

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

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BOARD OF SELECTMEN MEETING MINUTES

Memorial Town Hall

3/12/18

6:00PM & 6:30PM Executive Session 2nd floor meeting room

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

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

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

Absent:

EXECUTIVE SESSION

6:00PM & 6:30PM Executive Session 2nd floor meeting room

7:00PM Call to order

Invocation-Douglas W. Dawes

Pledge of Allegiance

Mr. Bonavita wanted to thank those who worked together to get the town back online after the recent storms. He thanked that the Light Dept., Water Dept., DPW, Fire and Police for all they did over the last storm.

Woodard and Curran. Contract Ops

Joe Geary, Woodard and Curran stated the came from Portland ME, he stated that his company has an operations system that operates water departments. He stated that he was here to explain contract operations. He stated the town can call on companies to come in and run the water department. He stated that the town would start by putting out a RFP. He explained the different water plants that they operate. Mr. Geary presented a PowerPoint presentation on their company and services.

Mr. Sadler asked about water quality issues and if they have dealt with this. Mr. Geary stated that their company does this all the time and is why they are called in a lot of times. He explained their process. Mr. Sadler asked about who would receive data. Mr. Geary stated that they would send to whomever the town requests. Mr. Surface asked if we keep our employees. Mr. Geary stated that they take the employees in and give them a similar package.

Mr. Surface asked why we are looking into this and not including the Water Department. Mr. Farrell stated that this was informational for the board. He stated that the Water Department had an RFP for a managerial services and that is what they have right now. Mr. Bonavita stated that we have had a few different managers over the last few years and have not seen improvement in

water quality. He stated that he and Mr. Sadler have asked for information from the Water Department and never received the information.

Mr. Fowler stated that why are we having this conversation. Mr. Bonavita explained that he asked Mr. Farrell to invite Mr. Geary to come in and explain the contract ops. Mr. Sadler stated that we know that the Water and Light are discussing a combined department and this is the board being educated. Mr. Fowler stated that this is the cart before the horse. Mr. Dawes stated that he is all in favor of the discussion would of liked to of had the discussion first. Mr. Surface stated that as long as the board is not overstepping our bounds. He stated that we are not trying to usurp their authority. Mr. Surface stated that he feels the chair can set the agenda and discuss. Mr. Bonavita stated that he is an action guy and that is what this is just for information. Discussion on process.

Mr. Farrell stated that the Water Commissioner Nick Lawler has been keeping him informed and he has told him that they should keep the BoS involved. He stated that they do not want to have anything on this ATM and maybe in the Fall STM or next year ATM. Mr. Farrell stated that Jim brought in Bruce Tremble to meet with Mike and to the Department Head meeting. Mr. Surface stated that they want to make sure the water department is working properly. Mr. Sadler stated it is up to the BoS to vote on a joint department and this is just informational. He stated that we are not trying to take over the water department. Mr. Fowler asked how many people have come to this board with complaints. Mr. Bonavita asked how long it takes to see improvements in water in a town when they come in. Mr. Geary stated that it can take 6-9 months and he explained the process they go through to see what the issue is. Mr. Bonavita asked Mr. Geary to explain what they did in Lawrence. Mr. Geary explained the process that they went through in Lawrence mostly DEP issues. Mr. Bonavita asked how this is paid for. Mr. Geary stated that there may not be an increase. He stated that towns think that they are giving up control of their water department and it is not so you have him and his staff that report to the town.

Letter of retirement from the Town Clerk Janice McGrane

Mr. Bonavita read the resignation from the Town Clerk, Janice McGrane. He applauded her work and tenure in the town. The board all thanked her for her service to the town.

WARRANT and MINUTES

Minutes of Special & Regular Meeting 2/12/2018

Mr. Sadler moved to approve the minutes of the Regular meeting of February 12, 2018. Mr. Surface seconded the motion.

Mr. Fowler asked to have follow up on the “we” on page 4 first paragraph. Mr. Dawes had corrections and listed them. Ms. Pantano to make corrections and bring back to next meeting.

