

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

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BOARD OF SELECTMEN MEETING MINUTES

Memorial Town Hall

7/8/13

6:00 PM—Executive Session, 2nd floor Selectmen’s Office

7:00 PM – General Meeting, 3rd floor meeting room

Selectmen Present: Stephen Smith, Chairman; C. David Surface; Philip Trapani; Stuart M. Egenberg, Clerk; Gary Fowler (by phone)

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

Absent:

6:00PM-Executive Session-Call Firefighter wages

To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the governmental body **and the Chair so declares ...;**

6:30PM-Executive Session-Health Insurance Plan Design

To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the governmental body **and the Chair so declares ...;**

7:00PM Pledge of Allegiance

Mr. Smith stated that Mr. Fowler has called in and is participating remotely.

Warrant & Minutes

Warrant to be signed

Minutes of April 29, June 3, 2013

Mr. Trapani moved to approve the minutes of April 29, 2013. Mr. Egenberg seconded the motion and the motion was approved by a 4-0 vote. Mr. Fowler abstained

Mr. Trapani moved to approve the minutes of June 3, 2013. Mr. Egenberg seconded the motion and the motion was approved by a 4-0 vote. Mr. Fowler abstained

Board Business

Request from the Cultural Council for 2 One-Day liquor licenses at American Legion Park

Susan Madigan and Calvin Skeirik were present

Ms. Madigan stated that they are again having Mercury Brewing Company/Ipswich Ale and Newburyport Brewing Company selling malt beverages at the concerts on August 4th

and 18th and will share proceeds with the Cultural Council. She stated that they have not had any issues at past concerts when they have had alcohol. She stated that they will check ID's and will give out wrist bands. Mr. Surface asked for current Tip certificates from the vendors.

Mr. Surface moved to approve the two (2) *One-Day Liquor Licenses* for the Cultural Council at American Legion Park on Sunday, August 4, 2013 and Sunday, August 18, 2013 from 5-7 PM with Mercury Brewing Co., Inc and Newburyport Brewing Co., Inc. Mr. Fowler seconded the motion and the motion was approved by a unanimous vote.

Reorganization Police Department-Chief Cudmore to be present

Police Chief Cudmore was present.

Civil Fingerprinting Bylaw

Chief Cudmore stated that there is a new Civil Fingerprinting Bylaw that they are required to adopt and will bring information to another meeting.

MEMA Mutual Aid Agreement

Chief Cudmore stated that the MEMA Mutual Aid Agreement should be signed and he gave copies of the agreement and asked the board to review and if in agreement to sign at next meeting. Mr. Smith asked if there is a fire Dept agreement. The Fire Chief stated that the Fire Dept has an agreement already. Chief Cudmore stated that there is also a Mutual Aid Agreement for the Highway Department.

Solicitation Bylaw

Chief Cudmore stated that they are ready to go on this bylaw once approved by the AG's office.

School Resource Officer Grant

Chief Cudmore stated that he is waiting to hear if they will receive the grant.

Surplus property

Chief Cudmore stated that he had some property to declare surplus.

Mr. Surface moved to approve the *surplus property* as presented by the Police Chief. Mr. Trapani seconded the motion and the motion was approved by a unanimous vote.

Reorganization

Chief Cudmore gave copies of the organizational chart that the previous Chief implemented. He stated that the Detective Supervisor is a convoluted position and similar as a Sergeant but without all the authority. He stated in his new plan he would change Detective Supervisor to Sergeant. He stated making this position a Sergeant balances the department. He stated that this position will be handling the Solicitation bylaw. He stated that the unions gave him 100% support on all the changes. He listed the responsibilities that he will hold. He stated that the other position he request to change is the Animal Control Officer. He stated that the position will be offered to an officer with a stipend and will be a 40 hour position instead of 16 hours. He stated that there are 1100 dogs with 500 not registered or unaccounted for. He stated that they are trying to be proactive and are helping the Town Clerk to get the 500 number down. He

stated that they will keep the two assistants as we have now. He stated that there is a new ACO regulation and he has sent it out to the board to review. He stated with this full time position they will be able to provide a better service. He stated that he would like to create a Detective position a .5 FTE he stated it would not be a new position. Chief Cudmore stated that this is an assignment position and will not be an increase in staff. Mr. Smith stated that Chief Cudmore stated that they were short an officer and he asked how is that being handled. Chief Cudmore stated that if they receive the grant for the SRO that will fill a position. Mr. Egenberg asked if we do not get the SRO how he will handle. Chief Cudmore stated that the officer at the academy will fill the position left by the Lieutenant position not being filled. Discussion on who is in charge when a Sgt is not on duty. Chief Cudmore stated that it only one weekend day every 5th or 6th week and they have an officer in charge and a Sgt on call. Mr. Smith asked if all the changes are within budget. Chief Cudmore stated that they are. Mr. Surface asked if these changes have been implemented. Chief Cudmore stated that they have not that he has been waiting for the board to approve the changes.

