

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

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BOARD OF SELECTMEN MEETING MINUTES

Memorial Town Hall

9/9/19

**6:00 PM-Executive Session-2nd floor meeting room ~ 7:00 PM 3rd floor meeting room,
Town Hall, 1 Library Street**

Selectmen Present: Joseph Bonavita, Chairman; Gary C. Fowler, Douglas W. Dawes,
and David J. Twiss

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

Absent: Charles Durney, Clerk

6:00PM-EXECUTIVE SESSION-Tolman v. Town-Joint with Planning Board-To discuss strategy with respect to 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 ...;

7:00PM Call to order

Invocation-Douglas W. Dawes

Pledge of Allegiance

9/11 Remembrance moment of silence

Public Hearing continued from April 22, 2019-SQF, LLC/Tilson Request to place a new utility pole for an AT&T Small Wireless Facility in the public right-of-way

Mr. Bonavita moved to open the Public Hearing for SQF, LLC/Tilson request to place a new utility pole for an AT&T small wireless facility in the public right-of-way. Mr. Dawes seconded the motion and a roll call vote was taken 4-0 in favor.

Mr. Fowler moved to continue the public hearing for SQF, LLC/Tilson request to place a new utility pole for an AT&T small wireless facility in the public right-of-way to Monday, October 7, 2019 at 7:00PM. Mr. Dawes seconded the motion and the motion was approved by a unanimous vote.

Mr. Bonavita moved to close the public hearing for SQF, LLC/Tilson request to place a new utility pole for an AT&T small wireless facility in the public right-of-way. Mr. Dawes seconded the motion and the motion was approved by a unanimous vote.

PUBLIC HEARING

Dangerous Dog Hearing

Police Chief Cudmore and Police Officer/Animal Control Officer Derek Jones were present

All witnesses including town personnel must be sworn in:

Do you swear that the testimony that you are about to give is the truth, the whole truth and nothing but the truth, so help you God?

George Brennan and Andrea Brennan, 17 Elm Street were present.

Police Chief Cudmore stated that they are here to discuss nuisance/dangerous dogs at 17 Elm Street. He stated Officer Jones has handled the case.

Officer Jones stated that they currently have 2 dogs and there have been 12 cases over 8 years where the dogs have been loose. He stated that in an incident last year 2 dogs chased a resident and 1 dog bit a person. He stated one of the dogs bit a child and there was a minor injury, they no longer have this dog. He stated residents do not feel safe walking by this home and this is a route to school. He stated that they are nuisance dogs and the owner have to maintain control of the animals.

Mr. Bonavita swore in Police Chief Cudmore, Officer Jones and Mr. & Mrs. Brennan.

Mr. Bonavita asked for a recommendation from the Chief and Officer Jones.

Chief Cudmore stated the dogs need to be tethered, leashed, or fenced. He stated that they have to keep the dogs off the public way.

Mr. Brennan stated he is sorry the dogs get loose and the dogs are faster than him. He stated he has health issues and was planning building a fence. He stated they are good dogs and he tries to keep them in the yard. He stated in one instance of a bite there were three dogs and the women could not remember which dog bit her. He stated he has a Pomeranian and a Bull Dog and should know which one bit them. He stated that it was the next day that they complained. Chief Cudmore stated if Mr. Brennan can make sure his dogs are kept on his property there will be no issue.

Mr. Dawes stated that the dogs have been off leash. Chief Cudmore stated that yes, they have and fines have been issued. Mr. Dawes asked how he will confine the dogs. Mr. Brennan stated a fence. Mr. Dawes stated is he able to put up fence. Mr. Brennan stated he will try. Mr. Dawes asked the board if they want to take any action. He stated that he does not take well to dogs that bite. Mr. Brennan stated they have taken more precautions opening the door and tying up inside. Mr. Dawes stated these are nuisance dogs and hopes that he puts up the fence.

Mr. Twiss asked the dog officer how often the dogs have gotten loose. Officer Jones listed the events at least 12 times. Mr. Twiss stated he has a dog but if he was walking his dog he would not want to be approached. He stated that the fence should go up soon and asked if he had any help. He stated that if he cannot get the fence in soon, then they should tether the dogs to a tree or deck. He stated the home is near the school and encourage him to put the fence in a timely fashion.

