

Memorial Town Hall, 1 Library Street, Georgetown, MA 01833
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BOARD OF SELECTMEN MEETING MINUTES
Memorial Town Hall
Third Floor Meeting Room
8/3/09
7:00 PM

Selectmen Present: Philip Trapani, Chairman; Evan O'Reilly; Stephen Smith, Clerk;
C. David Surface

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

Absent: Gary Fowler

Call to Order

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

Mr. Trapani and the board extended condolences to the Rauseo family and friends on the passing of Arthur Rauseo.

Correspondence

Resignation from Barbara Morehouse from the Council on Aging

Essex Regional Retirement Board-Investment Information-Mr. Trapani stated that he will attend the meeting on August 25 from noon to 3PM and invited other members to attend.

Essex Regional Retirement Board Open Meeting Law Complaint-Letter from Ira Singer, Town Administrator in Middleton on an Open Meeting Law violation.

Kopelman & Paige-ADA Advisory Memo

Water Department letter asking for notification on permits given out on Water Department property.

Resignations of Jon Pingree and Jeff Moore from their positions on the ZBA and request to switch positions and be reappointed.

Old Business

Fire company contract update from Fire Chief Al Beardsley

Chief Beardsley explained the items discussed and stated that they are working together. Mr. Trapani asked for a deadline of Sept 30, 2009. Mr. Smith stated that all who attend were ready to talk. Mr. Surface asked if waiting until September 30th would hinder anything. Chief Beardsley stated that it would not. Mr. O'Reilly asked if they had an answer to what the stipend is being used for. Chief Beardsley stated that this is what they are looking into.

EMS Service Zone Plan Application-Chief Beardsley

Mr. Trapani asked the Chief to explain the application. Chief Beardsley stated that this was due from towns June 2006 and that only 53 communities have complied. He stated that once this is in place it will drive the EMS for the Town. He explained the items in the plan and stated that he is working with the Police Chief, Byfield Police Chief, and Byfield Ambulance, AMR, etc. Mr. Trapani asked about the response times and if they are based on what is now or what they want to achieve. Chief Beardsley stated that they are based on what they have now. Mr. Trapani asked why this was due in 2006 and not done. Chief Beardsley stated not sure why not done but he has been working on the application since he arrived. Mr. Smith stated that he wanted this at the meeting so the residents could see the level of sophistication that the department has. Mr. Trapani asked if there is a certification/accreditation for Fire Departments similar to the Police Department. Chief Beardsley stated that there is not a similar process but the Fire Academy has training for Firefighter 1. Mr. Trapani asked about a SOP book and if they have one available at the Department. Chief Beardsley stated that they do and the book is available.

Bailey Lane Bridge Update-Peter Durkee

Mr. Durkee gave an update to the board on what has been done. He stated when he started there was a plan for a bridge and that the bid came in at \$500,000. He stated that he looked at options for a culvert and he has plans for this and this plan has to go through the Army Core of Engineers and this will take 5 months which would take us into winter so they have to wait until next summer and the river is lower. Mr. Trapani asked the amount to repair culvert. Mr. Durkee stated estimate of \$197,000. Mr. Surface stated that he is confused over if a bridge or culvert would be the best fix. Mr. Durkee stated that if the grant comes in for the bridge he would put in the bridge and take out the culvert. Mr. Surface stated that he does not want to make a decision only on cost wants the best fix for the area. Mr. Trapani asked if bridge was a permanent fix and the culvert a temporary fix. Mr. Durkee stated that a culvert for that area is adequate and would last for 50-60 years. Mr. O'Reilly asked if the price is set. Mr. Durkee stated that the price is not locked in but that they are waiting for the plans to be done and a lot will be done in house which will keep costs down. He stated that with the grant for the Bridge it would require a 25% of total cost to the Town. Mr. Durkee stated that in September or October they would know if they will get the grant. Mr. Surface stated that we owe it to the residents to get this done as quickly as possible.

Mr. Trapani asked about bridge work being done at prevailing wage rate. Mr. Durkee stated that the Highway department does not get prevailing wage rates.