The motion was not approved by a unanimous vote.

Mr. Fowler moved to approve the minutes of the Special Meeting of February 12, 2018 6:00PM. Mr. Surface seconded the motion and the motion was approved by a unanimous vote.

Economic Development Grant Updated Downtown Master Plan

Mr. Surface asked if we have decided how we will use the funds. Discussion on the two grants. Mr. Farrell stated that there is an EDC and Housing & Economic Development grant. Discussion on the grants and process the town must go through.

Mr. Sadler stated that the goal is to update the Master Plan. He stated that he and Mr. Bonavita are impressed with work done by the new town planner John Cashell. Mr. Farrell stated that it is the Downtown Masterplan that will be updated. Mr. Fowler stated that this is a request from the EDC for the BoS to support the use of the grant.

Mr. Surface moved that the BoS support the recommendation of the EDC to use the EDC Grant for the Downtown Master Plan. Mr. Sadler seconded the motion and the motion was approved by a unanimous vote.

Housing & Economic Development-\$50,000 Grant

Mr. Dawes stated that he and Mr. Cashell went to the meeting to except the funds from the State. Mr. Surface asked the next step. Mr. Farrell stated the Selectmen can move this forward with the town planner. He stated that there are two grants one is for National Ave and one for downtown.

Mr. Fowler stated that MVPC made National Ave a high priority site. He stated that there is some litigation that has to be taken care of at the site. Mr. Farrell stated that he and Mr. Cashell have talked to Town Counsel regarding litigation. Mr. Bonavita asked if they could buy this frontage. Mr. Farrell stated that they have had discussions of a joint project with the abutter.

NEW BUSINESS

Draft Bike Race/Event application for review

Mr. Bonavita asked if the Police Department was in favor of the application. Chief Cudmore and Lt. Hatch stated that they both reviewed the application and recommend excepting the form.

Mr. Surface moved to approve the Bike Race/Event Application as presented. Mr. Fowler seconded the motion and the motion was approved by a unanimous vote.

OLD BUSINESS

Street Acceptance Discussion-Peter Durkee to be present.

Hold until next meeting.

Acceptance of MOU for the Mixed Unit AFSCME

Mr. Farrell explained that this is the document with changes to the final contract and that we are still working on the wording on the final contract. He explained the changes and that the MOU is so the staff can get paid the adjusted wages. He stated that the funds are in the FY18 and FY19 budgets. Mr. Dawes had a question on COLA increase. Mr. Farrell explained the increase. Mr. Fowler asked about Lead Dispatcher on page 4. Mr. Dawes stated that he remembered this discussion on this.

Mr. Dawes moved to approve the MOU for the Mixed Unit AFSCME Police, Fire, Police Signal Operators, DPW, and Clerical Employees July 1, 2017 to June 30, 2020. Mr. Surface seconded the motion and the motion was approved by a unanimous vote.

ITEMS NOT REASONABLY ANTICIPATED BY THE CHAIR 48 HOURS IN ADVANCE
OF THE MEETING

SELECTMEN'S REPORT

MOU for Veterans Services Division – Sel. Dawes

Mr. Dawes stated that the town Veterans' Agent gave this to Georgetown and the other towns in our area and he explained the document. He stated that it allows our Veterans' Agent to access to a database with military records online.

Mr. Surface moved to allow Mr. Dawes to sign the MOU with the Veterans' Services. Mr. Fowler seconded the motion and the motion was approved by a unanimous vote.

TOWN ADMINISTRATOR'S REPORT

Draft Joint Maintenance Agreement with School Dept

Mr. Farrell explained that the School Department was to vote on this last week but because of the storm they did not meet. He stated that we should wait until they meet and vote to see if we have any changes.

Mr. Fowler asked if this was from a past vote at town meeting. Mr. Surface asked for the town meeting vote to be included next time. Discussion

FY18 and FY19 Budget: Updates

Mr. Farrell gave an update on the budget. He stated that the School Committee has not met to vote on their budget because of the storm. He explained the information on insurances that he is waiting for. He stated that there are changes in the debt service. He stated that they will not be getting MSBA funds until September and will have to go out in July for BAN's. He stated that MSBA has a half million dollars of our funds that they are holding. Discussion on BAN's.

