

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

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BOARD OF SELECTMEN MEETING MINUTES

Memorial Town Hall

2/10/14

6:00PM-Executive Session-2nd Floor Selectmen's Office

7:00 PM – 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:

6:00PM-EXECUTIVE SESSION-Penn Brook School

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 ...;**

Pledge of Allegiance

Warrant & Minutes

Warrant to be signed

Board Business

Remote participation discussion-Town Counsel to be present

Tom McEnaney was present from Kopelman & Paige

Mr. Farrell stated that questions were raised about how we handled the remote participation at the last meeting. He stated a roll call vote was not called but two attorneys have listened to the vote and the vote taken they considered a roll call vote. Mr. Fowler stated that Mr. Smith could only be on the call for a short time and he did not find that proper that he did not call in for the whole meeting. He said he looked through paperwork and did not find anything that said you had to be there for the whole meeting. He stated that we should have a procedure on being at the meeting for the whole time. He read from a K & P memo on remote participation and being in attendance for all hearings. He stated he was not looking to cause trouble on the vote. He stated he did not agree with the paperwork stating a unanimous vote before the board voted. Mr. Surface stated that this was a template used by bond counsel. Mr. Fowler stated that he is fine with the vote now. Mr. McEnaney stated Mr. Fowler is referring to a memo from K & P. He read the condition and explained its use and explained it refers to a hearing for a Planning Board or such and explained and did not pertain to the issue. He stated there are two items the board should adhere to if participating remotely, the chair announce a member attending remotely and state why and any votes be a roll call vote. He stated that he listened to the vote and was not called as a roll call but each member voted in a consecutive manner. He stated in his opinion and

bond counsel agree a roll call vote. Mr. Smith stated that there are no time constraints on attendance. Mr. McEnaney stated that there is no mention in the town's or AG's regulations on attendance time. Mr. Surface stated that he saw no issue with a member making the effort to attend remotely.

Mr. Fowler stated that he does not feel the board is working well together. He stated that he felt the board should have met again on Thursday and voted again. He stated that Mr. Farrell is doing his job to make sure he has the votes. He stated that if he had known the board need three affirmative votes he could have voted differently. Mr. Smith stated that there were no discussions that were inappropriate. He stated that he was aware Mr. Trapani was going to be absent and he knew three votes were needed. Discussion on majority votes. Mr. Smith stated that we cannot have team discussions all must be public. Mr. Surface stated he was glad to hear Mr. Fowler would have voted yes. Mr. Farrell stated that he would not ask Mr. Fowler how he was going to vote and it is known he votes no on the School project .

Snow and Ice Budget Update-Peter Durkee, Highway Surveyor to be present

Mr. Durkee gave the board an update on the Snow and Ice budget. He stated that this winter we have had 67 inches of snow. He stated that we are \$113,519.19 in deficit right now. Mr. Smith asked the average yearly cost for snow and ice removal. Mr. Farrell stated around \$300K. Mr. Durkee stated that we did get \$66K back from MEMA that went to the general fund. He stated that the last storm was not as large as expected and that was good.

Appointments & Approvals

Class II-Used Car Sales-Georgetown Auto Repair and Sales

Attorney Robert Giordano and applicant Fadi Issa were present

Mr. Giordano explained the business a gas station, auto repair and class II used car sales. The board discussed restrictions and restrictions on other Class II Used Car licenses in town. Mr. Smith stated that the common restrictions are no vehicles on sidewalk and signs must be approved by the Inspector of Buildings. Discussion

Mr. Surface moved to approve the *Class II-Used Car Sales license for Georgetown Auto Repair and Sales, Inc.* with the restriction no vehicles on Town property and any signs to be approved by the Building Inspector, license to expire December 31, 2014. Mr. Egenberg seconded the motion.

Mr. Smith asked if the applicant if he was okay with the restrictions. Mr. Issa stated he was okay with the restrictions.

The motion was approved by a unanimous vote.

