

Memorial Town Hall, 1 Library Street, Georgetown, MA 01833

**Meeting Minutes 12/5/2022**

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**BOARD OF SELECTMEN**

**Memorial Town Hall**

**7:00PM-General Meeting**

**Verizon Channel 42/Comcast channel 9**

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**Selectmen Present:** *D. Dawes, Chair, Vice Chair P. Kershaw, G. Fowler, A. Smith. And D. Lamonica.*

**Others Present:** *Orlando Pacheco, Town Administrator.  
Administrative Assistant, Maureen Shultz participating on Zoom.*

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**7:00PM CALL TO ORDER**

*Invocation-Douglas W. Dawes*

*Pledge of Allegiance-Douglas W. Dawes*

**Continuation of Dog Hearing from November 21, 2022 meeting.**

*The Board members spoke on the following ruling that would apply to the dog hearing for Patch.*

*G. Fowler motioned the Board to open the continued Public Hearing from the November 21, 2022 Board of Selectman meeting, seconded by P. Kershaw. Roll call vote was taken 4-1 in favor. D. LaMonica abstained from vote.*

*D. Dawes asked if there was more evidence to be submitted. Ms. O'Brian and Mr. Byrne had no evidence to re-submit at this time.*

*D. Dawes mentioned the Board had three choices to decide on 1. Dangerous Dog 2. Nuisance or 3 No finding/dismiss.*

*D. Dawes does not believe we have a dog problem believes we have a people problem.*

*O. Pacheco, Town Administrator recently spoke with the Town's Postmaster, a -site visit at 97 Lake Shore Drive, Georgetown, Mass which included staff members was done, mail box has been relocated, Mr. Pacheco suggested that if there is there is no finding he encouraged Ms. O'Brian to implement some type of latch to be on the door so Patch cannot get out, the dog has gotten lose but that does not make for a dangerous dog , reviewed the video , Patch goes up to the child which shows that she is scared , mentioned the dogs reaction and the dog retreats after seeing this child's reaction of being scared , believes there is something between patch and Mr. Byrne , we cannot mandate dog owners to be better dog owners trying to see things from both sides.*

*D. Dawes encouraged Ms. O'Brian the dog owner to take steps to prevent the dog from leaving the property.*

*G. fowler feels like the same way as D. Dawes feels like it falls to the owner to make sure Patch the dog is contained and Ms. O'Brian is not following the Town by Laws to not have him on a leash, can't see finding the dog a nuisance, he did bite someone but they were on his property, mailbox moved that's should be helpful.*

*P. Kershaw agrees with G. Fowler and D. Dawes, stated he does not believe that Mr. Byrne entered that property to torment the dog -it didn't work out that way --don't know how a dog will react -can work out these differences, -some lovable situation with neighbors and Patch, maybe you could get to know the dog better there is something going on between the neighbors which needs to be worked out-not a nuisance acting on your behavior to neighbor, stated that it seems kind of strange that Ms. O'Brian did now know someone was on your property, something going on ,needs to be resolved to be smoothed out , does not seem to be a nuisance or dangerous.*

*P. Kershaw spoke to two members who were in the audience and stated that the same two were laughing at the last meeting and found it to be very disrespectful and reminded them they are being televised-please be respectful*

*A. Smith stated she feels like we can make all the effort at the human level and to start there and see how that goes.*

*D. Dawes suggested to the Board to drop the charges.*

*D. Dawes asked if the either party had any more information to add to the discussion.*

*Mr. Byrne was sworn in by D. Dawes which was read that the testimony that he is about to give is the truth, and nothing but the truth, for his additional comments.*

*Mr. Byrne commented moving the mailbox is safer and mentioned that that it is not only the front of the house that is his concern and asked about backyard security and consequences of it happening again, mentioned Patch is territorial and that Ms. O'Brian would do anything to protect her dog, it was mentioned at the last meeting from a dog trainer to have Patch on a leash inside the home, Patch staring at me with bad intent, fearful I will have to defend myself in the future.*

*D. Dawes took a pole among his Board members on Patch and ask each Board member what they thought on what the outcome should be on Patch/ Hearing.*

*G. Fowler -dismiss case.*

*P. Kershaw dismiss case.*

*A. Smith dismiss case.*

*P. Kershaw motioned the Board to dismiss the dog hearing case against Patch from Mr. Byrne requested dog hearing seconded by G. Fowler. Roll call vote was taken 4-to 1 in favor. D. Lamonica recused himself.*

*D. Dawes asked Ms. O'Brian to try and ensure that Patch stays on her property and to keep adequate fencing and consider a runner in the backyard, neighborhood eyes will be on patch .*

*G. Fowler mentioned that he would like Ms. O' Brain to receive a copy of the five options that the Board could use which could be costly.*

*G. Fowler motioned the Board to close the meeting @ 5:22PM seconded by P. Kershaw. Roll call vote was taken 4-1 in favor. D. Lamonica recused himself.*

