

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
4/14/14
7:00PM-General Meeting, 3rd floor meeting room

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

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

Absent:

Pledge of Allegiance

Board Business

GAA request for a 1-Day Liquor License at Camp Denison May 17, 2014

Joe Molis and Jeff Moore, from GAA were present

Mr. Moore explained that they are having a beer tasting fundraiser at Camp Denison and are looking for a 1-day Liquor License. Mr. Molis explained the beer vendors that they are working with, Sam Adams, Longcreek, possibly Newburyport brewery, etc. He stated that this is for the GAA Lacrosse program. Mr. Moore explained the forms submitted this evening, application, Camp Denison lease, and a quote for liability insurance. Mr. Smith asked if all the paperwork was in order. Ms. Pantano stated all was in order and the Police Chief, Camp Denison and ConCom have all signed with approvals to the event and the Police Chief is requiring a police detail for the event.

Mr. Surface moved to approve the 1-Day Liquor License at Camp Denison for the GAA Beer Tasting Fund Raiser May 17, 2014 from 6PM to 10PM. Mr. Fowler seconded the motion.

Mr. Fowler asked about the number of attendees and insurance limit of 150. Mr. Moore stated that they did not finalize the insurance and were waiting for the Selectmen's approval and he stated that if they sell more than 150 tickets they can increase the insurance.

The motion was approved by a unanimous vote.

Georgetown Fish & Game-noise concerns-Brian Duke

Brian Duke, 35 Old Jacobs Road was present

Mr. Farrell stated that Mr. Duke emailed him concerning the noise from the shooting at the Fish & Game. He stated that this issue has never come up since he has been here. He stated that the Town does not have a noise bylaw. He stated that the Police Chief told him that the Fish & Game have done some noise reduction measures with berms and landscaping.

Mr. Smith asked if there is any town property around the Fish & Game. Mr. Egenberg stated that there is some State property. Mr. Surface stated that we should send a letter to the Fish &

Game and see if they have any plans for sound mitigation. Mr. Fowler stated that he talked to the president today and they want to be good neighbors and would meet with Mr. Duke or come to a meeting and discuss any issues. Chief Cudmore stated he has been to a meeting and noise is an issue that they always discuss and are working on. He stated that in the winter it is worse with no leaves on the trees. He stated that they did plant some trees that are known sound buffers but they are also a favorite of deer and the deer ate all the leaves. Mr. Fowler stated that if you moved to the country this is a part of it.

Agenda request- Arthur Greenburg

Mr. Fowler stated that he called Mr. Greenburg and he thought there was a bylaw regarding attending meetings for Selectmen. Mr. Fowler stated Mr. Greenburg could not find the section but may be able to attend next meeting with more information.

Bond for Penn Brook School-vote required

Kara Adams, Bond Counsel

Ms. Adams explained the bond process and the bond documents for the board. Mr. Surface asked why the rate is not consistent. Ms. Adams stated that it goes with how they feel they can sell the bonds. Mr. Farrell stated that the interest came to 3.4%. Mr. Fowler asked if there is a yearly payment schedule. Ms. Adams had a handout with the payment numbers. Discussion on the total amount paid over the life of the bonds \$35M. Mr. Fowler asked about having to borrow the whole amount. Mr. Smith stated that the town had to appropriate the whole amount but not borrow the whole amount.

Mr. Surface moved to accept the terms of the funding for the Penn Brook Elementary School project as presented:

that we hereby determine, in accordance with G.L. c. 70B, that the amount of the cost of the Penn Brook Elementary School project authorized by a vote of the Town passed on November 1, 2012 (Article #2) not being paid by the school facilities grant is at least \$24,052,000 and we hereby approve of the issuance of notes and bonds up to such amount under said G.L. c. 70B.

Further Voted: that the sale of the \$24,000,000 General Obligation School Bonds of the Town dated May 1, 2014 (the "Bonds"), to Citigroup Global Markets Inc. at the price of \$25,181,353.00 and accrued interest is hereby approved and confirmed. The Bonds shall be payable on May 1 of the years and in the principal amounts and bear interest at the respective rates, as follows:

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2015	\$1,000,000	4.00%	2028	\$1,000,000	3.00%
2016	1,000,000	3.00	2029	1,000,000	4.00
2017	1,000,000	4.00	2030	900,000	4.00
2018	1,000,000	4.00	2031	900,000	4.00
2019	1,000,000	4.00	2032	900,000	4.00
2020	1,000,000	4.00	2033	900,000	4.00
2021	1,000,000	4.00	2034	900,000	4.00
2022	1,000,000	5.00	2035	900,000	4.00
2023	1,000,000	4.00	2036	900,000	4.00
2024	1,000,000	4.00	2037	900,000	4.00
2025	1,000,000	3.00	2038	900,000	4.00

2026	1,000,000	3.00	2039	900,000	4.00
2027	1,000,000	3.00			

Further Voted: that in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated March 31, 2014, and a final Official Statement dated April 9, 2014 (the “Official Statement”), each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that the Bonds shall be subject to redemption, at the option of the Town, upon such terms and conditions as are set forth in the Official Statement.