Mr. Bonavita stated that they take the Chief's recommendation and this fence has to go up soon not next April. He stated next time it could be a child and would not want to have that. He stated the Brennan's are longtime residents and ask for a timeline on the fence being put up. If not in sufficient time then come back to board. Chief stated will work with Mr. Brennan and they will monitor and come back if the fence is not put up.

Mr. Twiss stated fence should be up before Halloween.

Mr. Bonavita asked the audience for any additional comments or information.

Ray Spence, 17 Elm Streets stated son and also lives at the same address was sworn in. He stated putting the fence up in October is too short a time. He stated students provoke dog and should be taught dog safety. He stated the breed of dog is breed to protect. He stated that if another dog comes on property they tussle. He stated that this is only a short time to put up a fence. He stated need a program at school to teach kids to not provoke dogs.

Mr. Fowler stated that 45 days is plenty of time to put up a fence. Mr. Fowler asked if he resides there and if he can help. He stated he does and can help. Mr. Twiss stated that tethering has not worked and Mr. Brennan offered to put up the fence.

Chief Cudmore stated that he can work with the family and the fencing can be a small area in the back of the property. Mr. Bonavita asked if happens again what will happen. Chief Cudmore stated that he will work with the family.

Mr. Bonavita asked that dogs are inside between 7-9 and 2-4 dogs are inside while students are walking by. He stated that work with Chief and dog officer. Mr. Dawes stated keep dogs in back in home.

Mr. Bonavita stated that he hopes they have the fence done by end of October.

Mr. Dawes stated that the board has the option to declare Grover and Rocky as nuisance dogs.

He stated if they have to come back because of a bite then would be declared dangerous dogs.

Mr. Bonavita stated that signage that a protective dog is on the property would allow anyone going by to know not to provoke.

Mr. Dawes moved for the two dogs Grover and Rocky to be restrained in the back yard, remain in the home during the hours of 7-9AM and 2-4PM during School arrival and dismissal hours, a fence put up, and both dogs declared a nuisance dog. Mr. Fowler seconded the motion and the motion was approved by a unanimous vote.

Mr. Fowler moved to close the dog hearing. Mr. Dawes second and the motion was approved by a unanimous vote.

Request from Police Chief Cudmore for the appointment of a Reserve Officer

Chief Cudmore stated that he has Michael Griffin here for an appointment as a Reserve Officer.

He stated that Mr. Griffin has been a dispatcher and involved with NEMLEC he gave his background information. He stated that he has graduated from Reserve school and that his father a Police Chief in Peabody and family of police officers.

Mr. Dawes asked if he wanted to be a career officer. Mr. Griffin stated he likes communication and if an opportunity became available, he would have to think about it. Stated that he always wanted to be an officer.

Mr. Fowler stated seems that officers seek out Georgetown.

Mr. Twiss asked about his NEMLEC service would he be called out. Chief Cudmore stated that he could.

Mr. Dawes moved to appoint Michael Griffin to the Georgetown Police Department as a Reserve Officer term to expire June 30, 2020. Mr. Twiss seconded the motion and the motion was approved by a unanimous vote.

Police Chief request for appointment of a Crossing Guard

Chief Cudmore stated that he has a candidate for Crossing Guard Lorna Howard. He stated that she passed the background check.

Mr. Dawes moved to appoint Lorna Howard as a Crossing Guard for the Georgetown Police Department term to expire June 30, 2020. Mr. Fowler seconded the motion and the motion was approved by a unanimous vote.

Erie 4 Pancake 4-mile Road Race

Ashley Steeves to be present.

Ms. Steeves stated that this is the 3rd Erie 4 Road Race. Mr. Twiss asked the time. She stated 9AM and supports Erie 4 and is done in conjunction with the pancake breakfast. Mr. Twiss asked how many runners. She stated 80 runners last year and hope to have 20% more. Lt. Hatch stated that the PD did not have any issues.

Mr. Twiss moved to approve the Erie 4 Pancake 4-mile Road Race to be held at Penn Brook School on November 9, 2019 at 9:00AM. Mr. Dawes seconded the motion and the motion was approved by a unanimous vote.