Mr. Durkee stated that the Pennbrook culvert would be the next culvert to be repaired and he stated that he plans to put up a guard rail. He stated that the West Street culvert also needs to be repaired.

Mr. Trapani stated that he would like to work with departments on a three year budget and asked Mr. Durkee to keep this in mind when he prepares his next budget. Mr.

Surface asked for all improvements, etc to be listed. Mr. Trapani asked that the dollar amounts be listed for any requests.

Sharon Freeman, Traffic Committee stated that at the recent traffic meeting for Bailey Lane they talked about an additional meeting in the fall and she asked that they keep this on the agenda.

Mr. Smith asked if Mr. Durkee had a list of all the assets of the Town Highway Dept. Mr. Durkee stated that he does not but that they own anything in the roadway.

John Bell, Lakeshore Drive asked about the grant for the bridge. He stated that there would be 100ft of pavement that must be replaced. He stated that with the bridge they would get more for there buck.

Gayle Bell, Lakeshore Drive asked if they would have to rebid for the bridge. Mr. Durkee stated that they would have to go back out to bid. Mr. Surface stated that he would like to see the best for the area done and not just go for price. Mr. Trapani stated that the Army Core of Engineers will be looking at the plans and will be an independent review. Mr. Durkee stated that they will not sign off on the plan if the culvert would not work.

Highway Materials Bid

Mr. Durkee read the companies he would recommend. Mr. Trapani asked about the rational of using Brox Industries. Mr. Durkee explained that they have a plant in Ipswich and this is the closest plant and would save time. Mr. Farrell stated that he is okay with the choice.

Mr. Surface moved to award *Bronx Industries* the contract for *Bituminous Concrete/Type 1 @ Plant*. Mr. Smith seconded the motion and the motion was approved. Mr. O'Reilly abstained.

Mr. Surface moved to award *Bit Con Corp*, Type 1 in place Bituminous Concrete, Curb in Place per LF, and Type 1 Handwork in place per ton; *Superior Seal Coat*, Crack filling per gallon; *Benevento*, Bituminous Concrete Sidewalk in place per ton; *Allstates Asphalt, Inc*, Rehab Existing Pavement. Mr. Smith seconded the motion and the motion was approved by a unanimous vote.

New Business

Police Department

Chief Mulligan stated that they had 140 children in their baseball camp and thanked all the sponsors. He stated that Officer Jones had a young man that is a cancer patient in last week who was sworn in as an officer for a day.

Chief Mulligan stated that they wanted to come before the new Board of Selectmen and new Town Administrator with there concerns for the Police Department. He stated that he wanted to assure them that the Town is safe but he does have some concerns.

Marijuana Bylaw

Chief Mulligan stated that there is a glitch that if a violator is sited and does not pay they are not able to take the violator to court to collect the fine. Lt. Cudmore stated that they need a bylaw for if a fine is not paid then they can have a way to collect the fine. He stated that the Town has to decide on the bylaw and the fine dollar amount to go with it. He stated that they would like to have the bylaw for the Fall Town Meeting. Lt. Cudmore explained that there could be a fine for not paying the fine and a process to collect and that the fine cannot exceed \$300. Lt. Cudmore stated that they have had 12 offences since January 2009. Mr. Trapani asked for a couple of drafts of what they would like to see and he stated that \$300 for a civil offense is not a lot. Mr. Surface asked if there is discretion for a warning as with a traffic ticket. Chief Mulligan stated that marijuana is a controlled substance and that they have to impose the fine and take away for liability reasons.

Animal Control

Chief Mulligan stated that since they took over this position a lot has changed. He stated that when he started there was a budget of \$30,000. He explained how this position has evolved over the last six years. He stated that with the budget cuts this position was dissolved and he does not want to be in the Animal Control Business. He stated that under the new process he thought they provided a good product. Lt. Cudmore stated that they have 50 to 60 calls a month for the animal control. He stated Reed Wilson is the Animal Control Officer for Rowley and helps out when needed. He explained that the Animal inspector is Holly Willard and she does a great job. He stated that they have incurred costs for a rabid raccoon and have no way to pay. Mr. Trapani stated that he does not have a solution for them tonight and asked for three options good, better, best and his recommendation. Mr. O'Reilly asked if the Police Department was aware of the cuts to his budget. Chief Mulligan stated that they did not have the opportunity to discuss the cuts.