Further Voted: that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver a continuing disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Bonds for the benefit of the holders of the Bonds from time to time.

Further Voted: that we authorize and direct the Treasurer to establish post issuance federal tax compliance procedures in such form as the Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Bonds.

Further Voted: that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

Mr. Fowler seconded the motion and the motion was approved by a 4-1 vote.

Police New Explorer Program-Chief Cudmore to be present

Chief Cudmore was present and explained the Law Enforcement Explorer Program. He stated that he wants to get this program going and has some officers willing to work on the program and the program will be low cost. He stated that he has some interest already and has set up a booth at the High School cafeteria. He stated he has a policy and procedure manual all and is ready to go. He stated that he would like to start with 10 applicants and give them some leadership opportunities.

Mr. Surface moved to approve the Police Department Law Enforcement Explorer Program. Mr. Egenberg seconded the motion and the motion was approved by a unanimous vote.

Mr. Fowler asked the Police Chief about a policy on officers at events in town. Chief Cudmore stated that he has an officer at events with alcohol that are on Town Property. Mr. Surface stated there should be an SOP for events. Discussion on events and details. Mr. Trapani asked if the Chief could give the board some guidelines.

Economic Development reduce members from 7 to 5

Mr. Fowler stated that they did not have a quorum at the last meeting and it has been an issue. He stated that they have members who travel and do not have a full board. He stated that this can wait for when the board does appointments and he would like to verify the current members.

Selectmen to request the Board of Assessors to apply the FY15 tax increase to all four quarters.
Mr. Farrell explained that DoR does allow the Assessors to apply tax increase to all four quarters. He stated he drew up a memo and needs a motion and vote to send the memo to the Assessors.

Mr. Trapani moved request the Assessors apply the FY2015 tax increase to all 4 quarters of the tax bills. Mr. Egenberg seconded the motion.

Mr. Surface stated that the town will not fall behind if we do this. Mr. Farrell stated that the Assessors can adjust the payments over the 4 quarters. Mr. Surface stated that 3rd and 4th will not jump up. Mr. Farrell stated that this would even out the payments so they will not jump up in the 3rd and 4th quarters.

The motion was approved by a unanimous vote.

Correspondence

Request from Neurofibromatosis Northeast to include Georgetown on the route for the 4th Coast to the Cure bike ride Saturday, September 6, 2014

Mr. Smith asked if this coincides with any other events in town. Ms. Pantano stated that she did not know of any other events on this weekend at this time.

Mr. Egenberg moved to allow the Neurofibromatosis Northeast to include Georgetown on the route for the 4th Coast to the Cure bike ride Saturday, September 6, 2014. Mr. Surface seconded the motion and the motion was approved by a unanimous vote.

Board Business

Authorization for Town Administrator to sign MOU 68 Elm Street/Johnson

Mr. Farrell stated that Ms. Johnson was going out of town and the work was starting so Town Counsel recommended Mr. Farrell sign the MOU. He stated that the contractor would be done with the road and parking area by the end of May. He stated that Mrs. Johnson was satisfied with the MOU and that she got what she could get.

Mr. Trapani moved to accept the MOU with Johnson Realty Trust, 68 Elm Street dated and signed by the Town Administrator on March 31, 2014 as presented. Mr. Egenberg seconded the motion and the motion was approved by a unanimous vote.

Mr. Trapani asked if the issue with the moving the road so the trees do not get cut down has been addressed. Mr. Farrell stated that the contractor was moving the road and hoped it would save the trees.

ATM Warrant Review and Vote

Mr. Farrell stated that the warrant has to be opened to add two new articles one for the Water Department and one for the Fire Department.

Mr. Trapani moved to open the warrant for the May 5, 2014 Annual Town Meeting. Mr. Egenberg seconded the motion and the motion was approved by a unanimous vote.

Mr. Farrell stated that the first article is on Page 2 Article 7: Water Department Budget ATM14-40. Mr. Egenberg asked what improvements would be made. Mr. Farrell stated that he did not know the capital items that this is being used on. He stated that the Water Department has not presented their budget to FinCom. Mr. Surface asked if the Water Department has a capital plan. Mr. Farrell stated he did not know. Mr. Trapani asked when the Water Department will present to FinCom. Mr. Farrell stated that the FinCom next meets on April 30th.

