

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
10/29/18
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; Timothy Zessin, KP Law

Absent:

7:00PM Call to order

Invocation-Douglas W. Dawes
Pledge of Allegiance

Mr. Bonavita read a Press Release regarding a suspicious package found in town and was secured and was empty.

APPOINTMENTS and APPROVALS

Police Chief request of appointment of Reserve Officer Pasquale Zollo term to expire June 30, 2019

Chief Cudmore was present

Chief Cudmore came forward with Pasquale Zollo and he gave Mr. Zollo's background.

Mr. Bonavita asked Mr. Zollo to introduce himself and tell the board about himself. Mr. Zollo stated that he was from NY and finished the academy in Topsfield. Mr. Dawes asked why Georgetown and will he still work in Nahant. Mr. Zollo stated he wants to gain more experience and that is why he applied to Georgetown and he will still work in Nahant. Mr. Fowler stated he is happy with the applicants from Chief Cudmore.

Mr. Dawes moved to approve the appointment of *Reserve Officer Pasquale Zollo* term to expire June 30, 2019. Mr. Durney seconded the motion and the motion was approved by a unanimous vote.

Police Chief request for re-appointment of Reserve Officer Jacob Fitzgerald term to expire June 30, 2019.

Chief Cudmore stated that he did not bring Mr. Fitzgerald as he came before the board previously and he is now a dispatcher, and had stepped down from Reserve and now would like to step back up.

Mr. Dawes moved to approve the re-appointment of *Reserve Officer Jacob Fitzgerald* term to expire June 30, 2019. Mr. Durney seconded the motion and the motion was approved by a unanimous vote.

FEMA Reimbursements

Chief Cudmore stated he had an update on the FEMA reimbursements and explained what the town will be receiving. He explained that there were three March storms and the March 13th storm costs were \$72K and the town will be eligible for reimbursement for this storm.

Mr. Bonavita asked Chief Cudmore to explain the process to receive funds. Chief Cudmore explained how the State formula works.

NEW BUSINESS

Attorney Timothy Zessin, KP Law was present

Attorney Zessin stated that he is here to discuss three (3) complaints filed by Craig Lampert. He stated that there is a complaint for October 9th, and two (2) for October 17. He explained the process, the board has to review the complaints, decide on a response and authorize him to respond.

Open Meeting Law Complaints—review, discuss and respond to Open Meeting Law Complaints filed by Craig Lampert dated October 9, 2018.

Mr. Zessin explained this complaint and went over each complaint and gave his suggested responses.

Mr. Zessin stated the board should from now on list open session before executive session and list location on agenda.

Mr. Sadler moved to approve the KP Law response for *Open Meeting Law Complaint filed by Craig Lampert dated October 9, 2018*. Mr. Durney seconded the motion and the motion was approved by a unanimous vote.

Open Meeting Law Complaint—review, discuss and respond to Open Meeting Law Complaint filed by Craig Lampert dated October 17, 2018.

Mr. Zessin explained that the minutes were provided on September 17th and are on the website and the Executive Session minutes that were requested are not available to the public because they dealt with a personnel matter.

Mr. Durney moved to approve the KP Law response for *Open Meeting Law Complaints filed by Craig Lampert dated October 17, 2018*. Mr. Durney seconded the motion.

Mr. Fowler asked about the ES minutes being released. Mr. Zessin stated that the minutes were not released.

The motion was approved by a unanimous vote.

Open Meeting Law Complaint—review, discuss and respond to Open Meeting Law Complaint filed by Craig Lampert dated October 17, 2018.

Mr. Zessin read the complaint and explained his response.

Mr. Sadler stated that the board should let the AG's office know that the board was not trying to hide anything and are being transparent. Mr. Zessin explained that if Mr. Lampert is okay with the response then the complaint does not go to the AG's office. If he appeals the response then it will go to the State.

Mr. Sadler moved to approve the KP Law response for *Open Meeting Law Complaints filed by Craig Lampert dated October 17, 2018*. Mr. Durney seconded the motion and the motion was approved by a 4-0 vote. Mr. Fowler abstained.

