

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
3/28/16
7:00PM-General Meeting~3rd floor meeting room, Town Hall

Selectmen Present: Philip Trapani, Chairman; Gary C. Fowler, C. David Surface,
Douglas W. Dawes, Clerk

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

Absent:

6:30PM-EXECUTIVE SESSION

- A. To conduct strategy sessions in preparation for negotiations with non-union personnel, or to conduct collective bargaining sessions or contract negotiations with non-union personnel;
- B. 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 ...;

Call to order

Invocation-Douglas W. Dawes
Pledge of Allegiance

Warrant & Minutes

Warrant to be signed

Executive Session and Regular session minutes for March 14, 2016

Mr. Fowler moved to approve the Executive session minutes for March 14, 2016. Mr. Surface seconded the motion and the motion was approved by a unanimous vote.

Mr. Surface moved to amend page 3 of the General session minutes for March 14, 2016. Mr. Dawes seconded the motion and the motion was approved by a unanimous vote.

Mr. Surface moved to approve the General session minutes for March 14, 2016. Mr. Dawes seconded the motion and the motion was approved by a unanimous vote.

NEW BUSINESS

Donate Life Month Proclamation

Samantha and Kelly Newbury were present

Samantha Kelly stated that Organ Donation is a passion of hers since her father became sick and needed a kidney. She stated that her Mom was a match and she donated a kidney and both are

doing great. Mr. Trapani thanked them for bringing this forward to him. Mr. Surface read the proclamation.

Mr. Surface moved to proclaim April Donate Life Month. Mr. Dawes seconded the motion and the motion was approved by a 3-0 vote. Mr. Fowler abstained.

CORRESPONDENCE

Dog Complaint-2 letters from the Rauseo family

Mr. and Mrs. Rauseo were present. Mr. Rauseo stated that they are here to get answers to their questions that they gave the board at the last meeting. Mr. Trapani stated that questions did not relate to the dog complaint.

Mr. Farrell stated that the board sent a letter to the dog owner of the board's decision to declare Diesel a dangerous dog. Mr. Surface asked if they could send a letter to the new owners. Mr. Farrell stated that counsel did not think it was in the board's purview to send a letter to new owners.

Mr. Dawes stated that he feels a record should be sent to the shelter to follow the dog. Mr. Trapani asked for a letter to go to the shelter. Mr. Rauseo stated that they have questions and had complaints on the other dogs and the fencing has come down.

Mr. Trapani stated that the only complaint the board received was on Diesel and that was the basis of the hearing.

Mr. Rauseo stated that the other dogs are aggressive. He stated that he would not want to go through the hearing again and that it was a waste of their time.

Mr. Trapani stated the hearing was handled per the law.

Mr. Fowler stated that the letter should have also gone to the Rauseo's. He stated that he did not know what else can be done legally but if the dog should not be licensed again in Georgetown and a letter sent to the Town Clerk.

Mr. Farrell stated licensing is proof of vaccination and falls under the Town Clerk.

Mr. Surface stated that this was the first hearing that he and Mr. Fowler have ever had to be a part of in six years.

Mr. Dawes stated a letter should go to whoever rescues the dog as the dog could be brought back into town.

Mr. Rauseo was not happy with the process.

BOARD BUSINESS

Request for a letter in support of the 40B application for 34 East Main Street

Mr. Fowler stated he talked to Mr. Aulson and he has some questions and some are for the Affordable Housing Trust. Mr. Surface stated that this application is not the proposed plan. He stated that the trust approved 8 units with one 2-bedroom and one 1-bedroom affordable unit. Mr. Fowler stated that AH Trust paperwork is from May 2015. Mr. Surface stated that they did not hold this up. Mr. Fowler stated who puts forward the letter of support the AH Trust or BoS. Mr. Trapani stated both are asked to support the project. He stated that they will move this to the next meeting and ask for correct paperwork.

