

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

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BOARD OF SELECTMEN MEETING MINUTES

Memorial Town Hall

2/25/19

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

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

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

Absent:

7:00PM Call to order

Invocation-Douglas W. Dawes

Pledge of Allegiance

PUBLIC HEARING

Request for a Wine & Beer, Common Victualler, Weekly and Sunday Entertainment Licenses

Kelly Duffy, Manager; Stephen Flynn, Owner to be present

Mr. Dawes moved to open the public hearing for the Wine & Beer License for Café Sarina, 269 A Central Street. Mr. Durney seconded the motion and the motion was approved by a unanimous vote.

Steve Flynn, Jr., Karen Manzer, Chef, Kelly Duffy, Manager, and Steve Flynn Sr. were present

Mr. Flynn, Jr. stated that they plan to open May 1st. Karen Manzer, Chef stated that they will be a farm to table restaurant and will be family friendly. She stated that they will mostly have lunch and dinner, and some breakfast will have coffee and smoothies. Ms. Duffy, Manager stated that there will be an outdoor area with a waterfall and there is a fireplace inside.

Mr. Sadler stated that they will serve breakfast, lunch and dinner. Ms. Manzer stated that they will and plan to open 7 days.

Mr. Sadler asked the hours. Ms. Duffy stated 7AM to 11PM daily with 10AM Sunday to serve beer & wine. She stated that they plan a 11PM closing and depending on how it goes they will adjust winter and summer hours.

Mr. Durney asked if they would serve alcohol until 11PM. Ms. Duffy stated that they will and the alcohol will only be allowed inside and, on the patio, and not on miniature golf course. Mr. Flynn Jr. stated that the patio is set off to the side and not in public view.

Mr. Dawes stated that it will be good to have another eatery in town.

Mr. Bonavita asked about Kallie's Cone building if this would close. Mr. Flynn stated that the ice cream is moving to the restaurant and not sure yet what they will do with building.

Mr. Fowler stated that they have been good neighbor's and been good to the town and a great asset to the town.

Mr. Sadler asked capacity. Ms. Duffy stated that 65 people and two sides. Ms. Manzer stated that they may do some wine or beer pairing dinners. Mr. Dawes asked if they have an event

room. Mr. Flynn, Jr. stated that they do not. Mr. Dawes asked about entertainment. Ms. Duffy stated some music with dinner.

Mr. DiMento asked about hard cider as that is popular. Ms. Manzer stated that hard cider would fall under malt beverage and would be allowed.

Mr. Dawes moved to close the public hearing for the *Wine & Beer License for Café Sarina, 269 A Central Street*. Mr. Sadler seconded the motion and the motion was approved by a unanimous vote.

Mr. Dawes moved to approve the *Wine & Beer License for Café Sarina, 269A Central Street Hours: 7AM to 12PM Monday thru Sunday and 10AM to 12PM on Sunday license to expire December 31, 2019*. Mr. Durney seconded the motion and the motion was approved by a unanimous vote.

Mr. Dawes moved to approve the *Common Victualler License for Café Sarina* conditioned on receiving all sign offs, license to expire December 31, 2019. Mr. Sadler seconded the motion and the motion was approved by a unanimous vote.

Mr. Dawes moved to approve and *Weekly Entertainment License for Café Sarina* to expire December 31, 2019. Mr. Sadler seconded the motion and the motion was approved by a unanimous vote.

Mr. Dawes moved to approve, *Sunday Entertainment License for Café Sarina* to expire December 31, 2019. Mr. Sadler seconded the motion and the motion was approved by a unanimous vote.

Park & Rec Director Discussion-Carol Jacobs to be present

Carol Jacobs, School Superintendent; Mike Anderson, School Facilities Manager; Jim DiMento, Chair Park & Recreation; Erin Duggen PTA president, and Marie PTA member were present

Mr. Bonavita stated that we have had discussions on a director for Park & Rec and this is a continuance of the discussion.

Mr. DiMento stated that his board had a vote and members voted 2 for and 2 against. He stated some were against because the town had a youth center years ago that did not work out and this would be doubling their budget.