Mr. Farrell stated that he has received our Whittier assessment and that it went up and the North Shore Tech stayed the same. Discussion on School Choice. He stated that the budget is \$165K in deficit.

Mr. Bonavita asked about Snow and Ice account and Mr. Farrell stated we were \$153K in deficit but that was before the last storm. He stated that Mr. Durkee has stated when applying for FEMA that it is rare that Light Department applies and he wanted the board to know that and request that they also apply.

Mr. Farrell stated that the School is meeting to discuss their budget with FinCom on Wednesday. Mr. Bonavita asked the increase of the School budget. Mr. Farrell stated 4.9% increase.

ATM & STM Warrants for Monday, May 7, 2018

Mr. Farrell stated that there was a meeting at the M/H School with Public Safety to make the school safer. He stated that they will have a request for funds for the STM Warrant. He stated that Mr. Anderson and Ms. Jacobs came up with an option to make a glass vestibule when you enter the M/H School and guests would have to go to the front desk and check in. He stated that they also want to put safety glass at the office, and a data checker to review Id's. He stated that staff will put the vestibule in and all would come at a cost of \$50K and this number may go down.

Mr. Bonavita asked when this would be done. Mr. Farrell stated that the request for funds would be on the STM warrant so they can start before the end of the fiscal year.

ATM May 7, 2018

Mr. Farrell stated that a new article was added to the warrant to add a 3% Sales Tax for Recreational Marijuana. He stated that the money items have not been approved by the FinCom. Mr. Fowler stated that K & P had recommended that the Planning Board and Town should have in the regulation the number of recreational marijuana establishments to be allowed in town. Mr. Farrell stated that he will discuss with K & P and the Town Planner.

Mr. Fowler stated he does not remember discussing the quorum article. He stated that the name of who proposed the article should be with the article.

Discussion on the process and how to fill the Town Clerk position.

Mr. Bonavita stated that they have to discuss both the Town Clerk and Highway Surveyor positions.

Mr. Bonavita asked about the house at 45 Central St. Mr. Farrell stated that he needs more funds for the demolition. He stated that we may use funds from the reserve fund. Mr. Farrell stated that we need \$10K additional for the demolition. Mr. Surface stated that they may be able to use Healthy Pharms funds. Mr. Dawes stated that it is not a slush fund. Mr. Surface stated that we can discuss at the next meeting

APPOINTMENTS and APPROVALS

Request for Re-appointment of Building, Electrical, and Plumbing Inspector

Mr. Dawes moved to reappoint Les Godin as Building Inspector/Zoning Enforcement Officer, Glen Clohecy as Alternate Building Inspector, Mark Unger as Wire/Electrical Inspector, Carl Maglio as Alternate Wire/Electrical Inspector, William Gianacoples as Gas/Plumbing Inspector, and Stanley Kulacz as Alternate Gas/Plumbing Inspector terms to expire March 31, 2019. Mr. Sadler seconded the motion and the motion was approved by a unanimous vote.

MVMPO-MPO Subregion 3

Mr. Sadler moved to appoint John Cashell MVMPO-MPO Subregion 3 term to expire June 30, 2018 . Mr. Surface seconded the motion and the motion was approved by a unanimous vote.

BOARD BUSINESS

Mr. Fowler stated earlier he asked if the board could discuss the “we”. He stated that we have a memo from K P Law regarding discussions on social media and how some discussions can be violations of open meeting law. He stated that he feels this board may have stepped out of bounds. He stated that on the discussion on the ban of one use plastic bags it was brought up the “we” and a survey done on media and the tobacco regulations where brought up with the “we”. He stated he feels some of our votes may be in jeopardy of violation of our policies, and open meeting law. He stated he would like to come to some resolution over this. Mr. Bonavita stated no survey was done only some feedback.

