

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

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**BOARD OF SELECTMEN MEETING MINUTES**

**Memorial Town Hall**

**5/18/15**

**6:30 PM – General Meeting, 3<sup>rd</sup> floor meeting room**

**Joint meeting with: Conservation Commission, Park & Recreation, Planning Board, Rail Trail, and Water Commissioners**

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**Selectmen Present:** Stuart M. Egenberg, Chairman; Gary Fowler, Clerk; C. David Surface, Philip Trapani, New Selectmen

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

**Absent:**

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Pledge of Allegiance

Mr. Egenberg welcomed Mr. Dawes on his election and Mr. Surface for his 3<sup>rd</sup> term.

Mr. Egenberg thanked the Park & Recreation for their work on the new Playground at American Legion Park. He stated that there is still one large piece to be put up in July and a few more items to go in this week.

**REORGANIZATION OF THE BOARD**

Mr. Farrell stated that at the first meeting after election a new Chair and Clerk are voted on. He asked for nominations.

Mr. Surface nominated Mr. Trapani as Chair  
Mr. Dawes nominated Mr. Fowler as Chair  
Mr. Egenberg nominated Mr. Trapani as Chair

**Vote was 3-2 for of Mr. Trapani as Chair.**

**Vote was 2-2-1 for Mr. Fowler as Chair**

**Mr. Trapani was voted as Selectmen Chair**

Mr. Surface nominated Doug Dawes as Clerk

**Vote was 4-1 for Mr. Dawes as Clerk**

**Mr. Dawes was voted as Selectmen Clerk**

Mr. Trapani thanked the board for the vote going into his 9<sup>th</sup> year. He thanked Mr. Egenberg for his work this past year as Chair.

**Board Business**

*Change of Manager-Rybo's Bistro II, Inc. dba Holloway's Bar & Grille*

Jill Mann, Attorney for Rybo's Bistro II, and Phil Devlin new manager were present. Mr. Trapani asked for some background information. Mr. Devlin gave his background and the restaurants he has worked for. He stated that there will be some changes and hopes the public will come out. Mr. Surface asked if they are open. Mr. Devlin stated have been open limited and will open full time now. He stated that they had some building issues. Mr. Fowler stated he does not vote on this license as he disagrees on times the golf cart is on the golf course selling alcohol. Mr. Fowler questioned that his driver's license is expired. Mr. Devlin explained that he had not renewed the license and is being driven to work. Board asked if there were issues that they should know about the license. Mr. Devlin stated he would be renewing the license.

**Mr. Egenberg moved to approve Mr. Devlin as the Manager for the ABCC license for Rybo's Bistro II, Inc. dba Holloway's Bar & Grille. Mr. Surface seconded the motion.**

Mr. Surface asked about background information. Mr. Surface asked if the license was taken away. Mr. Devlin stated that he did not renew the license.

**The motion was approved by a 4-1 vote.**

**Joint meeting with: Conservation Commission, Park & Recreation, Planning Board, Rail Trail, and Water Commissioners**

Parcel F, 172 East Main Street-Discussion with Town Boards and Commissions

*Conservation Commission, Park & Recreation, Planning Board, Rail Trail, and Water Commissioners to be present*

Mr. Trapani asked for the Conservation Commission to come forward.

Mr. LaCortiglia stated that he wanted to clear up that this property is not part of 172 East Main Street, UFP property.

Mr. Shreder stated he is here for the ConCom and this has been the most controversial piece of swamp land. He stated that the ConCom acquires land often. He stated that 75% of the land in this area is wet and is already under the ConCom jurisdiction and the land is for passive recreation use. He stated the ConCom is the only board that requested this land be under the jurisdiction of ConCom and have the documentation of the request. He stated that he is not sure where all the interest to the property came from.

Mr. Surface stated that the board thought it was in the best interest to change who the land would go to at the ATM to be sure the right thing is done. Mr. Shreder stated that they never accept land if there is no access.

Mr. Egenberg stated that he was pinged by 5 or 6 boards that this piece is a keystone to the Greenway, needed for a water extension, and part of the Rail Trail. He stated he had wished the other boards had come out before the ATM. Mr. Shreder stated that the town purchased a piece of land off of Martel Way to be the access to the Greenway land. Mr. Egenberg asked what passive recreation is. Mr. Shredder stated land that you walk, hike, ride horses, and hunting is also allowed.

Mr. Surface asked if the BoS can pass the land to another board or if it has to be done at town meeting. Mr. Farrell stated ConCom can accept land with BoS approval but Park & Rec would require a TM vote.

Mr. Fowler stated that on April 6 the board voted to give the land to ConCom and discussed if Passive or Active. Mr. Shreder stated that the ConCom accepts land for passive recreation. Mr. Trapani asked for a copy of the Orders of Conditions for Turning Leaf. Mr. Shredder stated that ConCom land must be for passive recreation. Mr. Fowler asked if Driftway Farm land had parking. Mr. Shredder stated that they always accept land with parking.