Mr. Bonavita stated that he understands and hope we can do it better. Ms. Jacobs stated other communities have some type of center. She stated that they were looking at a soft opening. Mr. DiMento stated that they could charge fees to help cover costs for a director.

Discussion on staffing the youth center and options at the park with parking fees.

Ms. Jacobs stated that they had wanted to come in in March and have a proposal for the board. She stated that they have a proposal now and it has been sent to the FinCom. She stated that there is now a proposal and it shows the different areas of the town the director would be in charge of. She stated the board is one of few without paid staff and they have a lot of projects and work.

Mr. Sadler asked if this person would maintain fields. Mr. Anderson stated that the schools would take care of the school fields. Ms. Jacobs stated that this is the first year and, in the future,

they would need some part-time staff. She stated that she was asked if this would be a 4-day or 5-day position.

Mr. Bonavita stated may be seasonal with more hours in spring and summer and less in winter. He stated that the School is not heading this and the center would not be a school function but a Park & Rec project.

Mr. DiMento stated that with full time staff would be able to add additional activities, sailing in the spring, cross country skiing on bike trail in the winter.

Mr. Bonavita stated that he does not see the director doing all the fields and the current committee would still help out. Mr. DiMento stated that they pay Mr. Durkee to do some work.

Discussion

Ms. Jacobs listed tasks for the director, being able to come up with funds, salary \$55K to \$65K, clerical duties, annual report, completion of fields, yearly strategic work plan, organizes activities, set-up parks, opening and operation of the Teen Recreation Center, come up with funding ideas, etc. She discussed the budget and that the proposal proposes redirecting some funds for salary and fields.

Mr. Bonavita stated that this is for our kids and redirecting them to something healthy.

Ms. Jacobs stated that the PTA has some funds to help out. She went over the fees they could collect at the park for parking.

Discussion on ways to be self-sufficient with fees.

Mr. Sadler asked about the \$27K for contracted services. Mr. DiMento stated funds are used for maintenance of fields, taking in and out docks, fix fencing, etc. Mr. Sadler asked what equipment they would need to offset the work the staff members to do. Mr. Anderson stated that departments share tools and equipment. He stated that he is all for the position and is just asking questions to be sure feasible. Mr. DiMento stated that there may be some funds that they could get from CPC for American Legion Park parking lot.

Mr. Bonavita stated that the first year will be hard and will take a few years to get going.

Mr. Sadler asked how FinCom felt about the idea.

Mr. Bonavita stated that the FinCom felt it was late in the game to discuss and that we are already in deficit and too soon. He stated that we have been talking about this for a while and this has been evolving. He stated that this position is that a director would be a great benefit for the town.

Ms. Jacobs stated that she met with Ed Dobie, FinCom Chair and stated that she gave him a copy of the proposal and he has passed on to his board and they are interested in discussing.

Mr. Fowler thanked Ms. Jacobs for the presentation and he does see a need for a director. He stated that he is on Park and Rec and CPC. He stated that he is not sold on this yet. He asked Mr. Farrell about fees and would like to know more on the help from PTA, would we need another revolving account. Mr. Farrell stated that this would work similar to other departments with turn-ins. Mr. Fowler asked who would hire the director the Selectmen or the Park & Rec. Mr. Farrell stated that the BoS are the hiring authority but the department could under the direction of the board hire the director. Mr. Fowler asked if it would be possible for a shared position/regional. He stated that he agrees that it is late in the process. He stated that he would like to see more a community center.

Ms. Jacobs stated that the teen center is just a part of this position. Mr. Fowler stated they need to see a fee schedule and now residents will have to pay to use facilities.

Mr. Dawes asked if the CPC approved the funds for a basketball court. Mr. Anderson stated that they did approve \$27K. Mr. Dawes stated that fees are a tax and to access a fee for each event

he objects too. He stated that parking is one thing. He discussed the previous youth center. He stated last year the Park & Rec budget was \$65K and what would the health benefits would be. He stated that he would like to see one year of fees to see what you take in. He stated already trying to get our bond rating up and startup costs \$100k approx. He stated that there may be some other revenues that they may be able to use from general fund. He stated he would like to look a year out so we have more concrete funds. He stated that he is in favor of the project but need a more concrete plan.