Mr. Bonavita stated that he was surprised that Mr. Lampert was not present to discuss these complaints. He stated that these items are procedural and the board tries to follow the rule of the law. He stated that the town is spending a lot of funds with counsel on these complaints. Mr. Farrell stated that legal fees for Fire Department in September we spent \$3500. Mr. Bonavita stated to the public this is where your tax dollars are going.

Mr. Sadler stated that the board tries to do the right thing and not hide anything.

Mr. Fowler stated he is familiar with these types of complaints and asked if there is a way to resolve.

Mr. Zessin stated he will send the responses to Mr. Lampert and if he is not satisfied with the responses then Mr. Lampert can send the complaints to the State.

Mr. Fowler stated that there was no intent to keep any information from anyone and doing the best we can. He stated if we make a mistake we try to correct.

OLD BUSINESS

Park & Recreation continued discussion on a Director

Mr. Bonavita stated that the board is looking to bring on a Park & Recreation Director. He asked Mr. Zessin to explain the process.

Mr. Zessin explained that he discussed with the Chair that the BoS is the appointing authority for the Park & Rec and would have the authority to appoint a Director. He stated that they need a job description and salary could be discussed and the person would work with the Commission. He stated that this could be a seasonal position.

Mr. Durney asked if we have to have the funding source first. Mr. Zessin stated that he would recommend the funding be approved first. He stated that you could if you were hiring in the future.

Mr. Fowler stated that we have to be cautious how we proceed as we have not discussed this as a board. He stated that Mr. Bonavita stated he knows someone to fill the position and he recommends he be cautious. Mr. Bonavita stated that he knows a few people interested and they would have to apply.

Mr. Bonavita stated that he feels we need to move forward. Mr. Sadler stated that we should ask the Park & Rec what the job description should be and salary as he is not familiar with what they do. Mr. Durney stated that they need to document and get information from Park & Rec on what the duties are and the salary. Mr. Sadler stated that at the ATM should let the public know what this position will do and salary. Mr. Bonavita stated that we have the information in our packets. Mr. Sadler stated that he thought the position would be as director and not actually mowing the lawns, etc. Mr. Fowler stated that we have to work with Mr. Farrell on funding for the position. He stated we have outside contractors and the person oversee them or the person be involved in the process.

Mr. Sadler asked Mr. Farrell to speak to Mr. DiMento about what the position should be and time, salary, etc. Mr. Dawes stated that we need to proceed cautiously and be sure to do this correctly. Mr. Fowler stated that the board may want to have a long range plan and would like to see a yearly position.

Mr. Durney stated that we would have to delineate the position on what the board does and what the director does. Mr. Bonavita stated that the chair of the Park & Rec has stated at a meeting that the position has become bigger than him. Mr. Fowler stated that he may be talking about when the East Main Street project comes online. Mr. Fowler stated that the bids for the East Main Street project came in over budget. Mr. Farrell stated that the consulting engineering firm is underestimating the projects. Mr. Fowler stated that this engineer has done other projects in town.

Mr. Bonavita asked if this should be a full member discussion or a subcommittee. Mr. Fowler stated that he suggests each member come back with their ideas, goals, and objectives for the Park & Recreation. Mr. Bonavita stated that is a good idea. Mr. Fowler stated that we should look at what other towns have done as a model. Mr. Sadler stated that Mr. DiMento stated that this is becoming more than they can handle. Mr. Farrell stated that what he hears is a commission for policy with a director/department head to direct staff and gets things done. Mr. Bonavita stated that he sees replacing Mr. DiMento with a Director that has the time to get things done and Mr. DiMento would still have a role on the board. He stated that he wants to keep it simple. Mr. Fowler stated that we also have to look at what department has control over the parks. Mr. Fowler stated that they should invite Park & Rec to a meeting for a discussion.

TOWN ADMINISTRATOR'S REPORT

Financial Policy Discussion

Mr. Farrell stated that he got these policies from Topsfield and they used funds from Community Compact to develop them. He stated that with this policy they were able to get their bond rating improved. He stated that he has reviewed them and stated that Topsfield is similar size and function. He stated in his review most of the policy is relevant to Georgetown. He went over the policy with the board and how numbers would relate to Georgetown.

Mr. Sadler asked if FinCom has reviewed. Mr. Farrell stated that he has talked to them about the concept of the policy and will present the policy to them at their next meeting.

