

**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**  
**10/20/14**  
**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; Philip Trapani; C. David Surface (Mr. Surface by remote login)

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

**Absent:** Stephen Smith

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Pledge of Allegiance

Mr. Egenberg stated that Mr. Surface has requested to participate remotely to tonight's meeting because of physical disability. He stated all votes will be by a roll call vote.

**Warrant & Minutes**

Warrant to be signed

*Minutes September 22, 2014*

**Mr. Trapani moved to approve the Minutes of September 22, 2014. Mr. Fowler seconded the motion and the motion was approved by a roll call vote 4-0.**

Mr. Egenberg stated that our Town Accountant's mother passed away and he read the notice and sent the condolences of the board.

**OLD BUSINESS**

*Alternate Agenda Posting Method*

Mr. Egenberg asked if the policy was from the Town Clerk. Mr. Farrell stated that the policy is from the Attorney General and himself. He stated included is a draft memo and the policy would also go out staff and committees.

Mr. Surface stated that the board had asked about an interactive device for outside the back of the building. Mr. Farrell stated a Kiosk would be the best option for outside and cost to lease would be \$9K for 3years. Mr. Surface asked if that would include updates. Mr. Farrell stated that it would and could be a wired or wireless setup. Mr. Trapani stated he would like to look at other options. Discussion on boards being reached through email.

Mr. Fowler stated that he does not see the need for the kiosk and it will confuse the public more. He stated if they could use the Kiosk they could use a computer. He stated that he would like to see a paper posting. Mr. Farrell stated that they are requesting a dual posting outside and online. Mr. Surface asked if it is that much of a burden for the Town Clerk. He stated that we could

increase her hours for an hour if needed. Mr. Fowler stated is the issue only online. Mr. Trapani asked if the Town Clerk is okay with this. Mr. Farrell stated Town Clerk was shown how to post online and does not take any more time. He stated the Town Clerk did not want to do both. Mr. Surface stated that the agendas can be available online and at a computer at the Library. Mr. Fowler stated that the bulletin board could be used as a courtesy. Mr. Trapani stated that Mr. Farrell recommends both. Mr. Trapani stated that until it is too onerous for the Town Clerk then we should do both. Mr. Surface stated one way online. Mr. Trapani stated do both for now until push back.

**Mr. Surface moved to approve the Alternate Agenda Posting Method of public meetings to be electronic to the town's website calendar at georgetownma.gov also outside as a courtesy with a sign of official posting online. Mr. Trapani seconded the motion and the motion was approved by a roll call vote.**

#### *Food Truck Regulations*

Mr. Egenberg asked where we stand. Mr. Farrell stated Mr. Fowler had some questions. Mr. Fowler stated that on page 2 section 3 the committee is just reviewing and making a recommendation and the board is the licensing authority. Mr. Farrell stated that this is correct. Mr. Fowler asked about food trucks being in an area zoned for food trucks. Mr. Farrell stated food trucks are not mentioned in our zoning bylaws. He stated that the code enforcement officer stated that the food trucks should be allowed in area where restaurants are allowed. He stated right now they go to construction site at School and the West Street fields. Mr. Surface stated that they have to move and no overnight correct. Mr. Farrell stated that is correct. Mr. Trapani asked if vendor wants a fixed location. Mr. Farrell stated no one will be given a permanent location. Mr. Trapani stated that we would look to the committee to establish a zone. Mr. Fowler stated that the cost of the application and fee is \$25 is that what we charge for a Common Victualler License. He stated we get taxes from businesses this seems low. Mr. Fowler asked if the board approves, we can have the committee review the regulations and come back with any revisions. Mr. Farrell stated that this is a dual license and that the applicant also has to go to the Board of Health and they have a fee for the inspection and the group did not want to over burden.

**Mr. Trapani moved to approve the Food Truck Regulations as presented. Mr. Surface seconded the motion**

Mr. Fowler stated that the committee will know that some changes will be made. Mr. Trapani stated that they should have the committee review. Mr. Egenberg stated that members should be specific if there are areas that they would like revisions. He stated that the committee can vet zones not covered.

**The motion was approved by a roll call vote. 4-0**

#### **ITEMS NOT REASONABLY ANTICIPATED BY THE CHAIR 48 HOURS IN ADVANCE OF THE MEETING**

#### **SELECTMEN'S REPORT**

*Financial Management Review from DoR-prioritization of remaining recommendations*  
Mr. Farrell explained that he prioritized the list and put some of the DoR language in the document.

1.

*A. Codify the Budget Process in By-law*

Mr. Farrell stated that the FinCom wants to take this item on. He stated that this could go on the ATM warrant in the spring.

*B. Discontinue Inappropriate Revolving Fund*

Mr. Farrell explained that this would be to rescind the Conservation restriction funds, local access programming fund, and road machinery fund. He stated that the Conservation Revolving fund has funds for a conservation restriction on a property on Stone Row Lane. He stated that the ConCom agent is to monitor the restriction and DoR states that the fund does not meet the qualification.