Correspondence process

Mr. Smith stated Mr. Fowler had some questions on the correspondence and warrant processes. He stated that things are done because that is how we have done it. He stated that these are valid issues to discuss. Mr. Fowler stated he would like to know how correspondence is received and the decision on what is read and what is not read. He stated that he wanted to review the policy. Mr. Smith asked if we have a policy. Mr. Farrell stated we do not. Mr. Smith asked how correspondence is handled now. Mr. Farrell explained the process. Mr. Surface stated that Mr.

Farrell determines what the appropriate correspondence to go on the agenda is. Mr. Smith stated that the process now is for the Town Administrator to disseminate the mail and put on the draft agenda and if anything is missed that would be Mr. Farrell's mistake. He stated that he is not aware of any mistakes being made. Mr. Farrell stated that a lot of important items come by email he forwards the emails immediately to the board. He stated that he tries to make hard copies for member. Mr. Fowler stated that he gave a letter to Mr. Farrell on Cemeteries that was addressed to the Selectmen and it never made the agenda. He explained the issue with the cemetery fund request and a check was written and was not to the cemetery that requested the funds. He stated that he feels they should vote on these requests. Discussion on this check and the Veteran Cemetery funds and a mistake made on who it went out too.

Mr. Fowler stated that he would like a folder set up with correspondence. Mr. Trapani stated when he was chair he did not want to know everything, that is the Town Administrator's role to review the mail. He stated that if there is a trend he wants to know. Mr. Smith stated that Mr. Farrell brings issues to the Chair and the Chair brings the issues to the board if needed. He stated the process now works. Mr. Smith stated that the Town Administrator screens the mail and if mistakes are made it would go into his review. Mr. Trapani asked for a SoP for the next meeting.

Support of Mosquito Control Funding for FY15 (corrected assessment)

Ms. Pantano stated that the State sent a corrected assessment for Georgetown. Mr. Farrell stated that the board should revote on the assessment.

Mr. Trapani moved to accept the amended FY15 assessment of \$40,101 for the Mosquito Control Funding for Georgetown. Mr. Egenberg seconded the motion and the motion was approved by a unanimous vote.

Open the STM Warrant for May 5, 2014

Mr. Farrell stated that the board has to vote to open the STM Warrant for May 5th. He stated that there are now three items that were left from the fall when we did not have a STM.

Mr. Surface moved to Open the Special Town Meeting warrant for May 5, 2014. Mr. Trapani seconded the motion and the motion was approved by a unanimous vote.

Draft STM Warrant for May 5, 2014

Mr. Farrell stated only one item on warrant which is FY14 adjustments. He stated that one is for Highway overtime and one is for the Animal Control Police Budget. He explained that the other was from in the fall the FinCom thought they may need funds added to the Reserve Fund but now they may not need the funds.

Draft ATM Warrant for May 5, 2014

Mr. Farrell stated that they have the basic articles and placeholders from departments, etc. He went over the articles.

Mr. Surface asked if we are discussing articles this evening. Mr. Smith stated that we can. Discussion on the Personnel Policies Amendment. Mr. Smith stated that he asked for this article to be on the warrant. He stated that he felt that it is a structure issue and he feels the bylaw

change is needed. Mr. Surface stated that they now appointed a new board and would like to see how they work. Mr. Trapani stated do not remove at this time but see how the new board progresses. Mr. Farrell stated Wage and Classification must be approved by Town Meeting so he is working with the Personnel Board.

Mr. Farrell stated CPC articles are placeholders and may change. He stated that there is a CPC bylaw amendment from the CPC that is not a placeholder. Mr. Smith stated that we have a 30-day pay timeline and if the approval of expenditures needs to have specific wording. Mr. Surface asked if the wording could be changed. Mr. Farrell stated that board controls what goes on the warrant and wording.

Mr. Egenberg asked about the Planning Board coming in to explain their articles. Mr. Farrell stated that once they have the Public Hearings we could invite them to a meeting to update the board on the changes.

Citizen Petition discussion. Mr. Farrell stated that the board cannot change the language on the citizen petition.

Mr. Surface asked Mr. Farrell to look at the Local Meals tax as he would like to put this on warrant. Mr. Farrell stated he would put numbers together.