Mr. Fowler asked if they have a breakdown of hours. Mr. Sadler stated that this will be an at will employee and he feels we should give it a shot and if does not work then revisit for year two. He stated that if we do not start somewhere, we will never know.

Mr. Bonavita stated that it is not just the recreation center it is help for the Park & Rec for fields, the parks, etc.

Ms. Jacobs discussed when the school facilities director was cut and they had principals oversee maintenance it did not work and they see all what Mr. Anderson does.

OLD BUSINESS

ATM & STM Warrant May 6, 2019

Water/Light Merger Discussion

Mr. Bonavita asked about the water/light merger article. Mr. Farrell stated that their attorney drew up the article and language for legislature and will have our attorneys review. Mr. Bonavita stated he is ready to vote tonight to put the article on the warrant.

Mr. Sadler stated that he could vote to support to put on the ballot and wants to wait to see the report.

Mr. Durney stated he would also like to see the report and does not see a reason to not move forward.

Mr. Dawes stated that he is not a light or water guy and these departments know their positions and would acquiesce to the boards and would also like to see the report.

Mr. Sadler asked if the treasurer or accountant would have any issues. Mr. Farrell stated he does not see an issue.

Mr. Bonavita stated that it was important to the Light and Water Commissioners to have the Selectmen's support. He stated that at the beginning he had his doubts and the study they did, did not mean a lot to him. He stated that what it comes down to is operations and the 5 years without continued manager has made it difficult and he is looking for continuity to make our water better.

Mr. Dawes stated that they will still have Bruce Trumbul working for the town until they get established.

Mr. Fowler asked about the other article for the Water Tower. Mr. Farrell explained that it is a do over and for long term bonding.

Mr. Dawes moved to approve that the *Light/Water merger article ATM19-15* go on the ATM Warrant for May 7, 2019. Mr. Fowler seconded the motion and the motion was approved by a unanimous vote.

Tilson Small Cell Application Discussion

Mr. Farrell stated that in the packet is information from a MVPC meeting on 5G and he also went to a meeting in Mansfield with Dave Schofield and 3 other light departments on technical

and aesthetic control of rights of way. He explained that the group is hiring a very good consultant and is working with these towns on regulations. He stated that we are the only game in town with a proposal in front of them he learned at the MVPC meeting. He stated that we have had the application in front of us since October and the law only came effective January 14 and if the town has regulations by April 1st can be retro to January 1st. He stated Dave's group will not have regulations by April 1st. He stated that he asked SQF to pull the application and they have not agreed to. He stated that a public hearing has to be held by March 22nd. He stated that he plans to meet one more time with Tilson and Mr. Schofield will be present. He stated that the board asked them questions in the fall and they have not answered the boards questions. He stated that the board asked for a new location and they said there was none. He stated that he has also learned there are other types of poles with better aesthetics'. He stated our light department has to also follow the rules. He stated he is proposing the public hearing on March 18th. Mr. Sadler asked if he talked to Mr. Hoover about these developments. Mr. Farrell stated that he talked to Mr. Hoover today and had the same discussion we are having. He stated that on January 15 a lot of towns filed lawsuits and 16 California towns filed to get a stay on the regulations. He stated that he has talked to Atty Eichman and he does not think that they will sue the town if denied. Mr. Farrell stated that Mr. Cashell has to get more involved. He stated KP Law has a good team but we do not have the time to get zoning regulations before town meeting this year. Mr. Dawes asked how the date of when they filed is used as the law was not in effect until January.

Mr. Fowler stated that if we do not do this right they could get approved by default. Mr. Farrell stated that there is nothing in the law on a process so they would get approval by right.

Mr. Fowler stated he would want to have the hearing and vote no. Mr. Farrell stated that Atty Eichman recommends the hearing.

Mr. Durney stated that they requested 4G. Mr. Farrell stated regulations are small cell. He stated that this is the wave of the future and the town has to set up regulations. Mr. Fowler asked about regulations going to town meeting. Mr. Farrell stated they would be BoS regulations.

