering Pines subdivision will be finished and can be accepted at the STM. Mr. Surface asked if this would meet the State approval for receiving funds. Mr. Cracknell stated that yes this would increase Chapter 90 funds received from the State. He explained that they will also have Blueberry Lane finished and ready for approval.

**Mr. O'Reilly moved to add to the STM Warrant *Street Acceptance/Sage Road, Pineneedle Lane, and Raymond Road*. Mr. Fowler seconded the motion and the motion was approved by a 3-0 vote. Mr. Surface and Mr. Smith abstained.**

**Mr. O'Reilly moved to add to the STM Warrant *Street Acceptance/Blueberry Lane*. Mr. Surface seconded the motion and the motion was approved by a unanimous vote.**

*Acceptance of Easements off Railroad Ave for Rail-Trail Project*

Mr. Cracknell stated that they are looking to accept easements off Railroad Ave for the Rail-Trail project. He explained the project and easements.

**Mr. O'Reilly moved to add to the STM Warrant *Acceptance of Easements off Railroad Ave for Rail-Trail Project*. Mr. Surface seconded the motion and the motion was approved by a unanimous vote.**

*Appropriation of Free Cash for the Snow and Ice deficit FY2009*

**Mr. Surface moved to add to the STM Warrant *Appropriation of Free Cash for the Snow and Ice deficit FY2009*. Mr. O'Reilly seconded the motion and the motion was approved by a unanimous vote.**

*Highway Loader Lease*

**Mr. O'Reilly moved to add to the STM Warrant *Highway Loader Lease*. Mr. Surface seconded the motion and the motion was approved by a unanimous vote.**

*Adjustments to the Fiscal Year 2010 Operating Budget*

*Non-Union employees and line item adjustments*

Mr. Trapani stated that they have an opportunity to provide raises to non-union employees. He stated that they could add a 1% raise for employees as they may have cuts from the State. Discussion on 1% raise and a 1% cost of living as was done last year. Mr. Surface asked what unions received. Mr. Farrell stated that the unions received 3%. Mr. O'Reilly stated that he does not feel they should treat Union and non Union different. Discussion. Mr. O'Reilly stated that they need to remove the Fire Chief from the list as he is now under a contract.

Mr. Farrell went over the spreadsheet with some small accounting issues. He stated that there is a \$1,000 stipend for the Town Treasurer as she received her certification and under our bylaws she is to receive the stipend. He stated that the spreadsheet has funds for:

- Police-Training budget \$4,000
- Crossing Guard \$3,500
- Police Operating-Radio Repeater \$4,703 if the FinCom transfer is not approved
- Animal Control Expense \$1,200
- Non-union raises \$27,164
- Treasurer Stipend \$1,000
- Assessor Assistant Salary short \$388

Mr. O'Reilly asked about the CATV employees and if they should of received a raise. Mr. Farrell stated the CATV board has met with the Personnel Board and with \$3,000 they would bring them up to proper rate. He stated that the CATV salaries come out of the CATV revolving fund and is separate from the Town Budget.

**Mr. Smith moved to add to the STM Warrant *Adjustments to the Fiscal Year 2010 Operating Budget \$41,955*. Mr. O'Reilly seconded the motion and the motion was approved by a unanimous vote.**

Mr. O'Reilly stated that he wanted to recognize Herb McDonald as he retired from the Fire Department with 43 years of service. The board thanked Mr. McDonald for his years of service to Georgetown.

**Mr. O'Reilly moved to close the *STM Warrant for Monday, November 16, 2009*. Mr. Surface seconded the motion and the motion was approved by a unanimous vote.**

**Mr. O'Reilly moved to adjourn. Mr. Surface seconded the motion and the motion was approved by a unanimous vote.**

Meeting adjourned at 9:25PM.

Minutes transcribed by J. Pantano.

Minutes approved November 2, 2009.