

**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**  
**8/4/14**  
**7:00 PM – General Meeting, 3<sup>rd</sup> floor meeting room**

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

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

**Absent:** Stephen Smith

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Pledge of Allegiance

**Warrant & Minutes**

Warrant to be signed

**Board Business**

*Another Spot, Inc. dba The Spot request for a change of manager and change of beneficial interest*

Attorney Jill Elmstrom Mann, Mark McDonough, Owner and Jason Ingeni, Manager were present.

Mr. Ingeni stated that they held a soft opening Sunday and tonight and the VIP opening tomorrow then open to public on Wednesday.

Attorney Mann explained that Cai Walkowlak previous listed manager is still with the company but at a different restaurant. She stated Mr. Ingeni will be the manager here at The Spot and there is a change of beneficial interest listed in the paperwork. The board stated that they are looking forward to the business opening.

**Mr. Surface moved to approve the *change of manager to Jason Ingeni and change of beneficial interest for Another Spot, Inc., dba The Spot.* Mr. Trapani seconded the motion and the motion was approved by a unanimous vote.**

**Appointments & Approvals**

*Request from the Police Chief to appoint Michael Broderick as a full time police officer effective September 1, 2014.*

Police Chief Cudmore and Michael Broderick were present.

Chief Cudmore explained that the department has a retirement coming soon and they are being proactive with this appointment. He explained the process to hire an officer and the time to go to the Academy. He gave background experience for Mr. Broderick. He stated he has volunteered for any position posted in the department. He stated that he will attend the police academy in September and finish in March and be ready to start next year. Mr. Broderick thanked the board

for the opportunity and introduced his wife Jill. He stated he has been working as a Reserve for 5 years in Georgetown. Mr. Trapani stated that he often gets compliments on how residents are treated by the Police Officers.

**Mr. Surface moved to appoint *Michael Broderick* as a *Full-time Georgetown Police Officer* effective September 1, 2014 expiration June 30, 2015. Mr. Trapani seconded the motion and the motion was approved by a unanimous vote.**

*Food Truck Regulations*

Chief Cudmore was present

Mr. Egenberg stated a committee needs to be set up for the regulations. Chief Cudmore stated that the Solicitation bylaw brought the Fingerprinting bylaw and in this bylaw it lists the vendors that need to be fingerprinted. He stated that the BoH has 3 regulations that they govern, packaged goods, milk & ice cream, push carts. He stated that the Commonwealth has a Hawkers and Peddlers license. He stated that at this time the town does not have a bylaw/regulation for food trucks. He stated that since the State adopted the new Ice Cream truck law there have not been any in town. He stated that they need the BoS to give the okay to sell in Georgetown.

Mr. Surface asked for Mr. Farrell to bring a list next week for appointment to the Mobile Food Vendor Committee. Mr. Fowler stated that he does have some concerns that the committee could be of employees not residents of town. He stated that it reads that the committee would be making decisions. Mr. Trapani agreed and Mr. Farrell stated that they could change to recommend instead of adopt. Mr. Fowler stated in Sec 4 BoS would issue permit at an open meeting. Mr. Egenberg stated that the permit would be approved at the BoS meeting. Mr. Fowler stated that the committee would be able to limit locations. Mr. Farrell stated that right now the Cultural Council during events at the American Legion Park will send away anyone if they have a non-profit selling goods. Mr. Farrell stated that this can be a regulation in the bylaw book. Mr. Cudmore stated that the BoH has many ideas and be a good resource to work on this. Mr. Farrell with work with the departments listed to go over the regulation and bring back next meeting.

*Home project funding agreement for approval-Affordable Housing Trustees*

Mr. Snyder Affordable Housing Trust Agent was present

Mr. Snyder explained the HOME consortium and that being a part of the group will give funds to the town for a rental assistance program. He stated that the agreement has been vetted by Town Council.

**Mr. Trapani moved to accept the *HOME Project Funding Agreement* between the Town of Georgetown and City of Peabody, Department of Community Development and Planning as presented. Mr. Surface seconded the motion and the motion was approved by 3-1 vote.**

Mr. Snyder stated that this agreement is for FY14 and that they will have another for FY15.

*GAA Donation and Turf Field Use Agreement*

Mark Perry, Jon Pingree, GAA; Barbie Linares, School Committee, Lindsey from Gale Associates were present