**VOTES BY THE BOARD:**

*G. Fowler motioned the Board to approve the seasonal population increase estimation to be 8,519 as of July 10, 2023, as confirmed by the Town of Georgetown Town Clerk, Kerri McManus seconded by D. Lamonica. Roll call vote was taken all in favor.*

*G. Fowler motioned the Board to approve the meeting minutes from November 7, 2022 as presented, seconded by A. Smith. Roll call was taken all in favor.*

*G. Fowler motioned the Board to approved Mokunji/133 Liquors, Crosby's Market, Georgetown Liquors, The Spot, Café Sarina, Flatbread Company all with an expiration date December 30, 2023 seconded by D. LaMonica. Roll call vote was taken all in favor.*

*G. Fowler requested that Rybo's Bistro /Black Swan be voted separately and questioned if any licenses are requesting an earlier hour request that used to be voted and questioned separately in the past and asked if they are going with the standard for hours of operation.*

*P. Kershaw motioned the Board to approve the liquor /club license for Rybo's Bistro/ Black Swan for 2023 with a date to expire on December 30, 2023, seconded by D. Lamonica. Roll call vote was take 4-1 in favor. G. Fowler voted nay on motion.*

*D. Dawes read aloud the fees for the current 2023 licenses.*

*Votes of the Board (Continued) Holidays 2023 discussion*

*G. Fowler asked if the holidays were National Holiday's, commented that there are now thirteen holidays and these cost money to the Town and to the Police Department which will have to pay overtime, need to be cautious going forward effects contracts, suggestion of skipping Patriots Day and suggested to look at this in the future. Extra holidays cost everyone money.*

*Police Chief Donald Cudmore who was present mentioned the Juneteenth holiday is a done deal for that Holiday.*

*D. LaMonica understand the budgetary issues, salary study seems like something as a fringe benefit maybe take it for the whole picture that it is.*

*D. Dawes stated he has his opinions like for the day after the Thanksgiving holiday.*

*G. Fowler motioned the Board to adopt the 2023 Holiday Schedule for Town employees as presented, seconded by D. LaMonica. Roll call was taken all in favor.*

**TOWN ADMINISTRATION REPORT:** *O. Pacheco, Town Administrator spoke on the the Following:*

*Town Hall Window Restoration update*-*The Town Hall window restoration is officially out to bid. Bids are due on Thursday, December 22, 2022. A pre-bid meeting is scheduled for December 14, 2022. The projected cost \$527,000. The Town has a \$70,000 Massachusetts Projects preservation Fund (MPPF) Grant from the Massachusetts Historical Commission. The remaining funds will hopefully be approved by the Community Preservation Committee and Town Meeting. The goal is to complete the project in its entity.*

*D. Dawes inquired about on-line portal for bidding.*

*P. Kershaw asked about a start date.*

*D. LaMonica asked where did the project amount get generated.*

*Rail Trail Appraisals*-*The Town acting through the Rec Path Committee has selected Howard Dono & Associates to perform the appraisal services for the 47 properties impacted by the Rail Trail, as designed. A.M. Appraisal Associates Inc, was also selected to provide secondary appraisal services as needed. The Initial appraisal should be complete within 90 days.*

*G. Fowler does not believe that original funding for this was approved through CPC (Community Preservation Committee) who is weighing the cost of this project and suggested moving forward we should be making sure how this is being funded, are they robbing Peter to pay Paul was asked, additional funding might need to be asked.*

EVIP Award-The Town has received \$200,000.00 grant from Mass DEP. The award is through the Electric Vehicle Infrastructure Program and will fund the Charging Station at the Town Hall, Library and the Senior Center. Completion of this project will allow the Town to move forward with paving the Town Hall and the Police parking lots, charging station at the school not sure if we are going to go forward at this time , parking at the Perley school needs to have the school committee sign off on this .

G. Fowler inquired about charging stations at American Legion Park.

O. Pacheco, Town Administrator mentioned the Council on Aging's Director has asked that the location be changed/different since new paving of the parking lot has been done so as to not dig it up.

G. Fowler asked who is paying the remainder of the fee-It was stated by O. Pacheco, Town Administrator that the Municipal Light Department municipal light department has agreed to pay the difference of the grant, one of the goals is to get a dual pole.

D. LaMonica is there a window to expend funds.

A. Smith asked what the charging network will it be.

Hazard Mitigation Plan -FEMA grant has been applied to offset the cost of updating the Hazard Mitigation Plan for the Town. The funds will be used to update the plan under the new regulatory standards and should have longer term use.

Complete Street Bid –will take a few weeks, a spring 2023 construction start, bid submittal date is February 9, 2023, the cost estimate is \$393K. Residents are asked to be patient with the Town during this process. Time frame is in the spring.

**OLD BUSINESS: 0 NATIONAL AVENUE:** -Mr. Wayne Finnegan, from Howland Development, Wilmington, Mass was present and spoke to the Board on Requesting an extension of the purchase and sale of the property at 0 National Avenue, Georgetown, Mass and spoke on the following:

Howland Development has been attracted to this site from the beginning

Took a bit of time to get to this point with the project.