NEW BUSINESS

Cafe Sarina request for a Change of Manager

Stephen Flynn, Jr. was present

Mr. Flynn stated want to have license in his name as he is present all the time. Mr. Bonavita asked if all the paperwork was in order. Ms. Pantano stated that it was.

Mr. Twiss moved to approve the Change of Manager request from Cafe Sarina to have Stephen Flynn, Jr. as the Manager. Mr. Dawes seconded the motion and the motion was approved by a unanimous vote.

Mr. Bonavita asked that Kelly Duffy be removed from other licenses.

Boston Polo Club Request for One-Day Liquor Licenses

Mr. Tashjian owner of the Boston Polo Club stated that they are asking for addition dates to sell alcohol. M He stated that they did not have any problems over the summer. Mr. Fowler stated at night do they have lights. Mr. Tashjian stated that they have lights and people enjoy the night atmosphere.

He stated that he is requesting One-Day Liquor License for 5 dates September 13, 14, 20, 27 and October 4, 2019.

Mr. Twiss moved to approve the One-Day Liquor Licenses Wine and Malts for Boston Polo, Mark Tashjian on September 13, 14, 20, 27, and October 4, 2019 from 5PM to 9PM. Mr. Dawes seconded the motion and the motion was approved by a unanimous vote.

APPOINTMENTS and APPROVALS

Youth Community Center request for a One-Day Liquor License for an event at Camp Denison

Regina Sadler stated that the event is for Friday, September 27th and she has the insurance certificates as requested.

Mr. Dawes moved to approve the request from the Georgetown Youth Community Center for a One-Day Liquor License for an event at Camp Denison on Friday, September 27, 2019 from 6PM to 10PM. Mr. Twiss seconded the motion and the motion was approved by a unanimous vote.

OLD BUSINESS

Teen Community Center Update

Regina Sadler and Mike Hinchliffe were present.

Jim DiMento, John Dunlevy, Al Kitchen, Park & Rec members were present

Carol Jacobs, Superintendent was present

Mr. Hinchliffe stated that they met with Park & Rec and came to an agreement that right now they are not ready to take on the youth center. He stated that he met with Mike Farrell and Ed Dobie and discussed the grant from the State, money from Friends, and asking for appropriation from town. He stated that they do not know if the State funds will be able to be used for salaries. Mr. Bonavita asked why the funds cannot be used for salaries. Mr. Farrell stated until we have the grant agreement, we do not know what it can be used for.

Ms. Jacobs stated that Sen. Tarr knew that the funds are needed to get up and running. Mr. Hinchliffe stated that they have a lot of momentum and want to keep going and not have a gap. Mr. DiMento stated that they can put the group as a subcommittee under the Park & Rec for insurance purposes as was done with Rec Path Committee. Mr. DiMento stated that to put in a director now would be too soon. They need to get the Teen Center going and then add to Park & Recreation. Discussion on start up.

Mr. Bonavita stated that he thought they could start like the CoA and then if succeeds more to a director. He asked the process.

Mr. Farrell stated that they need an appropriation and we will have this on the special town meeting warrant. He stated that Mr. Dobie recommends that the Center asks for \$45k and then add to either Park & Rec or to the Schools.

Mr. Hinchliffe stated that they can get licensing from the Schools and the use of the building until town meeting. He stated that the Town Accountant had some concerns with this.

Mr. Bonavita stated that the grant funds must be used by June 30th.

Ms. Jacobs stated that they put the need at \$60K and that is why they gave \$30K. Mr. Hinchliffe stated he is hesitant to take the grant funds if have to use them so quickly. He stated that they want to hire two 19 ½ hour part-time personnel and they have some building needs. Mr. Twiss asked what is the problem. Mr. Hinchliffe stated it is what can we do from now until town meeting. Mr. Twiss stated that they need insurance. Ms. Sadler stated that they have liability insurance and will acquire workers compensation insurance. Mr. Twiss stated that they will have to use the funds. Ms. Jacobs stated that Mr. Hinchliffe did a budget of what they need and he estimates \$30K from the Grant, \$15K from The Friends of Teen Center, and \$15K from the town.

Ms. Sadler stated that they wanted to 1099 the employees. Mr. Farrell stated that they will be town employees and cannot do this.