SELECTMEN'S REPORT

Limiting Marijuana Retail Outlets Bylaw

Mr. Sadler stated that he has a proposal for limiting Cannabis Retail Establishments. Mr. Sadler had a power point presentation. He stated he talked to KP Law to make sure he had the law down. He is asking for a bylaw to limit marijuana retailers to 10% of liquor licenses. He stated that we have 3 package stores now which means we can only have one retail establishment. He stated that we can grant up to 7 package store licenses which would then allow 2 retail establishments. He proposes to only allow one retail establishment. He gave his opinion on limiting retail establishments and stated that KP Law stated that other towns have restrictions. He stated that we have to work harder to get other businesses to come to town, and retain our small-town feel. He read the procedure to vote and that this would be a vote at the town meeting and then on the ballot. He gave information on Social Consumption and stated that some towns have adopted bylaws and towns would need to opt-in via ballot question.

Mr. Fowler stated that he has asked the question if they can be like a brew pub. He stated that it looks like the town would have to opt-in.

Mr. Dawes stated that when this company came to him and Mr. Farrell, they were told no tasting room.

Mr. Sadler stated on Outdoor Growing that the town can restrict outdoor growing for commercial not for personal use.

Mr. Durney asked the process to change the bylaw. Mr. Farrell stated that he believes it would be the same process.

Mr. Fowler stated that what we have now is from the State, 20% of package stores and Mr. Sadler is proposing to reduce to 10%. He stated that he does not see the need to go down this road now as now we can only have one and he has not heard any complaints.

Mr. Bonavita stated that he has had a large number of concerns of the retail and the traffic and the condition of these drivers. He stated that we can blaze the trail as how Georgetown treats the retail.

Mr. Dawes stated that the only town around us that has voted no is Groveland. He stated that all the other towns will have retail shops. He stated that the land we have delegated as the district leads itself to commercial more than retail.

Mr. Dawes stated that Healthy Pharms will be changing their name to Missions and have started the process with the State and have already started the process to expand.

Mr. Fowler moved to move this to KP Law for a bylaw for the warrant and ballot limiting the number of retail marijuana retailers. No second

Mr. Farrell explained that the board could do a general bylaw but would not have time for a zoning bylaw.

Mr. Sadler moved to send this to KP Law to draft a bylaw for the ATM Warrant May 6, 2019 and Ballot May 13, 2019 limiting the number of retail marijuana retailers to 10% of allowed Section 15 package stores. Mr. Durney seconded the motion and the motion was approved by a 3-2 vote.

Town Administrator's Review Discussion

Mr. Bonavita stated he had a cumulative review and stated that Mr. Fowler gave his scores verbally. He went over the numbers with the board point by point. He read a summary to the board.

Mr. Dawes stated that he would like a weekly report and that things happen that they do not hear about. He asked that the agenda be expanded and even draft motions and that Mr. Farrell be proactive seeking grants.

Mr. Durney stated that he did not see goals in report. He stated he would also like a weekly report and that it would be helpful to have more information on the agenda.

Mr. Fowler stated that we have a policy on the Town Administrator's review and are not following our policy. Discussion on policy. Mr. Farrell stated that there is new law and laws have changed since the board adopted their policy.

Mr. Sadler stated that he has done a good job and he had given him a hard time the first year. He asked what are some things they could do to make his job more effective.

Mr. Farrell stated that he has high expectations on himself and just meeting expectations is not what he likes to be at. He stated that he reacts to the boards needs not them to his needs. He stated his communication style is not meeting their needs and he has to do better. He stated that Mr. Dawes asked about obtaining more grants. He stated our town does not qualify for a lot of grants. He stated that he did get an energy grant that he wrote and received a \$440K grant and

receive \$40K a year on this grant. He stated has saved the town by paying a little more on auto insurance adding replacement costs and receive funds for a \$500K fire truck, two \$27K police vehicles, one \$50K truck.

Mr. Sadler asked if it would be helpful for them to give him direction on what they are looking for on agenda. Mr. Farrell stated that we may need to put the deadline for agenda items to Wednesday noon instead of Thursday noon to have time to add to the agenda.