Controlled access to the land was done last fall.

Working with private land owners –worked on an agreement RFP Completed on March 28, 2022.

Economic Issue -has confidence a deal will be done -matter of the right time.

*Working with the ZBA – variances have been received.*

*Went through the 20-day appeal period -would like to expand this period for two years.*

*One year to any market changes.*

*Currently sitting on the dual diligent period.*

*Expand the footprint of the building.*

*RFP completed in March 2022.*

*Market rates / capital rates/ where the economy is currently.*

*Opportunity to expand the foot print of the building.*

*Market rates. capital and the economy were a different environment, commitment very large number, timing doesn't work with what we hear and feel in the economy, first quarter of next year.*

*Requesting to extend the due diligent period for two years.*

*G. Fowler asked what type of building / warehouse does Howland Development put up – how broad of a scope does Howland do, travel center would be great -asked about any can manufacturers.*

*Mr. Finnigan stated they build flex buildings; straight office buildings and they have built many types of buildings.*

*Mr. Finnigan believe the company is still going to be a warehouse distribution building*

*D. Dawes stated no one wants to see a property sit idle for long periods of time.*

*G. Fowler asked what is now required from the Board.*

*O. Pacheco, Town Administrator asked the Board if they are alright with Town Council and Paul Feldman/ Howland's Attorney to draw up the execution to be signed at the next meeting which authorizes an extension of the purchase and sale.*

*D. Lamonica asked what is the deadline of the current agreement*

**NEW BUSINESS: Charter / Form of Government Discussion:**

*P. Kershaw opened a discussion on a Town Charter form of Government and the following was openly discussed, forming a Town Charter for next year was discussed and lead the discussion open for questions and comments, Pro's and Con's, grass root movement, does not claim to have all the answers but opens the discussion up, suggested inviting MMA to come to a future meeting and spoke of a video which was watched. P. Kershaw, mentioned the current Town Moderator Dave Surface and Phil Trapani So divided, between and town and school were spoken of by P. Kershaw.*

*D. Lamonica asked what void are we trying to fill, do we need a charter was asked.*

*O. Pacheco, Town Administrator stated that Boards and Commissions do not go it alone and consulting services can help this process along, –what you may have in mind that may make sense but, in the end, does not make sense.*

*Police Chief Donald Cudmore spoke on the following regarding a Town Charter-and spoke on the following regarding effective government including discipline, what the Town could and should look like, managerial , volunteer, how effective are we ,training of the managers, volunteers , shared services not effective, consolidated services, Capital Improvement Committee process recreating a ten year plan , we get what we need or want at the moments, hiring practices , a lot of information, DOR recommendations , personal handbook needs to be updated, salary survey, why did we go from three to five members of the Select Board, questioned why we did that, questioned if we need all these committees, budget process, former Personal Board, why did we move to a five (5) member Board of Selectman from a three (3) member Board, does the Town currently need all of these Boards and Committees, a lot of change in Georgetown over the last few years.*

*D. Dawes questioned if a Town Charter will fit, different of opinions, personal agendas, better to have someone on the commission that should have an intimate knowledge of the government, it was asked if the Collins Center does this type of work, if we decide to go to a Town Charter, we have to decided why we are doing this change of Government., just made the point if DOR says something that we have to follow that-objection discussion need to know the why.*

*A. Smith inquired if the Town had ever had a Town Charter before, and asked to clarify the task ahead being discussed to change to a Town Charter. How to we defend this change.*

*D. Lamonica suggested he always thought that a Town Charter was like a constitution for a Town.*

*P. Kershaw suggested that the Police Chief be on the Town Charter Committee.*

*Resident Mr. Gregg Snyder, 4 Blueberry Lane, Georgetown, Mass who was present spoke about his time on the Capital Improvement Committee in 2014, was not very clear of their mission back then, spoke on a Town Charter which is deeper than any by laws, spoke about the process and the voting that takes place at Town Meetings., Organization disfunction within the way business is done.*

*P. Kershaw stated this should come up again on projects –putting a road map together – education –each town is different needs to find what is needed.*

*O. Pacheco, Town Administrator spoke on how unique and odd it seems at the same time and does not understand that some believe they do not report to the Town Administrator the trained eye says it appointing authorities –actively engaged to thar Board -conflict t of interest in appointing, there us a ton certain Boards.*

*P. Kershaw stated to educate ourself each Town is different, seems to be a ton of inefficiencies.*

*D. LaMonica mentioned that Board is here to serve the Public, we are here to serve at any level.*

**Adjournment:**

*G. Fowler moved to adjourn at 7:00 P.M. with P. Kershaw seconded. A roll call vote was taken all in favor.*

*All Board of Selectman Meetings can be viewed on our Town Website at <https://www.georgetownma.gov> - Under the Community TV tab on the left side.*

**Documents used in the meeting:**

- *Dog Officer Derek Jones report:*
- *Pictures of Mr. Byrne's injury of his hand / Copy of original letter of complaint.*
- *Ring Camera video*
- *Meeting minutes from 11/07/2022.*