

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
6/17/13
6:00 PM – General Meeting, 3rd floor meeting room

Selectmen Present: Stephen Smith, Chairman; C. David Surface; Gary Fowler;
Stuart M. Egenberg, Clerk

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

Absent: Philip Trapani

6:00PM Pledge of Allegiance

Warrant & Minutes

Warrant to be signed

Minutes of May 13, 2013

Mr. Egenberg moved to approve the General Session Minutes of May 13, 2013. Mr. Surface seconded the motion and the motion was approved by a unanimous vote.

ES Minutes of June 3, 2013

Mr. Egenberg moved to approve the *Executive Session Minutes of June 3, 2013 6:00PM and 6:45PM*. Mr. Surface seconded the motion and the motion was approved by a unanimous vote.

Board Business

Financial Management Review from DoR for discussion

Mr. Smith stated his goal tonight is not for any motions or votes but a chance to go over each topic in the review. He stated that he would like an open discussion and will go in the order of the document.

1. Adopt a Town Charter

Mr. Smith stated that this is a huge item and asked Mr. Farrell to give the board some options. Mr. Farrell stated in June he gave the board information on Charters. He stated that there is a home rule Charter and he listed the towns with a home rule Charter. He stated that a Charter codifies the operation of the town and that it goes in front of the bylaws. He stated that the bylaws give the direction of the Charter. He stated that one way to adopt a charter is that you elect a 9 member Charter Commission and they have 18 months to adopt the Charter. He stated that it is an eleven month process to put together a Charter. He stated that there is a template that the State has on Charters. He stated that the Charter sets the day to day nuts and bolts of the town and sets who is elected/appointed and who they report to. He stated two public meetings are required one at beginning and one at the end and then the Charter is adopted at Town Meeting.

Mr. Smith asked the advantages to a Charter. Mr. Farrell stated that hiring, firing and appointing authority is the BoS and without a charter they can not delegate this authority. He stated that the town now has 9 hiring/firing authorities. He stated our current set up is the Selectmen hire/fire-Police, Fire, Town Administrator, and Building Inspector. Mr. Fowler asked if a bylaw would change this hiring process. Mr. Farrell stated that he did not think you could change hiring authority by bylaw.

Mr. Smith stated that he likes the concept of documenting how our government works and advocating for changes. He stated that as it concerns the Town Administrator he thinks this should be a CEO position working with the Chair of the board. He stated that he would like to look at the structure and changes the board would like to make. He stated he does not want a government study committee as this did not work and would want the BoS to be the driving source of any changes. He stated that this is a small building and a worthwhile item for the Selectmen to take on.

Mr. Surface stated that the report states the town is doing well with the employees it has but with discourse the town could have issues. He asked if there are other Charters at local towns. Mr. Farrell stated that there are city Charters with residents over 10K.

Mr. Farrell stated that there is a special acts charter that does need a commission to make changes. He stated that the board appoints a committee and at the end the charter goes to town meeting and after approved it goes to the Senate and Legislature. Mr. Surface stated that they need to look at the options available and see what works for Georgetown.

Mr. Fowler stated that the board should look at the Selectmen's handbook and look at the information from Mr. Farrell and the different models. He stated that the report pointed out the reasons to look at a Charter. He stated that he would see the 1994 DoR report. Mr. Farrell stated that he has not seen the 1994 report he stated that there have been 7 studies done with recommendations. He stated that all changes the town has made have been special acts.

Mr. Surface stated that it is the same people on these boards and committees so maybe it is time to modernize the model. He stated that only 150 people at Town Meeting and there are 8,000 residents. He stated that the commission could be this board.

Mr. Egenberg stated that he wants to know the why, the upside, and understand what we are working on as we go forward. He asked what is the real benefit to the community and town employees. Mr. Surface stated that it is time to modernize and evaluate where we are now in the good times. Mr. Smith stated that he would like to look at the Town Administrator position and the role in this building. He stated that this is a critical part of this process. Mr. Surface stated that the Town Administrator and Acting Finance Director position should be a bylaw not a job description. Mr. Farrell stated that the only reference in the bylaw for the Town Administrator is that the position would be the Human Resource Director.

2. Comprehensive Review of the Bylaws

Mr. Smith stated some of these items run together. He stated that this is not a quick fix and he will put an agenda together. Mr. Surface stated as Mr. Fowler suggested if looking at the bylaws may give a roadmap to a Special Acts Charter. Mr. Smith stated this would put all in a package so people can see how we operate.