Mr. Fowler asked if this has to be approved at Town Meeting. Mr. Farrell stated that the policy is just an approval of the board and FinCom would also like to be part of the process.

Mr. Bonavita stated that can we use this but we may be in different places than Topsfield. Mr. Farrell stated that this is just a financial policy that everyone should be following. Mr. Bonavita asked if we are at a point to adopt this. Mr. Farrell stated we are at the point that if we do not approve we will not be in a good place.

Mr. Dawes stated he reviewed the policy and we would have to determine what numbers work for this town and he feels the policy looks good.

Mr. Sadler stated even if we do not have the money we should have a plan. He stated each year review and see if we are meeting the goals.

Mr. Fowler had a handout and stated that he presented similar figures at a FinCom meeting. He explained the document and that this would be using a percentage of new growth funds.

Discussion

Mr. Bonavita asked that they schedule a meeting with the FinCom sooner than later.

Theo's Restaurant

Mr. Farrell stated that the BoH had a special meeting and have determined after numerous violations to revoke Theo's food service license.

45 Central Street

Mr. Bonavita thanked Mr. Farrell for his work on the demo of 45 Central Street. Mr. Farrell explained the work being done and that the contractor is going to make the lot into a temporary parking area. He stated that the Highway department has material to do this and will assist.

WARRANT and MINUTES

General Session Minutes October 15, 2018 for approval

Mr. Dawes moved to approve the General Session Minutes of October 15, 2018 as presented. Mr. Sadler seconded the motion and the motion was approved by a 4-0 vote. Mr. Fowler abstained

CORRESPONDENCE

Erie 4 Breakfast & Run November 10th at Penn Brook School

Mr. Bonavita read the notice.

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

SELECTMEN'S REPORT

Kiwanis Peanut Day swap of date with K of C Tootsie Roll Drive

Ms. Pantano explained the swap of dates.

Mr. Dawes moved to approve the swap of date with the Kiwanis Peanut Day (October 27th) and the K of C Tootsie Roll Drive and to approve the Tootsie Roll Drive on Saturday, November 3, 2018. Mr. Fowler seconded the motion and the motion was approved by a unanimous vote.

Mr. Dawes stated that there will be a Veterans' Day service at Harry Murch Park on November 11th at 11AM.

Mr. Sadler stated that the EDC had a consultant at a meeting to present a report on downtown sewage, what the options are, and cost. He stated that this report was funded from a grant. He stated that this will be a good report on options.

Mr. Bonavita asked about National Ave. Mr. Farrell stated that the lot was not subdivided there was an ANR done and he is still confused on what is approved.

Mr. Fowler stated that the CPC has started meeting and have opened up for applications. Mr. Fowler stated that he and Mr. Dawes also attended a Municipal meeting in Newburyport.

Mr. Farrell stated that the CPC has to accelerate the public meeting process he stated that April is too late to hold these meetings. Mr. Fowler stated that if he can send him information on what they need and when he will forward to the committee.

NEXT MEETING

Monday, November 5, 2018 at 7PM, 3rd floor meeting room

ADJOURNMENT

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

Meeting adjourned at 9:35PM.

Minutes transcribed by J. Pantano.

Minutes approved November 5, 2018.

Documents used in this meeting:

- General Session Minutes October 15, 2018 for approval
- Erie 4 Breakfast & Run November 10th at Penn Brook School
- Open Meeting Law Complaints–review, discuss and respond to Open Meeting Law Complaints filed by Craig Lampert dated October 9, 2018
- Open Meeting Law Complaint –review, discuss and respond to Open Meeting Law Complaint filed by Craig Lampert dated October 17, 2018.
- Open Meeting Law Complaint –review, discuss and respond to Open Meeting Law Complaint filed by Craig Lampert dated October 17, 2018.
- Park & Recreation continued discussion on a Director
- Financial Policy Discussion
- Police Chief request of appointment of Reserve Officer Pasquale Zollo term to expire June 30, 2019
- Police Chief request for re-appointment of Reserve Officer Jacob Fitzgerald term to expire June 30, 2019.
- Kiwanis Peanut Day swap of date with K of C Tootsie Roll Drive
- Handout from Gary Fowler