

**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**

**3/25/19**

**6:00PM-Executive Session~2<sup>nd</sup> floor meeting room, Town Hall**

**7:00PM-General Meeting~3<sup>rd</sup> floor meeting room, Town Hall**

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**Selectmen Present:** Joseph Bonavita, Chairman; Douglas W. Dawes, Clerk; Gary C. Fowler, and Charles Durney

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

**Absent:** Steven Sadler

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**6:00 PM EXECUTIVE SESSION**

(2) 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;

**6:30 PM EXECUTIVE SESSION (rescheduled to a date to be determined)**

Anticipated executive session in accordance with G.L. c. 30A, §21(a)(3), to discuss strategy with respect to litigation (AFSCME Council 93 v. Town of Georgetown, Department of Labor Relations Case No. MUP-18-6920)

**7:00PM Call to order**

Invocation-Douglas W. Dawes

Pledge of Allegiance

**NEW BUSINESS**

*Friends of the Library request for a Charity Fundraising License for Books in Bloom, May 4<sup>th</sup>*

Gloria Swanbon, Friends of the Georgetown Peabody Library was present

Ms. Swanbon explained the event is a fundraiser for the library. She stated that they will serve wine, appetizers, they have flower arrangements that match books. She stated that this is the major fund raiser of the Friends and they hold the event every other year.

Mr. Dawes asked if enough wine is listed on the request. Ms. Swanbon stated it is and they usually have about 75 people attend.

**Mr. Dawes moved to approve The Friends of the Georgetown Peabody Library, Inc. request for a Charity Wine License from the Alcoholic Beverages Control Commission for the Books in Bloom fundraiser on Saturday, May 4, 2019 from 6:30 PM to 9:00 PM at the Georgetown Peabody Library, 2 Maple Street. Mr. Durney seconded the motion and the motion was approved by a unanimous vote.**

**OLD BUSINESS**

*Water/Light Merger Discussion-Nick Lawler to be present*

Peter Dion, Light Department; Nick Lawlor, Light and Water Dept.; and Tom Tilas, AECOM engineering firm were present.

Mr. Tilas stated that he has been in the business for 35 years and gave his background. He stated that regionalization and consolidation is very important in these times. He stated that the key is to merge management and cost are less, maintenance is consolidated, bond rating may increase. He stated there are union obligations that they have to meet. He stated that through attrition is a way to save some funds here. Mr. Lawlor stated that Light is at 70/30 for health benefits and Water is at 60/40. He stated that this has to be negotiated. Mr. Dion stated that the Water Department made this move to retain some employees. Mr. Tilas stated cost and services would be the same and billing would move to monthly for the Water Dept. He stated that design and build you can save funds on. He stated that there are no regulatory conflicts. He stated that the Light Dept management uses best practices and Water can benefit. Mr. Lawlor stated that he met with staff at the Water Dept. and they have had 4 managers over the last 5 years.

Mr. Bonavita stated that he agrees this has been an issue and sees the need for best management practices.

Mr. Tilas stated that a five member board looks like a good idea. Discussion on use of staff on both departments for emergency events. He stated that this is a progressive step and wishes more towns would move forward this way.

Mr. Bonavita read the email from Mr. Tilas to the public.

"Mr. Chairman,

Per request of Nick Lawler, AECOM has reviewed documents associated with the proposed merger of the two Town Departments. AECOM is an international planning, design, program management, engineering, operations and construction management corporation with offices located throughout the world. Our major water practice is located here in the Boston area. We have extensive experience in design, operations, program management and construction of both water works facilities and power projects throughout New England.

Upon initial review we highly recommend moving forward with the proposed merger. Finding new ways to meet the challenges of utility management is a must today. Both regionalization and merging public utility functions is a progressive way to meet the challenges.

Our comments are meant to provide you with an independent review. AECOM welcomes the opportunity to provide you with unbiased, third party comments. Please feel free to contact me if you have any questions."

Tom Tilas  
Vice President  
Government Relations  
AECOM

Mr. Bonavita stated Mr. Tilas is recommending the merger move forward.

