

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
8/21/17
7:00PM-General Meeting~3rd floor meeting room, Town Hall

Selectmen Present: Joseph Bonavita, Chairman; Steven Sadler, Clerk; Douglas W. Dawes, Gary C. Fowler, and C. David Surface

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

Absent:

6:00PM EXECUTIVE SESSION

To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the governmental body and the Chair so declares ...;

7:05PM Call to order

Invocation-Douglas W. Dawes
Pledge of Allegiance

CORRESPONDENCE

Notice of resignation of Janice Downey as an Alternate member of the Council on Aging
Mr. Bonavita thanked Ms. Downey for her service to the town.

Notice of resignation of Kenneth Woodbury as a School Crossing Guard
Mr. Bonavita thanked Mr. Woodbury for his service to the town.

Notice of Resignation of Justin R. Perry as a Reserve Police Officer
Mr. Bonavita thanked Mr. Perry for his service to the town.

OLD BUSINESS

GreenBridge Health, Inc.- Host Agreement vote

GreenBridge Health-Marijuana RMD Letter of Non-Opposition

Mr. Bonavita stated that the board will not vote on Host Agreement or Letter of Non Opposition tonight as they are still working on the documents.

Mr. Surface stated that this board does not issue the permit the Planning Board would issue a decision with conditions. He stated that there are multiple boards and a process that they must go through before approval.

Donna Ricci, owner Archers Artemis archery studio at 16 Carleton Drive stated her business is above the proposed marijuana growing facility. She stated that they serve youth and adults and they train, learn, and have events. She stated that they are not into hunting but personal development. She stated that they have had over 6,000 people come through and have a junior

Olympics program and have ages 4 to 80. She explained her training and that they draw students from the whole east coast. She stated that they have tournaments every 6 weeks. She explained the facility that they have. She stated that she has heard that the security and ventilation will be very good. She stated she heard they will have a smell of marijuana and not sure if this is so.

She stated her first priority is her students and business.

Mr. Surface stated does she have a lease. Ms. Ricci stated a 3 year with continuance.

Mr. Fowler asked if all her business is inside. Ms. Ricci stated yes.

Mr. Surface asked if she talked to the landlord. Ms. Ricci stated that she has not.

Mr. Bonavita stated that he would be interested in her discussion with her landlord. He stated that the board could not tell the landlord who he can rent to.

Mr. Sadler stated that he wanted to explain the process that once we have the host agreement and then issue a letter of non-opposition the project would move forward. He stated that if they do not give the letter then the project stops.

Mr. Fowler stated that we have a marijuana growing facility Heathy Pharms and they may let her in to tour if she has concerns.

Mr. Dawes stated that they many go over the changes to the host agreement later in the meeting.

NEW BUSINESS

Inaugural Erie 4 Miler-Permission to hold on 10/14

Ashley Steeves, High5EM was present.

Ms. Steeves stated that they are partnering with Erie 4 for a 4 mile course in conjunction with Erie 4 pancake breakfast. She explained that they hope the 4 Miler will help with the fundraiser. She stated they expect 100 to 125 attendees. She stated that the route was approved by the Police Department.

Mr. Surface stated that they need liability insurance. Ms. Steeves stated that they will provide this for the town.

Mr. Sadler asked about the Elm St construction. Ms. Steeves stated that they have been told that the road construction will be done. She stated that if not they will look at an alternate route.

Mr. Surface moved to approve the Inaugural Erie 4Miler on Saturday, October 14, 2017 at the Penn Brook School and route as presented contingent on the filing of all proper paper work for the event. Mr. Dawes seconded the motion.

Mr. Fowler asked if they did an event at Flatbreads and how that went. She stated that the event went well.

Police Chief Cudmore stated they checked the route and all was good.

The motion was approved by a unanimous vote.

Letter from Planning Board on Temporary Moratorium on Recreational Marijuana

Mr. Bonavita asked Mr. Farrell how we proceed. Mr. Farrell explained the process and that the board should respond to the Planning Board.

Mr. Surface stated that he feels the board should move forward with the Moratorium until the State finishes the laws. He stated that he supports the Moratorium and should go on the warrant.