School Resource Officer

Chief Mulligan stated that he met with the School Superintendent and Chair of the School Committee and they will not fund the School Resource Officer this year.

Crossing Guards

Chief Mulligan stated that they have donated funds for crossing guards and the funds will run out in October. He stated that crossing guards in other towns fall under the School Department. He stated that Mr. Comiskey volunteers as a Crossing Guard for the town and if the School takes over this program he would hope they would keep the guards they have now. Mr. Trapani asked them to submit a good, better, and best plan. He stated that there may be more walkers with the new rules on no busses under 1.5 miles.

Sharon Freeman asked if the traffic light could be changed for timing of the crosswalk. She stated that a lot of cars go through the red light and make turns where it says no turn on red. Mr. Smith asked Lt. Cudmore what the budget number is for Crossing Guards. Lt. Cudmore stated the Crossing Guard budget was at \$7,000.

Lt. Cudmore stated that the timing of the lights is set by the State and they can not change the timing.

Public Safety Emergency Radio tower

Lt. Cudmore stated that they have a repeater in the tower on Baldpate Hill and it is 15 years old. He stated Sgt. Defeo is working on a grant and he is 95% sure they will get the grant to replace the repeater and the housing of the repeater.

Community Policing

Chief Mulligan stated that in the past they received Community Policing funds of 40K from the Stated but these funds have gone away. He stated that they had a 65k reduction to their budget and reduction of 40k from CP. Chief Mulligan stated that this is a reduction of 100K. Lt. Cudmore stated that they are anticipating the Community Policing funds will be cut for 2010. He stated that they receive these funds on a calendar year and did receive the funds in January 2009. Mr. Surface stated that on his time on the FinCom they level funded the Police Department. Lt. Cudmore stated it was not a 100K cut from the Town Budget. Chief Mulligan stated he has concerns for his department and he is aware of the fiscal times.

Public Safety Building Roof

Chief Mulligan stated that the bid will go out from the Town Administrator for the replacement of the roof.

Mr. Trapani asked Chief Mulligan to sit with the FinCom and go over the budget and the reductions and see if they have any creative ideas. Mr. Surface asked if there was a timeline on the roof. Mr. Farrell stated he hoped to have it done before winter.

Traffic Committee

Sharon Freeman and Peter Durkee present

Ms. Freeman stated that they are an appointed board and have become a place for residents to vent issues on parking and traffic. She explained issues of the winter parking band and Park & Ride lot. She stated that Mr. Durkee is looking to have parking on one side of the lot for easier plowing. Mr. Durkee explained if cars are on right side at night then they can plow the lot easier. Mr. Trapani stated that he has no issue as long as the signage is posted properly. Chief Mulligan stated that they would have to change the bylaw. Discussion on how the process is done and notifying the residents. Discussion on fines for pushing snow on the sidewalks. Mr. O'Reilly stated that he has an issue with quadrupling the fine for residents. Smith stated that he is okay with the fine as it affects a few residents and would solve an inconvenience to the Highway Department and the other 9,000 residents. Mr. Surface asked what other towns are doing and if Mr. Farrell could look into this.

Ms. Freeman stated the committee looked at the Parking in the downtown and it is not consistent. She stated that there are parking concerns near the Bank of America and Smith Family Tree House. She stated that they propose areas of two hour parking in and 15 minute at the Bank and Smith Family Tree House. She stated that they need signage

for parking and no parking areas and repainting of some lines and a buffer zone for driveways. Mr. Trapani asked for a schematic of the areas of concern.

Mr. Surface wanted to thank Sharon Freeman and the Traffic Committee on their support during the Bailey Lane traffic meeting. He stated that they did a lot of work putting the meeting together.

Karen Wilmarth, 41 East Main Street stated that there has been a car parked on the common in front of her home continuously and this is a no parking area. Mr. Durkee stated that "No Parking" signs would be posted tomorrow. Mr. Trapani asked if diagonal lines could be painted in the line around the park which would help to keep cars from parking in this area.