Robert Kelley, 20 Cedar Lane asked why not merge with the Highway too at this time. He stated that all the facilities together would be more holistic. He stated Light department is on a 4-day week and Water is on a 5-day week and how would this impact overtime.

Mr. Dion stated that they can have separate contracts within an organization.

Mr. Kelley stated how do you justify the difference to other departments, teachers, police, etc. How do you do this.

Mr. Dion stated it was a collective bargaining item and they negotiated and some things were given up.

Mr. Kelley asked if Water would go to a 4-day week. Mr. Lawlor stated Water would not go to 4 days.

Mr. Dion stated that Light did this as it works for the Light and the jobs they work on. He explained the rational of the change.

Mr. Kelley asked Mr. Tilas why he did not look at including the Highway Dept. Mr. Tilas stated that he was not asked to. He stated that his opinion is to regionalize where you can.

Mr. Kelley stated that why shouldn't the BoS wait and save the funds and look at all. He stated only 50 Municipal Light Departments and there are more DPW departments. He stated why rush into this and not look at the whole. He stated look at what is best for the town. Mr. Dion stated that issues with DPW is different.

Mr. Tilas stated mergers sometime fail because they take on too much and that can be a hazard. He stated that what Light and Water has proposed is a good step.

Mr. Fowler stated in the beginning is this a step to a DPW. He stated that the town has not voted that way in the past. He stated that we had a government study committee and nothing moved forward. He stated in the future they may take other steps.

Mr. Durney asked about a tracking system for service calls and do we have this. Mr. Lawlor stated that we do not have a tracking system and would like to implement one.

Mr. Dawes stated he hears what Mr. Kelley is saying but putting too much in the bucket does not always work. He stated that the town has looked at a centralized maintenance and we do have some, and this is being reviewed. He stated that merging highway could be looked at. He asked if the boards have looked to go from elected to appointed. Mr. Lawlor stated that the legislation is for an elected board.

Mr. Lawler stated that peak generators are a part of the plan and Mr. Dion has these in Wakefield and can give some insight. Mr. Dion stated that they have seen a benefit and a lot of opportunities for savings.

Mr. Bonavita asked what other communities have Light and Water. They listed a few Concord and Littleton. Mr. Dion stated Hingham is in the process now.

Mr. Bonavita asked why there are not more. Mr. Dion stated more are looking at this. Mr. Dion stated that Ipswich has Light and Water.

Mr. Lawlor stated that they would be having an information night Wednesday, March 27<sup>th</sup> at the Middle/High School.

#### *Water Department*

Mr. Lawlor stated that wanted to update the board on water quality and water department projects. He stated that the Longhill water tower is online and Marshall well is having work done and will get water from Rowley and will be online in the fall. He stated that they are looking at water mains and looking at Summer Street to High School pipe replacement, he stated also looking at Old Jacobs to Pond Street connection and that this will help with more fingers, and will help with flow. He stated treatment plant works 90% of the time and

backwash is the problem. He stated need to add a pretreatment filter and that will help a lot. He stated also a clear well tank to the side of the building. He stated that the plan he gave them has these projects included.

Mr. Bonavita stated that residents want to see changes and hear what is happening. Mr. Dawes asked about Healthy Pharms and draw on water. Mr. Lawlor stated that they do not have a lot of water draw.

Mr. Dawes stated W. Boxford is putting in a 55 and older development and will this draw water from our well. Mr. Lawlor stated the would reach out to Boxford.

## **CORRESPONDENCE**

*Letter of resignation of Nancy Thompson from the Council on Aging*

Mr. Bonavita thanked Ms. Thompson for her service to CoA.

## **OLD BUSINESS**

*Deed approval ConCom land-Map 11 Lot 11*

Discussion on the land a CPC purchase to go to ConCom.

**Mr. Dawes moved to accept the deed for land shown on a plan of land entitled: "Plan of Land Located Off Rosemarie Lane in Georgetown, MA. Record owner Joseph & Michelle Muise, Assessor Map Reference: Map 11, Lot 11, Locus Title Reference: Book 26536, Page 466" dated September 19, 2018. Mr. Durney seconded the motion and the motion was approved by a unanimous vote.**

*ATM & STM Warrant May 6, 2019*

Mr. Farrell stated the board should vote to support warrant articles.

