

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
9/11/06
7:00 PM

Selectmen Present: Richard Clough, Chairman; Lonnie Brennan, Clerk; Matthew Vincent

Others Present: Janet Pantano, Administrative Assistant

Absent: Stephen Delaney, Town Administrator

Call to Order

Mr. Clough opened the meeting at 7:05PM.

Public Hearing

Verizon

Cathy Fraser, Verizon was present and explained that they would like to put 10 ft of underground conduit on Baldpate Road. Mr. Clough asked how this would be installed. Ms. Fraser stated that they would excavate and would contact the Highway Department for an excavation Permit. Mr. Clough asked if any abutters were present. No abutters were present.

Mr. Vincent moved to approve the Verizon request to lay 10 feet of conduit on Baldpate Road contingent on Verizon requesting the proper permits from the Highway Surveyor. Mr. Brennan seconded the motion and the motion was approved by a unanimous vote.

Minutes

Mr. Clough stated that they had minutes from August 21, 2006.

Mr. Brennan moved to accept the *minutes of August 21, 2006* as amended. Mr. Vincent seconded the motion and the motion was approved by a unanimous vote.

Correspondence

Mr. Brennan read list of correspondence.

He stated a request from the Town Clerk for the approval of poll workers for the State Primary on Tuesday September 19, 2006.

Mr. Brennan moved to appoint *Elizabeth Davidson, Pat Duggan, Peg Cuddy Margaret Anderson, Terry Hart, Pete Zibell, Mary Lou Rentschler, Earl Johnston, Ron Marshall, Starr Anderson, Cynthia Tardif, Kathy Roche, Audrey Peabody, Joe Young, Carole Chouinard, Kathy Sachs, Beverly Knapp, Bob Davidson* as poll

workers for the State Primary on Tuesday September 19, 2006. Mr. Vincent seconded motion and the motion was approved by a unanimous vote.

Mr. Vincent asked about parking at the polls with the new parking regulations. Discussion on parking on one side and shuttle buses. He stated that he would talk to Chief Mulligan to see if there would be any issues.

Mr. Brennan stated that they have a request from the United Nations Association of Greater Boston to proclaim October 24, 2006 as United Nations Day.

Mr. Brennan moved to proclaim *Tuesday October 24, 2006 as United Nations Day*. Mr. Vincent seconded motion and the motion was approved by a unanimous vote.

Mr. Brennan stated that there was a letter of resignation from Jon Pingree, ZBA. He read the letter. He thanked Mr. Pingree for his years of service to the Town. Mr. Clough and Mr. Vincent also thanked Mr. Pingree for his service. Mr. Brennan stated that resignation letters were also received from Ted Smolen, and Peter Sarno of the Government Study Committee, and Mark Unger from the Traffic Study Committee.

- Memo from the Board of Health on West Nile Virus and mosquito spraying policy.

Mr. Brennan stated that he has received calls on spraying from Brad Shores of the GAA whom is concerned about spraying the soccer fields. He stated that he has told them to call the BoH. He stated that he is concerned that they have to get notice to residents when they are spraying so they can shut windows.

Mr. Vincent asked if we can expand the CATV to a Media Group. He stated that getting the flood and EEE news to the public has become an issue and they need to have a way to get notice out. Mr. Brennan stated that they should discuss this under new business.

- Letter from the Planning Board requesting the appointment of an Alternate member.
- Letter from Matt Lewis, 5 Hamilton Terrace asking for appointment to the ZBA. Mr. Brennan stated that he has not had a ruling but believes he would have to reclude himself as he is a neighbor of Mr. Lewis.
- Memo regarding Payment in Lieu of Taxes from the group STAR (Stand Together Act Responsibly).
- Packet from the Union Cemetery Corporation regarding transfer of ownership of the cemetery.
- Flyer from NSCAP (North Shore Community Action Programs, Inc.) Fall Auction Fundraiser on October 20, 2006 at 7:00 PM Endicott College.
- Highway Department letter regarding dam inspections
- Memo from the CATV that they have discontinued VHS recordings and would only have DVD recordings unless specifically requested VHS.
- Letter from Town Planner regarding the expiration of the Littles Hill Subdivision Permit.
- Letter of recommendation from the Historical Commission for the appointment of Frederic Detwiller to the Historical Commission.

- Letter from the Highway Department to Mass Highway requesting the finish coat of paving and line painting in the downtown be done at night.
- Essex National Heritage Commission Flyer on Trail & Sails celebration September 23 & 24 all free of charge. Further information at www.essexheritage.org
- Letter from James (Dan) Tollman, MD for appointment to the Capital Improvement Planning Committee.