Mr. Sadler stated that we have until June 2018. Mr. Surface stated the Moratorium can go to December 2018.

Mr. Dawes stated that we have a marijuana bylaw.

Mr. Surface moved for the Chairman to respond to the Planning Board on a *Temporary Moratorium on Recreational Marijuana* for the fall STM warrant. Mr. Fowler seconded the motion and the motion was approved by a 4-1 vote.

Mr. Fowler stated that the board should think about a possible sales tax and the board needs to approve the section of law as we did with the meals tax.

Mr. Dawes read a section on sales tax from K & P and the section of the law to adopt.

Mr. Fowler stated moratorium does not stop the board from working on the issue.

Mr. Farrell stated that the sales tax would have to be approved at town meeting and the spring town meeting would be best time.

Mr. Sadler asked about options of the town depending on how they voted for the marijuana on the ballot. Mr. Dawes read from the K & P update. Mr. Fowler stated that the board may limit the licenses.

WARRANT and MINUTES

July 10, 2017 and July 24, 2017

Mr. Fowler questioned a comment on page 3 by Mr. McDonald in the July 10 minutes and asked for the tape to be reviewed.

Mr. Fowler moved to approve the *July 24, 2017* minutes. Mr. Surface seconded the motion and the motion was approved by a unanimous vote.

Police Chief Report/Update

Police Chief Cudmore was present.

Chief Cudmore stated that he had a list of items to review with the board.

Police Wage and Classification Schedule

Chief Cudmore stated that he has a Salary and Wage Classification for his staff. He stated that he has lost staff because of the wages. He discussed that in the Personnel bylaws the BoS can set the Wage & Classification Schedule and do a temporary schedule he stated that he has been working on this for the last 7 years. He stated that Mr. Farrell has a plan for town hall and he is here for the Police Department.

Mr. Dawes asked for the present numbers. The chief gave the board the current numbers and explained how he complied the new numbers.

Mr. Bonavita stated that these figures came from neighboring towns. Chief Cudmore stated that he did a survey. He stated that some towns have a step and scale he is just asking for a set rate.

Mr. Surface stated that he needs the tools to do things right. He stated that his concern is he has seen Mr. Farrell's schedule and we should use the same criteria and all be evaluated the same. He stated that this may not be enough. He stated that he would be worried about discrimination.

Chief Cudmore stated that the board can do a temporary wage and classification scale. He stated that he is the only department head to attend all the personnel meetings.

Mr. Bonavita stated that he does not want to be training people and then have them leave.

Mr. Fowler asked if this can work in his budget. Chief Cudmore stated that it does.

Mr. Fowler asked where the dollars stand with Mr. Farrell. Mr. Farrell stated that his numbers are right on point with his. Chief Cudmore stated that he has been working to make sure all is fair. Mr. Bonavita asked if with these changes would make staff stay. Chief Cudmore stated that he feels that it will. Mr. Bonavita stated that turnover concerns him and can cause a risk. He stated that he would like to keep the risk down. Mr. Surface stated that he hopes this will be enough. Chief Cudmore stated that this is a start. Mr. Sadler stated that he applauds him for continuing this for his staff.

Mr. Surface moved to approve the Georgetown Police Wage & Classification Schedule as presented effective August 27, 2017. Mr. Sadler seconded the motion.

Mr. Dawes stated that he has seen that the department has been under staffed and he makes it work. Mr. Fowler stated that we need to work with the FinCom on wages and that he can support this tonight.

The motion was approved by a unanimous vote.

Upcoming Retirement and Resignations

Chief Cudmore stated that he had some upcoming retirement and resignations and just wanted the board to be aware.

Harbormaster Update (Docks, Fees, Etc.)

Chief Cudmore stated that there has been some concerns on the ponds and Rock Pond especially this year. He stated that there are no regulations on this pond and when he talks to the State they say a local issue. He stated that the Harbormaster is an unfunded position. He stated that they have come to a point that we need local control. He stated that he would like to put together a committee to review and come up with some regulations. He stated he posted a no wake buoy in a cove. He stated that we have neighbor disputes on the pond and need to set regulations. He stated has the State is behind him. He had hoped that the Harbormaster position would work more on environmental issues than policing the ponds. He stated they are trying to police from land.