Mr. Egenberg stated that legal counsel has some issues with the Use Agreement. Mr. Pingree stated that this should have been looked at already. Mr. Farrell stated that he is not an attorney and the Trust agreement is a good idea and works well. He stated clause 4 speaks for all agreements and reads too much like a lease and legal says should read as a license agreement. He stated that if a lease it needs to go to town meeting for approval and has to be bid. If a license it is revocable at will and would have language in it that the School Dept can revoke. He stated can have new language at the BoS meeting in two weeks or they can hold a special meeting next week if needed. Discussion on contracts and two different versions. Mr. Farrell stated School Committee decides the use of the fields. Mr. Pingree stated has not seen a license agreement. Mr. Farrell stated license agreement was from day one. Mr. Pingree stated that they have to move on this to get the project moving. Mr. Farrell stated that the document was drawn up a year ago. Mr. Surface stated that the issue is they have the School attorney and the Town attorney looking at the document with different views. Ms. Linares stated that she is shocked and was not aware of a license agreement. Mr. Trapani asked if the board can meet on Thursday. Mr. Fowler stated he feels that they should sign this agreement tonight. Mr. Farrell stated that the Use agreement is new. Mr. Fowler stated had at the July meeting. Mr. Farrell stated that at the last meeting with Carol Jacobs, Barbie Linares and Jon Pingree changes were made the School counsel was to look at the contract. Ms. Linares stated that she assumes it has been reviewed but has not talked to Carol Jacobs. Mr. Farrell stated that BoS do not need to sign the use agreement. Mr. Trapani stated can vote to support. Discussion on contracts and a Trustee agreement.

**Mr. Trapani moved to agree to the GAA Donation Agreement. Mr. Surface seconded the motion.**

Mr. Farrell stated that the board does not need to sign the Use agreement.

**Mr. Surface moved to amend the Donation Agreement. Mr. Trapani seconded the motion.**

Mr. Perry read the trust agreement and how the funds would be dispersed. Mr. Egenberg stated to strike out article 4. Mr. Egenberg stated that there are two agreements. He stated that the BoS are only concerned with the donation not with the Use Agreement.

**The motion to amend the document was not approved by a unanimous vote.**

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

Mr. Surface stated that they need to talk with Town Counsel on the Use agreement. He stated that if the board has to sign the document then they will meet next week. Mr. Pingree and Mr. Perry stated that they will be able to attend a meeting next week to sign a Use Agreement if needed.

### **Turf Field Use Agreements.**

Discussion on stands for games that will be portable. Mr. Surface asked if Schools will be open for bathrooms and who will be responsible for maintenance of the field. Lindsey stated a groomer comes with the turf field and a maintenance manual. Mr. Perry stated Quirk is the

contractor will start the project soon and needs to be done by November 21<sup>st</sup>. Mr. Trapani asked for dates for an article in the newspaper.

**Mr. Surface moved to take a 5-minute recess. Mr. Trapani seconded the motion and the motion was approved by a unanimous vote.**

Mr. Surface stated that they acted on the agreement and if inappropriate then they will review at next meeting and all parties can come in.

### **Correspondence**

Notice from the Town Clerk of the resignation of Michelle Sibiga from the FinCom.

Mr. Egenberg thanked Ms. Sibiga for her service to the town.

Discussion on filling open positions and to put a flyer in the September Light bill.

Discussion on adding committee chairs to email. Mr. Farrell stated that he is working on this and recently talked with Mr. Kelley.

Mr. Egenberg stated that he wanted to send condolences to the Boynton Family as James Boynton passed away last Friday at the age of 103. Mr. Egenberg read a synopsis of his life.

Mr. Egenberg wanted to also congratulate Mr. Surface on the birth of his grandson.

### **Addendum**

*Approval for the Agreement for the Ambulance Remount Services*

**Mr. Surface moved to approve the Agreement for the Ambulance Remount Services. Mr. Trapani seconded the motion.**

Mr. Fowler asked if this was just for the remount. Mr. Farrell stated yes. Mr. Surface stated that the funds are from the Enterprise Fund and no tax dollars are being used. Mr. Farrell stated that is correct.

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

### **Board Business**

Employee Handbook-Revised for July 1, 2014

Mr. Surface asked if the book has gone before Town Counsel. Mr. Farrell stated it has not but he put in regular font and is over 100 pages. He stated he will get an estimate from counsel.

### **Town Administrator's Report**

Mr. Farrell stated that he went out to bid out Highway Materials and cost went up and also bid town hall painting and the cost were substantially higher then expected. Mr. Farrell stated that the State Procurement laws have changed and limits have been increased to \$35k from \$25K so now he is contacting local contractors and hopes to get a contractor under \$35K. If they do not have to go to bid then they do not have to use prevailing wage rates and that will lower the cost.

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Mr. Egenberg asked the status of the fence at Pond Street. Mr. Surface stated that the State has \$65K to fund the project and now waiting on information on how to get the funds. He thanked Rep Mirra and Peter Durkee for all their time working on this project.

Mr. Egenberg thanked the Rail Trail Committee for their work on the trail this weekend. He stated that they cleared from Nelson St to Andover Street.

Mr. Egenberg thanked the Planning Board for the approvals for the Skate Park.

Mr. Egenberg asked Mr. Farrell for a summary of the projects going on around the town.

Mr. Egenberg asked residents to come out and volunteer.

Mr. Surface stated that he wanted to thank the Planning Board and Park & Rec for getting the new fence at the Littles Hill field.

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

Meeting was adjourn at 8:35pm.

Minutes transcribed by J. Pantano.

**Next Meeting**

Monday, August 18, 2014 at 7:00PM, 3<sup>rd</sup> floor meeting room, Town Hall