Old Business

Government Study Committee-Update

Mr. Lacey, Government Study Committee came forward. Mr. Vincent stated that he wanted to be sure that we are all on the same page. He stated that he would like to look at how the warrant is signed after what has happened recently. He asked if you can depend on volunteers and should this change. Mr. Lacey stated that he does not feel that this group should be looking at this issue. He asked if it is a legal necessity for the BoS to sign the warrant. Mr. Lacey stated that someone with an auditing background should review the warrant. Mr. Clough stated that full time employees are working for volunteers. He stated that when he signs he feels he is signing a warrant that he feels has been done right. He stated that he would like to see attached a brief synopsis of what is in the warrant. He stated this could go as deep as you want. Mr. Vincent stated that if reference to the budget line is included this could work more smoothly. Mr. Clough stated that putting this all together takes time and money. He stated that the School Committee has made tremendous strides but still has a long way to go. Mr. Lacey stated that he does not feel that this is part of what his committee is looking at. Mr. Brennan stated that on the Town side they do not have the autonomy as the School Department does to do as they please with their budget. He stated that the Town trusts them to do the right thing with their budget. He stated that the recent spending broke no laws and the budgeted funds were not overspent. Mr. Vincent stated that there have been a lot of personal attacks and that a school committee member's car was vandalized over the weekend and he does not know if this is part of the issue but he asks that people stop and step back and talk with people before jumping to conclusions. Mr. Brennan stated that he has told the school department that they have done a great job with the schools. He stated that he would like to see Steve Delaney and Steve Fortado meet and go over their budgets with the FinCom. He stated that Tim Ruh and Jon Ayres of the FinCom are on a sub committee to meet with the School Department and the Town to look at the budget. Mr. Brennan made a graph showing what he would like to see with the warrants showing budget and funds expended. He stated that this Town has done fundamentally well financially over the last few years. Mr. Vincent stated that his issue is the checks and balances. Mr. Steven Epstein stated that it is their statutory duty to review the warrant. Mr. Vincent agreed with Mr. Epstein, and also stated that his point was that the town should explore ways to make it work better. He stated that if it takes too long to review then they have to do something to fix how this is done. Mr. Epstein stated instead of going to the Government Study Committee they should talk with the MMA or Selectmen from other towns to see how they handle this. Mr. Vincent asked Mr. Epstein if he could help identify alternative approaches used in other towns. Mr. Epstein stated that they do not have this budget problem with other town departments, but the School Committee depended on their employees and they did not do their job. He stated that the issue of an Open Meeting law violation is a more important issue.

Mr. Brennan stated that the original minutes of setting up the Government Study Committee do not give any direction to the group. He stated that on the advice of the Town Administrator the Selectmen made the appointment of members but did not give a charter and he would like to do this properly. He stated that he would like to work with the committee on the charter. He stated that he would like to have the Personnel committee be more visible. He stated that a group should look at the Organizational Chart as it has not been updated since 2000. He stated that some forum should look at the chart and look at the Personnel Board. He stated that he wants to wait for Mr. Delaney to return to help develop a charter for the Government Study Committee. Mr. Lacey agreed that he would like to see this also. Mr. Brennan stated that he wants to be sure they are taking minutes of their meetings. Mr. Lacey stated that they are taking minutes. Mr. Vincent stated that he wants to reaffirm the committee and take up appointments that Mr. Lacey has requested such as Sandy Gerraughty.

Sandy Gerraughty stated that she is not on the committee but has been attending their meetings. She stated that the issues that they are working on are from other studies that have been done in town. She stated that the organizational chart is more then they can do in a year. Mr. Lacey stated that they are not a charter committee. Mr. Brennan stated that Mr. Lacey has stated that they can only do so much. Mr. Brennan stated that they received from Mr. Delaney a stack of charters from others towns to work from. Discussion on set up of Traffic Committee and how that was done. Mr. Brennan stated he is for the action and that they did not charter this group correctly. Mr. Vincent stated that he would like to give the committee a commitment that we will get this going next week.

Mr. Vincent asked if they could do the appointments for the Government Study Committee. Mr. Clough stated that he would like to wait until next week. Mr. Vincent stated that he would like talk to Mr. Epstein to pick his brain on the warrant issue. He stated that he sent Mr. Epstein and email with some questions that maybe he could help with. Mr. Clough stated that he does not remember giving a finite timeline to this committee. He stated that he does believe that any action from this committee should go to the Annual Town Meeting not a Fall Town Meeting. Ms. Gerraughty stated that certain things must take place before some other things can happen. Mr. Lacey stated that to have a five member Board of Selectmen and a strong Fire Chief and a DPW have to be looked at and that to do this they have to have a strong Town Administrator. He stated that he also feels they should separate Finance Director from Town Administrator. Mr. Wood stated that he would like to see the process more compliant and with the Open Meeting Law. Mr. Brennan asked if Mr. Lacey could propose what he would like to see in Government Study charter to Mr. Delaney so that Mr. Delaney can present a Government Study to the Board of Selectmen. Mr. Brennan stated that he does not to want to support Ms. Gerraughty to the committee because they now have Jim Lacey, Peter Dion and all three were on the FinCom together and he would like to see more diversity.