Mr. Surface moved to approve the reorganization of the Police Department as presented by Police Chief Cudmore. Mr. Egenberg seconded the motion.

Mr. Fowler asked if the ACO is still a joint position with Groveland. Chief Cudmore stated that it is but right now Groveland lost their ACO and should be hiring someone else.

The motion was approved by a unanimous vote.

Mr. Surface moved to promote *Thomas Dejoy* from Detective Supervisor to Sergeant with a term to expire June 30, 2016. Mr. Egenberg seconded the motion and the motion was approved by a unanimous vote.

Fire Chief Review

Mr. Smith stated that the Fire Chief's contract stated that his review must be done before any pay increases. He stated that the reforms forms will go out tomorrow and asked the board to have forms back to him by next Tuesday. Mr. Surface stated that he thought all the contracts stated this. Mr. Farrell stated not all contracts have this wording. Mr. Smith stated that the board would try to get this done quickly.

Fire Chief Beardsley stated he wanted to give recognition to some officers who dealt with a serious medical situation on the 4th of July. He stated Police Officer Hatch and our Georgetown EMT's had a person who was not breathing and turning blue and by the time they got the patient to the hospital they were taking and doing well.

Request for appoint of Laura Replier to the ConCom term to expire 6/30/2016

Mr. Smith asked Ms. Replier to give some background information. She stated that she is a full time teacher and is just finishing up her masters degree so will have some time for other things. She stated about 6 years ago she worked for the Georgetown Conservation Commission and gave background information on her time with the commission. She stated that she would like to come back to the commission as a

commissioner. She stated she was also on the Open Space committee and worked on the Open Space Plan.

Mr. Fowler stated he has been told that Georgetown has very strict bylaws can she work with the public on this. Ms. Replier stated that Georgetown is a very wet town and we are stringent and need to protect our environment. She stated that when she worked for the commission they worked to protect the American Legion Park and the pond and we need to protect the pond and rivers. She stated that the town does have a tight bylaw because of our environment. She stated she feels she is very balanced to work with the public to get them to where we want them to be. Mr. Trapani stated she has a passion with the Commission and that it would be helpful to more proactive with outreach to the public so they know the why before residents get too far. She stated that we have an issue with our downtown and would like to see something done and discussed some issues and events that she has seen. Mr. Egenberg thanked Ms. Replier for coming forward and to spread the word that they need volunteers. Mr. Smith stated that it is nice to have a volunteer with passion and knowledge.

Mr. Trapani moved to appoint *Laura Replier* to the *Conservation Commission* term to expire June 30, 2016. Mr. Egenberg seconded the motion and the motion was approved by a unanimous vote.

Other Post-Employment Benefits “OPEB” Trust Agreement

Mr. Farrell stated that when we adopted the law for an OPEB the next step is to have a trust agreement and that is what is before the board. He stated that the Selectmen can stand as trustees.

Mr. Surface moved that we adopt the Other Post-Employment Benefits “OPEB” Trust Agreement as presented. Mr. Egenberg seconded the motion.

Mr. Trapani moved to amend the motion to include the make up of the Trust. Mr. Egenberg seconded the amendment and the amendment was approved by a 4-0 vote. Mr. Fowler abstained.

Mr. Surface moved to amend his motion to include the make up of the OPEB Trust members to be the *Town Accountant, Town Treasurer, current Chairman of the Board of Selectmen, current Chairman of the Finance Committee, and current Town Administrator* as OPEB Trustees for a term to expire June 30, 2014.

Discussion on the length of the terms and to leave for now at a one year term

The motion and amendment were approved by a 4-0 vote. Mr. Fowler abstained.

Mr. Surface asked how much is in the Fund from town meeting. Mr. Farrell stated \$50K went into the Trust on July 1st, 2013.

Correspondence

Resignation of Charles Dickson and Lisa M. Bartlett Collin from the FinCom

Mr. Smith stated that they have had two FinCom resignations. Board discussion on members still on the committee and that they need volunteers. Mr. Surface stated that he sent a name to Ms. Enos of a resident interested in volunteering.

Resignation of Dan Brodie from the Fire Department

Mr. Smith stated that Mr. Brodie will be missed and has given many years of service to the town.

Old Business

Financial Management Review from DoR for discussion

Mr. Smith stated that the board will discuss the review but not make any decisions tonight.

Assign Personnel Oversight to Town Administrator; Disband the Personnel Board

Mr. Farrell stated that the DoR felt that we have a Personnel Director as the Town Administrator and having a Personnel Board is redundant. He stated doing a wage study is and has to be approved at Town Meeting. Discussion on the Personnel Board and how long have been without a quorum. Mr. Farrell explained terms and joint appointments and that there is only one member right now and that term has expired but is still active until filled. Mr. Smith stated only a discussion tonight and would want the board in. Mr. Fowler stated that this is a joint appointment. Mr. Surface stated it is a joint appointment with the Moderator and FinCom, and they should invite them also. Mr. Smith asked what the process to disband is. Mr. Farrell stated that how the board was created is how it is disbanded and he believes this involves town meeting. Mr. Surface asked that they check with town counsel on this.