Mr. Surface moved to add a place holder for *Local Meals Tax* article. Mr. Trapani seconded the motion and the motion was approved by a 4-1 vote.

CIP

Mr. Farrell stated that CIP has been meeting and will they will have some place holders. He stated that they may have up to six articles to go on the warrant. He stated some will be funded through the Ambulance Fund or a lease.

Mr. Fowler asked about putting funds into the Capital Fund. Mr. Farrell explained the board's process.

Mr. Smith asked if the Schools had an article for the M/H School. Mr. Farrell stated that they have not submitted an article.

Mr. Surface moved to put a placeholder for Georgetown M/H School repairs. Mr. Trapani seconded the motion.

Mr. Fowler asked where the funds would be coming from. Mr. Egenberg stated that they are looking at \$4M to \$10M. Mr. Smith asked if this would be a debt exclusion. Mr. Farrell stated that it could be a bond. Mr. Fowler asked if we could swing this without a debt exclusion. Mr. Farrell stated that he has not crunched the numbers and there is no final number.

The motion was approved by a 4-1 vote.

Mr. Egenberg asked why Mr. Fowler does not approve of placeholders on the warrant. Mr. Fowler stated that he feels that the articles are not well prepared when placed as a placeholder. Mr. Smith stated that this gives time for the boards to work on the articles. He stated that the boards need to work with the warrant timeline. Discussion

Selectmen's Report

Financial Management Review from DoR for discussion

Mr. Smith stated that he asked Mr. Farrell to summarize the DoR report discussions. Mr. Farrell handed out the summary. Mr. Smith stated changing the Town Administrator role and adopting a Charter through a Charter commission is not as commonly done now. He stated that most are now done through an Act. He stated that UMass Boston Collins Center can come out and help the board work on the process. Mr. Trapani stated he is okay with this and we have used them before. Mr. Fowler asked if there would be a fee for them to come out. Mr. Farrell stated not for the initial meeting. Mr. Surface asked if the list is in order of importance or what. Mr. Farrell stated the list is chronologic. The board stated that it was okay for consultants to come in.

Town Administrator's Report

FY15 Budget Update

Mr. Farrell stated that they had the 2nd Annual FinCom Saturday budget meeting. He stated that the good news is we have a full FinCom all 9 positions are filled. He stated that with the new members the meeting went from 9AM-5PM. He stated that there were a lot of good questions. He stated that they are still missing the School budget. He stated outstanding items are School salaries, operating cost, and Special Ed. He stated that the School Committee is meeting next week and will have numbers. He stated that right now we have a half million in the levy and that will mostly be used up by the school. Mr. Smith stated he wants to express gratitude for those attending on Saturday FinCom and Departments.

Appointments & Approvals

Request for license approval

Common Victualler-Village Sub & Pizza, and Charles C. Dame Lodge

Mr. Egenberg moved to approve the *Common Victualler License for Village Sub & Pizza to expire December 31, 2014*. Mr. Surface seconded the motion and the motion was approved by a unanimous vote.

Mr. Egenberg moved to approve the *Common Victualler License for Charles C. Dame Lodge to expire December 31, 2014*. Mr. Fowler seconded the motion and the motion was approved by a 3-0 vote.

Mr. Surface and Mr. Trapani abstained

Request for appointment of Ann Stewart as an Alternate on the Council on Aging term to expire June 30, 2014.

Mr. Egenberg moved to appoint Ann Stewart to the *Council on Aging as an Alternate Member* term to expire June 30, 2014. Mr. Trapani seconded the motion and the motion was approved by a unanimous vote.

Next Meeting

Monday, February 24, 2014 at 7:00PM, 3rd floor meeting room, Town Hall

Mr. Surface stated that he cannot attend and Mr. Smith stated that he also will not be available to attend the next meeting.

Mr. Trapani wanted to thank Mr. Egenberg for working to get open positions filled and his brainstorm to use the Light bill. Mr. Egenberg thanked all who volunteered to fill open positions.

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

Meeting adjourned at 9:15 PM.

Minutes transcribed by J. Pantano.