

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
Third Floor Meeting Room
4/27/09
7:00 PM

Selectmen Present: Matthew Vincent, Chairman; Philip Trapani, Clerk; Evan O'Reilly

Others Present: Stephen Delaney, Town Administrator; Janet Pantano, Administrative Assistant

Absent:

Call to Order

Mr. Vincent called the meeting to order at 7:00PM.

Mr. Vincent stated Ms. Enos is present to update us on the Town Meeting. Ms. Enos stated that on Wednesday, April 29, 2009 @ 6:30PM she will hold her Town Meeting update to discuss presentations, who will present motions, etc. She stated at 7:30PM they will be holding a candidates night. She stated that residents will be able to call in live with questions for the candidates and they can also email ahead of time to me at beverlyenos@yahoo.com. She stated that the Selectmen candidates will go on first and then the School Committee candidates. She stated as a reminder to residents the Annual Town Meeting starts at 7:00PM and they should arrive at 6:30PM. She stated that they will be setting up two rooms with an assistant Moderator in the cafeteria.

Warrant & Minutes

Mr. Vincent stated there is a warrant to be signed.

Mr. Trapani moved to approve the minutes of *April 13, 2009*. Mr. O'Reilly seconded the motion and the motion was approved by a unanimous vote.

Correspondence

Mr. Vincent stated that they received a ZBA decision for 150 Elm Street.

Mr. Vincent stated that they received notice of MA State Lottery Commission-notice of KENO to Go at Richdale Convenience. He stated that Georgetown Grille has Keno that he is aware of. Mr. O'Reilly stated that the VFW also has KENO. All were okay with Keno at Richdale.

Mr. Vincent stated that they received a letter asking for the endorsement of MA Coalition for Jobs and Growth. He stated that the Selectmen could individually join this group.

Mr. Vincent stated that they received a MIIA Update of credits, etc.

Old Business

GAA land purchase/Stone Row Lane

Mr. Vincent stated there is a letter to go to council from the Building Inspector regarding the GAA having to get a Special Permit to put athletic fields in on Stone Row Lane. Mr. Delaney explained that Mr. Pingree thought they would not need to go to the ZBA if they donate the land to the Town. He stated that the Building Inspector does not agree with this assumption and there is a letter to go to counsel to resolve the question. Mr. Vincent asked the board if they wanted to send the letter to counsel. Mr. Trapani asked if there were any precedents from other towns. Mr. LaCortiglia and Mr. DiMento stated that all the other parks in town were before current Zoning. Mr. Trapani stated that there is not a clear answer and they need to find out before other projects come forward. He also stated they need to know what the town's liability is. Mr. O'Reilly stated that regardless of who develops the land he would not want it to look like the Town is doing an end around. Mr. Vincent stated that the board wants to encourage volunteers for projects but they are going to have these issues come forward. He stated that the board needs to know what is allowed and they want to encourage projects.

Mr. DiMento stated that he would like to know as he thought a park could go anywhere in town and would like the issue clarified.

Mr. O'Reilly asked how much it would cost to get an answer from counsel. Mr. Vincent asked Mr. Delaney to forward the letter to counsel and get an estimate first.

New Business

Central & Erie Fire Company contracts with the Town

Dan Brodie and Brad

Mr. Delaney stated as part of the Strong Chief legislation it allows that the town forms an agreement with the companies. He explained the town has been paying the electric bills, telephone bill and a stipend and that these are not allowed expenses for the town to be paying. Mr. Vincent stated that at the AG office during the Strong Chief legislation this was brought up and discussed and he went over the limitations. Mr. Vincent asked if Erie could sit on the bill for a few weeks. Mr. Brodie stated that the town has always paid for fire services from Erie and they can wait on the bill and sit down with the Board regarding a contract. Mr. Vincent stated that there does not have to be parity between the companies and it will fall on this board to write the contract. He stated that the contracts do not have to go to Town Meeting. Mr. O'Reilly asked why this was not dealt with before. Mr. Vincent stated that this was not brought up before. Mr. O'Reilly asked why this was not taken care of before and why Mr. Delaney did not know that this bill was being paid. Mr. Delaney explained that this is no a political issue but with the new Strong Chief legislation and town counsel ruling this bill can not be paid by the town. Discussion on the legality of the town paying these bills. Mr. Vincent stated that the AG's office brought this up and that it should have been dealt with at that time. He stated that they can review this at a future meeting.