3. Codify the budget Process in Bylaw

Mr. Farrell stated that the bylaw just says the Town Administrator presents a budget to FinCom on March 15. He stated that no one is in charge. Mr. Surface stated that DoR has said we have a good budget process. Mr. Egenberg stated that this is because of the employees. Mr. Surface stated a quick fix recommend present budget before Town Meeting. Mr. Fowler stated that he thought this year was the best and it is hard because the Town Administrator is working on a moving target. Mr. Surface stated that he would like to have a joint meeting this year BoS and FinCom. Mr. Farrell stated that the FinCom really liked the one meeting on a Saturday and it worked well. He stated that the other thing that slows up the process is the School Budget as they do not start as early as the town. Mr. Egenberg asked if there is a reason that they start in January. Mr. Farrell stated a larger hierarchy but they need to start earlier. Mr. Fowler stated that maybe a Saturday meeting for them also. Mr. Smith stated that if they meet earlier if there are gray areas they will see them sooner. He stated that there are a lot of good things happening and do not want to loose momentum.

Mr. Fowler stated that there are items that the board can work on now and some quick fixes that they can add. Mr. Surface suggested that they make two lists a short term and a long term list.

4. Discontinue Inappropriate Revolving Fund

Mr. Smith asked Mr. Farrell to update the board on this item. Mr. Surface stated Mr. Belliveau tried to get a handle on these funds. He asked why the Auditors were not commenting on these accounts if DoR did. Mr. Farrell stated the DoR was quite insistent that these funds are inappropriate and the Town Accountant is resistant to approve funds spent from this accounts. He stated that the Cable Account is an example and the ConCom Restriction Fund. Mr. Farrell explained that the ConCom fund was so the ConCom could accept a track of land and he explained the process. He stated that you need to have an independent agent hold the funds. Discussion on ConCom revolving funds, Camp Denison funds

Road Machinery - Mr. Farrell stated when departments borrow equipment from the Highway Department they pay them and the funds go into this fund to pay for the equipment. Mr. Fowler stated that in the past the town would put funds in the Road Machinery Fund. Mr. Durkee explained how the fund works. He stated that if they go out to help with a water main break they charge per hour for an operator and equipment. Mr. Surface stated that he would like to see the CPA or legal counsel look at these accounts. Mr. Smith stated that they need to know the legal aspects of these accounts.

5. Define the Purpose of the Spring Annual and Fall Town Meeting

Mr. Smith asked if there is a list of what can be on each warrant. Mr. Farrell stated no. Mr. Fowler stated that the board has looked at a SOP but they have not approved the SOP. Mr. Smith stated that they have a similar number of residents attending the ATM and the Fall STM. Mr. Farrell stated that the spring ATM is required by bylaw and they do not need to hold a Fall STM. Mr. Smith stated the meetings have the same number of residents unless there is a special issue. Mr. Surface stated that if funds are on the table then they should be addressed at a STM. Mr. Smith stated that it should be a specific issue and the town should not fall into holding a STM because it is tradition and not needed. Mr. Egenberg asked for the dollar figures to hold a special and annual town meeting.

6. Re-Advertise for Auditing Services Periodically

Mr. Smith stated that the board should look at this. Mr. Surface stated that the board should do this every 5 years and have a different principal in charge periodically. He stated that the town should change the principal for this year and find out how long Rene Davis has been the principal for Georgetown.

Mr. Surface stated that they should review the SOP for Spring ATM and come up with a SOP for the Fall STM.

Mr. Smith stated that he would like to stop here for now and go forward with Mr. Durkee's presentation. He stated that they will continue the discussion at the next meeting on the DoR review.

Pavement Management Program presentation by Peter Durkee

Mr. Durkee stated that he has a three year summary from this program that he has worked with an engineer on. He explained the projects he is working on Linden Circle, Bailey Lane, the drainage around the Library, West St. Culvert, and curbing. He stated that the Library issue will be taken care of this summer and they will start on the project this July. Discussion on binder coat and road maintenance Mr. Surface stated that he should use the Code Red system to notify residents when paving. Mr. Smith asked what his goal is tonight. Mr. Durkee stated that he would like the board and residents to see what he is doing. He stated that the department has replaced a lot of crossover pipes and the old metal pipes are rotted. He explained the funds that they have received under Chapter 90 and that he has banked some and had an increase in funds this year. Mr. Egenberg asked if he has seen a difference on Bailey Lane with the new drainage. Mr. Durkee stated that he has had no complaints since the work was done. He stated that Parsonage St. will be paved and he will marry the driveways this week. Mr. Fowler asked about West Street and the guardrails and the type he will use. Mr. Durkee stated that he will use galvanized as he wants to use what will last and he does not have to replace unless damaged.

Mr. Durkee went through his 22 slides on the Pavement Management Program and his program stated that the program gives him a list of the roadways that are in need of service and a timeline to work on the roads. He stated that there are 54.9 miles of accepted paved town roads. He stated that he would like to add easements on maps and is working with MVPC and GIS mapping.

Mr. Surface stated that when West Main Street is worked on the town should talk with Groveland about tying in the sewage. Mr. Fowler stated that we are in a different watershed.