Suburban Coalition/Chapter 70 Funding Resolution-Pam Lundquist, School Committee to be present

Pam Lundquist and Cheryl Lachendro, School Committee members were present. Ms. Lundquist stated that she wanted to explain the Chapter 70 funding and the outdated formula that takes a toll on the whole town budget. She explained the cost, its effects, and especially difficult for the smaller towns and explained why. She gave the history on Chapter 70 formula and that they have been using the same formula since 1993. She stated Georgetown is getting a .66 increase in funds. She explained Suburban Coalition and what they do. She explained what the resolution is and read it. She explained why they are requesting the board to sign the resolution. She stated that this is needed to provide an adequate education. She stated that the benefits to Georgetown is more State funding.

Mr. Trapani thanked her for coming in and funding should be ½ billion more than it is, should be 2 billion. He stated that he would sign the resolution.

Mr. Dawes stated that he was in the State House with Mr. Fowler and Mr. Trapani and Senator Tarr was present and he asked what he could do to help. He stated that they told him that the State could distribute funds differently. He read the different things that the Coalition does. Mr. Dawes stated he would be happy to sign.

Mr. Surface asked if they have a formula. Ms. Lundquist stated that there is more detail on the website. Mr. Surface stated that he would like to know the numbers and how much the budget would increase. He stated that the formulas usually favor the poorer cities.

Discussion on budget and formula numbers.

Mr. Fowler stated that the State makes promises and then lets you down. He stated that we could get an increase in one area and then a decrease in another area.

Discussion on State funding.

Mr. Farrell stated that we use to get 37% of our budget and now 33%.

Mr. Dawes moved to support the Chapter 70 Suburban Coalition Resolution. Mr. Fowler seconded the motion.

Mr. Fowler asked Mr. Farrell his opinion. Mr. Farrell stated that the Suburban Coalition and Mass Municipal Association are looking out for the local governments.

The motion was approved by a unanimous vote.

Notice of Intent to Sell under MGL. C 61B/240 Andover Street

Jill Bowden and Ben Bowden, 86 Lakeshore Rd, Boxford, property owners were present

Mr. Trapani stated that as he understands the property will be sold.

Mr. Bowden stated that they are selling and when they bought they had to go to ZBA for restriction. Mr. Trapani asked what the board needs to do.

Mr. Farrell stated that we start the process and the process is started with this notice and notice to boards. He stated that they require a bona fide offer. He stated that this offer includes blankets and horse gear. He stated counsel informed them to go forward and this starts a 120 day process. He stated that the board must set up a meeting with various boards in town or they could assign the first right of refusal to a land organization. He stated in the next 35 days meet with and receive information from these groups.

Mr. Trapani stated that our task is to meet and discuss with other boards. Mr. Bowden stated that there is no change of use to the property the new owners will be in the same business. Mr. Farrell stated that if it does not change use but when change of owner the town has the first right of refusal. Mr. Trapani stated our counsel informed the board that this is the procedure. Mr. Fowler asked if Greenbelt or any other group has tried to purchase. Mr. Bowden stated that they are staying and they will continue their business here. Mr. Trapani stated that Black Swan wanted to remove 61B and paid a penalty when they did. Mr. Farrell stated that they would also.

Mr. Bowden stated that they did not renew the application for this year. Mr. Trapani stated if not renewed is there a tax penalty. Mr. Farrell stated that there is not. Mr. Surface explained that in 120 days if we do nothing the option will go away. He stated that the board could deny tonight. Mr. Dawes asked if the new owner will be applying for 61B. Mr. Bowden stated he did not know. Mrs. Bowden stated that she believed he would renew. Mr. Bowden stated that it will take 30 days to get into the ZBA. Mr. Dawes stated if no one applies then the 61B falls off. Mr. Bowden stated isn't that better for the town. Mr. Trapani stated that under the law they have been given the benefit of first right of refusal.