Mr. Dawes stated that he thought that the pond had a 15 mph limit. Chief Cudmore stated that Pentucket and Baldpate have limits. Bonavita stated that he wants to form a committee. Chief stated that he would sit on committee as advisory. He stated that he does not want to pull from his officers but have an assistant. Mr. Bonavita asked if Officer Olshefsky could be used. Chief stated that he has used him in many places. Mr. Fowler stated a committee to come back to the board with regulations. He stated these are great ponds and have to come up with regulations. He stated that he has gone to meetings and trying to talk to residents along pond. Mr. Bonavita stated that this comes down to safety and talk further.

Mr. Fowler moved to set up an ad hoc Pond committee. Mr. Sadler seconded the motion.

Mr. Surface moved to amend the motion to include the Pond Committee to consist of 5 members. Mr. Sadler seconded the motion.

The original motion was approved by a unanimous vote.

The amendment was approved by a unanimous vote.

Accreditation Update

Chief Cudmore stated that the Police Department has received Accreditation.

APPOINTMENT

Chief asked for the appointment of Jeffrey French as assistant harbormaster.

Mr. Surface moved to appoint *Jeffrey French* as *Assistant Harbormaster* term to expire **June 30, 2017. Mr. Fowler seconded the motion and the motion was approved by a unanimous vote.**

American Legion Park Update

Chief Cudmore stated that the Park and Recreation has been moving forward on the signs and working on the park regulations. Mr. Surface asked that they come in in October for an update.

Parking Ticket and Bylaw Program

Traffic tickets and animal tickets/Transfers for A/C and Boat

Chief Cudmore stated that he sent over some transfers for some equipment that has failed, replace parking and bylaw tickets, retirement, harbormaster program, and mandated training. He stated that he sent these to Mr. Farrell. He stated that the tickets are expensive and not budgeted and they last a long time. He stated that the Animal Control Officer has issued a lot of tickets and working to get all dogs licensed. He stated that they have generated a lot of revenue with these fines. Mr. Farrell stated that Chief gave him 5 transfer requests and he stated that the FinCom may have him come back at the end of the year to see if he can fund from his budget and if not then funds would come from the Reserve account.

Livestock Regulations

Chief Cudmore stated that the Building Inspector, ConCom Agent, and BoH Agent have brought up some issues and we have no livestock regulations. Mr. Bonavita asked how we do this. Mr. Przyjemski stated that the planning board would hold hearings on any new regulations. He stated that they would see what other towns have and would not have to create from scratch. Mr. Dawes asked what animals are the issue. Mr. Przyjemski stated cows, roosters, goats, bees. Board stated to work on these for town meeting.

Harbormaster Boat

Mr. Sadler asked the Chief to tell the board how he acquired the boat. Chief Cudmore explained that he bid on the boat under a State Program and received for free.

Seabrook Evacuation Plan

Chief stated that he can discuss now or later as this is on the BoS agenda. Mr. Bonavita stated that they would discuss now.

Seabrook/Nuclear Regulatory Commission Letter

Mr. Bonavita stated a few months back the board had a discussion and heard concerns from a gentleman on Seabrook Nuclear Plan. He stated that he presented letters from Senator Tarr and Representative Hill sent to NRC regarding Seabrook Plant. He stated that tonight the board will review the letter and send out. He read the letter to the public.

Mr. Sadler stated that he voted against the letter. He stated that this is important but others have responded and they represent our district and did not feel the board had to respond and that is why he did not support.

Mr. Surface stated that he was not present but questions why we are responding as we are not within the 10 mile radius.

Mr. Dawes stated that we are not within 10 mile but the town would have an impact and we are just sending a letter to NRC.

Mr. Fowler stated that the town is in the 10 to 50 mile zone. Chief Cudmore stated that this is under emergency management and we draw on regional resources and are regulated by MEMA and FEMA. He stated that he falls back on those agencies for guidance. He stated that going at it alone is not how he would proceed he would work with a regional group.