Create Job Descriptions for All Positions & Conduct a Comprehensive Review of the Classification and Compensation Plans

Mr. Farrell stated that in September of 2010 he gave a Wage Survey with Job Descriptions and a Classification Study and they were never acted on. He stated that he worked as a consultant and did many Classification Studies in this position. He stated that the CoA Director Position should be classed the same as a Police Officer. Mr. Smith stated would these changes go to BoS for wage increases. Mr. Farrell stated wage changes would go to town meeting and job descriptions to the board. Mr. Trapani stated that he can not see why the job descriptions were not done.

Conduct Annual Performance Reviews

Mr. Farrell stated that the department heads should be doing reviews of there staff and with how our structure is set up this does not get done. He stated that the board does the Town Administrator, the two Chiefs, and the Building Inspector. Mr. Surface stated the union's do there members. Mr. Farrell stated they are not done as it has to be in the contract. Mr. Trapani asked that he to help keep them on track with review and the department heads. Mr. Smith stated if the review is not tied to performance then what is it used for. He stated that what the implications are if not tied to a raise, promotion, etc. Mr. Smith stated that this would go with changing the Town Administrator position.

Organize and Restrict Access to Personnel Records

Mr. Smith asked if we have Personnel Records. Mr. Trapani stated that we should have files. Mr. Farrell stated that the employee payroll records are in the Treasurer's office and barebones Personnel files in the Selectmen's Office. He stated that unless there is a commendation or letter of reprimand then nothing in file in the BoS office.

Develop a Personnel Action Form

Mr. Smith asked about the documenting of an organizational structure. Mr. Farrell stated that he developed one but it has not been implemented.

Consider Policy on Health Insurance for Part-Time Boards

Mr. Farrell stated that any elected or appointed official that receives a paycheck has the option to receive health benefits. He stated the only board now that receives a stipend is the Board of Assessors. Mr. Smith asked how much they receive. Mr. Farrell stated that they receive \$300 each. Mr. Smith stated that for \$300 it cost the town \$17K. Mr. Farrell stated yes that is correct. Mr. Smith asked if any members take benefits. Mr. Farrell stated that one member does. Mr. Smith asked how the town changes this. Mr. Surface stated by a vote of the board. Mr. Fowler stated if a State law that if they are paid they receive benefits then they are mandated to provide the benefit. Mr. Trapani stated then they may have to remove the stipend then they would not be eligible to receive benefits. Mr. Smith read from the report that the BoS may remove the benefit. He stated that the town is paying \$17K for a member to be on the Board of Assessors.

Mr. Smith stated at the next available time they will take on the IT part of the review and at the end he will sit with Mr. Farrell and put together an action plan.

Town Administrator's Report

Mr. Farrell stated that the Legislature did approve the State budget and we are \$17K behind. He went over the cuts. He stated that our charges dropped by a \$1K. Mr. Fowler asked if this is a decrease in what we expected and what we received last year. Mr. Farrell stated both. Mr. Fowler asked if he had any idea where the Governor is on this budget. Mr. Farrell stated that he does not know when or if the Governor signed this budget. Mr. Farrell stated that there is a small cushion in the Levy and he has to check on this with the Assessors. Mr. Smith stated kudos to the budgeting process that the deficit is only \$17K.

Appointments & Approvals

FY2014 Appointments

Mr. Surface moved to appoint as OPEB Trust members the *Town Accountant, Town Treasurer, current Chairman of the Board of Selectmen, current Chairman of the Finance Committee, and current Town Administrator* as OPEB Trustees for a term to expire June 30, 2014. Mr. Egenberg seconded the motion and the amendment was approved by a 4-0 vote. Mr. Fowler abstained.

Mr. Surface moved to appoint *Nora Cannon and Carol Shalkoski* to the *Cultural Council* term to expire June 30, 2016. Mr. Egenberg seconded the motion and the motion was approved by a unanimous vote.

Next Meeting

Monday, July 22, 2013 at 7:00PM, 3rd floor meeting room, Town Hall

Mr. Smith stated that they will have an Executive Session again on July 22 at 6:00PM for the Fire Department.

Mr. Surface asked if the board could start the August 5th at 5PM as he and Mr. Trapani have a conflict. Mr. Smith stated that they can look at this at the next meeting.

Mr. Smith asked the board for the Town Administrator reviews next week.

Mr. Fowler stated that he thanked the board for allowing and using the remote participation. He stated that he had voted against this policy but is now the first of the board to use it.

Mr. Surface moved to adjourn. Mr. Egenberg seconded the motion and the motion was approved by a unanimous vote.

Meeting adjourned at 8:45 PM.

Minutes transcribed by J. Pantano.