Lyn Grosslein, 16 Lisa Lane stated she has gone to all the hearings. She stated that she remembers that all she heard was the land was going to ConCom and the developers stated that they would make walkways, she stated that the property is very wet and does not understand how this is happening.

Laura Replier, 7 Thurlow Street ConCom member stated that the ConCom were very concerned about abutters and water runoff to properties. She stated that a full size tree will drink up 1,000 gal of water a day and they are removing trees. She stated that the ConCom was concerned of water flooding to other properties. She stated that she is glad we are having these conversations.

Harry LaCortiglia, 144 Jewett Street Planning Board member stated that there is 14.6 acres of land and 9.6 acres is upland and not all of the property is wet.

Mr. Surface read the letter from Rob Hoover, 16 Chestnut St, a Planning Board member.  
Mr. Trapani read an email from Tillie Evangelista, 10 Baldpate Road, a Planning Board member.

Mr. Fowler asked for letters to be entered into the minutes.

Mr. Trapani read a letter from resident Julie Nally, 19 Lisa Lane.

Harry LaCortiglia stated ConCom has reasons for mitigation. He read part of decision that referenced the land and discussed the land as Open Space. He stated no Walmart would go in but would be part of greenway and Parcel F is the link. He stated that the greenway has been a concept from 2003. Mr. Shredder stated that the ConCom would allow passive recreation. Mr. LaCortiglia stated engineer will not put together a plan unless they own all the land. He stated access may be in different areas. Mr. Shredder stated that the residents should know of the concepts. He stated that Camp Denison is passive recreation and works.

Mr. DiMento, 12 School Street stated that parcels will be developed later they are now working on Martel way and East Main St. He stated have to drive around town to recreation areas with access on this parcel will be able to drive to or walk to land. He stated they need to keep one small area.

Mr. Surface stated that can they give part to ConCom and 1.8 acres goes to Selectmen for Future use. Mr. Farrell stated that to do that you may have to subdivide the lot. Mr. Fowler stated that they have to define what is Open space, Passive, and Active recreation. Mr. Trapani stated that he has to see the Masterplan and what is the path for the future.

Jeff Wade, 27 Nelson Ave, Chair of Rec Path Committee, stated that they have a main trail going through town and this is main thrust of their committee and other branches from other towns are

anticipated. One in Groveland, Bradford, Haverhill and access is through the power line that goes through town to greenway and would go through Parcel F. He stated the Rec Path is for Passive recreation and is what they are looking for and parking is needed and required. He stated want to keep options open. He stated that he is on the Open Space committee and is an Architect and will look at the Masterplan.

Harry LaCortiglia stated he is on the Open Space Committee with Jeff and Laura and they have a Recreation Plan that the ConCom approves then goes to the public for comment and then to EOA. He stated that the easement for the rail trail made him vote in favor of the Turning Leaf subdivision.

Mr. Trapani stated that no decision would be made tonight.

Lyn Grosslein asked about the parking lots and how to get there. Mr. DiMento stated that residents would park at East Main St, Martel Way, Sawmill Way, and Waldingfield Road.

George Comiskey, 45 Old Jacobs stated that the developer deeded an access. Harry LaCortiglia stated that before approved 50 ft wide access easement was given that sits on the 25 ft access and two homeowners have access. Mr. Comiskey stated that the ConCom has to protect abutters. He stated that he walked the land and it is wet.

Mr. DiMento stated land that has been bought and none goes to Park & Rec and access keeps being taken away.

Mr. Shredder stated that the ConCom is not taking lands it is part of projects.

Mr. Trapani stated that he will close this meeting and asked for Meeting minutes from the ConCom and Order of Conditions. He stated does not want to handcuff the process.

Mr. Farrell read what open space definition is in the bylaw.

*Ratification of the Union Contract-Fire or Police Signal Operators, DPW & Clerical Employees*  
Mr. Farrell explained the MOU and same as the other Union contracts. He explained 1% differential 2-3% diff for Dispatchers for evening shifts. Double time for holidays listed for highway. Fowler asked if in other contracts or opening the door. Mr. Farrell stated he would have to look at that. Boosted detail for highway by \$1. Discussion on the Assistant Assessor/ Assessor Clerk position. Mr. Fowler stated he does not want to get too deep in Open Session. Mr. Surface stated that they have the Town Administrator to coordinate the contracts and nothing unreasonable and have him as Personnel Director and need to give him more authority. Mr. Farrell stated Union has approved the MOU.

**Mr. Surface moved to approve the Union Contract-Fire or Police Signal Operators, DPW & Clerical Employees. Mr. Egenberg seconded the motion.**

Mr. Fowler stated he is not ready to vote without other information.

Mr. Farrell read the contract on Police salary and what the pay would be.

BoS Minutes  
May 18, 2015

Move the question

**The motion was approved by a unanimous vote.**

Mr. Surface asked for clarification on pay.