Egenberg asked why the Cable TV fund. Mr. Farrell stated is legal as a source of revenue but DOR stated funds should go to General Fund and the Cable program should be funded in the Budget. Mr. Fowler stated that the town use to fund the road machinery fund but now it is funded with payments from the Water Department and Light Department when they pay the highway for services.

*C. Start Town Charter Process*

Mr. Farrell stated that this was the DOR's number one recommendation. Discussion on the two processes. Mr. Farrell stated going through the Legislature the process being used by other towns. Mr. Fowler stated thought we would have someone in to discuss. Mr. Farrell stated we did have someone from the McCormack School. Mr. Trapani stated that he is trying to find the why of this. He asked what are the benefits of this and until we have the why of the benefits cannot move forward. Mr. Surface stated have to see what is the goal and how a Charter will be more efficient.

Mr. Egenberg stated that they can have A & B above at the Annual town meeting. He stated that the Charter is another topic.

2.

*A. Define the Purpose of the Spring Annual and Fall Town Meetings*

Mr. Farrell stated that this is a policy statement. Mr. Fowler asked for a draft policy for the next meeting.

*B. Reconsider Policy on Health Insurance for Part-Time Boards*

Mr. Farrell stated to receive health insurance a board must be paid. He stated that only one person takes the insurance. Mr. Farrell stated that if approved to discontinue would have to do with the term as this is an elected position. Board asked for this item to be on next agenda.

*C. Perform a Comprehensive Review of the Bylaws*

Mr. Egenberg stated that this is heavy lifting. Mr. Farrell stated that he would recommend our attorney's or a consultant review and in the end have legal review. Mr. Egenberg asked for an estimate. Mr. Fowler stated that they would have to fund this at the ATM. Mr. Fowler asked how legal funds are. Mr. Farrell stated that we are on budget.

**TOWN ADMINISTRATOR'S REPORT**

*Special Town Meeting Update*

Mr. Farrell stated legal looked at warrant.

Mr. Farrell stated that legal and GAA agreed to go to a license and a draft would be going to GAA. He stated that if the license is signed then the town will pass over the article at the STM and will not have to go out to bid.

He stated that there are two fire department ambulance articles. Mr. Farrell stated that the town cannot take funds out of retained earnings for anything other than operations. He stated that we cannot return funds from the Ambulance Fund to the Stab Fund. He stated that the town will have to talk with DOR on this.

Mr. Fowler asked about Article 5 funds for the Synthetic Field. Mr. Farrell stated that this is a space holder for if there is a need for additional funds to finish the project.

Mr. Fowler asked about voting on articles. Mr. Farrell stated that FinCom has not voted and will on town meeting evening. Mr. Fowler stated he has an issue on Article 4 and is the School cutting their maintenance budget and are they using TM for additional funds. Mr. Farrell stated that they had a maintenance meeting and discussed staffing of a joint maintenance policy.

Mr. Egenberg reminded the audience that the Special Town Meeting is next Monday, October 27<sup>th</sup> at the M/H School at 7PM and that the BoS will be meeting at 6PM. He stated that we need 100 residents for a quorum.

Mr. Trapani stated he went to the meeting that the School and DEP held and the town is not required to test soil if not moving the soil. He stated that they do not have to do anything unless they are moving soil. He stated that the arsenic in the soil is naturally occurring and is in many towns in the area. Discussion

Mr. Fowler asked if we had to do the testing at the Pennbrook School. Mr. Egenberg stated that the board took a vote to do the testing at the School. Mr. Farrell stated DEP shut us down at the Pennbrook School and the town had to have a remediation plan. Mr. Trapani stated that we were required to submit a remediation plan. Mr. Egenberg stated that he remembers asking the OPM and they said we were not required but they recommended remediation. Mr. Trapani stated that he feels the board made the right decision but could have done some things differently.

Mr. Fowler asked about the calls from the Water Department regarding flushing can they be listed a code blue and not a code red call.

Mr. Farrell stated that he did meet with Essex County Sheriffs representative regarding the painting of town hall and they have us on the spring calendar. He stated that the town would have to pay for supplies and pizza.

Mr. Surface stated that he talked with Senator Tarr regarding the funds for Pond Street and asked to have an update at next meeting. Mr. Farrell stated that he will ask Peter Durkee to attend with an update as he has been working on this.

### **ADJOURNMENT**

**Mr. Egenberg moved to adjourn. Mr. Surface seconded the motion and the motion was approved by a roll call vote. 4-0**

Meeting adjourned at 8:20PM.

Minutes transcribed by J. Pantano.

**NEXT MEETING**

Monday, October 27, 2014 at 6:00PM, M/H School, 1<sup>st</sup> floor class room-Special Town Meeting

Monday, November 3, 2014 at 6:30PM, 3<sup>rd</sup> floor meeting room, Town Hall