Mr. Durkee stated that he went into the State House recently to testify on Prevailing Wage Rates. He stated if changes were made it would save the town a lot of money.

Mr. Surface stated that if he has leftover asphalt he should look at the small road projects. Mr. Durkee stated that he is looking at these also.

Mr. Durkee went over the documents he gave to the board and explained the documents. He stated that Andover St has a lot of drainage work to be done.

Approval of the poll workers for the Special State Election, Tuesday, June 25, 2013

Mr. Surface moved to approve the list of *poll workers* for the *Special State Election*, Tuesday, June 25, 2013 as presented by the Town Clerk. Mr. Egenberg seconded the motion and the motion was approved by a unanimous vote.

Appointments & Approvals

Reappointments/Appointments for FY2014

Mr. Surface moved to reappoint *Charles Keilty* as member of the *Affordable Housing Trust* term to expire June 30, 2015. Mr. Egenberg seconded the motion and the motion was approved by a unanimous vote.

Mr. Surface moved to reappoint *William Gianacoples* as member of the *Board of Health* term to expire June 30, 2016. Mr. Egenberg seconded the motion and the motion was approved by a unanimous vote.

Mr. Surface moved to reappoint *Susan Madigan* as member of the *Cultural Council* term to expire June 30, 2016. Mr. Egenberg seconded the motion and the motion was approved by a unanimous vote.

Mr. Surface moved to reappoint *Katharine Hanlon* as member of the *Cultural Council* term to expire June 30, 2015. Mr. Egenberg seconded the motion and the motion was approved by a unanimous vote.

Mr. Surface moved to reappoint *Howard Snyder, Town Planner; Richard Williams, and Gary Fowler* as member of the *Economic Development Committee* term to expire June 30, 2014. Mr. Egenberg seconded the motion and the motion was approved by a 3-0 vote. Mr. Fowler abstained.

Mr. Surface stated that there are two openings still on this committee. Mr. Smith asked that the committee come in and update the board on their goals.

Discussion on the Energy Committee and that the OPM will monitor the project and completed work

Mr. Surface moved to reappoint *Richard Aberman, James DiMento, Elizabeth Wade, Suzanne Caulfield, David Schauer, Juliette Rec, and Al Kitichin* as members of the *Park & Recreation Commission* term to expire **June 30, 2014. Mr. Fowler seconded the motion and the motion was approved by a unanimous vote.**

Mr. Egenberg requested that Ms. Pantano share the open positions with the press so they can get the word out on what positions are available.

Town Administrator's Report

Mr. Farrell stated he had two line item transfers. He stated one is for the Library a transfer from a salary line to expense line. He stated that other is because of a Workers Comp audit of payroll and the audit showed that the cafeteria workers were not reclassified correctly. He stated that the cafeteria workers have the highest workers comp costs. He stated that this cost the town an additional \$10K and they have additional funds in unemployment to transfer to the Workers Comp line.

Mr. Surface moved to approve the Line Item Transfers for the Library and Workers Comp as presented. Mr. Fowler seconded the motion and the motion was approved by a unanimous vote.

Mr. Farrell stated that as an advisory only he has some Reserve Fund Transfers that require a vote of the FinCom. He stated that he has started the process of informing the board of the transfers. He stated that the transfers are for Veterans' Services, Police Crossing Guard, Police Salary, Public Safety Radio project, and the Town Clerk for the unexpected election. Mr. Farrell stated that the State has voted to reimburse towns for the elections but we will not receive payment until next fiscal year.

Mr. Fowler stated that he has received some emails regarding insurance and that we are in negotiations. He stated that he thought that as a board we would discuss this first. Mr. Surface stated that in an Executive Session the board made the decision to move forward. Mr. Smith stated that he thought the board would take the first step. Mr. Surface stated after discussion with Attorney Dolan the board voted to go forward. Mr. Surface stated that there were issues with dates, etc. Mr. Farrell stated that he was under the assumption that he was to move forward with the Plan Design and board voted to go with the plan that was less costly for employees. Mr. Fowler stated that he wanted to be open with what is happening. He stated that Mr. Farrell was doing what he thought the board wanted him to be doing. Mr. Smith asked if any additional decisions. Mr. Farrell stated that there are decisions for the board to make that he can not make. Mr. Surface asked that Mr. Farrell keep the board update along the way. Mr. Farrell stated Mr. Trapani has asked for updates during the process.

Mr. Smith asked that there be an Executive Session at the next meeting.

Mr. Egenberg moved to adjourn. Mr. Surface seconded the motion and the motion was approved by a unanimous vote.

Meeting adjourned at 8:08PM.

Minutes transcribed by J. Pantano.

Next Meeting

Monday, July 8, 2013 at 7:00PM, 3rd floor meeting room, Town Hall