*Special Town Meeting:*

Article 1: Adjustments to the Fiscal Year 2019 operating budget

Discussion on the Georgetown Cares outstanding bill and funds moved to Free Cash by DoR.

**Mr. Fowler moved to support Article 1. Mr. Dawes seconded the motion and the motion was approved by 3-0-1 vote.**

Article 2: Appropriation of Free Cash for the Snow and Ice deficit FY2019

Mr. Farrell stated that Snow and Ice is \$150,351.96 in deficit.

**Mr. Fowler moved to support Article 2. Mr. Dawes seconded the motion and the motion was approved by 4-0 vote.**

Article 3: Tax Stabilization Fund

**Mr. Dawes moved to support Article 2 and to put 33 1/3% of the adult use marijuana excise tax into the Tax Stabilization Fund.**

Discussion on percentage at 25% or 33 1/3%. Mr. Farrell stated cannot change for 4 years. Mr. Bonavita stated that they can do 25% in each and have 25% for something else. Mr. Fowler stated that he is in favor of 100% in all three accounts. Mr. Bonavita stated that they could have 25% go to Free Cash for other projects. Mr. Fowler stated he does not see the need to add to

free cash now. Discussion on amounts and options. Mr. Bonavita stated the board could vote 35% Stab, 35% Capital, and 30% OPEB.

**Mr. Dawes withdraw his original motion.**

**Mr. Dawes moved to support 35% of the adult use marijuana excise tax go into the Tax Stabilization Fund. Mr. Durney seconded the motion and the motion was approved by 4-0 vote.**

Article 4: OPEB Trust Fund

**Mr. Dawes moved to support 30% of the adult use marijuana excise tax go into the OPEB Fund. Mr. Durney seconded the motion and the motion was approved by 4-0 vote.**

Article 5: Capital Stabilization Fund

**Mr. Dawes moved to support 35% of the adult use marijuana excise tax go into the Capital Stabilization Fund. Mr. Durney seconded the motion and the motion was approved by 4-0 vote.**

*Annual Town Meeting:*

Article 2: General Operating Budget/Reserve Fund

**Mr. Dawes to support Article 2. Mr. Durney seconded the motion and the motion was approved by 3-1 vote.**

Article 3: Stabilization Fund

Discussion on dollar amount to be added to Stab Fund if does not pass on STM warrant.

**Mr. Dawes to support Article 3. Mr. Durney seconded the motion and the motion was approved by 4-0 vote.**

Article 4: Capital Fund

**Mr. Dawes to support Article 4. Mr. Durney seconded the motion and the motion was approved by 4-0 vote.**

Article 5: Other Post-Employment Benefits Trust Fund

**Mr. Dawes to support Article 5. Mr. Durney seconded the motion and the motion was approved by 4-0 vote.**

Article 6: Water Department Operating Budget

**Mr. Dawes to support Article 6. Mr. Durney seconded the motion and the motion was approved by 3-0-1 vote.**

Article 7: Fire Department Ambulance Operating Budget

**Mr. Dawes to support Article 7. Mr. Durney seconded the motion and the motion was approved by 4-0 vote.**

Article 8: Local Access Programming

**Mr. Dawes to support Article 8. Mr. Durney seconded the motion and the motion was approved by 4-0 vote.**

Consent Calendar -Articles 9, 10, and 11

**Mr. Dawes to support consent calendar Articles 9, 10 and 11. Mr. Durney seconded the motion and the motion was approved by 4-0 vote.**

Article 12: Supplement prior borrowing votes to permit the application of sale premium to pay project costs.