Ms. Jacobs stated that they are also looking to outsource to YMCA. Ms. Sadler stated that we need something in place for now until Town Meeting.

Mr. Bonavita asked the next steps. Mr. Farrell stated easiest to have an appropriation at the town meeting and only having little pockets of funding does not work well. Mr. Hinchliffe stated can we license the space from the School Committee for the next few months. Mr. Farrell stated if they have 1099 employees they would have to sign that not are guaranteed job. Discussion on options.

Mr. Fowler stated that the original discussion with Park & Rec was a director and 2 part time employees. He stated if only the 2 part-time who oversees these people. Mr. Hinchliffe stated the Friends. Discussion on a director for Park & Rec and if they wait for next FY.

Ms. Jacobs stated that they need a Youth Services Coordinator and Youth coordinators. Mr. Twiss stated that at some point someone has to adopt this child. Mr. Twiss asked how much did they raise. Ms. Sadler stated will have about \$11K. Mr. Hinchliffe stated work with School Committee on service agreement for now, \$15- \$45K from the town at town meeting.

Fire Chief

Fire Chief Mitchell stated that they will be having an Open House and 9/11 event. He stated open house at 4PM and the 9/11 Ceremony at 6:45PM.

Request for support of House 2705-An Act Relative to Public Funds

Mr. Bonavita stated that this will be passed over. He stated that cannot vote without Mr. Durney present. He stated that we will have to wait as he and Mr. Twiss would have to reclude themselves because of their banking affiliates.

Set the Fall Special Town Meeting and Open the Warrant

Mr. Bonavita asked if we have a date for the fall town meeting. Mr. Farrell stated he talked with the Moderator and Monday, October 28, 2019 works. He stated that the warrant will need to be posted by October 10th and the board only has two meetings between this time. He stated FinCom wants to set up a Reserve Fund for SPED. He stated that there is a process and the School Committee has to sponsor an article on the warrant. He stated that Ms. Jacobs was putting the Reserve Fund on the school committee agenda and meeting this week. He stated a funding source will have to be established. He stated that this will be a last resort fund. He stated can only be used for unexpected special ed or for transportation and a limit to how much can be put in the account and cannot be more than 2% of net school spending. He stated he would suggest funding over a few years.

Mr. Twiss stated the transportation is very expensive and this should be look at. Discussion

Mr. Farrell stated that the Selectmen and School Committee have to both vote to spend funds from the account.

Mr. Bonavita stated he likes the idea.

Mr. Farrell stated Article 1 is for the final payment and to equip the new fire truck.

Chief Mitchell stated they did the build with the company. Mr. Bonavita asked where the funds would come from. Mr. Farrell stated funds would come from Free Cash.

Mr. Dawes stated have to discuss the \$150K from Mission. Mr. Bonavita asked how much will we have in free cash. Mr. Farrell stated about \$800K. Mr. Farrell stated the \$150K from Mission he will have to look into.

Mr. Farrell stated both Chiefs are looking for a boat and trailer, and a truck.

Chief Mitchell stated that the Fire Department would man the boat and the truck. He stated that the truck would be used for the rail trail, State forest, and would have a skid for brush fires. He stated the truck would be used for inspections and other needs.

Mr. Farrell stated that would also put funds in an account for the holiday lighting. Mr. Bonavita stated that they will be meeting soon to discuss ideas for the holiday season.

Mr. Farrell stated the Chiefs would also like to see a feasibility study done for the Public Safety Building. He stated that there are some funds from bonding that have to be used for a long-term project. He stated that they are looking for \$25K.

Mr. Dawes moved to set the date and open the warrant for the Fall Special Town Meeting for Monday, October 28, 2019 at 7:00PM at the Georgetown Middle/High School. Mr. Twiss seconded the motion and the motion was approved by a unanimous vote.

Mr. Dawes moved to Close on September 23rd the Warrant for the Fall Special Town Meeting to be held on October 28, 2019 at 7:00PM at the Georgetown Middle/High School. Mr. Twiss seconded the motion and the motion was approved by a unanimous vote.