Mr. Sadler stated that if there is a violation of open meeting is this the place, is there a procedure to go through, or go to the attorney general. Mr. Fowler stated that it is to bring up with the Chair and with the board. He stated that Mr. Sadler and he could meet and come to some type of resolution. Mr. Fowler read from the board Procedures, Policies, and Regulations regarding Relations with Public and other Boards. He read the section on procedure to notify board, committee, or resident. He read the Administrative Assistant would reach out with a date and time to attend a meeting with discretion of the chairman or any member of the board. He stated we adopted this last year and have not followed. He stated that he feels we should of reached out to those impacted by the One-Use Plastic Bag Ban and the Tobacco Regulation discussion. Mr. Bonavita stated plastic bag ban discussion is on the next agenda. He thanked the board for listening.

Mr. Fowler stated that the BoS procedures stated that a member of the board member may request that a resident speak. He stated that we have someone in our audience waiting all night and requests we hear him.

Mr. Surface stated that there is a little of a generation gap going on in the way we communicate and the way some of you communicate. He stated that some of the frustration is the younger members use Facebook and older members hear more from constituents. He stated that we as a board have to be careful how we hear from constituents. He stated that we as a board have to be careful what public opinion is if it was that big a deal we would have residents at the meeting. He stated no one has been here regarding the vapes or plastic bag ban and if people were interested then people should come to a meeting. He stated that changing age to purchase tobacco may have seemed to be aimed at one business. He stated we did not do that and maybe we should have had businesses/residents in to a meeting to discuss before we sent our non-binding recommendation to the BoH. He stated that with the plastic bags we will be having a meeting and will have the public in. He stated that looking at one aspect of social media/Facebook is not the only way to go and we have a little of a generation gap going on.

Mr. Sadler stated that before we discuss something you want us to quantify the amount of people we talked to. He stated that it should not matter how many people you talk to you should be able to bring your concern to the board from your constituents.

Mr. Fowler stated can move these things forward but because there may be a violation of procedure and he has a fear a vote may be invalidated. He stated that he does not want a vote to be challenged. Mr. Sadler stated that he sees two issues. One discussion on issues and one open meeting law violation. Mr. Fowler stated he would like to discuss with Mr. Sadler and come to a resolution.

Mr. Surface stated on the Water Dept. issue it was just informational and was not directed to oust the water department. He stated that we putting our opinion on social media is a bad practice if you are going to vote on the issue.

Mr. Dawes stated that all of us should reread the KP Law update on social media. He stated that we have to be careful of what we post.

Mr. Sadler stated that as a member and you want to communicate on social media you have to use caution. He stated that he understands the risks.

Mr. Fowler asked that he and Mr. Sadler meet and discuss and come to a resolution and not file a complaint. Mr. Surface asked Mr. Fowler to bring a formal complaint to the board.

Mr. Fowler asked Mr. Bonavita for Mr. Egenberg to speak. Mr. Bonavita declined.

Mr. Dawes stated Mr. Egenberg has the right to speak and he has asked twice to speak and he feels it would be wise to let him speak.

Mr. Surface stated that if Mr. Egenberg is here to reprimand the board then his vote is no.
Mr. Egenberg stated that no one has heard me so why don't they give me 5 minutes to speak.
Mr. Bonavita stated he declined.
Mr. Fowler and Mr. Dawes stated that they object to this.

NEXT MEETING

Monday, March 26, 2017 at 7P M, 3rd floor meeting room

ADJOURNMENT

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

Meeting adjourned at 10:01PM.

Minutes transcribed by J. Pantano.

Minutes approved on April 23, 2018.

Documents used in this meeting:

- Minutes of Special & Regular Meeting 2/12/2018
- Housing & Economic Development-\$50,000 Grant
- Letter of retirement from the Town Clerk Janice McGrane
- Draft Bike Race/Event application for review
- Street Acceptance Discussion-Peter Durkee to be present
- ATM & STM Warrants for Monday, May 7, 2018
- FY18 and FY19 Budget Updates
- Request for Re-appointment of Building, Electrical, and Plumbing Inspector
- MVMPO-MPO Subregion 3