Mr. Farrell stated that the second article is on Page 5 Fire Department, Rehabilitation of Ambulance 11 ATM14-41. He stated that as the Ambulance funds will not be certified until the fall the FinCom has approved loaning the funds to the Fire Department from the Stab Fund and at Fall Town Meeting transferring the funds back to the town.

Mr. Fowler moved to accept the warrant as presented adding two *Articles ATM14-40 and ATM14-41*. Mr. Surface seconded the motion and the motion was approved by a unanimous vote.

Mr. Smith asked if we know the numbers needed for the Turf Field soil mitigation. Ms. Jacobs stated that the School Committee voted to spend \$10K for additional testing on the field and some testing on the retaining wall. She stated that they are working with Gale Associates and came up with a number of \$104K to \$400k. She asked for the safe number of \$200K. Mr. Smith asked if the board wants to put an Article on the warrant for the soil mitigation. Mr. Surface asked where the money would be coming from. Mr. Farrell stated that there is no free cash left. Mr. Fowler asked how much has been spent so far on the field. Ms. Jacobs stated \$94K. Mr. Farrell stated to get the funds now and Article would have to be on the STM otherwise if on the ATM they would not get the funds until July. Mr. Surface asked how this is being funded now. Mr. Farrell stated with CPC funds and GAA. Mr. Surface asked if CPC could fund the site work. Mr. Farrell stated funds can be used for this type of project but it is too late to get funds for this year. Mr. Smith asked what funds are coming out of Free Cash. Mr. Farrell stated that \$250K for Snow and Ice. Mr. Farrell stated that in the past the town would pay down Snow and Ice in the fall. He stated that to conserve Free Cash the FinCom is recommending not funding the steps at the School and adding the School heat pumps. Mr. Farrell stated that all the heat pumps are the same age and all have reached their useful age. He stated that it will require a crane to remove and will add an additional charge to do over time it will save to do all at once. Mr. Surface asked if the pumps are still working. Ms. Jacobs stated that she will check on that. Mr. Surface stated that we could we take the fire truck payment out of the Stab Fund again. Mr. Fowler asked if we can invest the Stab Fund in an account that earns interest. Mr. Farrell stated that we do already. Mr. Trapani asked if we do not pass an article what we are on the hook for. Ms. Jacobs stated that what we already spent and soil to mitigate the field. Mr. Trapani stated it makes sense to do the heat pumps when we redo the roof. Mr. Surface stated if pay half of Snow and Ice and pay ladder truck from stab fund we could have the funds.

Discussion on School IT and assessment. Ms. Jacobs stated that they met with an advisor and discussed an IT Tech. She stated that she did 5 questions on list serve. Only one town does not have a director. She stated that FinCom approved the full time director.

Mr. Smith stated that he suggests to put an article on the STM warrant with an amount not to exceed \$200K. He stated it would be responsible to put on warrant and see where to fund.

Discussion on Ambulance rehab funds.

Mr. Egenberg moved to close the ATM warrant for May 5, 2014.

Mr. Durkee asked if we can see what other towns are doing about arsenic in the soil as we are not the only town around with arsenic.

Mr. Smith stated that other towns may not have tested as we did as the testing had to be done for LEED financing. He stated that the turf field was tested because of the findings at Penn Brook and the digging in the dirt and the exposure to children at the School. Mr. Trapani stated we opened Pandora's Box and when children are involved they have to look at it but we cannot test the whole town.

Mr. Egenberg stated that he hopes we are not paying for a full plan as we already have that at the Penn Brook School. Ms. Jacobs stated that it depends on what soil needs to be removed and she explained. She stated that they are meeting with ConCom on Thursday. She stated that they may have to build the field in the fall. She stated that if they cannot get the lights then they do not feel the project will work.

Mr. Fowler seconded the motion and the motion was approved by a unanimous vote.

STM Warrant Review and Vote

Mr. Trapani moved to open the STM Warrant for May 5, 2014. Mr. Egenberg seconded the motion and the motion was approved by a unanimous vote.

Mr. Farrell stated that there is a new article STM14-04 for Road Maintenance.

Mr. Egenberg moved to add *STM14-04 Road Maintenance* to the STM Warrant for May 5, 2014. Mr. Surface seconded the motion.

Mr. Surface asked how this article will be funded. Mr. Farrell stated the funding will be in the motion.

The motion was approved by a unanimous vote.

Mr. Farrell stated that if they add an article for the Turf Field it would be Article 5 STM 14-05.

Mr. Trapani moved to add *Article 5 STM 14-05 Synthetic Turf Field Soil Mitigation*. Mr. Surface seconded the motion and the motion was approved by a unanimous vote.