WARRANT and MINUTES

Minutes August 12, 2019

Mr. Twiss moved to approve the *Minutes of August 12, 2019*. Mr. Fowler seconded the motion and the motion was approved by a unanimous vote.

CORRESPONDENCE

Notice from the Town Clerk of the resignation of Steve Sadler from the Economic Development Committee.

Mr. Bonavita thanked Mr. Sadler for his service to the town on the EDC.

Notice from the Town Clerk of the resignation of Bruce Trumbull from the Hazard Mitigation Committee

Mr. Bonavita thanked Mr. Trumbull for his service to the town on the Hazard Mitigation Committee.

Affordable Housing Trust Grant Agreement for approval

Mr. Farrell stated that this is the grant agreement for funds from CPC and an annual Grant. He stated same as every year but the grant has updated wording this year. Mr. Fowler asked how much money they have and how the funds are kept and the interest. He stated that they should be working with the Planning Board. Mr. Farrell stated some funds used for rental assistance. He stated ask if they work on zoning with planning for affordable units.

Mr. Dawes moved to approve the Georgetown Affordable Housing Trust Grant Agreement for \$90,000 as approved at the May 6, 2019 Annual Town Meeting, Article 10 (B). Mr. Fowler seconded the motion and the motion was approved by a unanimous vote.

TOWN ADMINISTRATOR'S REPORT

National Ave update

Mr. Farrell updated the board on National Ave. He stated if we put a 40B on the site we do not have to go to Planning Board or ConCom. He stated access is still an issue.

Mr. Twiss asked who met.

Mr. Farrell stated Les Godin, Building Inspector; Steve Przyjemski, ConCom Agent; and John Cashell, Town Planner. He stated they discussed expedited permitting and they stated that it is a myth.

Mr. Twiss stated that there are wetland crossings on the Access Road so why can't we have a wetland crossing.

Mr. Farrell stated that if/by the town you can have wetland crossing, but cannot allow others to do. He gave some options and stated that the town can try to buy the access strip.

Mr. Twiss stated option is to buy strip or use for town use.

Mr. Bonavita stated we could lease land to hotel and get around other regulations. Mr. Fowler stated that he stated best buck from 40B. Mr. Farrell stated that would have tax credits.

Mr. Bonavita stated Mr. Farrell talk to owner to see if we can buy strip. Mr. Twiss stated that this a one-shot deal and the board has to make an informed decision. He stated wants to explore all options. Mr. Bonavita stated we do but also have to move forward.

SELECTMEN'S REPORT

Request from Camp Denison to Surplus Property

Mr. Dawes moved to approve the Declaration of Surplus Property from Camp Denison of a Gravelly Tractor & Accessories. Mr. Twiss seconded the motion and the motion was approved by a unanimous vote.

Mr. Dawes this Saturday, September 14th is Camp Denison Family Day.

NEXT MEETING

September 23, 2019 at 7:00PM, 3rd floor meeting room, Town Hall

ADJOURNMENT

Mr. Twiss moved to adjourn. Mr. Dawes seconded the motion and the motion was approved by a unanimous vote.

Meeting adjourned at 10:10PM

Minutes approved September 23, 2019.

Documents used in this meeting:

- Dangerous Dog Hearing
- Public Hearing continued from April 22, 2019-SQF, LLC/Tilson Request to place a new utility pole for an AT&T Small Wireless Facility in the public right-of-way
- Minutes August 12, 2019
- Notice from the Town Clerk of the resignation of Steve Sadler from the Economic Development Committee.
- Notice from the Town Clerk of the resignation of Bruce Trumbull from the Hazard Mitigation Committee
- Cafe Sarina request for a Change of Manager
- Affordable Housing Trust Grant Agreement for approval
- Set the Fall Special Town Meeting and Open the Warrant
- Request for support of House 2705-An Act Relative to Public Funds
- Teen Community Center Update
- National Ave update
- Youth Community Center request for a One-Day Liquor License for an event at Camp Denison

BoS Minutes

September 9, 2019

- Erie 4 Pancake 4-mile Road Race
- Boston Polo Club Request for One-Day Liquor Licenses
- Request from Police Chief Cudmore for the appointment of a Reserve Officer
- Police Chief request for appointment of a Crossing Guard
- Request from Camp Denison to Surplus Property