Mr. Surface stated that can we send out the letters. Mr. Farrell stated that the letters went out today. Mr. Surface stated at the next meeting April 11 we can invite any other boards who may be interested in the property. Mr. Farrell stated he would recommended them to go the ZBA now. Mr. Dawes asked when the closing. Mr. Bowden stated May 18th. Mr. Trapani asked that on the Thursday before the April 11th meeting they will know if any boards would be attending.

Request for a letter in support of the 40B application for 34 East Main Street

Mr. Surface stated one line bothers him. He asked if we could support with one bedroom and one two bedroom as affordable.

Mr. Surface moved to amend the 34 East Main Street-Local Initiative Program application to state 2 affordable units, a one bedroom and a two bedroom unit and support the 40B application for 34 East Main Street. Mr. Fowler seconded the motion

Mr. Fowler asked how to fill the units and is there a cost to the town. Mr. Surface that there is no cost to town but the deed rider would have some costs. Mr. Fowler asked if this would cause a burden to the town. Mr. Surface explained but no costs. Mr. Fowler asked if there is a cost to the town for affordable units. He asked if the deed riders get lost. Mr. Surface stated that they have inventoried all and explained the processes that the Affordable Housing Trust is using. Mr. Fowler stated that while two will be affordable units all will be affordable.

The motion was approved by a unanimous vote.

SELECTMEN'S REPORT

*Annual & Special Town Meeting Warrants
Elm Street Debt Exclusion Question*

Sandy Gerraughty, Elm Street and FinCom member was present

Ms. Gerraughty stated that she talked with Selectmen Dawes regarding the debt exclusion. She stated that she is aware that the Elm Street debt exclusion question may not go on the ballot this spring. She stated that when the new school was voted the town voted to also improve Elm Street. She stated that the debt exclusion now has to be on the ballot and that the town's people voted to spend the money. She stated that the residents have dealt with the trucks and traffic for the new school and some would not have voted for the school if Elm Street was not going to be improved. She stated by not allowing the question on the ballot would be taking the vote from the towns people.

Mr. Trapani stated that safety is an issue with no sidewalks and curbing and the increased traffic. He stated that he would not want his kids to walk on this street. He stated that residents should be allowed to vote and if they wait the costs may increase.

Mr. Surface stated there are bonds falling off that will offset a new debt exclusion. Mr. Farrell read the bond coming off in 2018. He stated that there is an option to bond for 15 years. He explained that the first principal payment would be in 2019.

Discussion on the borrowing.

Mr. Dawes stated that this board has had 4 years to find the funding and he does not want to burden the tax payers with an increase. He stated that Ms. Gerraughty is in favor of a debt exclusion.

Mr. Trapani stated that the board has discussed over the last few years and have looked for funds. He stated that we looked at grants, we do not have free cash, where can we find the funds.

Mr. Surface stated as for timing it would increase the chances of costs going up if we wait.

Mr. Dawes stated what about the residents who are on fixed income.

Mr. Trapani stated 80% of the town voted for the new school.

Ms. Gerraughty asked why they would take the decision away from the voters. Mr. Trapani stated that he has heard from some they were surprised that the board is not allowing the voters to vote.

Ms. Gerraughty stated that you cannot guarantee that cost will not go up. Mr. Surface stated interest rates will go up. He stated that we should let the voters vote. He stated from a business perspective this is a no brainer.

Mr. Fowler stated that it was not decided to bond the project. He stated at a FinCom and BoS meeting it was brought up how to fund Elm Street. He stated if the town funded a capital budget would have the funds now. He stated that he voted against the engineering and we need to find a way to fund the project. He stated that he would like to find a way in our budget to fund this project. He stated he advocates for more FinCom and BoS meetings. He stated that there is an email on Complete Streets and Chief Cudmore sent an officer to this meeting and the town could get \$400K a year for projects. He stated he would go to meetings instead of going to the voters for more funds.

Ms. Gerraughty stated that in this is a grant which may do some takings and she is not in favor of her land being taken as she only has a small front property. Mr. Fowler stated that he would not put his name to a debt exclusion. She stated that she is asking for the board to put the question on the ballot for the voters to make the decision instead of the four of them.