**Mr. Dawes to support Article 12. Mr. Durney seconded the motion and the motion was approved by 4-0 vote.**

Article 13: National Ave

**Mr. Dawes to support Article 13. Mr. Durney seconded the motion and the motion was approved by 3-0-1 vote.**

Article 14: Light Department Water Department Merger

**Mr. Dawes to support Article 14. Mr. Durney seconded the motion and the motion was approved by 4-0 vote.**

Article 15: Community Preservation Committee

**Mr. Dawes to support Article 15 CPC A, B, C, D, E, F, G, H, I, and J. Mr. Durney seconded the motion and the motion was approved by 4-0 vote.**

Mr. Durney asked on item I how many residents use this the community garden area. Mr. Fowler stated that a lot of residents use the gardens and the commission plans to add parking and make a trailhead here and past the VFW to the Lufkin's Brook Area.

Article 16: Chaplin Hills Road Street Acceptance

**Mr. Dawes to support Article 16. Mr. Durney seconded the motion and the motion was approved by 4-0 vote.**

Article 17: Acceptance of MGL c.90, §17C Reducing Speed Limit to 25MPH in Thickly Settled or Business Districts

**Mr. Dawes moved to support Article 17. Mr. Fowler seconded the motion and the motion had a tied 2-2 vote.** Not supported by the Selectmen

Discussion

Mr. Dawes stated Lakeshore Drive, Bailey Lane, and Taylor Street residents, came before the board and the board voted to lower speed, but found out the town had to adopt the law.

Article 18: Amendment of Article I-General Provisions-§165-7 Definitions and word usage

**Mr. Dawes moved to support Article 18. Mr. Fowler seconded the motion and the motion was not supported a 0-0-4 vote.**

Article 19: Amendments to Zoning Bylaws Article XVIII: Marijuana Businesses, Section 165-161 (H) and (I)

**Mr. Dawes moved to support Article 19. Mr. Fowler seconded the motion and the motion was not supported a 0-0-4 vote.**

Article 20: Limitation on Number of Adult Use Marijuana Retailers

Mr. Dawes to support. Mr. Durney 2<sup>nd</sup>

2-2

**Mr. Dawes moved to support Article 20. Mr. Durney seconded the motion and the motion was not supported a 2-2 vote.**

Article 21: Amendment to Chapter 29-Building Construction- "Stretch Energy Code"

**Mr. Dawes moved to support Article 21. Mr. Durney seconded the motion and the motion was not supported a 0-0-4 vote.**

## **SELECTMEN'S REPORT**

Town Administrator's Contract

Pass over

## **TOWN ADMINISTRATOR'S REPORT**

Christmas Tree Lighting Ceremony Committee Charge

Pass over

## **APPOINTMENTS and APPROVALS**

Appointment of Acting Town Administrator

Mr. Bonavita stated that our Town Administrator will be out on leave and he asked who does he recommend to fill in.

Mr. Farrell stated that he recommends Police Chief Don Cudmore to fill in as Acting Town Administrator. He stated he talked with the Chief and he would be willing to fill in and does not want compensation for the time. Mr. Farrell stated that he will be available by phone after the first 2 weeks.

Mr. Fowler asked if there were any procurement issues coming up. Mr. Farrell stated that there are none right now.

Mr. Fowler asked about negotiations. Mr. Farrell stated that those will go forward.

**Mr. Dawes moved to appoint Chief Donald Cudmore as Acting Town Administrator April 3, 2019 to when Town Administrator Michael Farrell returns. Mr. Durney seconded the motion.**

Mr. Dawes stated that he is sure Chief Cudmore will do a fine job and wished we had more time to look at options.

**The motion was approved by a unanimous vote.**

## **NEXT MEETING**

Monday, April 8, 2019 at 7:00 PM, 3rd floor meeting room

## **ADJOURNMENT**

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

BoS Minutes  
March 25, 2019

Meeting adjourned at 9:30PM.

Minutes transcribed by J. Pantano.

Minutes approved April 22, 2019.

Documents used in this meeting:

- Letter of resignation of Nancy Thompson from the Council on Aging
- Friends of the Library request for a Charity Fundraising License for Books in Bloom, May 4th
- Water/Light Merger Discussion-Nick Lawler to be present
- ATM & STM Warrant May 6, 2019
- Deed approval ConCom land-Map 11 Lot 11
- Town Administrator's Contract
- Christmas Tree Lighting Ceremony Committee Charge