Building Permits

Perley School Baseball Scoreboard/Harry Murch Park Lighting

Mr. Delaney stated that it has come to the attention of the Building Inspector that he does not have the authority to waive fees it falls under the BoS. He stated that is why these permits are before the BoS. He stated that both permits are for work on town property, one a scoreboard at Perley School and the other for new lighting at Harry Murch Park. Mr. Trapani asked what the impact would be to the building department finances. Mr. Delaney stated that he did not think there would be a very big impact. Mr. Delaney to check on the impact to the building department fees.

Mr. O'Reilly moved to waive the inspection fees for permit dated April 10, 2009 for Baseball Scoreboard at Perley School and permit dated April 22, 2009 for Harry Murch Park. Mr. Trapani seconded the motion and the motion was approved by a unanimous vote.

Purchase and Sale Agreements for CPC

Harry LaCortiglia and Jim Dimento present

Jim Tolman present and Barry Crawford, representing the New Life Church.

Mr. DiMento stated that the church approved the P & S on Sunday. Mr. LaCortiglia stated that there is nothing big holding up the sale with the Church and this parcel gives us access to the Bussing property and the Tolman property gives them parking. Mr. DiMento stated that there are some issues with the Tolman property and a one acre parcel will be removed from the plan. He stated that on one section there is a pipe removing water from a pond, and possibly some hazardous waste on a section. Mr. Vincent stated that the issue of hazardous waste on the site is because there may have been hazardous waste on an abutting property. Mr. DiMento did not know where the hazardous waste information came from and stated that it has not been confirmed. Mr. Trapani asked if a 21E would be done. Mr. DiMento stated that they would not accept the deed until a study was done. Mr. Vincent asked if they would have more information for next weeks meeting. Mr. LaCortiglia stated that the hazardous waste information came from Mr. Tolman's attorney.

Mr. Vincent asked that a title report be done on the Church property. Mr. LaCortiglia stated that this could be built in to the agreement. Mr. Vincent stated that on Monday the CPC can let the board know that this number is built into the agreement. Mr. Vincent stated that under the agreement the road to the parcel would be under the responsibility and liability of the town. Mr. Trapani asked who would maintain the road Park & Rec or the Highway department. Mr. DiMento stated that the Highway would plow the road. Mr. LaCortiglia stated that these parcels go hand and hand. He stated that there may be an issue with the Tolman property. Mr. Trapani stated that would the CPC go forward with Church if they do not have the Tolman P & S. Mr. Crawford stated that they can wait until the town is ready as they have no plans for the property. He stated that the road was an issue and they had questions on plowing as they will be plowing their parking lot. He stated that they agreed that the road would be maintained as a regular Town road.

Mr. Vincent stated that if they are not ready these parcels can go on the warrant for the Fall Town Meeting. Mr. LaCortiglia stated that with all these issues the CPC may wait. Mr. Tolman stated that he will straighten out this issue and the issue with the pipe. Mr. DiMento explained that a homeowner has a pipe going from the pond to a sprinkler system. Mr. Trapani stated that on any property that the Town purchases there should be a site assessment done. Mr. LaCortiglia stated that town counsel has always asked that a site assessment for hazardous waste be done. Mr. DiMento stated that our town counsel only had an old hand drawn map of the property. Discussion on the P & S and contingencies in the plan. Mr. Vincent stated that the CPC will meet on Thursday and Mr. DiMento will be meeting with GAA tomorrow and they can come back to the BoS on Monday before Town Meeting. Mr. Trapani stated on Monday they should have P & S for the board to sign.

Selectman's Report

Town Administrator's Review

Mr. Vincent stated that in the past he has done a composite review with the reviews from each Selectman. He stated that this year he would like to give the Town Administrator copies of each review by each Selectman. He asked if this was okay with Mr. Trapani and Mr. O'Reilly. All were okay with this. He asked Mr. O'Reilly if he could fill in the numbers on his review and return it at the next meeting.

Town Administrator Report

Fire Chief Request for Grant Support

Mr. Delaney stated that the Fire Chief is looking for a support from the Selectmen for a match for the grant to replace/upgrade the radio system.

Mr. Delaney stated that he gave the board a copy of the draft motions. Mr. Vincent stated that if anyone had comments they should get them to Mr. Delaney.

Mr. Trapani asked about the 40R article with the Planning Board/Nick Cracknell. He stated that he heard there was an issue with the application and he stated that this article is an important part of the Economic Development of the downtown. He stated that he would talk with Mr. Cracknell. Mr. Delaney stated that the State will not accept the budgeted salary as match funds and that they need is \$23,000 and that this was sent to FinCom.

Mr. O'Reilly moved to adjourn. Mr. Trapani seconded the motion and the motion was approved by a unanimous vote.

Meeting adjourned at 8:14PM.

Minutes transcribed by J. Pantano.

Minutes approved May 18, 2009.