Mr. Bonavita stated that in the past the board has voted to give Mr. Farrell a bonus of \$1K to \$2K in deferred income.

Mr. Sadler moved to award Mr. Farrell \$2K for deferred income based on his review. Mr. Durney seconded the motion and the motion was approved by a 5-0 vote.

Mr. Bonavita stated that Mr. Farrell's contract is up in June and the board has to schedule a meeting to discuss. He stated that they will have an Executive Session on March 11th at 6PM to discuss his contract. He stated that he would like to have the contract done by the end of March.

TOWN ADMINISTRATOR'S REPORT

Christmas Tree Lighting Ceremony Committee Charge

Passed over.

Budget

Mr. Farrell stated that meeting with the Schools and FinCom on Wednesday, February 27th and the budget is in a \$460K in deficit. He stated that this does not include any cannabis funds and the town will be getting \$200K from Healthy Pharms in 2020. He stated that these funds should be in the budget as revenue and will cut the deficit in half.

APPOINTMENTS and APPROVALS

Request from the Town Clerk to appoint Paul E. Rondeau as a Registrar of Voters term to expire 3/31/22

Mr. Dawes moved to approve the re-appointment of Paul Rondeau as member of the Board of Registrars expire March 31, 22. Mr. seconded the motion and the motion was approved by a unanimous vote.

Request to re-appoint Building Inspector, Alternate BI, Electrical Insp, Alternate EI, Plumbing Insp, Alternate PI terms to expire 3/31/2020

Mr. Dawes moved to approve the re-appointment of Leslie P. Godin as Inspector of Buildings/Zoning Enforcement Officer term to expire March 31, 2020. Mr. Sadler seconded the motion and the motion was approved by a unanimous vote.

Mr. Dawes moved to approve the re-appointment of Glen Clohecy, Alternate Inspector of Buildings term to expire March 31, 2020. Mr. Sadler seconded the motion and the motion was approved by a unanimous vote.

Mr. Dawes moved to approve the re-appointment of *Mark Unger, Sr.*, Wiring Inspector term to expire March 31, 2020. Mr. Sadler seconded the motion and the motion was approved by a unanimous vote.

Mr. Dawes moved to approve the re-appointment of *Carl Maglio*, Alternate Wiring Inspector term to expire March 31, 2020. Mr. Sadler seconded the motion and the motion was approved by a unanimous vote.

Mr. Dawes moved to approve the re-appointment of *William Gianacoples*, Inspector of Plumbing/Gas Piping and Appliances term to expire March 31, 2020. Mr. Sadler seconded the motion and the motion was approved by a unanimous vote.

Mr. Dawes moved to approve the re-appointment of *Stanley Kulacz*, Alternate Inspector of Plumbing/Gas Piping and Appliances term to expire March 31, 2020. Mr. Sadler seconded the motion and the motion was approved by a unanimous vote.

WARRANT and MINUTES

Minutes of February 11, 2019

Mr. Fowler moved to approve the minutes of February 11, 2019. Mr. Dawes seconded the motion and the motion was approved by a unanimous vote.

NEXT MEETING

Monday, March 11, 2019 at 7:00PM, 3rd floor meeting room

ADJOURNMENT

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

Meeting adjourned at 10:25PM.

Minutes transcribed by J. Pantano.

Documents used in this meeting:

- Request for a Wine & Beer, Common Victualler, Weekly and Sunday Entertainment Licenses
- Minutes of February 11, 2019
- Water/Light Merger Discussion
- Tilson Small Cell Application Discussion
- ATM & STM Warrant May 6, 2019
- Limiting Marijuana Retail Outlets Bylaw
- Town Administrator's Review Discussion
- Christmas Tree Lighting Ceremony Committee Charge
- Request to re-appoint Building Inspector, Alternate BI, Electrical Insp, Alternate EI, Plumbing Insp, Alternate PI terms to expire 3/31/2020
- Request from the Town Clerk to appoint Paul E. Rondeau as a Registrar of Voters term to expire 3/31/22