Mr. Surface stated that if enough voters come out that are not in favor then it will not pass.

Mr. Fowler stated that his problem is that votes are too close. He stated would like to present to the town and have an overwhelmingly vote instead of a close vote.

Ms. Gerraughty stated that they should allow the towns people to make their vote.

Christian Anderson, 32 Elm Street, stated that Mr. Surface is a banker and support project and Mr. Trapani stated would not let kids walk on street. He stated that the storm drain shook so bad it is cracking his walls. He stated that the Highway department fixed the drain. He stated that the cross walks are faded. He stated that this board has had 4 years to find funding. Mr. Dawes stated that he has only been on the board for one year. Mr. Anderson stated are there no other options. Mr. Trapani stated that there are some grants but not sure what is out there now. Mr. Anderson stated safety is now and he knows they care for the kids. He stated that the traffic is worse with the new school. Mr. Dawes stated that he did not say this would not get done. Mr. Anderson stated that Mr. Surface is a finance person and he is in favor. Mr. Fowler stated that 4 years ago we found out at the last minute that this could not be funded by MSBA. Mr. Surface stated that he feels they found the money with the bond coming off. Ms. Gerraughty stated that the FinCom has been talking for months about a debt exclusion.

Tom Moore, 94 Elm Street, stated that he does not believe that they are not going to put to voters. He stated that this is a democracy and you are impeding vote by not allowing the voters to vote. He asked why the board has not looked at grants. Mr. Fowler stated that he spoke to the Police Chief and he does feel unsafe as some other streets do not even have sidewalks. He stated 180 votes as a winner is not the same as when you have a majority.

Mr. Dawes stated that he talked with Mr. Lacey and if we could find a way to not negatively impact the tax payers of community he could agree. He stated that he views elected position as should be able to survey landscape and not put the town \$600k in hole.

Mr. Surface asked if we could use our budget to pay \$18K and not impact voters. Mr. Dawes stated if no impact to voters he would vote in favor.

Mr. Surface asked about the funds to the landfill and could they take \$18k from that account and not increase tax rate. Mr. Farrell stated you do not add it to the bond. Mr. Trapani stated is there a penalty to prepay. Mr. Farrell stated that there is not. Mr. Trapani stated that they did not know they would be in the condition we are now 4 years ago. He stated that we did not expect the snow we received last year and the increased costs. He stated in 2012 he did not expect to debt exclude at the time.

Mr. Dawes stated he wanted the discussion tonight before a vote. Mr. Fowler stated that they have a bond falling off for \$120k plus \$77K also falling off.

Mr. Surface moved to allow Question 1 (*“Shall the Town of Georgetown be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bonds to be issued in order to fund the rehabilitation, reconstruction or improvements to Elm Street, including all costs incidental or related thereto?”*) on the warrant for ATM May 2, 2016. Mr. Dawes seconded the motion.

Ms. Gerraughty stated that she will present the question and discuss with FinCom on Wednesday.

Discussion on the funding options.

The motion was approved by a 3-1 vote.

TOWN ADMINISTRATOR’S REPORT

FY16 and FY17 Budget update

Mr. Dawes moved to open the Annual Town Meeting warrant for May 2, 2016. Mr. Surface seconded the motion and the motion was approved by a unanimous vote.

Mr. Fowler moved to open the Special Town Meeting warrant for May 2, 2016. Mr. Dawes seconded the motion and the motion was approved by a unanimous vote.

Special Town Meeting warrant changes

Mr. Surface moved to add an article STM 16-03 for additional funds for the Senior Center as presented. Mr. Dawes seconded the motion and the motion was approved by a unanimous vote.

Mr. Surface moved to close the Special Town Meeting warrant for May 2, 2016. Mr. Dawes seconded the motion and the motion was approved by a unanimous vote.