Water Conservation Grant Support

Mr. Trapani read highlights of the grant and stated that he supports the grant. He asked for a motion for him to sign the original when received. Mr. Smith asked for some clarification on a few areas as the Water Department has not approved the grant. Mr. Farrell stated that any dollar match would come from the Water Department and that they were meeting this evening to vote on the grant that is why no one was present. Mr. Surface stated that he would like to have someone come in and explain before they vote on the grant. Mr. Trapani asked Mr. Farrell to contact the Mr. Comiskey and ask him to come in next week with more information for the board.

Selectman's Report

Mr. O'Reilly stated that he would like to finalize the street light reductions at the next meeting.

Mr. Surface stated that the draft Affordable Housing Trust Fund document has been email for review.

Shaun McGee was present and stated that he has sent a request for appointment to the Affordable Housing Task Force. He explained that he is working on a project to create one web site for First Time buyers to get financial assistance. He gave some background information on himself and stated he felt he could add some value to the committee. Mr. Surface stated that he talked to Mr. McGee and is comfortable with the appointment. Mr. Smith asked if there would be any conflict with his work position and the committee. Mr. McGee stated that he does not see a conflict.

Mr. O'Reilly moved to appoint *Shawn McGee* to the *Affordable Housing Task Force* term to expire June 30, 2010. Mr. Surface seconded the motion and the motion was approved by a unanimous vote.

Town Administrator's Report

Mr. Farrell stated that he had two documents one from the town Accountant and one from the Assessors on Free Cash & Stabilization Fund. He stated that both are relating the same numbers. Discussion on Snow & Ice numbers.

Mr. Farrell updated the board on his activities over the last two and a half weeks. He asked for the goals the board would like to see him accomplish before December 31. Mr. Trapani stated that by September he hopes to have the goals for him. He stated that he would like to see the Town Administrator position have more strength.

Historical Society Cemetery Tour

Mr. Trapani stated that the Historical Society has requested to hold tours of Union Cemetery during the Georgetown Days. He stated that the Historical Society will need to provide a certificate of insurance naming the Town.

Mr. O'Reilly moved to approve the *Historical Society to hold tours of the Union Cemetery* with adequate insurance during Georgetown Days. Mr. Surface seconded the motion and the motion was approved by a unanimous vote.

Appointments

Mr. O'Reilly moved to appoint *Cynthia Tardif* as a Regular member of the *Council on Aging* with a term to expire June 30, 2010. Mr. Smith seconded the motion and the motion was approved by a unanimous vote.

Mr. O'Reilly moved to appoint *Jon Pingree* as a *Associate* member of the *Zoning Board of Appeals* with a term to expire June 30, 2010. Mr. Smith seconded the motion and the motion was approved by a unanimous vote.

Mr. O'Reilly moved to appoint *Jeff Moore* as a *Regular* member of the *Zoning Board of Appeals* with a term to expire June 30, 2011. Mr. Surface seconded the motion and the motion was approved by a unanimous vote.

Mr. O'Reilly moved to appoint *Bill Hastings, Bill Monroe, and Jeff Wade* to the *Recreational Path Committee* with a term to expire June 30, 2010. Mr. Smith seconded the motion and the motion was approved by a unanimous vote.

Mr. O'Reilly moved to appoint *Christian Roop* to the *Recreational Path Committee* with a term to expire June 30, 2010. Mr. Surface seconded the motion and the motion was approved by a unanimous vote.

Board Business

Mr. Surface asked to go back to the discussion on the Essex Regional Retirement Board asked if the Treasurer and Town Administrator could also attend the meeting with Mr. Trapani. Mr. Farrell stated that he would talk with the Treasurer and that he would attend with Mr. Trapani.

Mr. Trapani stated that he will not be at the meeting on August 10, 2009 and asked Mr. O'Reilly to Chair the meeting.

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

Meeting adjourned at 9:55PM.

Minutes transcribed by J. Pantano.

Minutes approved September 14, 2009.