New Business

Mr. Vincent stated that he would like to get a meeting together with the FinCom, School Committee, and the Board of Selectmen.

Discussion on a Fall Town Meeting and if we will need to have a Special Town Meeting.

Mr. Vincent stated that the Fire Department may be coming in for a new ladder truck or a lease. He stated that he also talked with Mr. Moultrie and his car is in rough shape and he may have to come to Fall Town Meeting for funds for a highway car.

Mr. Vincent asked if they could talk with and look into making the Cable Advisory Committee into a Media committee that could oversee our website. He asked Mr. Epstein if he was aware if this could be done as he worked on the Cable contract. Mr. Epstein stated that they would have to talk with counsel on this issue. Mr. Clough stated that he would request the CATV committee to attend the October 2nd meeting to discuss this.

New Business

Mr. Clough stated that they need to vote on a Fall/Winter Schedule.

Mr. Brennan moved to hold Board of Selectmen meetings on *September 18, October 2, 16, 30, November 13, 27, December 11, 18, 2006 and January 8, 22, February 5, 26, March 12, 26, April 9, 23, 2007.* Mr. Vincent seconded motion and the motion was approved by a unanimous vote.

Mr. Brennan stated that they would hold additional meetings as needed for negotiations or as requested by boards.

Appointments

Mr. Clough stated that they would hold on any appointments until their next meeting.

Selectmen's Reports and Comments

Mr. Brennan stated that as today is September 11, 2006 he would ask for a moment of reflection.

Mr. Vincent also asked for residents to keep the Switzer family in their thoughts as they were caught in a riptide while on vacation and are recuperating.

Ms. Enos asked if there would be a Town Meeting when it would be held. She stated that she has been talking with the Town Clerk and that November 13 looks to be a tentative date. Mr. Clough stated that he does not want to vote on a tentative date. Board stated that they do not want to hold a STM unless they have to. Discussion if a petition must be added to the warrant if presented. She stated otherwise the BoS have the authority to decide which articles go on the warrant. Mr. Brennan stated that he wants to see in the book the written recommendations of the boards. Ms. Enos stated that a lot of towns hold a STM to shorten the ATM.

Mr. Epstein reminded the board that with any Zoning changes the Planning Board must hold a public hearing.

Mr. Brennan stated that Ed Desjardins of the Historical Commission wants to go to CPC for funds to have a Town Report done. He stated that they may also go to CPA for funds to update the Code book.

Discussion on Code book on internet.

Appointments

Mr. Brennan stated that Mr. Matt Lewis is present tonight regarding appointment to the ZBA. He stated that he is a neighbor of Mr. Lewis and would not participate in interview.

Mr. Lewis came forward. Mr. Clough asked Mr. Lewis for some background information. Mr. Lewis stated that he works in construction, and has done building, demolition, can read blueprints, plows for the town, is on the Fire Department. He stated that he would like to be appointed the Zoning Board of Appeals. Mr. Clough asked if he was interested in other boards. Mr. Lewis stated that he would be. Mr. Vincent asked why he was interested in the ZBA. Mr. Lewis stated that he reads plans and with his building experience he sees this as a plus to serve on the ZBA. Mr. Vincent asked if he has dealt with any zoning issues. Mr. Lewis stated that he has.

Board Business

Union Cemetery Corporation

Mr. Knapp stated sent letter today that he is here to make a plea. In 2004 went to find an owner and Mr. Elliott was caught in the middle. Mr. Knapp stated he has a tape of meeting with Elliott and State Cemetery Rep that the Town must take over the cemetery. Mr. Elliott beg the Historical Commission and Historical Society got together to find out what to do. Knapp stated town did not want to get into the cemetery ownership. He stated that they came up with a mutual decision and he and George Perkins stepped up and voluntary took over ownership of cemetery and would like to turn over to the Town. Mr. Brennan stated that they have had two months and discuss on October 16, 2006. Mr. Vincent stated to ask Jack Moultrie to be present. Discussion on process.

Mr. Vincent asked about the fence and if it is going forward. Mr. Knapp stated that fence is going forward.

Mr. Vincent moved to adjourn. Mr. Brennan seconded the motion and the motion was approved by a unanimous vote.

Meeting adjourned at 9:00PM.

Minutes transcribed by J. Pantano.

Minutes approved October 2, 2006.