Mr. Fowler moved to close the *STM warrant* for May 5, 2014. Mr. Surface seconded the motion and the motion was approved by a unanimous vote.

Mr. Fowler asked if the One-Ton truck is a purchase or lease. Mr. Farrell stated that it is a purchase. Mr. Smith asked if the Fire car is a purchase. Mr. Farrell stated it is a purchase also.

Mr. Surface asked where we are with the Elm Street plans. Mr. Durkee stated walked the street today with the engineer and explained the catch basins.

Mr. Fowler asked about the Safe Roads to School Program. Mr. Durkee stated that it would take 3-4 years with the safe roads program and they will not do drainage.

Mr. Durkee thanked everyone for helping with the Earth day clean up.

Keon's change of dba to Holloway's

The owner was not present.

Mr. Egenberg moved to approve the Keon's change of dba to Holloway's Bar and Grille. Mr. Trapani seconded the motion.

Mr. Fowler asked if the restaurant has opened. Ms. Pantano stated it had.

The motion was approved by a 4-1 vote.

Appointments & Approvals

Approval of the Poll Workers for the May 12, 2014 Annual Town Election

Mr. Surface moved to approve the *Poll Workers* as listed by the Town Clerk for the *May 12, 2014 Annual Town Election*. Mr. Egenberg seconded the motion and the motion was approved by a unanimous vote.

Inspection Department appointments to expire March 31, 2015:

N. Jon Metivier, Building Inspector; Glen Clohecy, Alternate Building Inspector; Mark Unger, Inspector of Wires; Robert Brown, Alternate Inspector of Wires; William Gianacoples, Plumbing Inspector; Stan Kulacz, Alternate Plumbing Inspector

Mr. Trapani moved to approve the re appointment of *N. Jon Metivier, Building Inspector; Glen Clohecy, Alternate Building Inspector; Mark Unger, Inspector of Wires; Robert Brown, Alternate Inspector of Wires; William Gianacoples, Plumbing Inspector; Stan Kulacz, Alternate Plumbing Inspector* term to expire March 31, 2015. Mr. Egenberg seconded the motion and the motion was approved by a unanimous vote. Mr. Surface abstained

Warrant & Minutes

Warrant to be signed

Minutes November 18, 2013; December 2, 2013; March 24, 27, 2014

Mr. Trapani moved to approve the minutes of November 18, 2013. Mr. Egenberg seconded the motion and the motion was approved by a 4-0 vote. Mr. Smith abstained.

Mr. Fowler asked about Townsend coming in March. Mr. Farrell stated that they just started the construction.

Mr. Trapani moved to approve the minutes of December 2, 2013. Mr. Fowler seconded the motion and the motion was approved by a unanimous vote.

Mr. Trapani moved to approve the minutes of March 24, 2014. Mr. Fowler seconded the motion and the motion was approved by a unanimous vote.

Mr. Trapani moved to approve the minutes of March 27, 2014. Mr. Fowler seconded the motion and the motion was approved by a unanimous vote.

Town Administrator's Report

FY15 Budget Update

Mr. Farrell stated that FinCom had a balanced budget. But then last week received notice of Essex Regional High School with an increase of \$38K. Discussion on why this is not in the School Budget. Discussion on Net School Spending.

Mr. Farrell stated that he sat down with the Accountant, Assistant Assessor and Treasurer and found \$76K from Excise tax and investment interest. He stated that he has to work out details with FinCom and wait for the Legislature to give the town numbers. He stated that we may have to make cuts and restore budgets in the fall. He stated that FinCom wanted to give the positions for Highway, Finance person, and IT for Schools. Mr. Fowler stated there was other new employees for school. Mr. Farrell stated that there were.

ATM & STM Warrants

Mr. Fowler asked if Article 2 on the STM was for the School Department. Mr. Farrell explained the article and that some funds were for the School but that these funds were coming from the School.

Discussion on meeting at 5PM before the ATM meeting on May 5th to take their votes on articles.

Mr. Smith reminded the audience that the ATM is Monday May 5th 7PM at the Middle/High School Auditorium.

EXECUTIVE SESSION-Union Negotiations discussion-Second Floor Selectman's Office

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 ...;

Mr. Smith moved to go into Executive Session for Union Negotiations and that they will not return to public session. Mr. Egenberg seconded the motion and a roll call vote was taken.

**Mr. Fowler-yes
Mr. Surface-yes**

BoS Minutes
April 14, 2014

Mr. Egenberg-yes
Mr. Trapani-yes
Mr. Smith-yes

The general meeting ended at 9:30PM.

Next Meeting

Monday, April 28, 2014 at 7:00PM, 3rd floor meeting room, Town Hall

Minutes transcribed by J. Pantano.