Mr. Dawes stated that sometimes someone has to step forward. He stated he has heard other communities may send letters and does not see the harm in sending the letter.

Mr. Fowler stated that he thanked the Chair for bringing this forward and that he is working with the Chief for an event in the fall on Seabrook. He asked to send a copy to the Attorney General's office.

Mr. Sadler stated does not want to have any conflict issues.

Police Chief asked who would be the lead or whose responsibly would it be for responses to this letter.

Mr. Dawes stated if there is a hearing that may drive some enhancements to the Police Department.

Mr. Fowler moved to mail the Seabrook letter to the NRC. Mr. Dawes seconded the motion.

Mr. Dawes asked if we are sending the letter to AG Healy. Mr. Bonavita stated that he feels we should just send to the NCR as that is what was voted. Mr. Fowler stated that our area is a stay in place area. He asked if there was an issue would we have to stay in place or could we leave if we need to. Chief Cudmore stated that he believes that you could leave if you wanted too. He stated that the Seabrook website has this information. Mr. Fowler stated that the letter is fine as written.

The motion was approved by a 3-2 vote.

SELECTMEN'S REPORT

BoS Fall meetings

October 16 & 30; November 13 & 27; December 4 & 18

Mr. Bonavita read the dates to the board and there were no changes.

TOWN ADMINISTRATOR'S REPORT

Wage & Classification Study

Mr. Bonavita stated Mr. Farrell will explain Wage & Classification Study for Town Hall.

Mr. Farrell stated that the study has not been updated since 2003 and in 2010 he submitted an updated study to the Board and the FinCom and they did not take it up. He stated that the legislature updated the equal pay law and will be looking at payroll and gender equality and the town could be subject to lawsuits. He stated he sent the study to legal and they responded that the law takes effect July 1, 2018. He stated that the document should not be gender driven. He stated that new law will come with guidance and we will be in the position to address what they want us to do. He stated that legal stated that having the study done is an indicator that the town is taking the wages serious. He explained how the study was done and how he obtained the data and the process.

Mr. Surface stated that he uses a similar scale but wants a step in the scale. He stated that he does not like using the average.

Mr. Sadler asked what the conclusion of the wage is if we are at the highest. Discussion

Mr. Fowler stated that he has heard that our positions are underpaid. He asked about turnover. Discussion

Mr. Fowler stated that we need to find out about how benefits effect the salary. He stated that we should do this with FinCom. Mr. Farrell stated that this is for this board not FinCom.

Mr. Surface stated after we come to a consensus and we have to figure out how to adjust pay.

Mr. Farrell stated that July 1, 2018 the law goes into effect and there is a 3 year time table to work with.

Mr. Surface stated he would be the liaison with Mr. Farrell on this.

Mr. Bonavita stated do we have to start this budget season. Mr. Farrell stated that we should start as the law goes into effect July 1, 2018.

Mr. Surface stated that they have to look at positions.

Mr. Fowler stated that he wants to know objective. Mr. Farrell stated the law is what is pushing him to get the board to look at the salaries.

Mr. Surface stated he will work with Mr. Farrell on this.

NEXT MEETING

Monday, September 11, 2017 at 7PM, 3rd floor meeting room

ADJOURNMENT

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

Meeting adjourned at 9:53PM.

Minutes transcribed by J. Pantano.

Minutes approved September 18, 2017.

Documents used in this meeting:

- July 10, 2017 and July 24, 2017
- Letter from Planning Board on Temporary Moratorium on Recreational Marijuana
- Notice of resignation of Janice Downey as an Alternate member of the Council on Aging
- Notice of resignation of Kenneth Woodbury as a School Crossing Guard
- Notice of Resignation of Justin R. Perry as a Reserve Police Officer
- Inaugural Erie 4 Miler-Permission to hold on 10/14

BoS Minutes
August 21, 2017

- GreenBridge Health, Inc.- Host Agreement vote
- GreenBridge Health-Marijuana RMD Letter of Non-Opposition
- Seabrook/NRC Letter
- Wage & Classification Study