Annual Town Meeting warrant changes

Mr. Surface moved to delete articles ATM 16-03 Stab Fund, ATM 16-04 Capital Fund, ATM 16-15 OPEB, and 16-21. Mr. Fowler seconded the motion and the motion was approved by a unanimous vote.

Mr. Surface moved to add an article ATM 16-23 Whittier Regional Vocational Tech District Stabilization Fund as presented. Mr. Fowler seconded the motion and the motion was approved by a unanimous vote.

Mr. Fowler asked if we could have the Planning Board come to a meeting to discuss the Stormwater article.

Health Insurance Plan Change

Discussion if a vote is needed. Mr. Farrell stated he needs a vote.

Mr. Farrell explained that if we do nothing premiums are going up 8.5%. He stated that he has been talking to our insurance representative and there is another option that would be moving to deductibles \$250 per person \$750 family now we just have copays. He stated that if we did this we would still have HMO and PPO but the network would be smaller and would include all Northshore facilities. He stated that we would have higher copays if a patient went outside of the network. He stated that if we take extended network HMO custom looking at a 3% increase. He stated these plans are closer to the GIC plan. He stated that the limited plan would give the person \$400 savings a year.

Mr. Fowler asked if he will present to staff and if they accept then go forward if the employees do not agree then stay as is.

Mr. Farrell stated that he spoke to the Schools Union representative for the schools and this could save a job.

The board was in favor of the change if the unions agree.

Declaration of Support or No Support of Mosquito Control Funding for FY2017

Mr. Surface moved to support the Mosquito Control Funding for FY2017 as presented. Mr. Dawes seconded the motion and the motion was approved by a unanimous vote.

Senior Community Center (GSCC) update

Mr. Farrell stated contract not signed yet but Whittier is working at the school and making great progress.

Mr. Trapani stated that he met with Senator Tarr at a State House retirement ceremony for Fire Chief Al Beardsley. He stated that Mr. Dawes and Mr. Fowler also attended the event.

APPOINTMENTS & APPROVALS

Traffic Committee Appointments

Mr. Fowler stated he would be on the committee

Mr. Surface moved to appoint Gary Fowler, Police Chief Cudmore or his designee, and Peter Durkee to the *Traffic Committee* term to expire June 30, 2016. Mr. Dawes seconded the motion and the motion was approved by a 3-0-1 vote. Mr. Fowler abstained.

Request by American Diabetes Assoc. for the Tour de Cure on May 22, 2016 to ride through town

Mr. Trapani stated that we have had this request before for the American Diabetes Assoc.

Mr. Surface moved to approve the request from the *American Diabetes Assoc. for the Tour de Cure on May 22, 2016 to ride through town*. Mr. Dawes seconded the motion and the motion was approved by a 3-0 1 vote. Mr. Fowler abstained.

Mr. Surface moved to close the Annual Town Meeting warrant for May 2, 2016. Mr. Dawes seconded the motion and the motion was approved by a unanimous vote.

NEXT MEETING

Monday, April 11, 2016 at 7:00PM, 3rd floor meeting room, Town Hall

ADJOURNMENT

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

Meeting adjourned at 10:30 PM.

Minutes transcribed by J. Pantano.

Minutes approved June 27, 2016.

Documents used in this meeting:

- Executive Session and Regular session minutes for March 14, 2016
- Dog Complaint-2 letters from the Rauseo family
- Donate Life Month Proclamation
- Request for a letter in support of the 40B application for 34 East Main Street
- Notice of Intent to Sell under MGL. C 61B/240 Andover Street
- Declaration of Support or No Support of Mosquito Control Funding for FY2017

BoS Minutes
March 28, 2016

- Suburban Coalition/Chapter 70 Funding Resolution information
- Annual & Special Town Meeting Warrants
- FY16 and FY17 Budget update
- Health Insurance Plan Change
- Traffic Committee information
- Request by American Diabetes Assoc. for the Tour de Cure on May 22, 2016 to ride through town