### **Warrant & Minutes**

Warrant to be signed

*Minutes April 6, 2015, April 28, 2015, and May 4, 2015.*

**Mr. Egenberg moved to approve the minutes of April 6, 2015. Mr. Surface seconded the motion and the motion was approved by a 4-0 vote. Mr. Dawes abstained**

**Mr. Egenberg moved to approve the minutes of April 28, 2015. Mr. Surface seconded the motion.**

Mr. Fowler stated he had questions on page 3.

**Mr. Surface withdrew his second.**

**Mr. Egenberg moved to approve the minutes of May 4, 2015. Mr. Fowler seconded the motion and the motion was approved by a 4-0 vote. Mr. Dawes abstained**

### **CORRESPONDENCE**

*Memorial Day Observance letter from the American Legion & VFW*

Mr. Dawes read the Memorial Day Observance letter. He stated that there will be a poppy drive on June 23<sup>rd</sup> at various locations in town. Mr. Surface stated he would read proclamation. Mr. Dawes stated that the VFW and American Legion have partnered with the Light Department for new flags.

Mr. Trapani stated that the Veterans' Office is looking and interviewing for a new agent. Mr. Trapani asked that Ms. Pantano and Mr. Farrell check on the 75% reimbursement costs of flags from the State to the town that goes to the VFW.

*Formal announcement from Fire Chief Al Beardsley of his intent to retire 8/31/15*

Mr. Trapani read the letter from Fire Chief Albert Beardsley on his intent to retire.

Mr. Dawes asked about the process to replace the Fire Chief. Mr. Farrell stated that he has a process in place and would explain.

Mr. Dawes stated that the Penn Brook School has an event on May 23<sup>rd</sup> for Veterans' and all veterans are invited.

*Resignation of Douglas W. Dawes from the Board of Registrars*

Board accepted the resignation of Mr. Dawes and thanked him for his service.

### **TOWN ADMINISTRATOR'S REPORT**

*Fire Chief Recruitment-Update*

Mr. Farrell explained where the ads for the Fire Chief position were advertized. He stated that the Fire Chief has set up a panel of Fire Chiefs to review the applicants. He stated that the

Chiefs are from Topsfield, Middleton, and North Reading. He stated the application deadline was May 15<sup>th</sup> and posted minimum qualifications and any that meet all then send a 5 question questionnaire with a one page limit per question. He asked if a BoS wants to be on committee to review essays. He stated that he and the Fire Chief will review essays. He stated that the Chiefs will rank the candidates and then to the BoS for final interviews. Mr. Trapani asked if anyone wants to be on screening committee or add a citizen. Mr. Surface stated he would be willing to serve. Mr. Farrell stated review essays by June 7 and then the interviews with the Chiefs a week later. Mr. Surface stated that the board could appoint an acting Fire Chief if needed. Mr. Trapani stated propose dates. He asked Mr. Farrell to send out a calendar for the board. Mr. Fowler stated he would serve on screening committee.

#### *Town Hall Painting*

Mr. Farrell stated that the painting started this morning on the building. He stated work set up with the Essex County Sheriff's office. He stated that he wanted to thank Alan and Scott Aulson as they did a safety class with the painters before they started this morning. He stated that Alan Aulson was able to get a donation of the final paint from Sherman Williams which will help out a lot.

Mr. Fowler asked about the needed repairs. Mr. Farrell stated he has an estimate to fix the columns.

#### *Meeting notice from West Newbury regarding Whittier Regional Vocational School*

Board asked Joann Testerverde Georgetown's Whittier representative was present. Mr. Farrell stated that he did not know. Mr. Trapani asked if anyone wants to attend and join the sub-committee. Mr. Fowler stated if they do not find someone.

#### *Senior Center*

Mr. Fowler asked what the process for the Senior Center is. Mr. Farrell stated has to follow procurement laws. He stated that they will first request an RFQ. Mr. Trapani stated that give requirements and then chose a plan. Discussion on process. Mr. Fowler stated that on the first walk through Mike Anderson stated that his crew could do some of the work and School has an Architect they work with. Mr. Farrell stated that the Building Inspector stated for a permit must have plans. Mr. Surface stated Mr. DesJardins plan is just conceptual and from there we can see if we have to bid. Mr. Dawes asked about the funds. Mr. Trapani stated just what the town has from the ATM Article.

Mr. Dawes thanked the voters for coming out and voting for him.

Mr. Surface also thanked the voters for coming out and voting for him.

#### **NEXT MEETINGS**

Monday, June 8, 2015 at 6:30PM, 3<sup>rd</sup> floor meeting room, Town Hall

Monday, June 22, 2015 at 6:30PM, 3<sup>rd</sup> floor meeting room, Town Hall

#### **ADJOURNMENT**

BoS Minutes  
May 18, 2015

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

Meeting adjourned at 8:56PM.

Minutes transcribed by J. Pantano.